

Planning Justification Report

348 Sunningdale Road East

City of London

Westchester Homes Ltd.



December 4, 2018

TABLE OF CONTENTS	PAGE NO.
1.0 INTRODUCTION	3
2.0 THE SUBJECT LANDS	3
3.0 SURROUNDING LAND USES	5
4.0 PROPOSED DEVELOPMENT	8
5.0 PROPOSED ZONING BY-LAW AMENDMENT	10
6.0 PLANNING DOCUMENTS AND ANALYSIS.....	10
6.1 2014 PROVINCIAL POLICY STATEMENT (PPS)	10
6.2 1989 CITY OF LONDON OFFICIAL PLAN	15
6.3 NEW OFFICIAL PLAN – <i>THE LONDON PLAN</i>	19
6.4 CITY OF LONDON Z.-1 ZONING BY-LAW	20
7.0 ADDITIONAL CONSIDERATIONS	22
7.1 SERVICING	22
7.2 ARCHAEOLOGY.....	22
7.3 ENVIRONMENTAL	22
8.0 CONCLUSIONS	23

1.0 INTRODUCTION

Westchester Homes Ltd. has submitted an application to amend the City of London Zoning By-Law for the lands known municipally as 348 Sunningdale Road East (the “subject lands”). The purpose of the proposed amendment is to re-zone the subject lands from the current “Urban Reserve (UR1) Zone” to a site specific, special provision “Residential 5 (R5-2(_))Zone” to permit a townhouse development.

The purpose of the following land use Planning Justification Report is to evaluate the proposed Zoning By-Law Amendment (ZBA) within the context of the 2014 Provincial Policy Statement, the City of London Official Plan (1989), the new Official Plan (*The London Plan*), and the City of London Z.-1 Zoning By-Law.

2.0 THE SUBJECT LANDS

The subject lands are located on the north side of Sunningdale Road East, between Lindisfarne Road and Bluebell Road (Figures 1).

Figure 1 – Subject lands and surrounding context

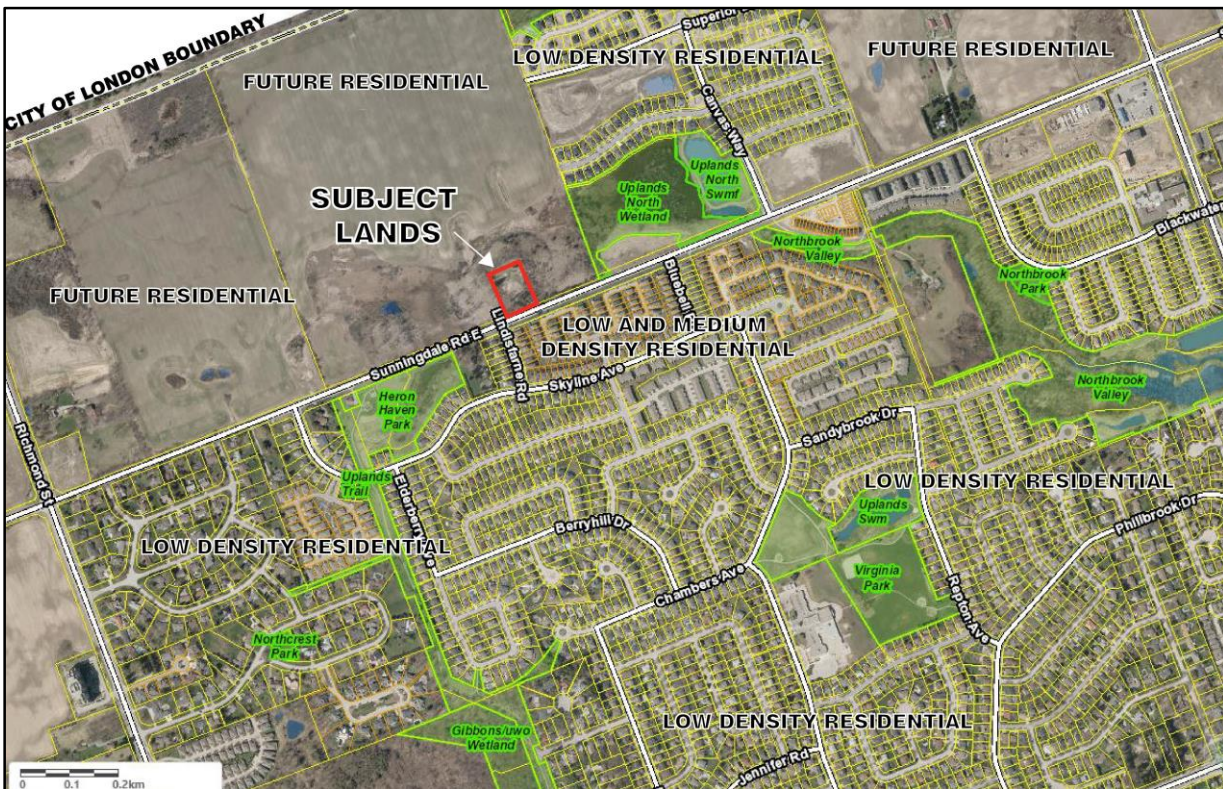


Figure 2 – Subject lands



The subject lands are comprised of a single, rectangular-shaped parcel with an area of approximately 0.635ha (1.57ac), a frontage of approximately 68.5m (224.7ft) along the north side of Sunningdale Road East, and a depth of approximately 92.0m (301.8ft). The lands were formerly occupied by a single-detached dwelling that has since been removed. A number of trees are present on the lands, consisting primarily of planted ornamental trees associated with the former residential use. The lands are currently accessed by a gravel driveway on Sunningdale Road East, close to the easterly lot line.

The subject lands are generally flat but also contain gentle and moderate slopes. Generally, the lands slope away from the centre of the property, with steeper slopes in the northwest and southwest corners. An Imperial Oil pipeline is located along the frontage of the subject lands and has an associated easement over the front portion of the lands. Any new buildings on the subject lands are required to be set back a minimum of 20.0m from the centreline of the underground pipeline.

Figure 3 – Subject Lands from Sunningdale Road (looking North)



The subject lands are within the “Multi-Family, Medium Density Residential” (MFMDR) land use designation in the 1989 City of London Official Plan; are within the “Neighbourhoods” place type on a “Civic Boulevard” road type classification in *The London Plan*; and, are currently zoned “Urban Reserve (UR1) Zone” in the City of London Z.-1 Zoning By-Law.

3.0 SURROUNDING LAND USES

Surrounding land uses consist of low-density residential in the form of single-detached dwellings (east and south), open space (Powell Drain Wetland adjacent to the north, Uplands North Wetland and Heron Haven Park) (east and southwest respectively), and vacant lands designated for future low- and medium-density residential development (north and west). Building heights in the immediate vicinity range between 1- to 2-storeys in height (Figures 4-7). The subject lands are physically isolated from developable lands to the west and north due to Powell Drain Wetland and associated natural heritage features.

Figure 4: Low Density Residential to the Southwest, beyond Heron Haven Park



Figure 5: Low Density opposite the Subject Lands to the South (Lindisfarne Road)



Figure 6: Low Density Residential along south side of Sunningdale Road (subject lands at left)



Sunningdale Road East is an arterial road according to Schedule “C” – Transportation Corridors in the 1989 Official Plan. The subject lands are approximately 300m (4 minute walk) from the nearest transit stop (for bus Route 38), which provides transit access to Masonville Mall and its associated transit hub. Public sidewalks along the south side of Sunningdale Road provide pedestrian connections to proximate parks and open space to the east and west. Further, pedestrian and cycling infrastructure is anticipated to be improved with the future widening and improvement of Sunningdale Road, including sidewalks and bike lanes, as set out in the Sunningdale Road Environmental Assessment. Given the context of the surrounding residential densities, location along an arterial road, and access to public open space (Figure 7) and public transit, the subject lands are considered a good candidate for residential intensification.

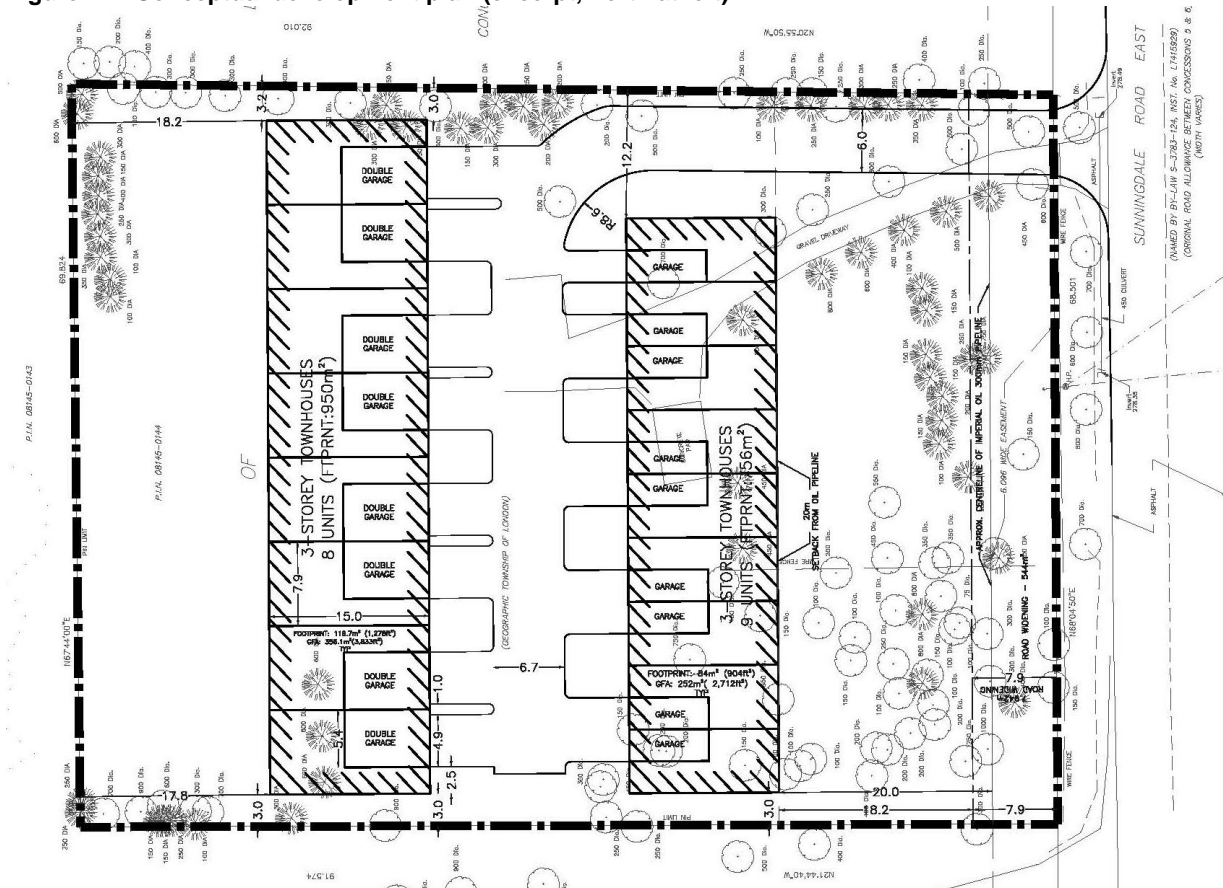
Figure 7: Heron Haven Park and connection to Uplands Trail (Approximately 140m west of subject lands)



4.0 PROPOSED DEVELOPMENT

The subject lands are proposed to be redeveloped for two, three-storey, townhouse buildings; one nine-unit building located on the south side of an internal driveway and a larger, eight-unit building on the north side of the driveway (Figure 12). The front building is located at a 20.0m setback from the oil pipeline.

Figure 12 - Conceptual development plan (excerpt, north at left)



Due to the large setback between the oil pipeline and the front townhouse building, it is anticipated that a large amount of trees and vegetation at the front of the property can be retained, providing a significant visual screen from Sunningdale Road.

Shared vehicular access is provided by a single, 6.0m wide driveway close to the easterly lot line, in a similar location as the current driveway. Each townhouse unit is provided with an individual parking area and attached garage, accessed from the common driveway. Parking areas will not be visible from the public realm due to their location behind the front building.

The front townhouse units, facing Sunningdale Road, will be designed to address the street. Given the large distance between the units and the street, direct pedestrian connections have not been provided, which also allows for further retention of trees.

Each unit is provided with generous yards, with both the front and rear buildings being provided with approximately 18.2m (60ft) yards.

The 17 units correspond to a residential density of 27 units per hectare (UPH) (pre-road widening).

Conceptual building elevations of the proposed single-detached dwellings and townhouses are shown in Figures 13-14.

Figure 13 – Conceptual Front Elevations

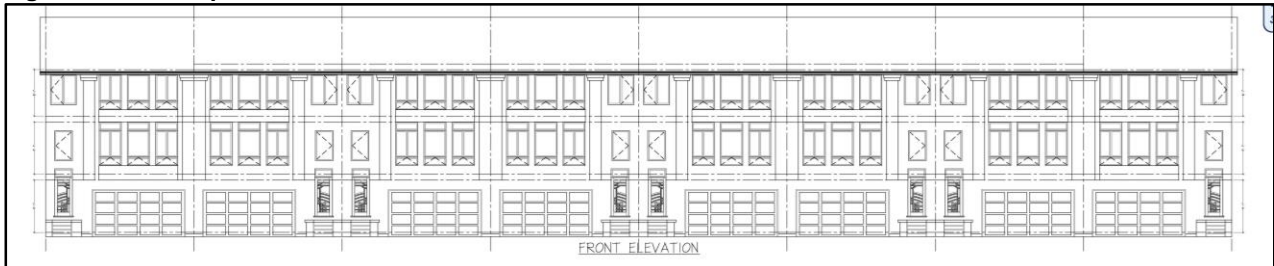


Figure 14 – Conceptual Rear Elevations

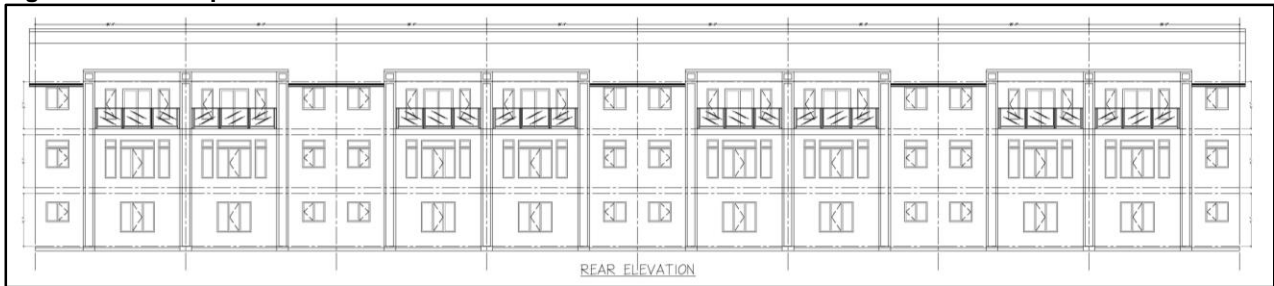


Figure 15 – Larger scale elevations (front at left, rear at right)



Although cladding materials will be refined through the Site Plan Approval process, white brick and stone are anticipated for all faces of the buildings.

5.0 PROPOSED ZONING BY-LAW AMENDMENT

The current “*Urban Reserve (UR1) Zone*” does not permit the proposed townhouse development. As such, the subject lands are proposed to be rezoned through a Zoning By-Law Amendment (ZBA) to a site specific “*Residential 5 (R5-2(_)) Zone*” with a special regulation to permit side yard setbacks of 3.0m for units with windows on side elevations.

6.0 PLANNING DOCUMENTS AND ANALYSIS

This section of the Planning Justification Report reviews applicable land use policies and regulations and provides analysis as to how the proposed development and Zoning By-law Amendment are consistent with these policies and regulations.

6.1 2014 PROVINCIAL POLICY STATEMENT (PPS)

The 2014 Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act, “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient and feasible development and the protection of resources. All planning applications, including ZBA applications, are required to be consistent with these policies.

In this analysis section, relevant policies are bordered and *in italics*, with discussion on how the proposed development and application are consistent with that policy immediately after:

Section 1.1.1

Healthy, liveable and safe communities are sustained by:

- a. *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b. *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c. *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- e. *promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- h. *promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.*

The proposed development intensifies vacant, underutilized lands, for an efficient built form that provides an appropriate form of housing to meet the housing needs in this area of

London. The subject lands are well suited for increased density given their location along an arterial road and their planned function for medium density residential uses. As discussed in Section 8.3 of this report (Environmental), the proposed development has been designed to be compatible with proximate natural heritage features and maintain their function. The site has been evaluated by an ecologist (Biologic Inc.) which identified that no species at risk are present, and recommend the addition of bat boxes to the site to ensure bat habitat is preserved. Furthermore, significant building setbacks are provided from proximate, off-site environmental features. The proposed development promotes cost-effective development patterns by providing compact, efficient form of development that will make use of existing and planned services along Sunningdale Road East. A *Functional Servicing Report* (SBM Engineering) provides additional details on how the development will be serviced by full municipal services.

Section 1.1.3.1

Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

The subject lands are within the City of London Urban Growth Boundary, an urban settlement area, and are proposed to be redeveloped, thereby promoting regeneration for an intensified residential use.

Section 1.1.3.2

Land use patterns within settlement areas shall be based on:

- a. densities and a mix of land uses which:
 - 1. efficiently use land and resources;*
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - 4. support active transportation;*
 - 5. are transit-supportive, where transit is planned, exists or may be developed; and**
- b. a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

The proposed development contributes to the range of residential densities in the area that can efficiently use land, resources, infrastructure, and existing transportation networks (including the LTC bus network). The subject lands are proximate to open space and recreational resources (Uplands North Wetlands, Heron Haven Park and Uplands Trail) and a major commercial node (Masonville Mall). Masonville Mall is a transportation hub that

contributes to the overall transit network of North London and the rest of the city and is accessible by active transportation via the Uplands Trail. Energy saving construction methods and materials will also be used where feasible in order to promote energy efficiency. As further discussed in this report, the proposed development is an appropriate form of intensification.

Section 1.1.3.3

Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

As discussed throughout this report, the subject lands are an appropriate location for intensification and the proposed development is an appropriate form of intensification.

Section 1.1.3.4

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed development is considered appropriate intensification as it makes efficient use of vacant, underutilized land for a compact urban form that is compatible with adjacent land uses.

Section 1.1.3.6

New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposed development is located within the City of London's Urban Growth Boundary, across the street from the existing built up area. The proposed townhouses are an inherently compact form of development, and, given the site's constraints (environmental, oil pipeline), land is used efficiently.

Section 1.2.1

A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:

- a. managing and/or promoting growth and development;*
- c. managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;*
- d. infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems*

Supporting reports for the redevelopment of the subject lands have been prepared in consultation with the City of London, Upper Thames River Conservation Authority, Ministry of Natural Resources and Forestry, and the Ministry of Tourism, Culture and Sport.

Section 1.4.3

Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- b. permitting and facilitating:
 - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;**
- c. directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d. promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*
- e. establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The proposed development contributes to an appropriate range and mix of housing types, being townhouses in an area that is dominated by single-detached dwellings, to accommodate residential growth in the City of London. The existing area has appropriate levels of infrastructure and public service facilities to support the development's needs as examined in the attached *Functional Servicing Report*. The proposed density of 27 UPH contributes to the efficient use of infrastructure and public service facilities, and also supports

the use of active transportation and public transit along the Sunningdale Road East. The proposed development minimizes the cost of housing and facilitates a compact form of development. There are no public health and safety concerns.

Section 1.6.6.1

Planning for sewage and water services shall:

- a. *direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
 - 1. *municipal sewage and municipal water services;*
- d. *integrate servicing and land use considerations at all stages of the planning process.*

The proposed development will connect to existing sanitary servicing from Lindisfarne Road to the west and water servicing from Sunningdale Road. Sanitary servicing will utilize gravity feed to the Lindisfarne system. The proposed density can be accommodated by current servicing levels efficiently. Extensive discussions between City of London staff and SBM Engineering have taken place to ensure servicing feasibility. See the attached *Functional Servicing Report* for further details.

Section 1.6.6.7

Planning for stormwater management shall:

- a) *minimize, or where possible, prevent increases in contaminant loads;*
- b) *minimize changes in water balance and erosion;*
- c) *not increase risks to human health and safety and property damage;*
- d) *maximize the extent and function of vegetative and pervious surfaces; and*
- e) *Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.*

The *Functional Servicing Report* has identified preliminary stormwater management solutions that will be further detailed at the Site Plan Approval phase, including a water balance report demonstrating maintenance of flows from the subject lands to adjacent lands. Water quality and quantity controls will be implemented as required. Due to the large setbacks provided by the buildings, impervious areas are minimized.

Section 2.1.2

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

As provided in the *Environmental Impact Statement* (EIS) prepared by Biologic Inc., the subject lands do not contain any species at risk (SAR) or significant habitat. Provided that the development is consistent with the recommendations set out in the EIS, including maintaining

a sufficient rear yard setback and integration of bat boxes, the development will maintain the natural heritage features and functions in the immediate area.

Section 2.2.1

Planning authorities shall protect, improve, or restore the quality and quantity of water by:

- c) *identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*
- d) *maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;*
- e) *implementing necessary restrictions on development and site alteration to:*
 - 2. *protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions.*

The proposed development has been designed to provide appropriate water quality and quantity management, including matching pre- and post-development flows through a water balance analysis to be completed at the Site Plan Approval phase. This approach will ensure maintenance of existing storm water flows to proximate natural heritage features.

For the reasons noted above, the proposed Zoning By-Law Amendment is consistent with the policies of the 2014 Provincial Policy Statement.

6.2 1989 CITY OF LONDON OFFICIAL PLAN

The subject lands are within the “*Multi-Family Medium Density Residential*” (MFMDR) land use designation according to Schedule “A” – Land Use in the City of London Official Plan (Figure 16), and are subject to the policies of Section 3.3. The MFMDR designation permits a wide range of medium density residential uses, including townhouses, as well as a limited range of commercial uses. Schedule “B-1” - Natural Heritage Features, of the Official Plan shows subject lands proximate to “*Unevaluated Vegetation*” (Figure 17) but does not identify any natural heritage features within the boundary of the subject lands. Detailed discussion on environmental features related to the subject lands, adjacent lands, and the proposed development, is provided in Section 8.3 of this report, and the accompanying EIS from BioLogic Inc.

The subject lands are also identified as being within an area with specific Official Plan policies, being the Uplands North planning area. This area was established through the

Uplands North Secondary Plan (2004) which has subsequently been incorporated into the Official Plan.

Figure 16 – City of London Official Plan – Schedule ‘A’ – Land Use (excerpt Map 2)

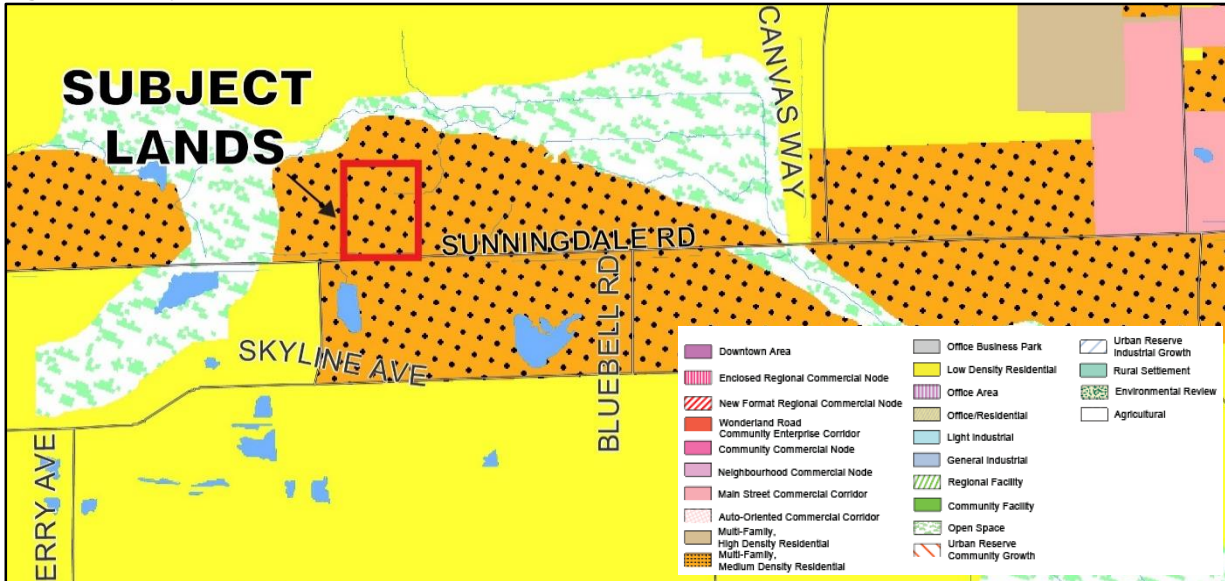
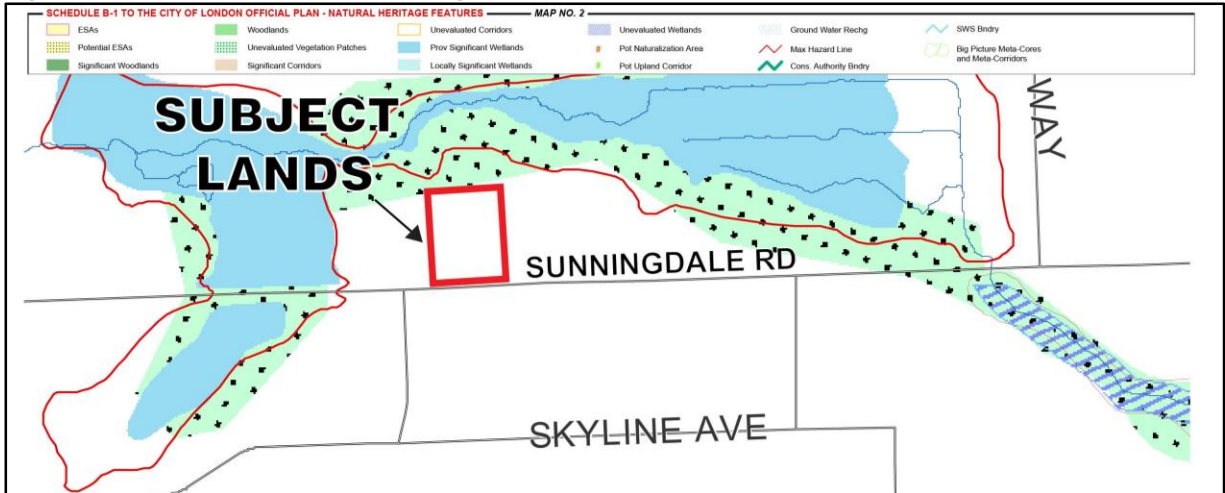


Figure 17 – Schedule B-1 Natural Heritage Features (excerpt Map 2)



The *MFMDR* land use designation objectives are to support the development of *MFMDR* uses including cluster townhouses and single detached dwellings in locations which may enhance the character and amenity of a residential area. This designation aims to encourage the development of well-designed and visually attractive forms of housing and promote the retention of desirable natural features, while providing for residential densities typically greater than low density housing.

The subject lands are appropriately located to accommodate the proposed townhouse development, being located along an arterial road and proximate to public open space. The

buildings have been designed to provide an aesthetically appealing image, and, are proposed to be located to best retain existing vegetation and to maintain the natural heritage qualities and functions of the lands to the north.

As per **Section 3.3.1**, permitted uses in the *MFMDR* designation include multiple-attached dwellings, such as row houses (townhouses); low-rise apartment buildings and single-detached dwellings with a maximum residential density of 75 UPH. The proposed development for cluster townhouse dwellings at a density of 27 UPH is consistent with the range of permitted uses and residential density within the *MFMDR* designation.

Section 3.3.2 of the *MFMDR* land use designation highlights criteria for medium density in the City of London. Compatibility between the proposed development and surrounding uses shall take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area (Section 3.3.2i)). The proposed development is three storeys in height, modestly higher than the single-detached dwellings across Sunningdale Road to the south; this height relationship is compatible, especially considering the separation of the subject lands from adjacent residential uses by an arterial road. Adequate municipal services are required to accommodate the needs of the development (Section 3.3.2ii)). As further detailed in the *Functional Servicing Report*, servicing will require minor extension of sanitary services, while water service is available along Sunningdale Road.

Section 3.3.3 provides policies for the scale of development in the *MFMDR* designation, in that building heights shall generally not exceed four storeys in height, and shall be compatible with adjacent uses. The proposed development is three storeys in height, and is compatible with the residential uses on the south side of Sunningdale Road. There are no buildings to the east, west, or north of the subject lands that require compatibility considerations. The Official Plan also provides that residential densities shall not exceed 75 UPH. The proposed development is 27 UPH, well under the maximum density permitted.

While typically residential intensification and redevelopments locate buildings at minimal setbacks to the street, the presence of the Imperial Oil underground pipeline approximately 6m from the front lot line, and its required 20m building setback, requires that the southerly tier of townhouse buildings be located well back from the street. As such, a number of mature trees and vegetation are to be retained along the frontage, providing a visual screen from the public realm. Depending on the ultimate configuration of the development through the Site Plan Approval process, the buildings may not be easily visible from the street.

The subject lands are identified as within the Uplands North Community Planning Area and have specific policies found in Section 3.5.15 of the Official Plan that arise out of the Uplands North Secondary Plan. These policies set out a framework for establishing a natural heritage

corridor along the Powell Drain, north of the subject lands. As the subject lands do not contain any natural heritage features associated with the Powell Drain, and are located approximately 50m south of the feature, the policies of Section 3.5.15 do not directly apply to the development of the subject lands, but rather would be more applicable to the parcel of land abutting the subject lands to the north.

Policies for archaeological resources are provided in Section 13.4 of the Official Plan. The proposed development is consistent with these policies as archaeological resources on the subject lands have been identified and conserved through three (3) archaeological assessments conducted by Golder Associates: a Stage 1-2, Stage 3, and Stage 4. Upon completion of the Stage 4 archaeological assessment, it has been determined that there are no further archaeological resources on the subject lands.

Natural Heritage Objectives (**Section 15.1.1**) are provided in the Official Plan. While there are no natural heritage features identified on the property, there are natural heritage features proximate to the north. These proximate features have been taken into account in planning the proposed development, including maintaining a significant amount of vegetation and trees, and locating buildings well away from natural heritage features. City staff and UTRCA staff have provided comments throughout the initial planning process to refine the requirements of an *Environmental Impact Study* (EIS). The EIS prepared Biologic Inc. Provides a number of recommendations to be implemented through the Site Plan Approval process, including building setbacks and the provision of bat boxes (artificial bat habitat). Given the extensive consultation with City and UTRCA staff, and the recommendations of the EIS, the proposed development has been designed to maintain the function and viability of proximate, off-site natural heritage features. As such, the proposed development is consistent with Section 15 of the Official Plan.

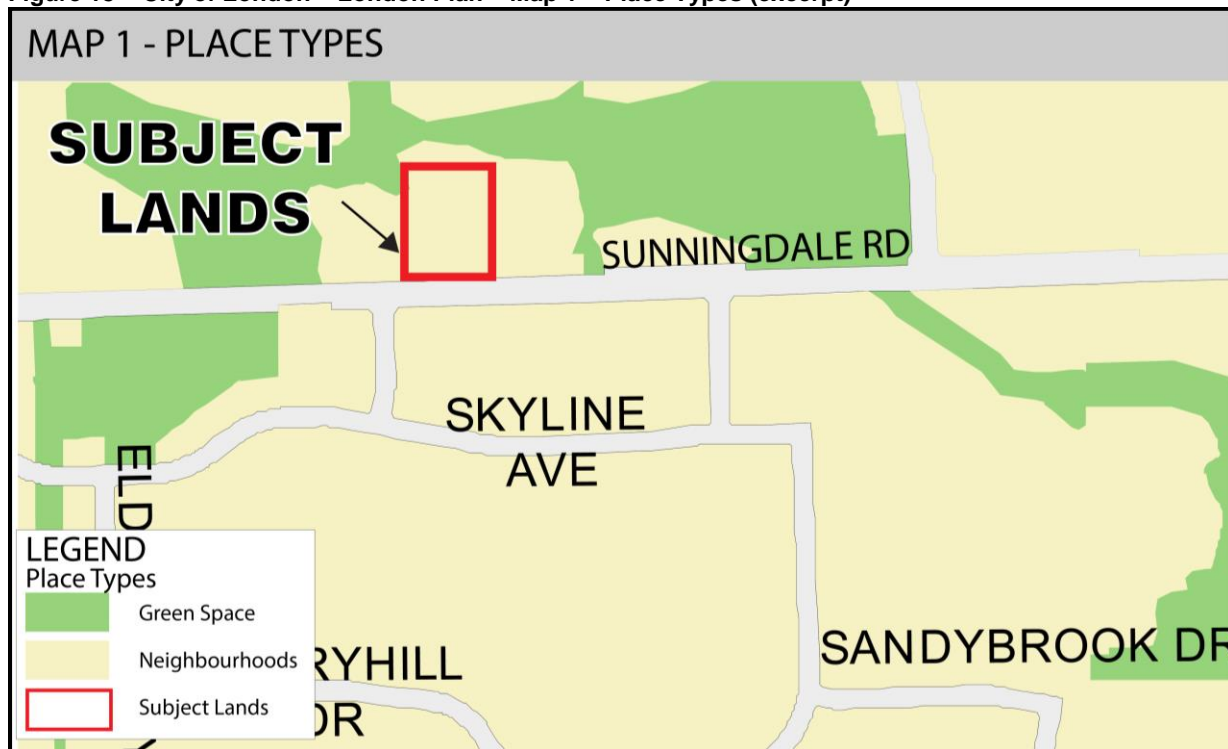
The proposed development provides an opportunity for efficient use of land for a compact form of residential development consistent with the planned function of the lands and the policies and intent of the Official Plan. The subject lands are well located and are appropriate to accommodate the proposed residential intensification, and have taken into account site constraints, including the 20m setback from the Imperial Oil underground pipeline, natural heritage features to the north, and retention of existing trees. The scale and intensity of the proposed development is compatible with adjacent land uses and is appropriate for the subject lands.

6.3 NEW OFFICIAL PLAN – THE LONDON PLAN

The new Official Plan, *The London Plan*, was adopted by the City of London Council June 23rd, 2016 and approved by the Ministry of Municipal Affairs December 28th, 2016. However, as portions of *The London Plan* have been appealed to the Local Planning Appeals Tribunal, many policies, including the “*Neighbourhoods*” place type, are not yet in force and effect. Although not in force and effect, planning decisions should have regard for the policies of *The London Plan*

The London Plan shows the subject lands within the “*Neighbourhoods*” place type (Figure 18) along a “*Civic Boulevard*” road type. As per Tables 10-12 of *The London Plan*, this combination of place type and road type classification permits a variety of residential uses including townhouses and low-rise apartments. The maximum height for these permitted uses along a “*Civic Boulevard*” is four (4) storeys, or six (6) storeys with bonusing.

Figure 18 – City of London – London Plan – Map 1 – Place Types (excerpt)



Section 937 of *The London Plan* states that residential intensification, in the form of redevelopment, and the removal of existing buildings in favour of one or more new buildings, is encouraged. The proposed development is considered residential intensification as it proposes a greater number of dwelling units than the former single-detached dwelling.

Sections 940 and 953 of *The London Plan* provide that intensification projects should be appropriately located to fit well within the surrounding context. The subject lands are unique in their context as they do not abut development to the east, west, or north. The proposal is compatible with existing low-density residential uses on the south side of Sunningdale Road East, and, as lands to the east are planned to develop for the same range of uses as the proposed development, the proposed development is compatible with anticipated future development to the west.

The proposed development supports the City's Design policies in Section 193. The proposed development is compatible within its neighbourhood as it is of similar height (3-storeys) to proximate existing buildings (Section 193.2). The buildings are to be setback 20.0m from the oil pipeline thereby promoting the preservation of existing mature trees along the street's edge. With frontage on Sunningdale Road, the proposed development enhances the streetscape with individual unit driveways to the rear for convenient vehicle access. The proposed development proposes a housing type that is an appropriate form of residential intensification (Section 193.7).

Given that the the proposed development is consistent with the policies in the 1989 Official Plan, and that the policies of *The London Plan* applicable to the subject lands are similar, the proposed development is consistent with the policies and intent of *The London Plan*.

6.4 CITY OF LONDON Z-1 ZONING BY-LAW

The subject lands are zoned "*Urban Reserve (UR1)*" in the City of London Zoning By-law No. Z-1 (Figure 19). The *UR1* zone permits existing dwellings, agricultural uses, commercial greenhouses, livestock facilities, conservation lands, managed woodlot, wayside pit, and passive recreation use. The *UR1* zone variation is intended to be applied to undeveloped areas within the former City boundaries and to areas which have been reviewed through the Community Plan Process. The Upper Thames River Conservation Authority (UTRCA) regulated area abuts the lands to the north, east, and west, and extends into a small portion of the northwest corner of the subject lands.

Lands to the east and west, and a small area of land to the north are zoned "*Urban Reserve (UR4)*" for potential future residential development (Figure 11). Initial discussions with the owner of the abutting lands indicate they are not intending to develop these lands in the near future. Beyond the *UR4* lands are lands zoned *OS4*, associated with the Powell Drain and wetland feature.

Figure 19 – UTRCA Regulated Area (red hatching) and zoning



The proposed ZBA seeks to rezone the subject lands to a site-specific “Residential 5 (R5-2-(_)) Zone” zone to permit the proposed townhouse development. The R5-2 zone permits townhouses and stacked townhouses with a maximum residential density of 30 UPH. One special provision is requested to permit an interior side yard setback of 3.0m for a building with habitable windows, whereas 6.0m is typically required.

The R5-2 zone is intended to be applied to medium density developments proximate to low-density uses, such as the adjacent single-detached dwellings to the south, and is an appropriate implementing zone of the MFMDL land use designation. The maximum permitted density of 30 UPH and maximum height of 12.0m ensures compatibility between the proposed development and existing and future adjacent uses.

All standard R5-2 zone regulations are complied with on the proposed site plan, save and except for the interior side yard setbacks; it is proposed that a 3.0m setback be permitted for windows to a habitable room. This provision allows for an appropriate building setback and access to the sides of the buildings into the front and rear yards. Given that there are currently no existing or proposed buildings to the east or west, and that development of the abutting

lands may be impacted by natural heritage features which may limit the locations of future buildings, the proposed side yard setback has no undue negative impacts on abutting lands or uses. As such, the proposed 3.0m side yard setback is considered appropriate.

The proposed development has been designed to comply with the policies of the Official Plan and provide for a compact development that retains a significant amount of trees and vegetation. The proposed site specific R5-2-(_) zone is compatible with proximate and abutting land uses and is appropriate for the development of the subject lands.

7.0 ADDITIONAL CONSIDERATIONS

7.1 SERVICING

As set out in the *Functional Servicing Report*, servicing for the proposed development is to be serviced by full municipal services. Water service is to be obtained by existing water infrastructure along Sunningdale Road East. Sanitary service will make use of a gravity feed system from the subject lands to sanitary services extended from the current limit of sanitary service at Lindisfarne Road. A preliminary design detail has been prepared for sanitary servicing demonstrating the need for new infrastructure (pipes and manholes) to access the existing sanitary service system. As there is no stormwater service along Sunningdale Road East, on-site quality and quantity controls will be implemented through the Site Plan Approval process. It is also understood that a water balance budget will also be required to ensure that overland stormwater flows are maintained to abutting lands.

7.2 ARCHAEOLOGY

An Archaeological Assessment consisting of Stages 1, 2, 3, and 4, has been completed to fully assess the subject lands for archaeological resources and artifacts. Upon completion of Stage 4, all archaeological significance has been reviewed and artifacts excavated and examined.

7.3 ENVIRONMENTAL

The subject lands contain a number of large trees and are proximate to natural heritage features associated with the Powell Drain, including a provincially significant wetland. As such, City staff and UTRCA staff were consulted early in the planning process for the proposed development to provide guidance on the preparation of an *Environmental Impact Statement* (EIS). The EIS prepared by Biologic Inc. has evaluated the proposed development for potential impacts on proximate natural heritage features and provides recommendations for the development of the lands, including minimal building setbacks and provisions for bat boxes.

8.0 CONCLUSIONS

Based on the above, the proposed Zoning By-law Amendment is consistent with the policies of the 2014 PPS and complies with the policies of the 1989 Official Plan and *The London Plan*. The proposed Zoning By-Law Amendment is considered appropriate for the subject lands as this type of medium density intensification is permitted and intended under both Official Plans in the City of London and is compatible with adjacent land uses. As such, the proposed Zoning By-Law Amendment is appropriate and is considered good land use planning practice.