

## Report to Planning and Environment Committee

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

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

**Subject:** Westchester Homes Ltd.  
348 Sunningdale Road East

**Public Participation Meeting on: May 27, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Westchester Homes Ltd. relating to the property located at 348 Sunningdale Road East:

- (a) The comments received from the public during the public engagement process attached hereto as Appendix "A", **BE RECEIVED**
- (b) Planning staff **BE DIRECTED** to make the necessary arrangements to hold a future public participation meeting regarding the above-noted application in accordance with the *Planning Act*, R.S.O 1990, c.P. 13.

**IT BEING NOTED** that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation to be presented at a future public participation meeting.

## Executive Summary

### Summary of Request

The requested amendment is to allow two townhouse buildings, each three storeys (up to 12 metres) in height for a total of 17 units (27 units per hectare).

### Purpose and the Effect

The purpose and effect of the recommended action is to:

- i) Present the requested amendment in conjunction with the statutory public meeting;
- ii) Preserve appeal rights of the public and ensure Municipal Council has had the opportunity to review the Zoning By-law Amendment request prior to the expiration of the 150 day timeframe legislated for a Zoning By-law amendment;
- iii) Introduce the proposed development and identify matters raised to-date through the technical review and public consultation;
- iv) Bring forward a recommendation report for consideration by the Planning and Environment Committee at a future public participation meeting once the review is complete.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is located on the north side of Sunningdale Road East, just east of the T-intersection of Lindisfarne Road and Sunningdale Road East, between Richmond Street and Adelaide Street North.

Formerly the site of a single detached dwelling listed as a Priority 1 structure on the Register of Heritage Resources, the site is now vacant having received a demolition permit from Council in 2015. The site is generally flat with gentle and moderate slopes, with steeper slopes in the northwest and southwest corners. The site is heavily treed near its east and west peripheries, with additional trees in the interior of the property around the former dwelling location.

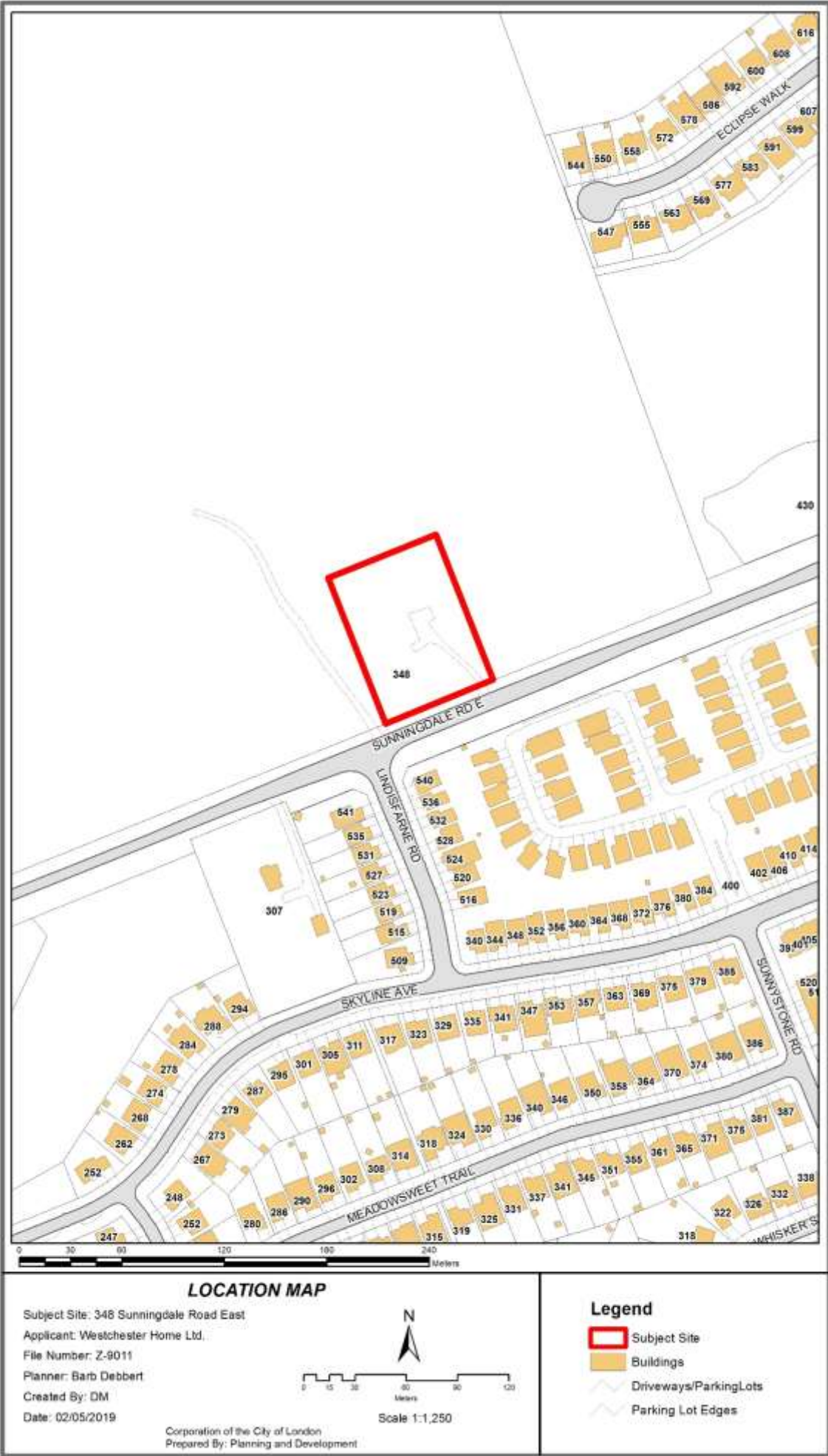
The Powell Drain Wetland and the Uplands North Wetland lie to the north and east of the site, and Upper Thames River Conservation Authority mapping shows their regulated area surrounds the property on the west, north and east sides. Land uses to the south include single detached and cluster single detached dwellings. Heron Haven Park is located on the south side of Sunningdale Road East west of the subject site.

An Imperial Oil pipeline lies within the north part of the existing Sunningdale Road East road allowance. Typically main buildings are required to be set back 20 metres from the centreline of the pipeline.

Sunningdale Road East is a two-lane road with a rural profile and a long left turn lane from Sunningdale Road to Lindisfarne Road. The 2019 Development Charges Background Study, adopted by Council and expected to come into effect by by-law in August, anticipates the Sunningdale Road widening and construction to a 4-lane urban cross section in 2025.



1.2 Location Map



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

- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Urban Reserve (UR1) Zone



#### 1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 68.5 metres (224.7 feet)
- Depth – 92 m (301.8 feet))
- Area – 0.635ha (1.57 ac)
- Shape – rectangular

#### 1.5 Surrounding Land Uses

- North – Powell Drain Wetland
- East – Wetland and lands designated for possible future residential development
- South – Low Density Residential
- West – Wooded area and lands designated for possible future residential development

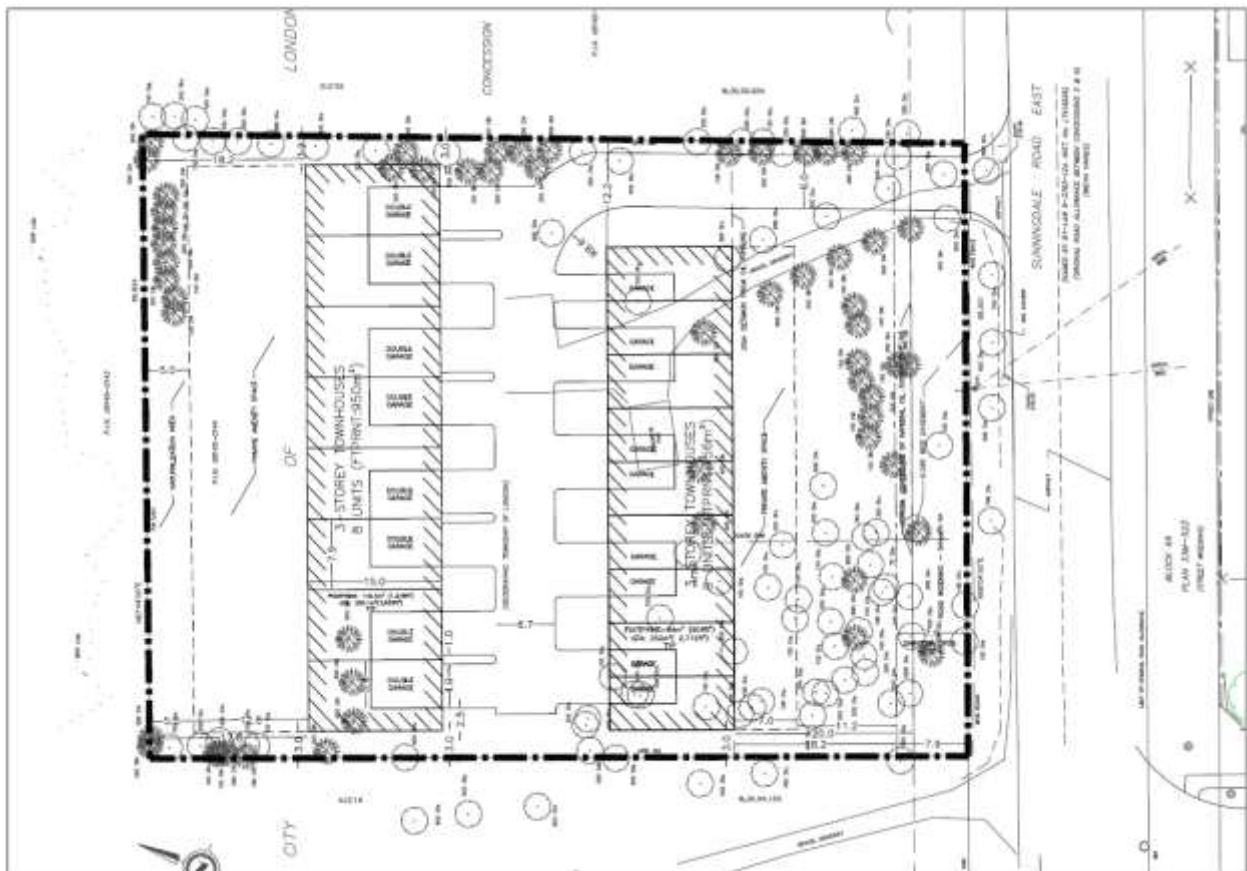
#### 1.6 Intensification (17 residential units)

- The requested residential units do not represent intensification within the Built-area Boundary
- The requested residential units are located outside of the Primary Transit Area.

## 2.0 Description of Proposal

### 2.1 Development Proposal

The requested development includes two, 3-storey townhouse buildings containing 8 and 9 units respectively for a total of 17 units. The buildings are situated parallel to Sunningdale Road East, one behind the other. The front building is located 20 metres from the centreline of the Imperial Oil pipeline. Access to the site is located close to the east property line.



## 2.2 Submitted Studies

The application was accepted as complete on January 18, 2019. The following information was submitted with the application:

- Planning Justification Report
- Urban Design Brief
- Conceptual Site Plan
- Building Elevations
- Environmental Impact Study Report
- Tree Assessment Report and Tree Preservation Plan
- Servicing Feasibility Study
- Stage 1 and 2 Archaeological Assessment
- Stage 3 Archaeological Assessment
- Stage 4 Archaeological Mitigation
- Ministry of Tourism, Culture and Sport Clearance letter for Stage 3 Archaeological Assessment

## 2.3 Requested Amendment

The requested amendment is for a Zoning By-law amendment from an Urban Reserve (UR1) Zone to a Residential R5 Special Provision (R5-2(\_)) Special Provision Zone to permit cluster/stacked townhouse dwellings.

## 3.0 Relevant Background

### 3.1 Community Engagement (see more detail in Appendix B)

There were 7 public responses received during the community consultation period.

Concerns for:

- The proposed built form/density are not in keeping with the area
- Colour/architectural design
- Environmental impacts – flora, fauna and ecological buffer to wetland features
- Loss of trees on the site
- Increase in traffic
- Hazardous turning movements/location of driveway
- Not a transit friendly location
- Road noise impacts on occupants of new development
- Ownership tenure of new units
- Site maintenance after construction and occupancy
- Decrease in property value

### 3.2 Policy Context

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

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Within the Settlement Areas appropriate land use patterns are established by providing appropriate densities and a mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The policies of the PPS state that 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. (1.1.3.6).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing toward locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant wetlands or significant woodlands. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. (2.1 Natural Heritage – 2.1.1, 2.1.4, 2.1.5, 2.1.7 and 2.1.8).

The PPS directs that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. (2.6 Cultural Heritage and Archaeology).

In accordance with section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

### ***The London Plan***

*The London Plan* is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject site is located in the Neighbourhoods Place Type along a Civic Boulevard which would permit a range of residential uses including single detached, semi-detached, duplex, converted dwellings, townhouses, stacked townhouses, fourplexes and low-rise apartments (Policy \*921\_).

Neighbourhoods Place Types along a Civic Boulevard also require a minimum height of 2-storeys and permit a maximum height of 4-storeys, while 6-storeys can be achieved through Type 2 bonusing. Zoning is applied to ensure the intensity of development 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 space (Policy \*935\_).

All planning and development applications will conform with the City Design policies of The London Plan. New developments should be designed to avoid the need for noise walls that are required to protect amenity areas as defined by provincial guidelines (Policy \*936\_). All planning applications are to be evaluated with consideration of the use, intensity and form that is being proposed, subject to specific criteria set out in the Plan (Policy \*1578\_).

Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize the vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability (Policy \*937\_).

In addition to The City Design policies of this Plan, residential intensification projects are subject to additional urban design considerations (Policy \*953\_). New proposals must clearly demonstrate that the proposed intensification project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood. The Plan evaluates compatibility and fit from a form perspective on a specific list of criteria to help ensure it is in keeping with the character of the surrounding neighbourhood. Compatibility and fit will be evaluated on matters such as, but not limited to, site layout, building and main entrance orientation, building line and setback from the street, character and features of the neighbourhood, height and massing. 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 (Policy \*953\_).

The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. They will confirm or refine the boundaries of components of the Natural Heritage System, and will include conditions to ensure that development does not negatively impact the natural features and ecological functions for which the area is identified. (Policy 1431\_). The City will require that an environmental impact study be completed to its satisfaction, and in accordance with provincial policy, in consultation with the relevant public agencies prior to the approval of a planning and development application, where development or site alteration is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in \*Table 13 – Areas Requiring Environmental Study (Policy 1432\_). Development or site alteration on lands adjacent to features of the Natural Heritage System shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Policy 1433\_).

The Cultural Heritage policies of this Plan are intended to ensure that new development enhances and is sensitive to our cultural heritage resources (Policy 554\_). Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved (Policy 611\_).

### **1989 Official Plan**

The 1989 Official Plan designates the site as Multi-Family, Medium Density Residential which permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged (Section 3.3.1.).

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Height will be limited to four storeys however, in some instances may be permitted to exceed this limit, if determined through a compatibility report. Generally developments will not exceed 75 uph (Section 3.3.2).

Proposals for development within the Multi-family, Medium Density Residential designation are subject to a Planning Impact Analysis as set out in Section 3.7 of the Official Plan.

The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. They will confirm or refine the boundaries of components of the Natural Heritage System, and will include conditions to ensure that development does not negatively impact the natural features and ecological functions for which the area is identified. The City will require that an environmental impact study be completed to its satisfaction, and in accordance with provincial policy, in consultation with the relevant public agencies prior to the approval of an Official Plan amendment, Zoning By-Law amendment, subdivision application, consent application or site plan application, where development is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in Table 15-1. (Section 15.5.1)

The Cultural Heritage Policies of this Plan state that Council will facilitate, in accordance with Provincial Policy efforts to preserve and excavate historic and pre-historic archaeological resources. (Section 13.4.1). Zoning By-law amendments are to be reviewed for their potential impacts to archaeological resources, and archaeological assessment requirements may be imposed where the subject area possesses archaeological resource potential or known archaeological resources, and involved some form of ground disturbance. (Section 13.4.3).

#### **4.0 Matters to be Considered**

A complete analysis of the application is underway and includes a review of the following matters, which have been identified to date:

##### **Provincial Policy Statement (PPS)**

- Consideration of consistency with policies related to promoting appropriate intensification, efficient use of land, and natural heritage features and archaeological resources.

##### **The London Plan**

- Conformity to policies related to the appropriateness of the proposed use, intensity and form, natural heritage features and archaeological resources.
- Impacts on adjacent properties.
- Compatibility with the surrounding area.

##### **1989 Official Plan**

- Conformity to policies related to the appropriateness of the proposed use, intensity and form, natural heritage features and archaeological resources.
- Impacts on adjacent properties.
- Compatibility with the surrounding area.

##### **Technical Review**

- Appropriate and desirable design and orientation of the proposed townhouses to properly address Sunningdale Road East.
- Concerns with the submitted Environmental Impact Study and related water balance and geotechnical concerns addressed through the provision of revised/new documentation.
- Updated tree assessment report and tree preservation plan to reflect the potential impacts of the widening/reconstruction of Sunningdale Road East and co-ordinate with the revised EIS.
- All engineering comments have been addressed or will be dealt with through holding provisions and/or at site plan approval stage.
- Identifying matters that could be directed to the site plan approval stage.



**Zoning**

- Suitability of the requested zone and location of zone boundaries pending review of a revised EIS.

**Public Feedback**

- Evaluating and mitigating potential impacts
- Reviewing proposal for compatibility to the local context

**5.0 Conclusion**

Development Services staff will review revised submissions and the comments received with respect to the proposed Zoning By-law amendment and will report back to Council with a recommendation based on the current application or a potential revised application for a Zoning By-law amendment. A future public participation meeting will be scheduled when the review is complete and a recommendation is available.

<b>Prepared by:</b>	<b>Barb Debbert</b> <b>Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG</b> <b>Managing Director, Development and Compliance Services and Chief building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

May 13, 2019  
BD/bd

## Appendix A – Public Engagement

**Public liaison:** On February 4, 2019 Notice of Application was sent to 111 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 31, 2019. A “Planning Application” sign was also posted on the site.

7 replies were received

**Nature of Liaison:** Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR1) Zone **TO** a Residential R5 Special Provision (R5-2(\_)) Zone to permit cluster/stacked townhouse dwellings.

### Responses:

Telephone	Written
Patti Ann Reynolds 400 Skyline Avenue East Unit 44 London ON N5X 0B3	Frank Li 536 Lindisfarne Road London ON N5X 0B4
	Margrit Johnson 307 Sunningdale Road East London ON N5X 4B3
	Yong Cai 535 Lindisfarne Road London ON N5X 0A5
	Jiaren Zhang 59-400 Skyline Avenue London ON N5X 0B3
	Solomon Wang 540 Lindisfarne Road London ON N5X 0B4
	Brian Fones 1883 Canvas Way London ON N5X 0J8

**From:** Li, Frank  
**Sent:** Sunday, February 17, 2019 7:59 PM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Subject:** feedbacks on file: Z-9011

Dear Barb,

I am writing to you to express my strong objection to the the application file: Z-9011 re: 348 Sunningdale Rd East. My family own the house at 536 Lindisfarne rd. Our community has consensus on it (I just talked to my neighbours).

Here are our concerns:

Exclusively in our community, we have separate two-storey houses only. This two, three storey townhouse does not fit at all. The construction of this scale will inevitably damage our environment and the natural habitat of wildlife. We currently have lots of and many kinds of birds in this mature forest, which is very scarce in London, the forest city. The trees are very tall, and beautiful especially in the fall, a view enjoyed by the whole community.

More importantly, the traffic at the Sunningdale road / Lindisfarne rd turn is already very congested. That's why the city planned to add two lanes to Sunningdale road, which will take many years to finish. Adding another cross road because of this townhouse will make the situation worse and more dangerous for the drivers in our community.

I hope you can seriously consider our concerns and disapprove the proposal. Please feel free to contact me if any questions. Thanks.

Frank

Zhichuan (Frank)

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Hello Mr. Drexler,

I was given your contact details by Barb Debbert of Development Services, City of London.

As a home owner close to the subject address I was informed of the zoning by-law amendment applied for by Westchester Homes Ltd.

Would you please direct me to projects already completed by the company so I can gather a sense of type and quality of buildings planned for 348 Sunningdale Road East. I am unable to find a website - something I am hoping you can assist me in finding, or indeed a parent company.

Looking forward to finding out more about the company which will be building in our neighbourhood.

Regards,

Margrit Johnson

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Dear Ms. Debbert:

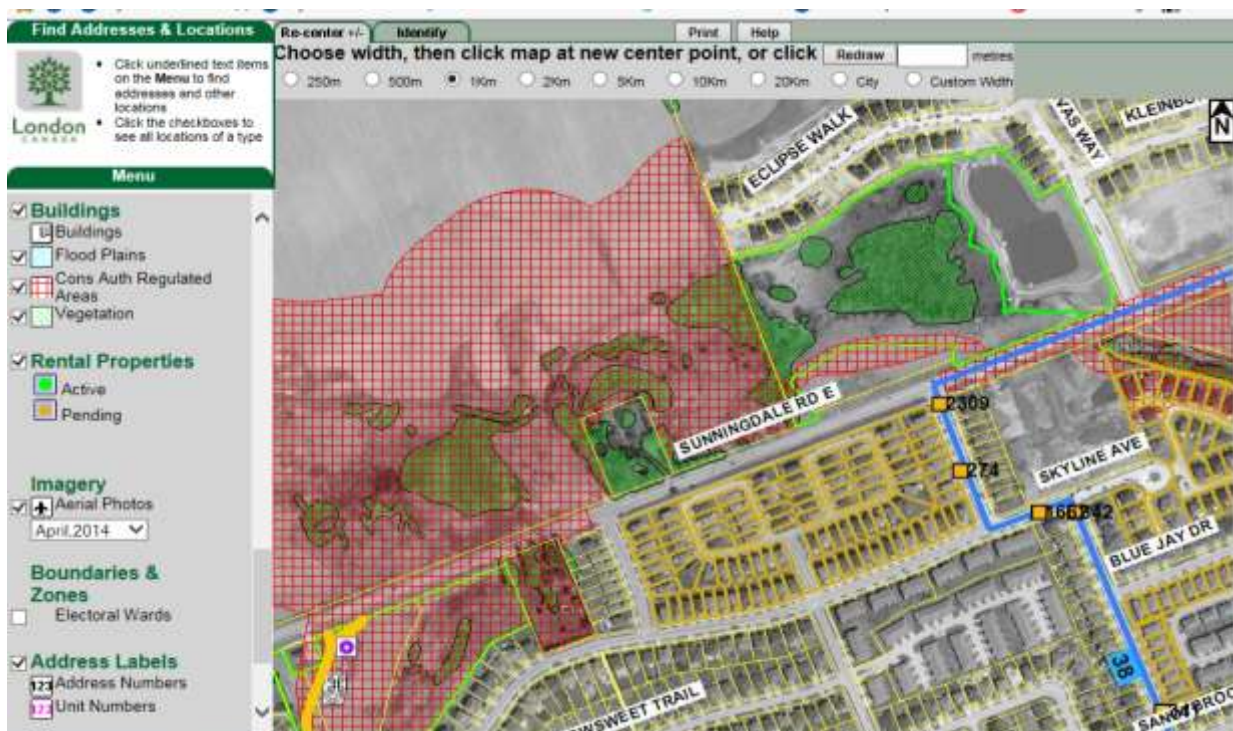
The points below are concerns and questions for the proposed Zoning By-Law Amendment for 348 Sunningdale Road East that must be raised by the Development Services.

1. Two, three-storey, seventeen unit townhouses on this once single-family property will be out of character and will diminish the setting of the single-family one and two storey homes surrounding this property.
2. Although Westchester Homes has provided the Tree Study, there will be inevitable damage to trees when digging for sewers and the entire infrastructure, the impact of heavy machinery for such an enormous project on the size of this property, which to this date, still have healthy large trees. The surrounding vegetation provides habitat for birds, butterflies and bees, which the Applicant deems to be cleared. Will the Landlord of #348 Sunningdale Road guarantee that the residents of 17 unit 3 storey townhomes be respectful of the Protected Lands that surround them?
3. That the Upper Thames River Conservation Authority be kept informed of any future encroachment into the protected areas as the builder had tried to do prior to submission of this application.
4. Should these tall and overbearing townhouses be built, who is to oversee the continued maintenance of the property and buildings so that they do not fall into decline and become an eyesore?
5. The proposed one shared driveway from the 17-townhouse development leading onto Sunningdale Road will cause increased traffic onto Sunningdale and cause more concerns for vehicles turning from Lindisfarne onto Sunningdale Road both

West and East directions, and vehicles turning left from Sunningdale onto Lindisfarne.

6. In the Report, mention is made about bus connection for proposed residents but does not disclose the closest stop is Bluebell, which is a 5-minute walk, crossing Sunningdale Road to sidewalk on the south side without a Pedestrian crosswalk or light. Monday to Friday the bus system runs only every 30 minutes and the last bus is at 9:53 pm and on Saturday; the last bus to the Bluebell stop is at 5:45pm. On Sundays and Holidays the bus runs only every hour and the last bus is at 5:53 pm.
7. When Sunningdale Road is widened in the future, which no one anticipates will be the correct means of solving transportation problems in London, the frontage of property #348 will be cut back for widening of the roadway. The road widening will inevitably destroy some of the frontage trees leaving the rear of the first set of townhouses facing the neighbours of Sunningdale Road to the South.
8. The Applicant has mentioned that seventeen-unit townhouse development will have garbage collected privately. What type of assurance will Upland Residents have that the system will be efficient and not overflowing bins causing refuse to be blown onto surrounding properties?
9. On page 11 of the Planning Justification Report, the mention of “bat boxes to ensure bat habitat is preserved”... the issue will be the trees and disruption of the surrounding natural habitat by such a massive structure to the site where the trees have provided excellent habitat for a variety year round and migrating bird species. Bat populations are not the concern in this neighbourhood.
10. The natural flow of wildlife and birds, which inhabit the area, will be disrupted.
11. Does the City of London need the cramming of seventeen three-storey townhomes on a once single-family dwelling? Does the London Plan need to include demolition of more large trees and filling the green space with cement and chip rock? Does the City of London want to increase the amount of vehicle and pedestrian traffic in an area that is not supported by mass transit?

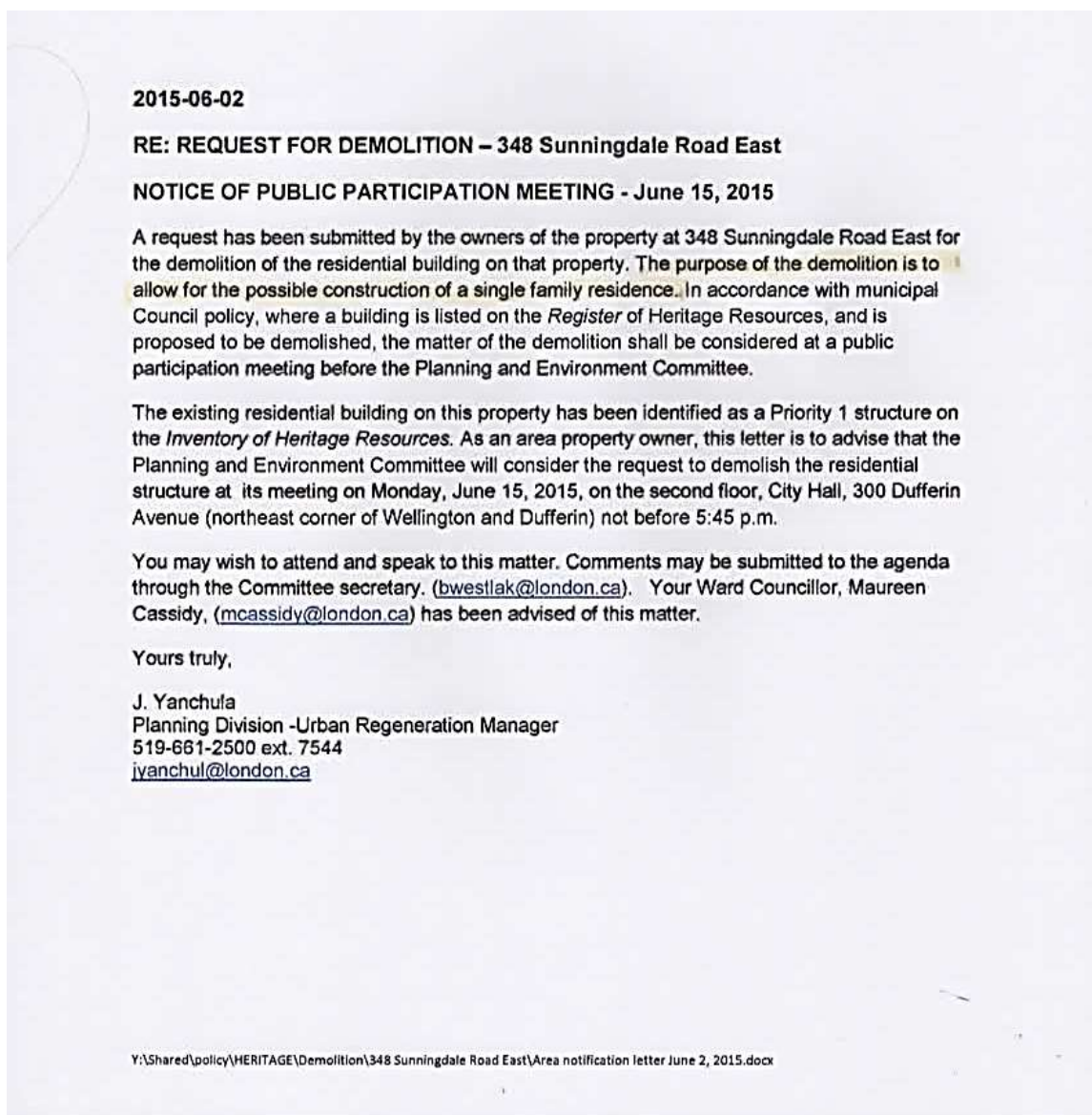
The two maps following are to demonstrate that the Plan of 2014 showed the area of #348 to be surrounded by regulated area by the Upper Thames River Conservation.







Unfortunately, the City of London has forgotten where this property began and only in four years, how thinking has changed.



Sincerely,

Patti Ann and Harry Reynolds



**From:** Yong Cai  
**Sent:** Sunday, February 24, 2019 10:38 AM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Subject:** Planning Application for Zoning By-Law Amendment for the Property of 348 Sunningdale Road East File:Z-9011

Dear Barb Debbert,

My name is Yong Cai, a resident at 535 Lindisfarne Rd. Recently I received the Notice of Planning Application for Zoning By-Law Amendment for the Property of 348 Sunningdale Road East File:Z-9011. After reviewing planning, I provided my concerns as follows,

1. The traffic congestion must be considered, which has already been much and much heavier than before when I moved in 2008.
2. The height of townhouses should be as low as possible.
3. **Surrounding trees must be kept original.** These maple trees are very attractive in fall. Lots of people come and take photos during this period, enjoying the colorful trees. Please refer to the attached pictures.
4. Garbage should be always maintained in good and clean conditions, not stink smell, avoiding rats, racons, etc.
5. For the **security issue**, I hope the residents will be good credit residents instead of supervised correctional residents. I heard these townhouses would be for rent instead of for sale, which is not a good idea. This means the residents here are changeable or mixed all the time and it is not good for the security. I know, for this specific reason, quite a few current residents opposed this townhouse planning.

Thank you for the consideration.

Sincerely,  
Yong Cai

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Dear Barb Debert,  
This letter responses to the Proposed 348 Sunningdale Road East, File: Z-9011. I have the following concerns.

- Those beautiful maple trees along with the sunningdale Ave. will be destroyed. I hope those trees can stand there to contribute the beauty of Sunningdale Ave..





- Sunningdale Ave. is becoming traffic unsafe road because road narrow, not enough shoulder, Lindisfarne turn will be more difficult reaching out to Sunningdale and make Richmond intersection jam.
- Three storeys building destroy good views of narrow Sunningdale Ave. Development should not make city view ugly.
- The 17 units townhome too close to major traffic Sunningdale may makes children playing unsafe.
- Townhouse back face the major traffic road not nice looking and the townhouse bedroom will be too noise to sleep not health for the future residents.

Best regards,

Jiaren Zhang  
59-400 Skyline Avenue

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**From:** So W

**Sent:** Sunday, February 24, 2019 10:35 PM

**To:** Debbert, Barb <bdebbert@London.ca>

**Cc:** Cassidy, Maureen <mcassidy@london.ca>

**Subject:** Concerns about re-zoning application for 348 Sunningdale Road East

Hello,

Thanks for the notice of the planning application with file number Z-9011.

I live on the Lindisfarne Rd. I'm deeply concerned about the consequences of re-zoning on environment, safety and society.

The related area is covered with mature forest where wild animals are inhabiting. Building the townhouses will bring devastating environmental damage to the area and will never be recovered. The natural sanctuary will no longer exist and more man-made pollution will be around the area.

The condition of Sunningdale road has been deteriorating for years. The government has done nothing to improve or repair the road condition to maintain the road safety. It was said to re-pave and expand the Sunningdale road, but nothing has happened yet. To build a multiple family project will definitely bring more traffic to the area and reduce the safety for both existing residents and visitors.

My house is only 20 meters away from the mentioned area, this applied project will destroy the natural environment we have been enjoying, bring more safety hazard to my child and society, and ultimately bring down the value of my house. So I clearly oppose the approval of the re-zoning application.

Regards

Solomon Wang

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**From:** Brian Fones  
**Sent:** Tuesday, March 05, 2019 10:38 PM  
**To:** Debbert, Barb <bdebbert@London.ca>  
**Cc:** Cassidy, Maureen <mcassidy@london.ca>  
**Subject:** Public Input on Z-9011 - 348 Sunningdale Road East Zoning By-Law Amendment

Hello Barbara,

Having just noticed a request to change a zoning designation at 348 Sunningdale Road and from a request for comments on City of London "Planapps "by February 25 (without a stated public meeting and with a property invitation board just having been erected recently,) I would like to add my initial comments as a resident in the area for future consideration in this regard.

While this application seems reasonable given the City and London Planning Guidelines for a medium density housing mix, I do have some reservations with the proposed builders offerings, from their report "Planning Justification" of December 4, 2018 and support documents, noting:

1) On the issue of trees; the .653ha site report includes;

"A number of trees are present on the lands, consisting primarily of planted ornamental trees associated with the former residential use" (page 4, Planning Justification.)

The former house mentioned here (now removed) was old so it is assumed that many of these more significant, mature trees could be considered heritage or indigenous trees. Many may be closer the end of their life cycle (assumed; no ageing reported by RKLA .) However, they significantly add to the greenery and natural setting of greater Sunningdale Road and Stoneybrook/Uplands North subdivisions and the northern city boundary.

The developer has made an excellent effort to preserve, as best as possible, healthy trees while allowing for pruning for a reasonable development to proceed. This seems to be a fit for the London Plan for maintaining green space through arbitrary preservation whenever possible. The inventory tree report and guidelines for preservation throughout construction is quite admirable (as compared to common clear-cutting site preparation practices, even when legally permitted.)

My concern on the tree report is over the resulting larger, regional landscape change and greater impact on the north side of Sunningdale. Most of the trees along the eastern boundary side of this project have been marked to be removed. This is where many of the larger, more mature boundary evergreens exist.

As a result, the visual and ecological buffer between a finished site and the Uplands North Wetlands and residential subdivision will be impacted. Possibly with even compounded issues as the proposed site is on a higher grade thnt most of the residences and ponds in Uplands North. No further natural tree growths of significance will exist between this site all the way to Canvas Way and beyond. Permanent loss of tree vegetation is an issue in this area as nearby flooding of the current wetlands and the subsequent destruction of non-aqueous trees has significantly reduced the number mature trees in the larger ecosystem on the Sunningdale northern boundary (east of the proposed site.)

Suggestion: A full row of new coniferous trees of substance, on the eastern border of the project where trees have been removed, may limit this further urbanization effect coming from this new medium density project, with its higher storied buildings, in a largely single family area of premium homes and significantly preserve more of the

greenspace that this region initially offered the city residents, without hindering the project.

2) The proposed architectural renderings of this medium density site do not fit very well in any description of like residences in the current Uplands North ( single family or newer medium density housing projects further east on Sunningdale.) Repetitive, row housing of undifferentiated stock like what is proposed, do not add much value to potential residents, immediate neighbours, or assessments for City of London. While perhaps suitable for major metropolitan centres in Canada or the USA, avant-garde designs like this tend to date themselves quickly and depreciate even faster. I see minimal long term architectural value in such design plans and I would strongly encourage a re-work of the blueprints to what could easily and economically be a better, more architectural attractive fit, for the residents and greater neighbourhood.

3) A personal concern, but perhaps the most controllable change that I would like to recommend, would be that the City should seriously limit construction designs like this, when there is radical differences in effectual building colours when compared to immediate surroundings. The brick colour proposed is white and perhaps most noticeable in the largely feature-less east and westerly unit walls. This does not fit in with any buildings between Adelaide and Richmond Streets, in Stoneybook or Uplands subdivisions. Such esthetics must be waved in favour of more neutral and coordinated neighbourhood and regional colours. A possible, subsequent "white castle effect", arguably in the middle of "nowhere," is not going to be acceptable by any residents who value their property.

White brick facades are vogue at best. Attempts to include such architectural experiments, such as the newer commercial building at Richmond and Hillview, have not been successful or well accepted and have degraded their immediate areas. White brick (even with grey accents) cannot be considered as a suitable fit for these three story buildings.

4) Finally, please consult with your senior urban planners and traffic/road planning colleagues, but a better ingress and egress road to the site would probably be via a more westerly and coordinated connection off Sunningdale. A single intersection closer to facing the existing Lindisfarne Road on the south side, would reduce potential traffic issues on Sunningdale as a result. It should be simple for the developer to reverse their site plans accordingly and at minimal costs.

Thank you for your consideration to these concerns. I would be happy to discuss them with you, your colleagues or principals at Weschester Homes at any point in the future,

Regards,

Brian Fones  
1883 Canvas Way

### **Agency/Departmental Comments**

#### **Development Services - Urban Design**

Urban Design staff reviewed the submitted conceptual site plan for the zoning by-law amendment at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws and guidelines;

- Ensure the south row of townhouses is oriented towards the Sunningdale Road frontage, with principle entrances facing the street.
- Include a common walkway parallel to the south of townhouses with individual walkways to the fronts of the units, ensure this common walkway leads to a north-south walkway through the site to the street.



- Include the amenity areas for the townhouses internal to the site in order to avoid a noise wall along the Sunningdale Road frontage.

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

### **Development Services - Site Plan**

Based on the conceptual drawings provided at rezoning the applicant should anticipate the following comments at Site Plan:

- A noise study requirement to address traffic impacts from Sunningdale Road East
- An enhanced elevation requirement for the street-facing units
- A more comprehensive approach to pedestrian circulation on-site

The full expectations will need to be defined through an official request for site plan consultation but the above appear to be particularly pertinent.

### **Development Services - Ecologist**

Here are a couple high level comments on the EIS submitted by BioLogic. Please note there are some additional technical comments and concerns with the report, however there is one primary issue that needs to be addressed before proceeding to the rest of the report. If this issue is not addressed, then Development Services cannot move towards a resolution to this project. Currently, the EIS is not compliant with Provincial Policy Statement (PPS 2014), City of London Official Plan (OP) policies, and the City's Environmental Management Guidelines (EMG).

- 1) The EIS was to assess the Woodland for significance, the resulting evaluation chart located in the Appendix of the EIS did identify the Woodland as a Significant Woodland based on the assessment criteria, however the text of the report ignores the results of the analysis and does not designate the woodland as a Significant Woodland. The EIS cannot be supported based on this position being taken by the proponent's ecologist.
  - a. It is unclear why the proponent's ecologist took this direction after discussions with City staff where it was expected this would be identified as a Significant Woodland and that in this case the City would work with the proponent to identify compensation/restoration of the portion of the feature impacted by the proposed development to allow the development to proceed.
  - b. Furthermore, based on the configuration of the proposed development (Figure 7: Development Proposal), it is clear that a number of trees that are part of the Significant Woodland would be retained (along the pipeline easement), and with a further expansion of the identified Naturalization Area (buffer) along the north end of the site (Figure 7), the removal of this portion of the Significant Woodland could be compensated for in this area, along with the required bat boxes. A reduction in the rear yards of the townhomes at the north end of the site to match the rear yard depths of the townhomes backing onto Sunningdale Road would accomplish the task of providing additional buffer to the PSW and the compensation area for the removal of the portion of Significant Woodland impacted by the proposed development. An approved restoration plan would also be required for this updated buffer/compensation area and could then be supported by Development Services.
- 2) The wetland habitats identified offsite and during the site visit conducted with the proponent and the UTRCA have not been properly identified on the figures or discussed, and the water balance/quality going to this intermittent stream (and the PSW) has not been fully identified.
- 3) The City defers additional comments regarding Water Balance and Hydrogeological issues to the UTRCA.

If these main issues can be resolved, it is anticipated that the other technical comments regarding the draft EIS report can also be resolved to support this development application.

### **Upper Thames River Conservation Authority**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

### **PROPOSAL**

The proposed Zoning By-law Amendment application would rezone the lands from Urban Reserve (UR1) to Residential R5 Special Provision (R5-2(\_)) to allow for the construction of a two (2) townhouse dwelling blocks consisting of 17 units.

### **CONSERVATION AUTHORITIES ACT**

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

### **UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL**

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

#### **3.2.2 General Natural Hazard Policies**

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands which is consistent with the Provincial Policy Statement (PPS) and is intended to limit the number of owners of hazardous land and thereby reduce the risk of unregulated development etc.

#### **3.2.4 Riverine Erosion Hazard Policies**

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

#### **3.2.6 & 3.3.2 Wetland Policies**

New development and site alteration is not permitted in wetlands. Furthermore, new development and site alteration may only be permitted in the area of interference and /or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and ecological function of the feature.

The UTRCA completed a Site Visit on May 2, 2018 and determined that additional pockets of wetland were identified to the east of the subject lands which will likely increase the regulation limit shown on the enclosed mapping.

An EIS was prepared by BioLogic Incorporated, dated November 20, 2018. The UTRCA's comments on this report are provided below.

### **SIGNIFICANT WOODLAND**

The woodland that is located on the subject lands and adjacent lands has been identified as Significant in the Middlesex Natural Heritage Study (2003) and the Middlesex Natural Heritage Systems Study (2014). New development and site alteration is not permitted in woodlands considered to be significant. Furthermore, new development and site alteration is not permitted on adjacent lands to significant woodlands (within 50 metres\* see note below) unless an EIS has been completed to the satisfaction of the UTRCA which demonstrates that there will be no negative impact on the feature or its ecological function.

#### **\*Note: *Natural Heritage Reference Manual, Second Edition (OMNR, 2010)***

We note that Table 4-2 of the *Natural Heritage Reference Manual Second Edition* (OMNR, 2010) identifies adjacent lands from significant natural heritage features as being 120m from the feature for considering potential negative impacts. The *Natural Heritage Reference Manual* provides technical guidance for implementing the natural heritage policies of the *Provincial Policy Statement, 2005*. The UTRCA Environmental Planning Policy Manual (2006) predates the NHRM (2010) and the UTRCA considers the policies of the contemporary implantation manual in its review. This EIS should demonstrate no negative impacts on the ecological form and function of the features. These natural heritage areas should be located and avoided as inappropriate places for development.

An EIS was prepared by BioLogic Incorporated, dated November 20, 2018. The UTRCA's comments on this report are provided below.

### **DRINKING WATER SOURCE PROTECTION**

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are not** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at: [http://maps.thamesriver.on.ca/GVH\\_252/?viewer=tsrassessmentreport](http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport)

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

The UTRCA has completed a review of the *Environmental Impact Study Report* prepared by BioLogic Incorporated, dated November 20, 2018, and offer the following comments:

1. As per UTRCA comments dated June 11, 2018, the subject lands contain a Provincially Significant Wetland (PSW) known as the Arva Moraine Wetland Complex. In addition to the mapped PSW, a Site Visit was conducted on May 2, 2018 which identified additional pockets of wetland to the east of the subject lands that are also regulated by the UTRCA. Therefore, the adjacent wetland pockets to the east, the PSW to the north, and the erosion feature at the northwest corner, are within our regulation limit. Recognizing this, the following comments are provided:
  - a) Section 2.4 states "*As agreed in the Scoping meeting of January 11, 2018, there were no regulatory issues for the Subject Lands*". Please remove this statement from the EIS.
  - b) Section 5.3 only discusses the regulation limit in the northwest corner. The EIS will also need to consider wetland interference to the additional pocket(s) of wetland identified to the east.
2. Please provide rationale supporting the amount of buffer needed to the west and east limits of the development envelope, including all proposed roads. Include discussion about the impact of road salt on adjacent natural features and how it will be mitigated.

3. Please show the breeding bird survey locations on a map. Breeding bird surveys should occur three (3) times: early May, late May to early June, and late June to early July. Please discuss why only two (2) surveys were conducted and what implications this may have.
4. Recognizing the adjacent lands contain CUT, CUW, PSW and wetland pockets, please determine candidate Significant Wildlife Habitat for those habitats and discuss appropriate mitigation measures for those candidate habitats given that they cannot be accessed to confirm. Please include the following in this discussion:
  - a) Appendix E states that there is no shrub and early successional breeding bird habitat, yet the subject lands are surrounded by cultural thicket and cultural woodlands.
  - b) Whether the small wetland pocket may be candidate wetland amphibian breeding habitat.
5. Section 4 of the report mentions that the site contributes runoff to the wetland to the north. The UTRCA will require maintaining the base flow requirements to the wetland under the proposed condition through a water balance analysis.
6. Section 4.1.2 and 4.1.4 refer to the water well record on site: "*The water well record for the domestic well on site indicate there is a thin gravel (approx. 1m) of gravel beneath 42m of clay (with streaks of sand).*" The statements provided are an interpretation of geology with depth, not soils. The rationale is unclear. The information provided in the text leads one to interpret that there is no shallow aquifer material, however this is not the case. A professional engineer or geoscientist designation is required to interpret this information, study available information of the area, and highlight deficiencies in the logs.
7. Please show the amphibian survey locations on a map. Section 4.2.5 only discusses two (2) frog species, yet three (3) species were recorded in Appendix 1. Please discuss all three (3) frog species in terms of Significant Wildlife Habitat.
8. Section 6.0 states "*water supply will be from the watermain on Sunningdale Rd. Service depths of between 2 to 4 metres will not interfere with the groundwater on the property*". This statement is an interpretation of hydrogeology with depth. Rationale was not provided. A professional engineer or geoscientist designation is required to make this statement.
9. Section 7.0 states "*Considering the lack of drainage features, clay soils and relatively steep slopes to the north at the northwest corner, there is likely minor surface flow contributions to the Powell Drain Wetland from the Subject lands*". As there has been no installation of equipment and no elements of water budget, the consultant is not qualified to make these statements. Further, the wetland located to the north of the site is the Arva Moraine Provincially Significant Wetland.
10. Section 7.0, Recommendation 1 states "*the post development runoff should be managed so that flows do not scour a flow channel down the slope at the northwest corner*". In addition, Recommendation 14 states "*roof leaders from the northerly townhouse building should be directed to the rear*". Please provide additional details about how scouring will be managed/prevented in this area.
11. Section 7.0, Recommendation 4 speaks to when vegetation clearing should be avoided. Please change the dates so that vegetation is not removed from April 1 to August 31. Note that is nesting birds are identified on site, the works within the nesting area should not proceed until August 31.
12. Table 7, Decreased Infiltration and Increased Run-off states "*Avoidance; setback distance of 50m is large enough to support sufficient surface flows to the*

wetland, clay soils are not conducive to infiltration". The consultant is not qualified to make these statements.

13. Section 8.0 states "*when there is confirmation on the development plan, the water balance and storm water management requirements will come forward at the Site Plan approval stage*". Given the presence of wetland features on the adjacent lands, the UTRCA comments provided June 11, 2018 state that a water balance is required prior to site approval. The water should:
  - a) Determine the importance of the sheet flow from the (mid) east property line to the Powell Drain and whether the quality or quantity of the flow will change post development.
  - b) Provide support for the statement in Section 7.0 that "*the development footprint will retain any sheet flow that is generated at or near the east boundary in the northern third of the property with a setback of 3.2m to the east property line*".
  - c) Determine whether flow quality or quantity to the wetlands (both PSW and the unevaluated pockets of wetland to the east) will be affected post development.
  - d) Determine whether Recommendation 2 in Section 7.0 will provide adequate quality and quantity to the wetland features.
14. The UTRCA requires the site to maintain stormwater quality under the proposed conditions to avoid negative impact of the development on the adjacent wetlands.
15. The UTRCA requires a cross section of the slope on the north side to ascertain if the development limit should be established at the northern boundary of the site by considering stable slope analysis (toe of slope, top of existing slope, top of stable slope, factor of safety, and 6 metre erosion access allowance). The development limit should be compared with the setback requirements considered for the wetland and the erosion hazard. The greater of the two setbacks shall be applied to the development limit.
16. Overall, the consultant has made statements that are outside of their professional designation and further professionals should be retained to accurately study the site.

## **RECOMMENDATION**

As indicated, the subject lands are regulated by the UTRCA. As per comments provided on June 11, 2018 as part of the Site Plan Consultation application (SPC18-101), the UTRCA requested both an EIS and Water Balance Analysis be completed for the subject lands to form a complete application. The UTRCA has not received a Water Balance Analysis and therefore is of the opinion that this application is premature at this time. The UTRCA recommends this application be deferred until the requested studies have been completed.

Upon re-submission, please address the comments provided herein and provide a Water Balance Analysis to be prepared by a professional engineer to the satisfaction of the UTRCA.

In addition, a Section 28 Permit will be required. Please contact Mark Snowsell or Brent Verscheure, UTRCA Land Use Regulations Officer, for information relating to the Section 28 permit requirements.

## **Environmental and Ecological Planning Advisory Committee**

### **Council Resolution (April 24, 2019)**

That, the following actions be taken with respect to the 4<sup>th</sup> Report of the Environmental and Ecological Planning Advisory Committee from its meetn held on March 21, 2019:



b) the revised Working Group comment appended to the 4<sup>th</sup> Report of the Environmental and Ecological Planning Advisory Committee, relating to the property located at 348 Sunningdale Road East BE FORWARDED to the Civic Administration for consideration;

Working Group Comments (Feb 2019)

**Theme 1 – Characterization of the Provincially Significant Wetland present to the east, north, and west of the site.**

The EIS highlights that the proposed development will be located within a pocket of land bordering the Powell Drain wetland (a unit of the Arva Moraine PSW Complex); the wetland boundary is 32m from the properties northwest corner, 95m from the west property line, and 60m from the northeast corner. As this PSW is located outside of the Subject Lands, a formal evaluation of the wetland's ecological function was not included in this report.

Additionally:

- Figure 3 of the report provides future land uses of the adjacent properties. Land surrounding the PSW has been designated either Low Density Residential or Multi-Family, Medium Density Residential.
- The PSW is likely fed via surface water flow predominately from regions to its north and south. The EIS notes that groundwater was found 41m bgs (pg. 7) and that there were no seeps or springs observed on the subject lands; given the groundwater depth, it is unlikely that groundwater would constitute a water source to the PSW.
- The EIS states that there are no species at risk or species of provincial interest listed by NHIC within 1 km of the site. However, this assertion was not based on field work in or around the PSW and a more thorough evaluation may find otherwise.
- Lastly, the EIS indicates that the PSW has not been evaluated (e.g. pg. 13 the report notes that the "functions of the wetland will require further consideration").

Our concern is that future developments in the area will also exclude any evaluation of the PSW as the wetland will be, of course, outside any area being developed. This piecemeal, site-by-site approach could result in degradation of the wetland as the individual impact of any one development may be minor, but the cumulative impact may indeed be consequential. Given the lands adjacent to the development will likely be developed in the future, EEPAC agrees with the EIS and considers it important to characterize the existing ecological functions of the wetland now, before these potential developments occur, in order to develop an overall strategy to protect the wetland's ecological integrity.

Recommendations:

1. Characterize the ecological functions PSW before any of the lands zoned for future development have been developed, including the parcel under consideration.
2. Conduct a water balance assessment in order to understand water flow into and out of the wetland.
3. Develop an area strategy for future developments that protects water flow into and out of wetland from both a quantity and quality perspective, as well as any additional measures necessary to protect the ecological health of the PSW.

**Theme 2 – Site water balance assessment**

The report discussed that the northwest corner of the site slopes to the north and that the northeast quadrant of the site is flat with evidence of sheet flow to the east of the

site, which in turn presumably drains to the PSW. Sheet flow to the east may also feed the unevaluated wetland patch identified 35m east of the site through air photo interpretation. (N.b. the size of the wetland is estimated at less than 100 m<sup>2</sup>.) Furthermore, Figure 3 of the report appears to show a water channel from the northeast corner of the property, which the report seems to describe as “not a defined channel” but rather a “broad swale” dominated by terrestrial grasses (bottom of page 13). Regardless of whether it is a “swale” or a “channel”, it is possible that this channel/swale provides flow to the PSW, especially during periods of higher precipitation.

The EIS does identify the importance of considering adjacent features and functions of the PSW; however, it does not quantify how the proposed site development will preserve the wetland’s ecological health.

Recommendations:

4. Conduct a water balance assessment to determine water flows pre and post development with a specific focus on water flows to the PSW. Based on this evaluation, propose specific mitigation measures (if needed) to ensure that water quantity and quality objectives are met that ensure the PSW’s existing functions are not impaired.
5. Reconsider whether the channel/swale from the east of the site should be included under section 15.4.15 “Other Drainage Features”.

**Theme 3 – Tree preservation/ replacement**

The report states that investigations for Ecological Land Classification (ELC) were conducted on October 18, 2017, June 5, 2018 and June 20, 2018. These surveys found that the most densely treed section of the Subject Lands, classified as a Mineral Cultural Woodland Ecosite (CUW1), is concentrated in the southwest corner of the property. This community is dominated by Red Pine (*Pinus resinosa*), Norway Spruce (*Picea abies*) and Sugar Maple (*Acer saccharum*); however, near the south-central edge of the Subject Lands, a mature Tulip Tree (*Liriodendron tulipifera*) was found.

Following a site investigation for potential bat maternity roost habitat (April 25, 2018), 10 trees were identified as potential Species At Risk bat maternity roost habitat. Seven trees located on the Subject Lands have been deemed hazardous and marked for removal. It was recognized in the EIS that three of these trees are candidate bat roosting trees. To mitigate the removal of these trees, the report states that six bat boxes will be installed. In Table 7 (Net Effects Table), however, the report mentions that 17 residential yard lights will also be installed. Although the presence of light fixtures can result in increased foraging opportunities for some bats, these fixtures can negatively impact bats that are emerging, roosting and breeding. Specifically, artificial light can result in delayed emergence from roosts, roost abandonment or avoidance, reduced reproductive success and increased arousal from hibernation (Stone et al., 2015). Thus, light fixtures should be positioned in such a way that light is directed towards the townhouses and away from the surrounding trees.

Although seven trees have been explicitly marked for removal in the RKLA Tree Report, drawing T-1 (Drawing Preservation Plan) shows that several additional trees will be removed. Information about the total number of trees marked for removal should be provided so that the impact of their removal can be adequately assessed. In addition, the ecosystem services being provided by the trees, such as refuge to wildlife, will be lost due to the removal of some trees and the disturbance occurring around the remaining ones; thus, compensation for such loss should be provided.

Recommendations:

6. Light fixtures are positioned in such a way that light is directed towards the townhouse dwelling units and away from the surrounding trees and bat boxes. Alternatively, bat boxes could be positioned in areas where light pollution is minimized, and/or light intensity could be minimized.

7. Considering that the trees marked for removal are broad-leaf deciduous species, at least double as many trees of the same Functional Type should be planted in the surround of the construction area.

#### **Theme 4 – Survey periods for amphibians and breeding birds**

The EIS notes that a breeding bird study was conducted on June 5, 2018 (6:45 am or pm?) and June 20, 2018 (7:30- 8:30 am or pm?), and that amphibian monitoring was conducted on April 23, 2018 (9:30- 9:45 am), May 22, 2018 (11:30- 11:45 am) and June 18, 2018 (9:40- 9:50 am) for the Subject Lands. The report states that amphibian monitoring was conducted using the Great Lakes Marsh Monitoring Protocols. These surveys concluded that there is no significant habitat for breeding birds and amphibian species on the Subject Lands.

Regarding the breeding bird study, our concern is that two site visits within the span of 15 days are insufficient for observing the presence of breeding birds, as breeding and nesting time varies throughout spring and summer depending on the bird species.

In regards to amphibian monitoring, our concern is that monitoring was conducted during the day rather than one half-hour after sunset, as stipulated in the Great Lakes Marsh Monitoring Protocols. Since amphibian calling is strongly associated with time of day (Great Lakes Marsh Monitoring Protocols), it is possible that the amphibian surveys conducted in 2018 did not observe all species present in and around the Subject Lands.

#### **Recommendations:**

8. As all bird species have varied seasonal and within day activity patterns, more bird surveys need to take place encompassing a larger span of the breeding season (e.g. May, June and July) and at different times of the day. It is also recommended that breeding evidence be evaluated as the guidelines present in the Ontario Breeding Bird Atlas, 2001, so that possible and probable breeding observations be also recorded.
9. Conduct amphibian monitoring prior to construction at the Subject Lands. Monitoring should take place one half-hour after sunset and end by midnight as stipulated in the Great Lakes Marsh Monitoring Protocols.

#### **Parks Planning – Tree Preservation (March 27, 2019)**

Parks Planning & Design has reviewed the submitted Tree Assessment Report for the above noted application, and provide the following comments. Please note that review of the submitted EIS and comments pertaining to ecological matters are to be provided separately by the Development Services Ecologist.

- The report is written in the context of a site plan development. It should be framed within the context of a Zoning By-law Amendment application, and note that proposed tree removals and preservation will be subject to further review through detailed design and Site Plan Approval. The report should also reference the submitted EIS and speak to any key overlap.
- Similarly, the Tree Preservation Plan (T-1) should be labelled as preliminary and subject to future grading, or something to that effect.
- It is appreciated that the inventory and assessment has included boundary trees, trees on adjacent private properties within 3m, and trees in the ROW for review. This is also consistent with the requirements of Section 12 of the City's Design Specifications and Requirements Manual. Any removals of these trees would require the land owner's consent as well as City approval, which the report has indicated.
- Matters pertaining to the EIS and ultimate Sunningdale Road profile could substantially alter tree preservation and removals from what is currently

proposed. The report and plan should be updated and recirculated for review once these matters have been resolved.

As added information, boundary trees and trees on adjacent private properties would not require a separate tree permit for removal if ultimately included as part of the accepted Tree Preservation Report and EIS. The landowner's consent and Site Plan Agreement would satisfy the City's requirements.

## **Engineering**

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned pre-application:

### **Comments for the re-zoning application:**

The applicant has submitted a servicing feasibility report in order to demonstrate the serviceability of the subject site. Based on the report, the site remains a challenging development and minimum City Standards are not being achieved. We have completed a review and offer the following comments that will need to be further explored prior to any development application;

#### 1. Servicing Feasibility Report

- a) Based on the EA for Sunningdale Road, it appears the centreline grade is proposed to be lower than existing. Considering this, please contact the Transportation Division and obtain the necessary information and provide the ultimate Sunningdale Road urban cross section and ensure this works with the proposed site grading and private service crossings. Also, ensure there is no conflicts with the private services and any proposed sewers that will be installed as part of the Sunningdale project.
- b) Verify as-built information for the 1200mm municipal transmission watermain.
- c) Provide a minimum of 0.6m above the sanitary PDC as per City Standard W-CS-68.
- d) Show approximate location and elevation of Imperial Pipeline (in cross section).
- e) San PDC to be min. 200mm dia at 1%.
- f) Confirm the proposed re-grading of the north ditch will not impact existing capacity and flows within the ditch.

DS and Wastewater would be in support of a holding provision to be placed on the site until the applicant can satisfy the City's concerns and prove that this site is serviceable.

### **The following items are to be considered during the development application approval stage:**

#### **Sanitary**

- The 230l/cap/day should be applied to new proposed areas only and not the existing areas.
- Design sheet is missing areas.
- It should be noted that the proposed sanitary servicing is a temporary connection at no cost to City and if as a result of a future Rd widening EA or if this sewer conflicts with any future project, the Condo Owners shall be required to redirect and connect, all at their cost to their intended ultimate outlet on Sunningdale Rd.

#### **Transportation**

- Road widening dedication of 18.0m from centre line required on Sunningdale Road.

- Detailed comments regarding access design and location will be provided through the site plan.

### Water

- The Servicing Feasibility study also indicates a fire flow of 9032 l/min would be required for the development and they are proposing a 150mm water service to the site. A 150mm water service would be very undersized for this fire flow demand and would not meet our Standards. (velocities would be over 8 m/s).

### Stormwater

- There is no storm sewer on Sunningdale Road East to service the proposed development. As Per as-con 25712, storm flows from this site will outlet directly to wetland with on-site controls for both quality and quantity.
- The site is also identified in the minor flow catchment area of the existing Uplands North SWM facility B2 and therefore the SWM design of the site is also to comply with SWM criteria and environmental targets of the Uplands North Subdivision Functional SWM Report by AECOM – May 2011.
- The subject lands are located in the Stoney Creek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stoney Creek Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.

### London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.



## Appendix B – Policy Context

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

Provincial Policy Statement, 2014

1989 Official Plan

The London Plan (Neighbourhoods Place Type)

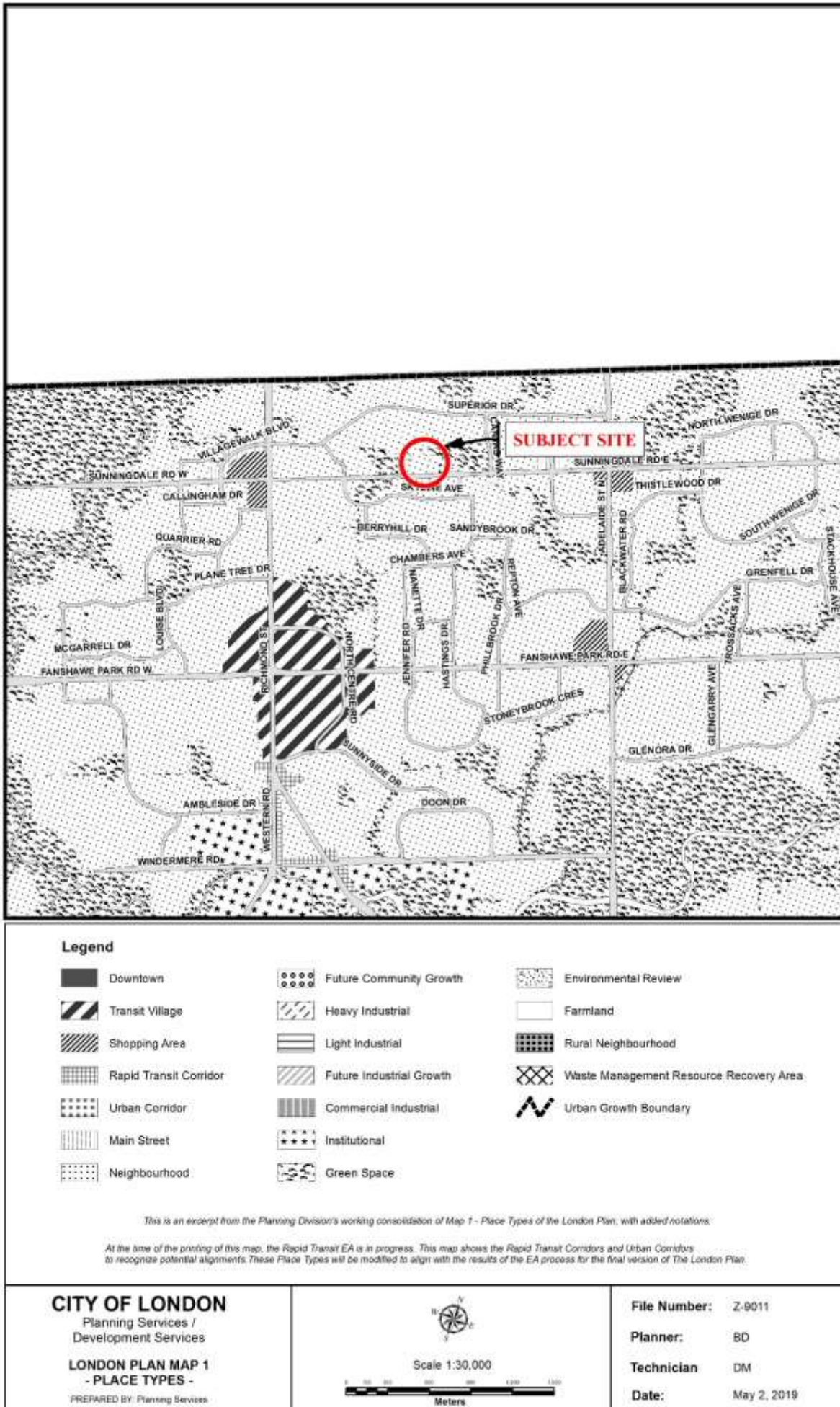
Uplands North Area Plan

Z.-1 Zoning By-law

**Appendix C – Additional Information**

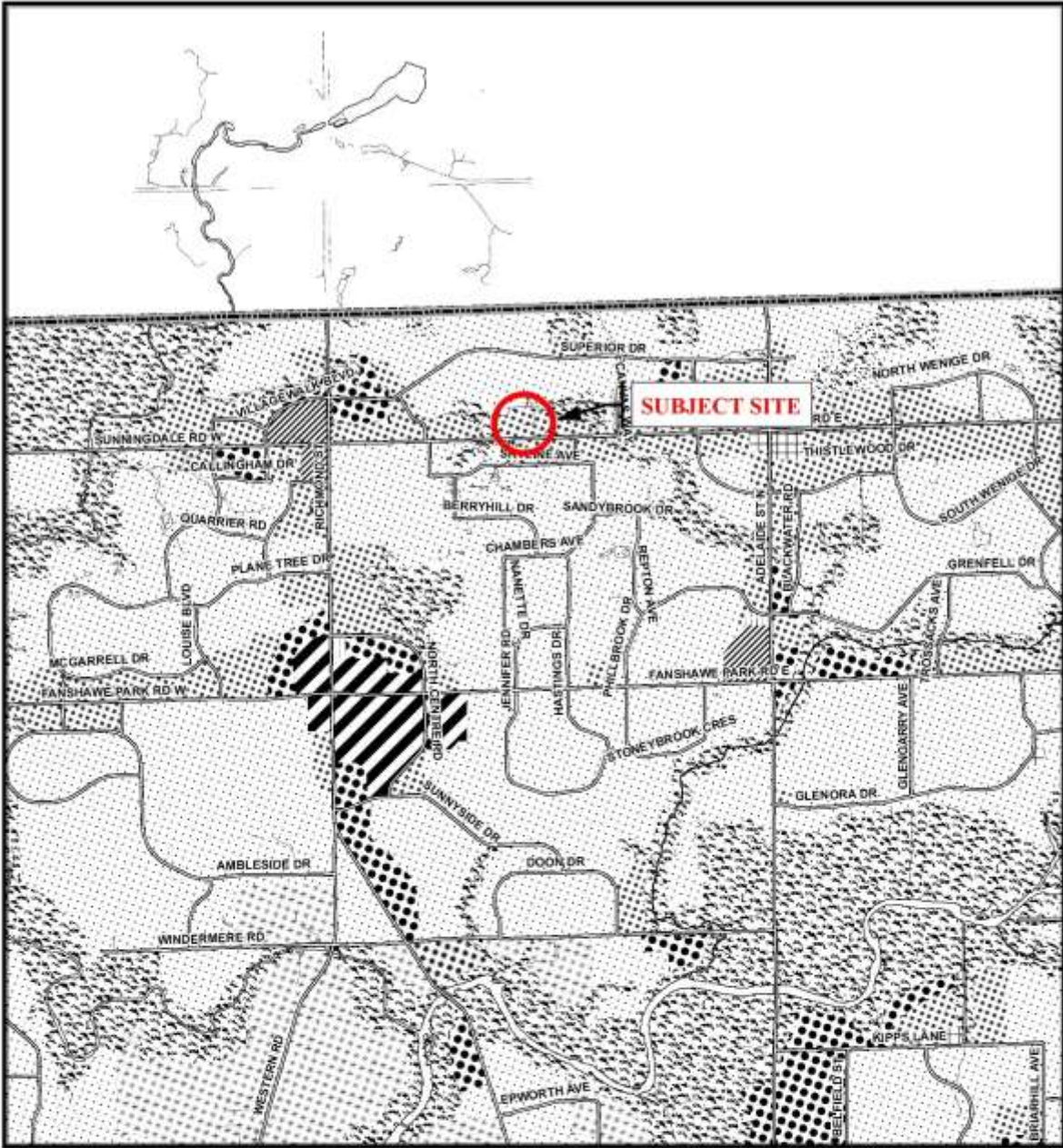
**Additional Maps**

**The London Plan – Map 1 – Place Types**





1989 Official Plan – Map 1 – Land Use



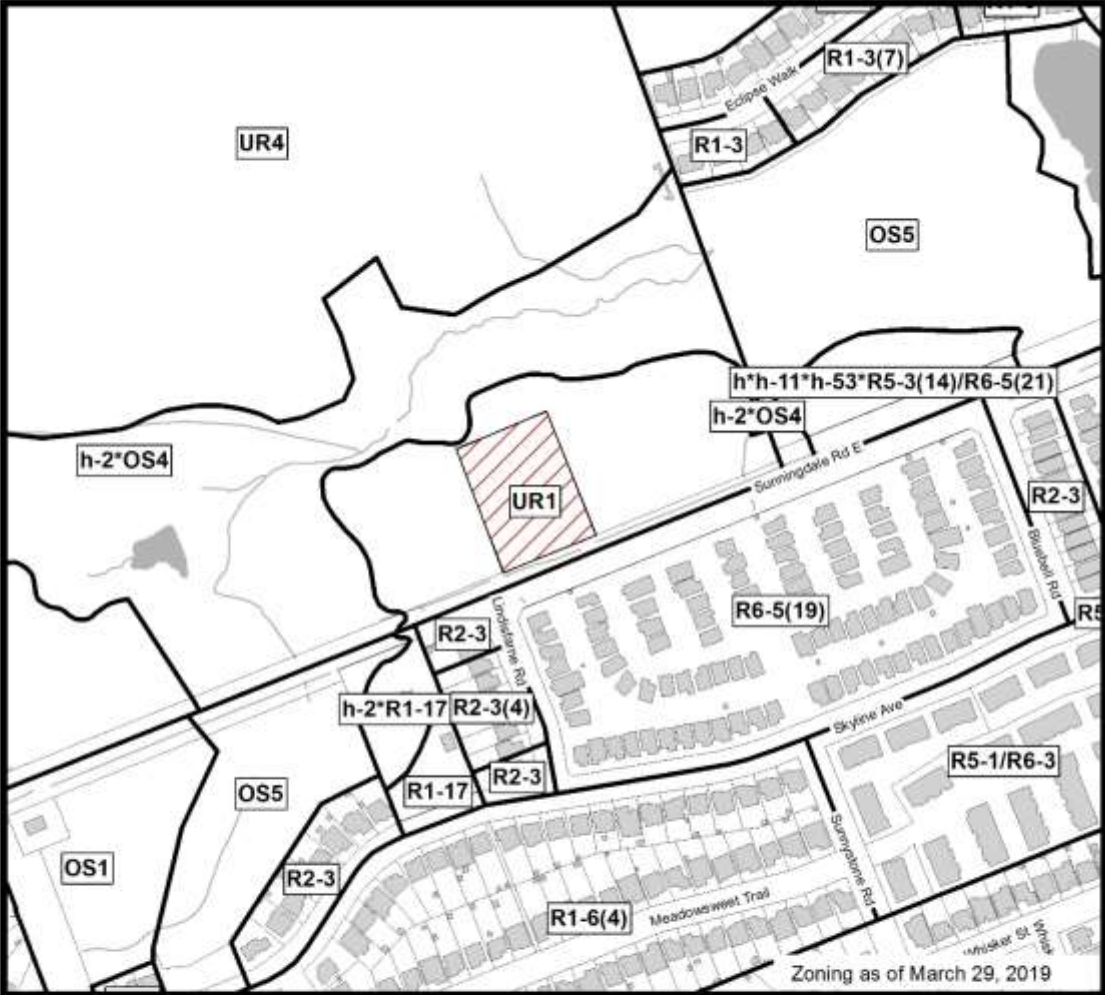
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LAND USE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-9011</p> <p>PLANNER: BD</p> <p>TECHNICIAN: DM</p> <p>DATE: 2019/05/02</p>
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PROJECT LOCATION: e:\planning\projects\ip\_officialplan\work\consolidated\templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

Zoning By-law Z.-1



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

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

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

<p><b>CITY OF LONDON</b>                  PLANNING SERVICES / DEVELOPMENT SERVICES</p> <p><b>ZONING BY-LAW NO. Z.-1 SCHEDULE A</b></p> 	<p>FILE NO:                  Z-9011 <span style="float: right;">BD</span></p> <hr/> <p>MAP PREPARED:                  2019/05/02 <span style="float: right;">DM</span></p> <hr/> <p style="text-align: center;">1:4,000</p> <p style="text-align: center;">0 20 40 80 120 160   Meters</p>
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THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS