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S. Bellaire
File No: SP11-021834

TO:	CHAIR AND MEMBERS – BUILT AND NATURAL ENVIROMENT COMMITTEE MEETING
FROM:	D. N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING
SUBJECT:	APPLICATION BY: SCHLEGEL ENTERPRISES INC. 1390 Highbury Avenue North PUBLIC SITE PLAN MEETING OCTOBER 31, 2011 AT 4:45 PM

RECOMMENDATION

That on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Schlegel Enterprises Inc for a 128 unit Long Term Care facility at 1390 Highbury Avenue North:

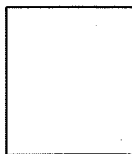
- a) On behalf of the Approval Authority, the Built and Natural Environment Committee **BE REQUESTED** to conduct a public meeting on the subject site plan application and **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval;
- b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for a Long Term Care facility subject to the minor variances being granted;
- c) the applicant **BE ADVISED** that the Director, Development Finance has projected the claims and revenues information as shown on attached Schedule A.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of this application is to obtain site plan approval for a new 128 unit Long Term Care facility located at 1390 Highbury Avenue North. The application for site plan approval has been made to ensure the development takes a form compatible with adjacent land uses.

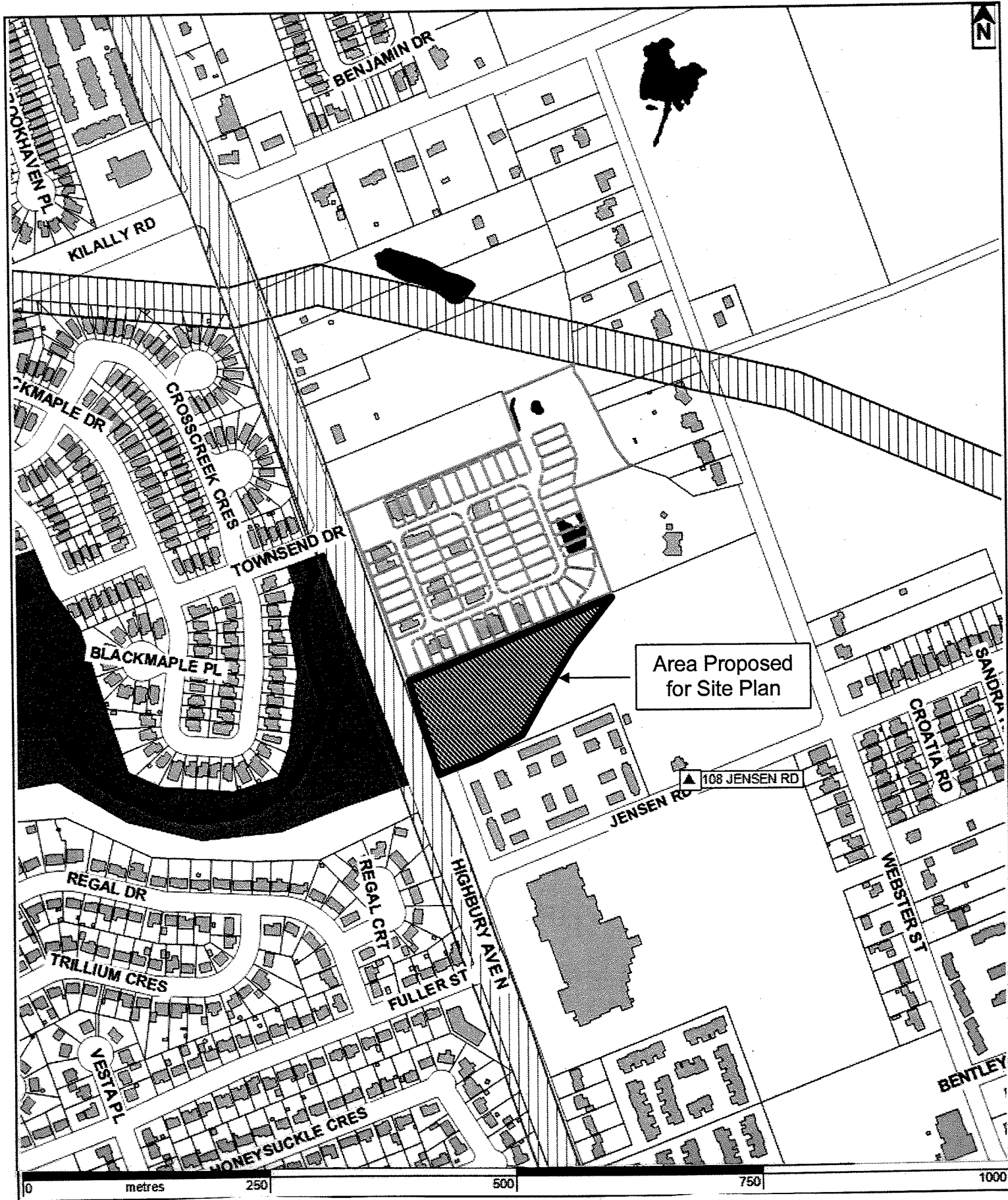
PREVIOUS REPORTS PERTINENT TO THIS MATTER
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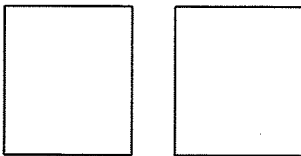
Z-7359; Report to Planning Committee to amend Zoning By-law to change the zoning of the land from an Urban Reserve (UR1) Zone and a Residential R1 Zone to a Holding Residential R7 special provision Zone and an Open Space (OS4) Zone - February 9, 2009



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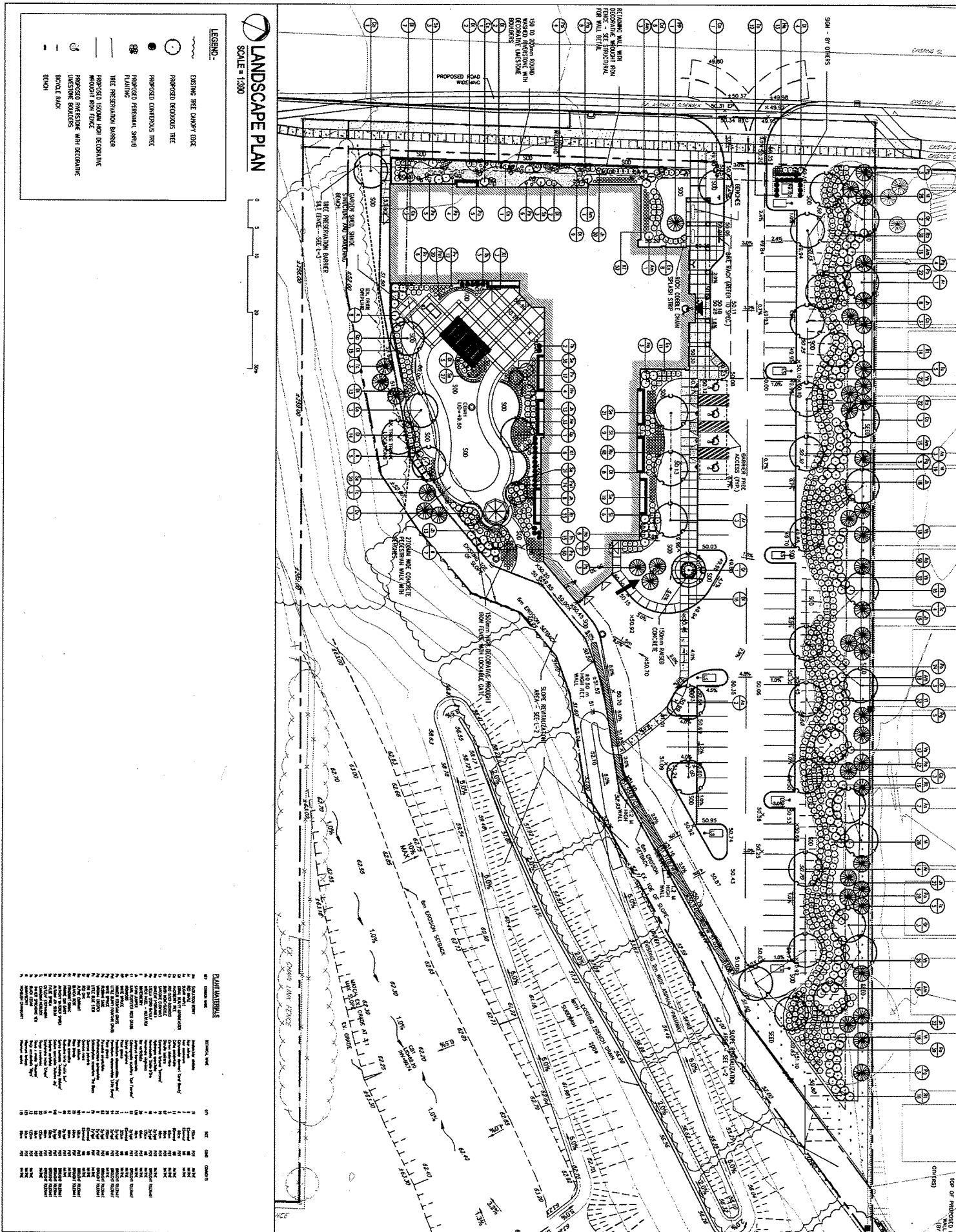
Location Map





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Landscape Plan



L-1

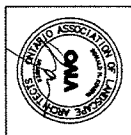
Highbury Ave. Long Term Care
 ■ NEW BUILDING ■
 1390 HIGHBURY AVE. NORTH, LONDON, ONTARIO ■

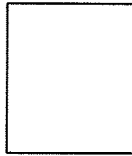
LANDSCAPE PLAN

240 No.	Scale:	Drawn:	Date:
11-1485-15	AS NOTED	M.S.R.	JULY 2011

RON KOUDYS LANDSCAPE ARCHITECTS

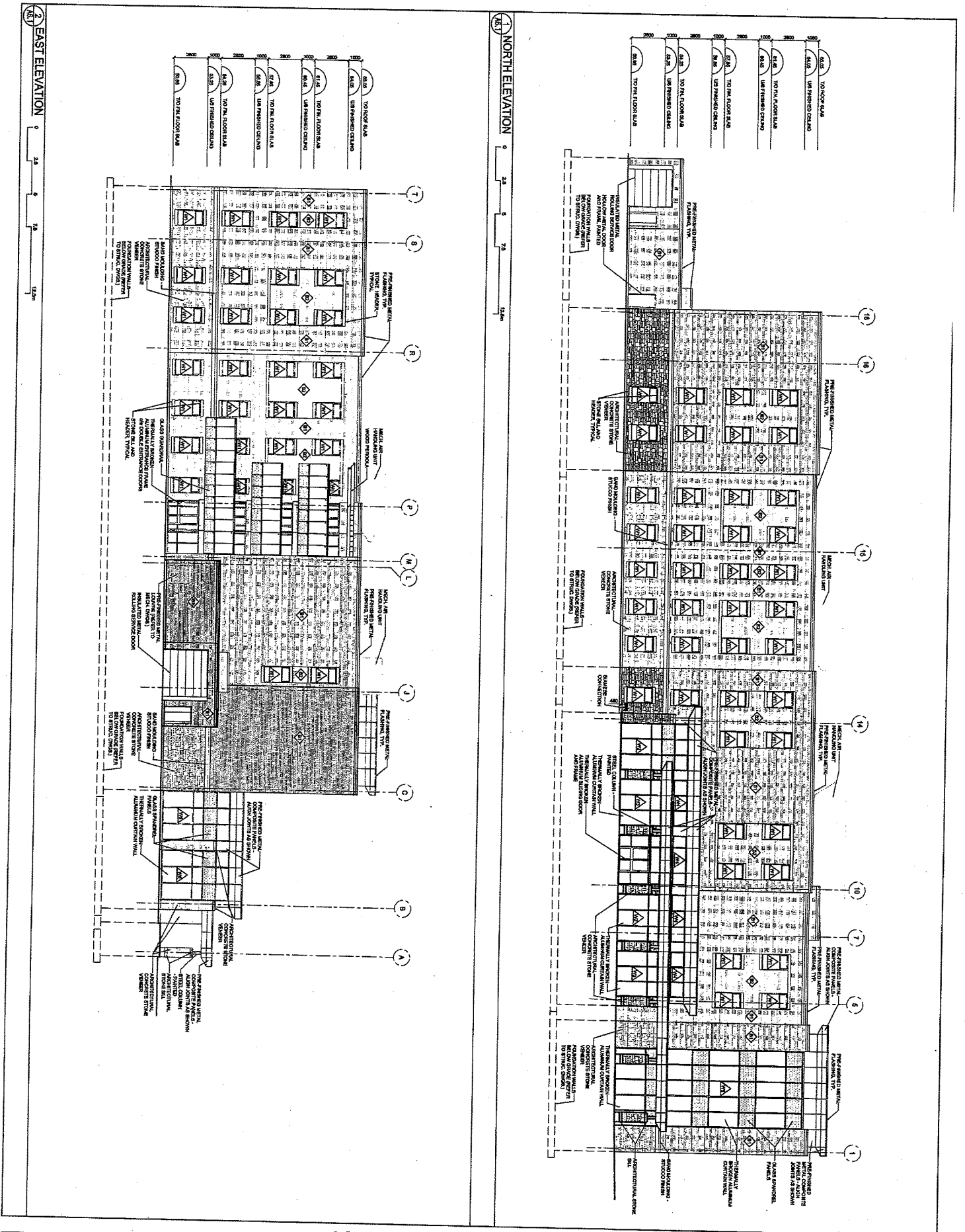
08 JULY 11	SIGNED FOR SITE PLAN APPROVAL
13 SEPT '11	RECALLED FOR SITE PLAN APPROVAL





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File No: SP11-021834

Elevations



A6.1

RECEIVED BY
Highbury Ave. Long Term Care
 ■ NEW BUILDING
 1360 HIGHBURY AVE. NORTH, LONDON, ONTARIO ■
 SEP 12 2011
 EXTERIOR ELEVATIONS

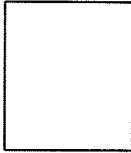
Job No.	Scale	Drawn	Chk:
473	AS NOTED	M.A.B.	JULY 2011
Proj. No.	Proj. Desc.		
141	141		

**CITY OF LONDON
DEVELOPMENT APPROVALS
BUSINESS UNIT**

CORNERSTONE
 ■ ARCHITECTURE
 110-700 Richmond Street, London ON, N6A 5C7 (519) 432-0844 Fax: 432-0847
 11-021834

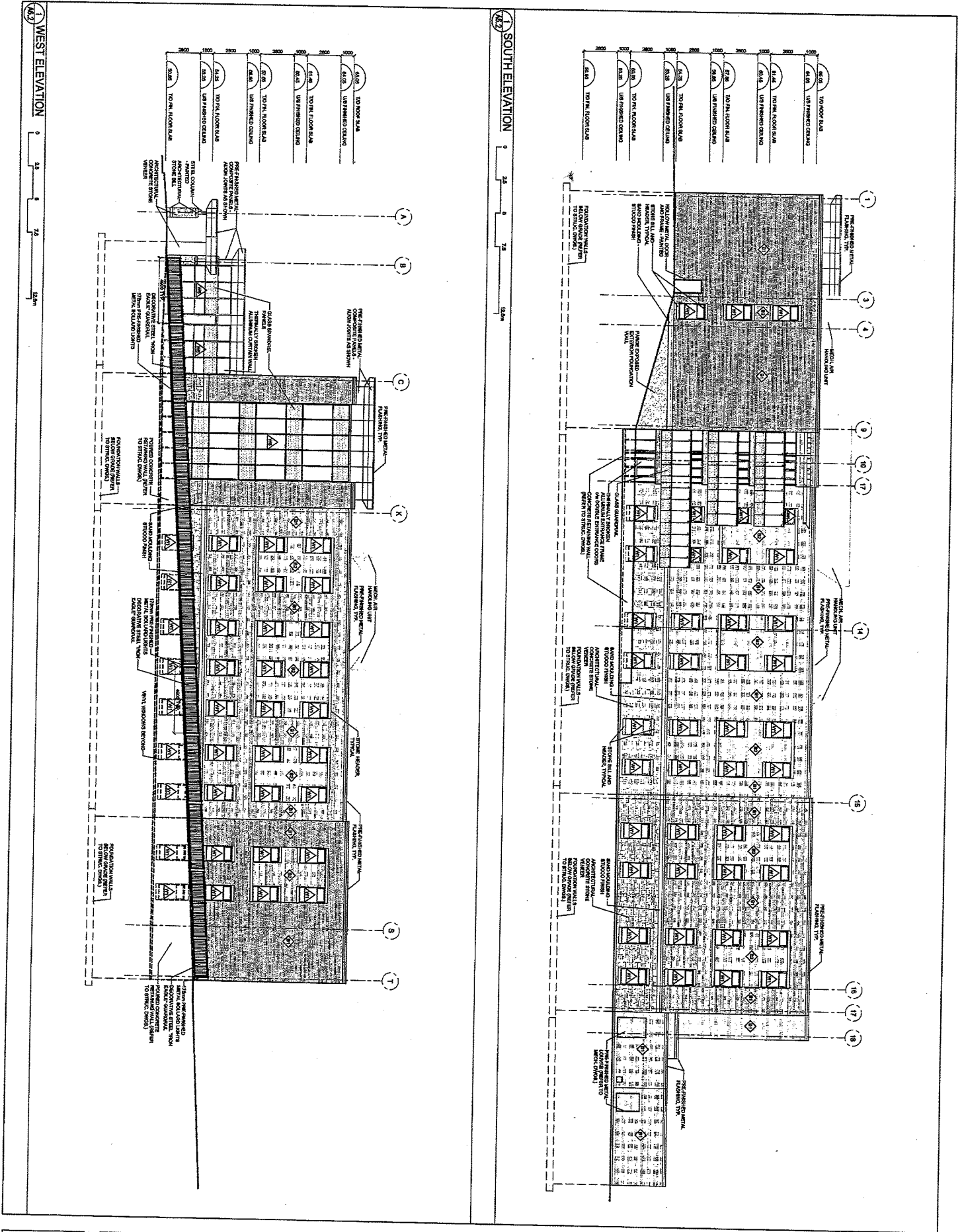
08 JULY 11	ISSUED FOR SITE PLAN APPROVAL
13 SEPT 11	RESUBMITTED FOR SITE PLAN APPROVAL





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File No: SP11-021834

Elevations



A6.2

Highbury CARE
NEW BUILDING
1360 HIGHBURY AVE. NORTH LONDON, ONTARIO

EXTERIOR ELEVATIONS SEP 12 2011

Job No. AS NOTED
Scale: AS NOTED
Drawn: M.S.A.
Date: JULY 2011

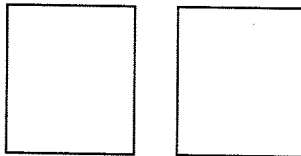
CORNERSTONE ARCHITECTURE 11-021834

110-700 Richmond Street, London, ON, N6A 6C7 (519) 452-8644 Fax 452-6737

08 JULY 11 ISSUED FOR SITE PLAN APPROVAL
13 SEPT 11 RE-SUBMITTED FOR SITE PLAN APPROVAL



CITY OF LONDON
DEVELOPMENT APPROVALS



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APPLICATION DETAILS

Date Application Accepted: July 6, 2011	Agent: Cornerstone Architecture
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SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Vacant • Frontage – 89m • Depth – 198.9m • Area – 10,030m² • Shape – Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Cluster single detached dwellings • South – Cluster townhouse dwellings • East – Open Space • West – Open Space / Kilally Meadows ESA

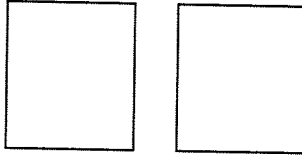
OFFICIAL PLAN DESIGNATION: Multi-Family, Medium Density Residential
EXISTING ZONING: Holding Residential R7 Special Provision (h-2*h-103*R7(14)*D75*H13) Zone and an Open Space (OS4) Zone.

BACKGROUND

Re- Zoning

On April 30, 2007, a zoning by-law amendment application was submitted for these lands to permit an approximately 160 bed long-term care facility (our file Z-7359). When evaluating the proposal, staff and Council considered not only the land use issues but also the urban design, site containment and remediation, slope stability and natural heritage issues. Council adopted the Zoning By-law Amendment on February 23, 2009, to re-zone the subject lands FROM Urban Reserve (UR1) Zone and Residential R1 (R1-2) Zone TO a Holding Residential R7 Special Provision (h-2*h-103*R7(14)*D75*H13) Zone to permit senior citizens apartment buildings, handicapped person apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments at a maximum density of 75 units per hectare and a maximum height of 13 metres, and an Open Space (OS4) Zone, and they requested the following matters be addressed at the site plan stage:

- i. A tree preservation report/vegetation retention plan be undertaken prior to resolution of the final site grading plan, and shall include site-specific analysis of rooting zone characteristics and grading strategies including the use of structural techniques such as retaining walls, engineered soils and root-zone barriers;
- ii. Construction fencing shall be installed at the outer limit of the building envelope;
- iii. As per the h-2 holding provision, a site-specific rehabilitation plan will be prepared for the upper slope and all portions of the lower slope that are disturbed by grading



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- activities and will incorporate groundlayer erosion control, groundlayer seeding of herbs and forbs, groundlayer rooted hardwood cuttings, shrub layer establishment of native material and canopy layer establishment of native hardwood trees;
- iv. As per the h-2 holding provision, a site-specific rehabilitation plan shall be prepared and implemented to conformity with City of London and provincial standards;
 - v. As per the h-103 holding provision, Urban design objectives shall be addressed including the following:
 - built form should be brought to the Highbury Avenue street edge (maximum front yard setback of 3 metres);
 - built form should create a continuous street wall along Highbury Avenue (12.5 metre maximum side yard setback);
 - building form should integrate with and take advantage of the natural features and other view corridors on-site;
 - the applicant should explore opportunities to create pedestrian and cycle connections to adjacent properties (especially to the east);
 - the building architecture should attempt to create an "urban" character along the Highbury Avenue Corridor;
 - site landscaping should create an "urban" character along Highbury Avenue i.e. increased "hard" landscaping, such as defined flowerbeds, paving stones, etc.;
 - parking should be placed in the rear of the building;
 - an urban design brief should be submitted as part of the Site Plan and further discussions and review may be necessary upon receipt of the document, noting the site plan submission will be reviewed by the Urban Design Peer Review Panel; and,
 - design efforts will be made to mitigate impacts on the residential lands to the north of the subject site and will attempt to be to the satisfaction of all parties;

Holding Provision h-2 is as follows:

h-2 Purpose: To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System (identified on Schedule "B" of the Official Plan), an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol. (Z.-1-051390)

Permitted Interim Uses: Existing uses.

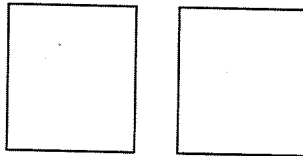
Holding Provision h-103 is as follows:

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

Note: as the position of General Manager of Planning and Development no longer exists the site plan and elevations shall be to the satisfaction of the City Planner.

Urban Design Peer Review Panel

The proposal was presented before the Urban Design Peer Review Panel (UDPRP) on July 20, 2011. The UDPRP has the following comments regarding the proposed development:



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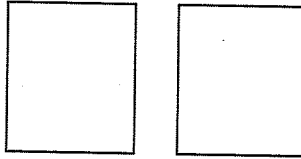
1. The location of the building as proposed, complies with the intent of the Holding Residential R7 Special Provision approved by Municipal Council on 23 February 2009;
2. Extend/continue the width of the sidewalk under the pergola west to meet the municipal sidewalk on the east side of Highbury Avenue;
3. Provide a landscape plan documenting the intensive tree planting scheduled to be installed north of the parking lot parallel to the northerly property line; *NOTE: provided post meeting.*
4. Provide a landscape plan documenting rehabilitation of the lower and upper slopes to the south of the proposed project as required by the Holding Residential R7 Special Provision approved by Municipal Council on 23 February 2009; *NOTE: provided post meeting.*
5. Confirm that the pedestrian walkway connecting the proposed project to the adjacent properties to the east, as required by the Holding Residential R7 Special Provision approved by Municipal Council on 23 February 2009, has been provided across the lower and upper slopes, and has been or will be paved as part of this project;
6. Introduce a rolled curb to the patient drop-off area to mitigate the risk that pedestrians will trip over the curb given the narrowness of the sidewalk north of the proposed main entrance;
7. Reinforce the hard surfacing layout north of the main building entrance by substituting concrete for the asphalt proposed within the patient drop-off area;
8. Detail the proposed cast-in-place concrete retaining wall complete with ornamental railing, west of the building along the westerly property line;
9. Additional delineation of the elevations particularly the west and north elevations is required to reduce the monolithic brick panels;
10. Improve the quality of the patient rooms that face north and look over the entrance and amenity area roofs by introducing green roofs;
11. Use pervious pavement in select areas of parking lots; and
12. Collect rain water in an underground cistern for use watering plants and shrubs within the secure garden.

Consent

The subject lands for this site plan application are currently part of a larger parcel known municipally as 108 Jensen Road. In 2009, an application for consent for the creation of a 1.04 ha parcel fronting onto Highbury Avenue North, below the slope, was processed and approved (our file B.014/09). A certificate was issued on August 16, 2010, however, the certificate was never registered and the consent subsequently lapsed.

A second application for consent for virtually the same proposal was received on July 6, 2011. Application B.041/11 proposes to sever 1.037 ha for a future long term care facility and retain 4.668 ha for future medium density residential. On September 9, 2011 the City of London Consent Authority granted the application subject to the following condition:

7. The Owner shall enter into a consent agreement with the City of London, to be registered on title of the retained lands, for a site specific rehabilitation plan required for the upper slope and all portions of the lower slope that are disturbed by grading activities and will incorporate ground layer erosion, ground layer seeding of herbs and forbs,



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groundlayer rooted hardwood cuttings, shrub layer establishment of native material, and canopy layer establishment of native hardwood trees and post the required security.

A site-specific erosion and sediment control plan shall be prepared and implemented in conformity with City of London and provincial standards upon the development of the retained lands.

Condition No. 7 of the Consent has direct implications on the site plan approval as it must be satisfied in order to remove the h-2 holding provision required prior to site plan approval.

Slope Rehabilitation Plan

The slope and lands above and below the slope are within the Upper Thames River Conservation Authority (UTRCA) regulation area. In order to undertake any development, site alteration, construction, or placement of fill within the regulated area a permit is required from the UTRCA.

As a result of the slope washing out in March 2008, following a period of snow melt and rainfall, a permit was submitted by the applicant to stabilize the slope. In support of this application, the applicant submitted a Slope Stability Assessment, prepared by Golder Associates in June 2008. The report recognized the extensive fill placed at the top of the slope and recommended stabilizing the slope by changing the grade to 2.5 to 1. In order to regrade the slope the existing vegetation had to be removed and when completed the slope should be topsoiled, seeded and vegetated with native tree species. Based on the submission material, geotechnical investigation, and consultation regarding the method to stabilize the slope, the UTRCA issued a permit on June 18, 2010. The permit included sediment and erosion control measures and a Slope Revegetation Plan. Neither DABU nor Parks Planning Staff reviewed the Slope Revegetation Plan prior to issuance of the permit by the UTRCA.

In order to fulfill condition No. 7 of consent application B.041/11 and to comply with the February 23, 2009 Council resolution, modifications to the UTRCA accepted Revegetation Plan are required. Further details of the this plan are addressed in the Analysis section of this report

Minor Variance

On October 5, 2011 an Application for Minor Variance (our file A.126/11) was received for these lands to increase the maximum front yard setback to 4.5 metres where a maximum of 3.0 metres is required and to reduce the minimum south interior side yard setback to 1.6 metres in place of a minimum of 4.8 metres. The applicant has requested the additional front yard setback because a retaining wall is required along the Highbury Avenue North frontage and the reduced side yard setback because there is no development to the immediate south and proposed property line already incorporates the slope and erosion maintenance setback. The application will be heard by the Committee on November 7, 2011

At the time this report was prepared, Planning Division had not prepared its recommendation to the Committee of Adjustment on the application.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

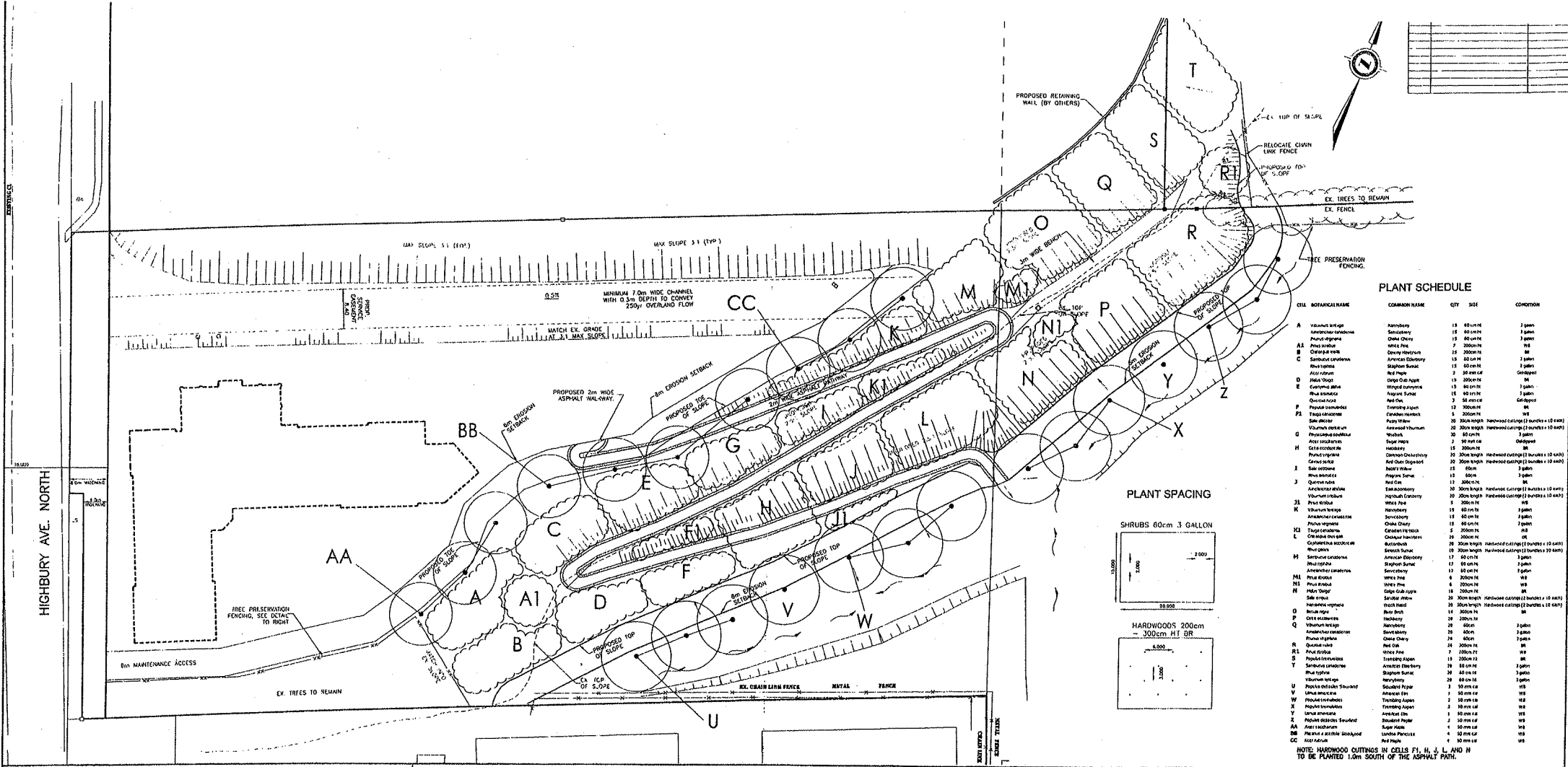
Planning, Engineering, and Environmental Services Department

No Comments

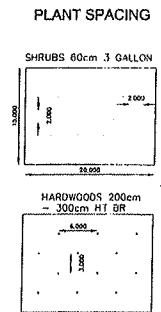
Transportation

The Transportation Planning and Design Division has requested the construction of a northbound right turn lane, repainting of pavement markings to form a southbound left turn lane, removal of the existing concrete sidewalk, and construction of a new concrete sidewalk and

Slope Rehabilitation Plan

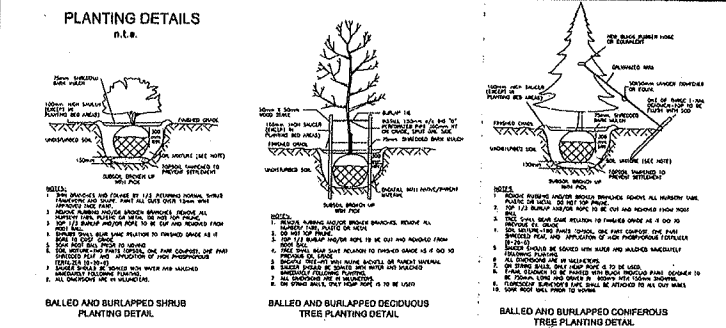


CELL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	CONDITION
A	Viburnum lentago	Hannyberry	15	60cm Ht	1 plant
A	Aster multiflorus	Snowflake	15	60cm Ht	1 plant
A	Prunella vulgaris	Prunella	15	60cm Ht	1 plant
A	Carduus marianus	Witch Hazel	7	300cm Ht	1 plant
B	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
C	Saxifraga hypnoides	Arctic Saxifrage	15	60cm Ht	1 plant
C	Rhus typhina	Staghorn Sumac	15	50cm Ht	1 plant
C	Aster multiflorus	Witch Hazel	2	30cm Ht	1 plant
D	Rhus typhina	Staghorn Sumac	15	200cm Ht	1 plant
D	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
D	Rhus typhina	Staghorn Sumac	15	60cm Ht	1 plant
D	Rhus typhina	Staghorn Sumac	3	60cm Ht	1 plant
D	Rhus typhina	Staghorn Sumac	15	200cm Ht	1 plant
E	Prunella vulgaris	Prunella	15	200cm Ht	1 plant
F1	Prunella vulgaris	Prunella	5	200cm Ht	1 plant
F1	Prunella vulgaris	Prunella	20	30cm Ht	1 plant
G	Prunella vulgaris	Prunella	30	60cm Ht	1 plant
G	Prunella vulgaris	Prunella	7	30cm Ht	1 plant
H	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
H	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
H	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
H	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
I	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
I	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
J	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
J	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
K	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
K	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
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L	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
M	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
M	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
N	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
N	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
O	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
O	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
P	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
P	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
Q	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
Q	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
R	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
R	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
S	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
S	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
T	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
T	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant
U	Carduus marianus	Witch Hazel	15	200cm Ht	1 plant
U	Carduus marianus	Witch Hazel	15	60cm Ht	1 plant



GENERAL NOTES

1. ALL PLANT MATERIAL SHALL BE NURSERY STOCK
2. STAKE ALL DECIDUOUS AND CONIFEROUS TREES.
3. DIG ALL FREE PITS 600mm LARGER THAN ROOT BALL AND PLACE THREE CENTERED IN PIT ON UNDISTURBED SOIL BACKFILL WITH PARENT MATERIAL
4. PLANT SHRUBS IN PLANTING BEDS TO A MINIMUM 50mm DEPTH OF TOPSOIL. SEE PLANTING DETAIL
5. COVER PLANTING BEDS WITH 50mm TO 70mm LAYER OF BARK SHREDS/CHIPS
6. USE NUMBER ONE TURFGRASS NURSERY SOIL IN ACCORDANCE WITH THE NURSERY SOIL GROWERS ASSOCIATION OF ONTARIO
7. SITE LAYOUT IN ACCORDANCE WITH THE SITE PLAN PREPARED BY DEVELOPMENT ENGINEERING (LONDON) LIMITED
8. FOR GRADING AND DRAINAGE SEE SITE ENGINEERING PLAN PREPARED BY DEVELOPMENT ENGINEERING (LONDON) LIMITED
9. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED
10. ALL PLANT MATERIALS ARE TO BE GUARANTEED FOR TWO YEARS FROM THE DATE OF PLANTING ANY REPLACEMENT PLANT MATERIAL WILL BE GUARANTEED FOR TWO YEARS FROM DATE OF THAT PLANTING
11. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ALL EXISTING UNDERGROUND UTILITIES WITHIN THE LIMITS OF THE CONSTRUCTION SITE SHALL BE LOCATED AND MARKED. ANY UTILITIES DAMAGED OR DISTURBED DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE CONTRACTOR'S EXPENSE.
12. PLANT MATERIALS ARE TO BE INSTALLED AS SHOWN. SUBSTITUTIONS ALLOWED WITH THE APPROVAL OF THE LANDSCAPE CONSULTANT



SEEDMIX SPECIFICATIONS:

FOR SLOPING FROM BOTTOM TO TOP OF SLOPE ON PREPARED SEEDBED.
 1. MIXED CROP OF ANNUAL HERBS FOR SOIL PROTECTION AND WEED SUPPRESSION AT A RATE OF 25kg/100m² BEFORE LATE SEPTEMBER FOR ESTABLISHMENT WITHIN 3 WEEKS. OSC # 7115. WWW.OSC.CO.UK

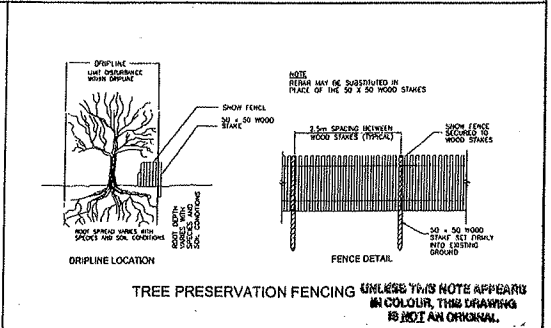
2. SHORT TURF GRASS WITHIN SPECIFIED AREAS, DESIGNED TO PREVENT EROSION AND ENCOURAGE WILDLIFE. SOW AT A RATE OF 125kg/100m² OCTOBER 15 THROUGH MARCH 15 IS OPTIMAL. SOWING TIME FOR NATIVE GRASSES TO GERMINATE IN THE SPRING OSC # 7112

3. CONSIDERABLE SAND UNDESIRABLE. LITTLE BLUE STEEL, CANADA WILD RYE, BLUE FESCUE, SUDAN GRASS, MOHAWK GRASS, WILD BROMELIUM, EXTENSIVE SCENTED PRAIRIE, SPRY FOX TAIL, SOY BEAN, BLUE ASTER MAINTENANCE WITHIN THE SEED MIX. ONE SEEDING, NO LOWER THAN 15cm HEIGHT, RECOMMENDED TO TOP OFF AGGRESSIVE WEEDS AND OXE DIRTED VEGEATION GROWTH OPPORTUNITY.

4. LONG PATHWAYS AND ACCESS POINTS SOW LOW MAINTENANCE LAWN MIXTURE AT A RATE OF 25kg/100m² OSC # 7104.

5. CONSIDERABLE SOIL COVERING AND FERTILISER. EXISTING HARD FEEDE, CHEMICALS FERTILISER AND PERENNIAL RYE. TO BE MOWED REGULARLY TO ACHIEVE A CLEAR VEGETATION GROWTH OPPORTUNITY.

6. SEEDS ARE TO BE GUARANTEED FOR 1 YEAR FROM THE DATE OF PLANTING AND APPLICATION FROM MAY 15 TO JULY 30



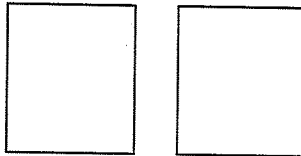
EXISTING SERVICES	DRAWING #	SOURCE	DATE	AS CONSTRUCTED SERVICES	COMPLETION	DETAILS	NO	REVISIONS	DATE	CONTRIBUTOR	COMMENTS OR SKETCH	SCALE	TITLE	PROJECT NO.
													SCHLEGEL ENTERPRISES INC. LONG TERM CARE FACILITY	D7006
													SLOPE REVEGETATION PLAN	7
													108 JENSEN ROAD	
													PART 1, 33R-17340	

Consulting Civil Engineers
41 Adelaide St. W. Unit 71
London, Ontario N6A 3P4
Phone: (519) 872-8310
Fax: (519) 872-4182
www.developmentengineering.com

development engineering
(London) Limited

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OCT 3 2011

SCALE = 1:400



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asphalt bike path to coincide with the new alignment of Highbury Avenue North. All of the items have been placed on the proposed site plan drawings.

Parks Planning

To date, the City of London Parks Planning Section has provided sign-off for the Environmental Impact Study (December 2008) and subsequent addendum (July 2009). Parks Planning and the Development Approvals Business Unit have had meetings with the applicant to discuss the proposed slope restoration plan in order to satisfy the condition of the consent. Comments from both Divisions have formed the proposed restoration plan.

Urban Design

To date, the Urban Design department has approved the proposed elevations for the site plan.

PUBLIC LIAISON:	On July 28, 2011, 129 letters indicating the application for site plan approval were sent out to area property owners within a 120 metre radius of the proposal. On July 30, 2011 Notice of the Application was published in the London Free Press. On October 20, 129 letters indicating the application for site plan approval were sent out to area property owners within a 120 metre radius of the proposal. On October 15, 2011 Notice of the Application was published in the London Free Press.	1 reply has been received to date.
Nature of Liaison: Same as Requested Action		
Responses: One resident from 1442 Highbury Avenue N called to express that she is keenly interested in the development and wants to ensure she is kept informed of all the progress.		

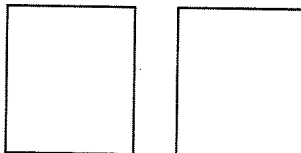
ANALYSIS

Description of the Site Plan

The applicant is proposing a three storey, 128 bed, Long Term Care site. The building is proposed to support the functioning of a Long Term Care facility. It has been purposefully located as close as possible to the street in order to comply with the intent of the Zoning By-law and Urban Design Guidelines to form a continuous street wall along Highbury Avenue North. The building is proposed to be located 4.5m from the ultimate road widening allowance at the front as the slope of the property requires a retaining wall to be implemented. The setback allows for the main floor windows to have separation between the retaining wall and the building creating a better user experience. Access to the site is proposed along the northern edge of the building in-between an enhanced landscaping buffer to the adjacent residential properties and the building. There are 67 surface parking spaces which are located along the northern interior side yard and 5 bicycle parking spaces located at the northwest corner of the building close to the main entrance. The landscape plan (Page 4) proposes to create an urban character along the Highbury Avenue North corridor by including defined plant beds and a wrought iron fence on the top of the retaining wall which runs along Highbury Avenue North that is required due to the grade of the site. The landscape plan also proposes a secure garden for residents to enjoy the outdoors. The site plan review process encouraged an enhanced landscape along the northern edge of the property to screen the dwellings north of the property from the parking area.

Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

The proposed Long Term Care Facility conforms to the Official Plan and is consistent with the



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Provincial Policy Statement. It will be on full municipal services and steps have been taken to ensure there are no hazards associated with the site (slope stabilization and removal of contaminants). In addition, the design of the site has incorporated the suggestions regarding Urban Design objectives included in the Council Resolution wherever feasible. These objectives include bringing the built form of the building as close to the Highbury Avenue North street edge as possible thus forming a street wall, which creates an urban character for the site, and takes advantage of the natural features and view corridors on-site. It also keeps the construction activity of the building away from the remediated slope. The plan also proposes to include the pedestrian and cycle connections to the public street and the proposed retained lands. The proposed landscaping along the street frontage enhances the urban character along the street frontage while the extensive landscaping along the northern limit will mitigate impacts on the residential lands to the north. The proposed site plan is consistent with the Provincial Policy Statement and in conformity with the City of London Official Plan.

Does the Plan Conform to the Holding Residential R7 Special Provision (h-2*h-103*R7(14)*D75*H13) Zoning?

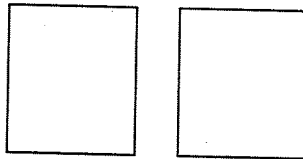
The proposed site plan has been reviewed against the Holding Residential R7 Special Provision (h-2*h-103*R7(14)*D75*H13) zone. Two minor variances are required for the proposed site plan including a front yard setback of 4.5m whereas a 3.0m maximum is required and a south interior yard setback of 1.62m whereas a 4.8m is required. In all other respects the proposed Long Term Care facility conforms to the standard zoning regulations. A decision on the variances lies with the Committee of Adjustment and will be reviewed on November 7th, 2011. The applicant has attempted to comply with the intent of the Zoning By-law, however, due to site grading and height restrictions the architecture of the proposed facility cannot be placed any closer to the front edge or it will require variances for height and the bottom row of units will be abutting the required retaining wall running along Highbury Avenue North which is not deemed to be a pleasant view. The building cannot be shifted north from the interior setback or the proposed access will need to shift to occur along the slope abutting the properties to the north of the site requiring extensive retaining walls to be built. Should the variances not be granted, significant revisions to the site plan are expected and will probably necessitate a further public participation meeting on the site plan.

Is the Site Plan Compatible with Adjacent Properties?

The proposed site plan has been planned with the consideration of the adjacent properties. Keeping the built form as close as possible along the street edge and the interior side yard allows for an enhanced landscape area to be placed along the northern edge of the subject property. The two story dwellings to the north are approximately 4m lower than the ground elevation of this site and the proposed three storey Long Term Care building includes enhanced planting along the northern boundary of the site. In addition, the building is situated close to the south property line, abutting a vegetated slope, to minimize impacts on the cluster single detached dwellings to the south. The proposed access has been purposefully aligned along the top of the 4m slope in-between the enhanced landscape area and the building. Properties to the south are approximately 12.5m higher than the ground elevation of the Long Term Care facility and are currently screened by existing deciduous and coniferous vegetation. The enhanced landscape plan has also made provisions to include pedestrian connections for both walkways and bike paths to allow individuals to move across the site and to the future properties to the east. The proposed design of this building has incorporated the Urban Design objectives to ensure that an aesthetically pleasing building and corresponding landscape design complements the character of the existing neighbourhood.

Urban Design

Council has applied a holding provision to ensure Urban Design issues are considered at the site plan stage and provided a number of specific objectives to be considered with this particular application. Below is a summary of the design objective resolved by Council and the means in which they have been addressed:



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- Built form should be brought to the Highbury Avenue street edge (maximum front yard setback of 3 metres).

In order to construct the building in close proximity to the street a retaining wall is required. The 4.5 m setback is as close as possible while maintaining windows on the ground level.

- Built form should create a continuous street wall along Highbury Avenue (12.5 metre maximum side yard setback).

The building maintains an extensive street wall. Given the slopes to the north and south, a greater side yard setback is required for vehicular access.

- Building form should integrate with and take advantage of the natural features and other view corridors on-site.

Existing natural features along the south property line are being maintained. Natural features along the eastern limit of the site have been removed in order to stabilize the slope. A rehabilitation plan has been prepared for the slope consistent with the direction by Council and a view corridor has been maintained along the southern boundary of the site.

- The applicant should explore opportunities to create pedestrian and cycle connections to adjacent properties (especially to the east).

Pedestrian and cycle connections to the public street and retained lands are included in the site plan and rehabilitation plan.

- The building architecture should attempt to create an “urban” character along the Highbury Avenue Corridor.

The proposal was presented to the Urban Design Peer Review Panel and they did not express any concerns with the building architecture. The City’s Urban Design Section has accepted the proposed elevations.

- Site landscaping should create an “urban” character along Highbury Avenue i.e. increased “hard” landscaping, such as defined flowerbeds, paving stones, etc.;

The landscape plan provides extensive landscaping along the Highbury Avenue North frontage such that an urban character will be created.

- Parking should be placed in the rear of the building;

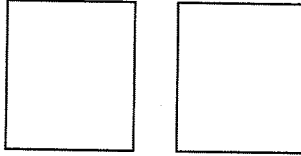
Parking is located at the rear and south side of the building. Given the slopes on along the north and south limits of the site, it is not possible to locate all the parking at the rear of the building. Locating parking along the northern property line provides a greater setback from single detached dwellings to the north.

- An urban design brief should be submitted as part of the Site Plan and further discussions and review may be necessary upon receipt of the document, noting the site plan submission will be reviewed by the Urban Design Peer Review Panel; and

The proposal was submitted to the Urban Design Peer Review Panel and the Urban Design Section has already accepted the elevations.

- Design efforts will be made to mitigate impacts on the residential lands to the north of the subject site and will attempt to be to the satisfaction of all parties;

Extensive landscaping has been incorporated into the plan to mitigate impacts on the abutting residential lands to the north. Since the Notice of Application was circulated in



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June, only one resident has responded and they have not expressed any concerns to the application.

As outlined above, Council's design issues have been addressed.

Response to Area Residents

One resident, phoned in to express an interest of the development of this site and to ensure that she was properly notified of all activity in the future. The respondent did not object to the site plan or elevation.

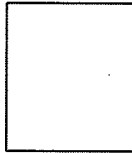
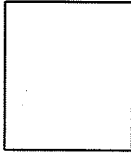
Description of the Slope Rehabilitation Plan

The Council resolution dated February 23, 2009, indicated that a site-specific rehabilitation plan will be prepared for the upper slope and all portions of the lower slope that are disturbed by grading activities that are directly east of the subject site. The plan is to incorporate groundlayer erosion control, groundlayer seeding of herbs and fobs, groundlayer rooted hardwood cuttings, shrub layer establishment of native material, and canopy layer establishment of native hardwood trees. The criterion for the plan was determined through recommendations outlined in the approved Environmental Impact Assessment Report (December 2008). The h-2 holding provision was placed on the subject property directly tied to this plan. The rehabilitation plan is to be implemented through the consent process and security of \$2,227.50 (\$25 x linear meter of frontage) will be collected through that process as well. Further investigation into the slope stability in an EIS addendum (July 2009) determined that the slope had failed and the angle of repose must be flattened and regarded in order to ensure the protection of life and property. As a result, the entire slope was subject to a regrading process and the corresponding rehabilitation plan is proposed along the entire area of the slope following the principles outlined in the EIS.


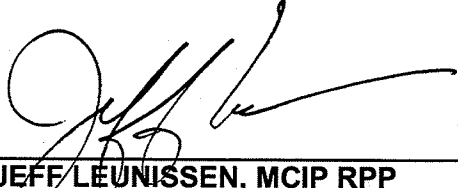
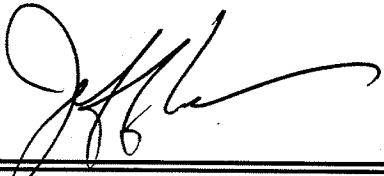
Condition No. 7 of the Provisional Decision requires consent agreement to be registered on title of the retained lands, for a site specific rehabilitation plan. City staff reviewed the revegetation plan accepted by the UTRCA and recommended revisions in order to satisfy the EIS and Council resolution. Such revisions include the incorporation of hardwood cuttings one meter away from the asphalt pathway to further stabilize the slope and prevent erosion. Staff also recommended a change in the species selection of several non-native trees and shrubs on the slope. Finally, staff requested the incorporation of 50mm calliper trees along the top and bottom of the slope and an intensification of the amount of plantings proposed within the slope area to supplement the proposed planting. All of the recommendations were incorporated in the latest submission of the revegetation plan.

CONCLUSION

Based on a review of the applicable Official Plan policies, the Provincial Policy Statement, and Council resolution, approval of the submitted site plan, grading plan, landscape plan, and elevations as modified are considered appropriate for the development of these lands, subject to the granting of the requested minor variances. The proposal represents good land use planning and subject to the results of the public meeting, could be recommended for approval along with a standard Development Agreement. Removal of the holding provisions for the subject property are forthcoming along with the road widening dedication and external road works. The rehabilitation plan of the slope is subject to entering into a consent agreement and providing the appropriate security. Should the requested Minor Variance not be granted it is expected significant revision to the plan will be necessary and will in all likelihood require a subsequent public participation meeting.



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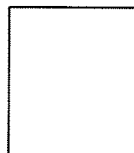
PREPARED BY:	SUBMITTED BY:
	
SARA BELLAIRE LANDSCAPE PLANNER DEVELOPMENT PLANNING	JEFF LEUNISSEN, MCIP RPP MANAGER OF DEVELOPMENT PLANNING (TEAM EAST)
RECOMMENDED BY:	
	
D. N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	

for

October 20, 2011

DA/DNS/JL/SB

- c: David Ailles, Managing Director, DABU
- Pat McNally, Executive Director, PEES Department



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Bibliography of Information and Materials

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City of London, Notice of Public Meeting, October 20, 2011.

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City of London, Living in the City – Saturday, October 15, 2011

City of London, Site Plan By-law C.P.-1455-451

Provincial Policy Statement, March 1, 2005

City of London, Report to Planning Committee, February 9, 2009

City of London, Council Resolution, Z-7359, February 23, 2009

City of London, Consent for creation of Lot and Easement, B.014/09, August 16, 2010

City of London, Notice of Provisional Consent Decision, B.041/11, September 9, 2011

Golder Associates, Slope Stability Assessment Update Proposed Highbury Avenue LTC Facility
London, Ontario. June 4, 2008,

Upper Thames River Conservation Authority Permit #83/10, June 18, 2010

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Schedule A

The Director, Development Finance has projected the claims and revenues information for a Long Term Care Facility on the retained lands (1390 Highbury Avenue North) as shown below:

	<u>Estimated Revenue</u>	<u>Estimated Claims</u>
Urban Works Reserve Fund	\$163,486.00	\$NIL
Other Reserve Funds (City Services & Hydro)	\$406,307.00	\$NIL
TOTAL	\$569,793.00	