

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: 915, 965, 1031 and 1095 Upperpoint Avenue
Application for Zoning By-law Amendment

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services based on the application of Sifton Properties Limited relating to the lands located at 915, 965, 1031 and 1095 Upperpoint Avenue (Blocks 132, 133, 134 and 135 Registered Plan No. 33M-754), the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5)) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35)) Zone, and a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40) Zone **TO** a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-3(5)) Zone, a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-4(35)) Zone, and a Holding Residential R4/R5/R6/R9 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R9-7(26)•H40) Zone.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the Zoning By-law to add a Residential R4 (R4-6()) Special Provision Zone to permit street townhouse dwellings. The recommended zoning includes special provisions for lot frontage, front yard setbacks for the main dwellings and garages, and building height. Special provisions for building setbacks and height are also recommended to be added to the existing zoning.

Rationale of Recommended Action

1. The recommended zoning amendments are considered appropriate and consistent with the Provincial Policy Statement.
2. The recommended zoning amendments conform with The London Plan, the (1989) Official Plan, and the Riverbend South Secondary Plan.
3. Zoning to permit street townhouses would be applied in conjunction with the existing compound zones to broaden the range of residential uses, and achieve objectives for providing a mix of housing types and designs.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands represent vacant development blocks within a registered plan of subdivision (Blocks 132, 133, 134 and 135 Plan 33M-754). The subdivision is currently being developed and the roads and services have not yet been assumed by the City. Prior to approval as a residential subdivision, these lands were in agriculture use for cultivated fields, as well as one residential single detached dwelling which has since been demolished. The topography is characterized by gently rolling terrain generally sloping downward from the southeast to northwest corner at Westdel Bourne. Elevations range from 295 metres in the southeast to 270 metres in the northwest. Except for a pocket of trees on the southerly portion of the site where the previous dwelling once existed, the area is devoid of any vegetation or natural features.

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Multi-family, Medium Density Residential and Multi-family, High Density Residential
- Zoning:
 - **915 and 965 Upperpoint Avenue** - Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5))
 - **1031 Upperpoint Avenue** - Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35))
 - **1095 Upperpoint Avenue** - Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40)

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 547 metres combined frontage along Upperpoint Avenue
- Depth – approx. 170 metres
- Area – approx. 8.5 hectares total area
- Shape – irregular

1.4 Surrounding Land Uses

- North – neighbourhood park and stormwater management facilities
- East – future single detached dwellings and multiple-attached dwellings, neighbourhood park, and school site
- South – residential dwelling and former orchard
- West – rural estate dwellings

1.5 Location Map








Location Map

Subject Property: 915 Upperpoint Avenue
Applicant: SIFTON PROPERTIES LIMITED
File Number: Z-9057
Created By: Larry Mottram
Date: 5/7/2019
Scale: 1:4000

Corporation of the City of London

Legend

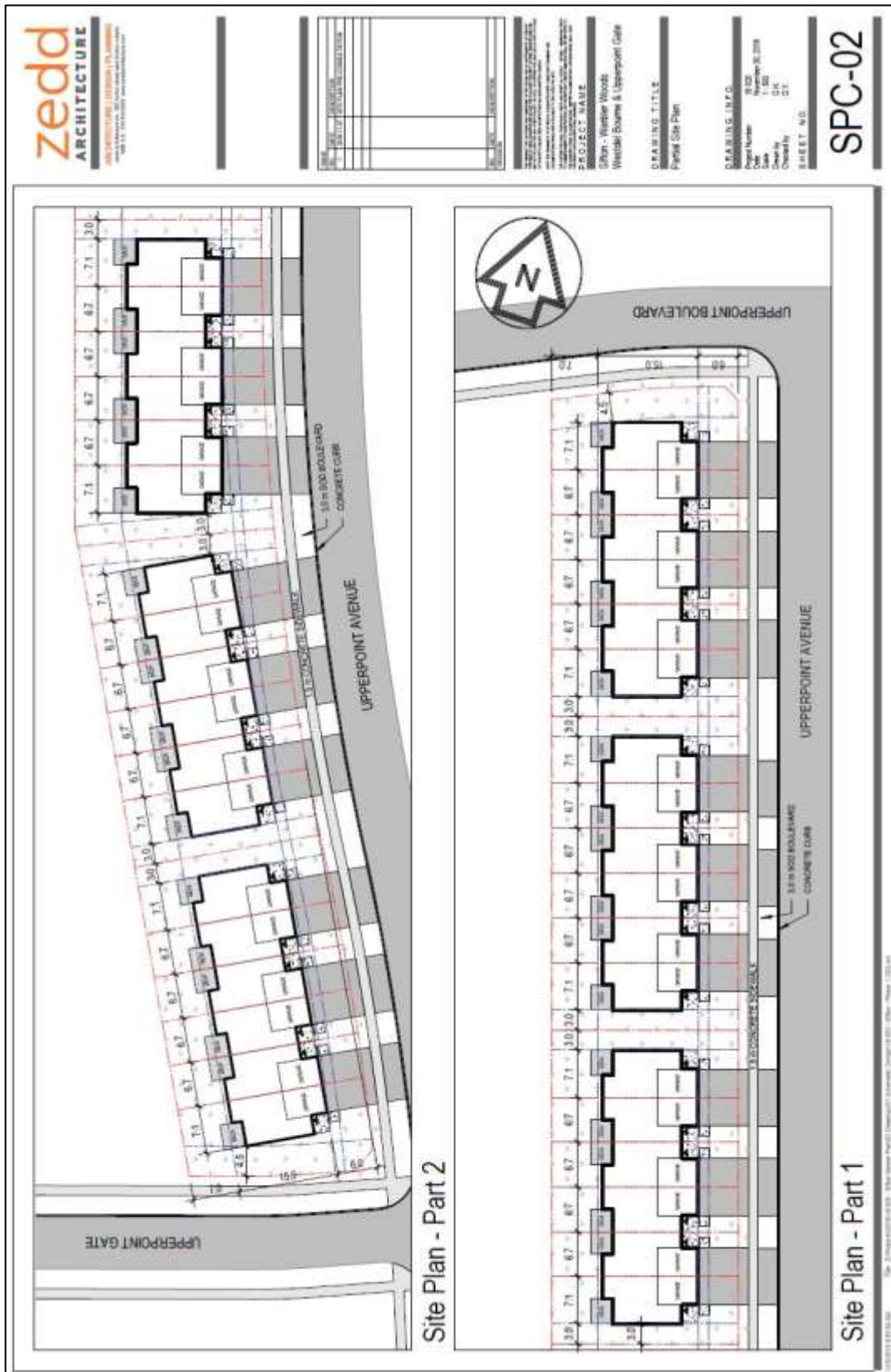
-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

2.0 Description of Proposal

2.1 Development Proposal

The subject blocks are proposed to be developed for a mix of low, mid-rise and high-rise housing consisting of street townhouses, cluster townhouses, and apartment buildings. The requested Residential R4 (R4-6()) Zone would permit street townhouse dwellings fronting on Upperpoint Avenue, as well as limited portions of Upperpoint Boulevard and Upperpoint Gate. Applications for Exemption from Part Lot Control have also been received to partition the blocks in order to facilitate the creation of future freehold street townhouses. Draft reference plans indicate 36 street fronting units between Upperpoint Gate and Upperpoint Boulevard, and 30 units fronting Upperpoint Avenue, south of Upperpoint Gate.

2.2 Preliminary Concept Plan - Street Townhouses



2.2 Conceptual Building Renderings



zedd
ARCHITECTURE

ARCHITECTURE | DESIGN | PLANNING
 2000 S. 20th St. Suite 100
 Saskatoon, Saskatchewan S7N 3C5
 Phone: (306) 975-8333
 Fax: (306) 975-8334
 www.zeddarchitecture.com

NO.	DATE	DESCRIPTION
1	08/11/17	SCHEMATIC DESIGN

NO.	DATE	DESCRIPTION
1	08/11/17	SCHEMATIC DESIGN

PROJECT NAME
 Sifton - Warbler Woods
 Westdel Bourne & Upperpoint Gate

DRAWING TITLE
 Sample Elevations

DRAWING INFO
 Project Number: 18-020
 Date: November 30, 2018
 Scale: D=1
 Created by: D.V.
 SHEET NO.

SPC-03



EXAMPLES OF 2 AND 3 STOREY TOWNHOUSE PROJECTS BY ZEDD

2018-11-30 8:55:59 AM File: Z:\Projects\2018\18-020 - Sifton Warbler Woods\DWG\SPC-03.dwg - Schematic Design - Phase 1 (2018)

3.0 Relevant Background

3.1 Planning History

On March 31, 2015, Municipal Council adopted the Riverbend South Secondary Plan comprising an area of approximately 60 hectares generally bounded by Oxford Street West and the existing Warbler Woods Walk subdivision on the north, Westdel Bourne to the west, Warbler Woods ESA to the east, and the City's Urban Growth Boundary to the south.

On December 22, 2016, the City of London Approval Authority granted approval to a draft plan of subdivision submitted by Sifton Properties Limited representing the second phase of the Riverbend South development area. Previous to that on November 22, 2016, Municipal Council passed a resolution advising the Approval Authority that it supported issuing draft approval to the proposed plan of subdivision, and amended the Zoning By-law to apply specific zoning to the various blocks within the draft plan. Final approval was granted on October 24, 2018 and the subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

The lands which are the subject of this application represent the high density block (Block 132) and medium density blocks (Blocks 133, 134 and 135) within the subdivision plan.

3.2 Requested Amendment

- i. Amend zoning as it applies to 915 and 965 Upperpoint Avenue (Blocks 134 and 135) from a Holding Residential R5/R6/R8 Special Provision (h * h-54 * h-209 * R5-7(9) / R6-5(21) / R8-3(5)) Zone to a Holding Residential R4/R5/R6/R8 Special Provision (h * h-54 * h-209 * R4-6() / R5-7(9) / R6-5(21) / R8-3(5)) Zone.
- ii. Amend zoning as it applies to 1031 Upperpoint Avenue (Block 133) from a Holding Residential R5/R6/R8 Special Provision (h * h-54 * h-209 * R5-7(9) / R6-5(21) / R8-4(35)) Zone to a Holding Residential R4/R5/R6/R8 Special Provision (h * h-54 * h-209 * R4-6() / R5-7(9) / R6-5(21) / R8-4(35)) Zone.
- iii. Amend zoning as it applies to 1095 Upperpoint Avenue (Block 132) from a Holding Residential R5/R6/R9 Special Provision (h * h-54 * h-209 * R5-7(9) / R6-5(21) / R9-7(26) * H40) Zone to a Holding Residential R4/R5/R6/R9 Special Provision (h * h-54 * h-209 * R4-6() / R5-7(9) / R6-5(21) / R9-7(26) * H40) Zone.

Requested Special Provisions:

R4-6() Zone: Lot frontage 6.0 metres (minimum); front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); interior side yard 1.5 metres (minimum); and height 13 metres (maximum).

R5-7(9) Zone: Front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum)

R6-5(21) Zone: Front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum)

R8-3(5) Zone: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

R8-4(35) Zone: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

R9-7(26) Zone: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

3.3 Community Engagement (see more detail in Appendix B)

There were no comments/concerns received from the community.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains policies regarding the importance of promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents, and minimizing land consumption and servicing costs (Sections 1.1 and 1.4). The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2).

The policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for renewable energy systems (Section 1.8.1).

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.

These lands are located within the Neighbourhoods Place Type in The London Plan. Upperpoint Avenue is classified on Map 3 – Street Classifications* as a Neighbourhood Connector. The range of permitted uses includes townhouses and stacked townhouses; low-rise apartments; and mixed use buildings. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The Multi-family, High Density Residential designation permits low-rise and high-rise apartment buildings, multiple

attached dwellings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. An excerpt from Land Use Schedule 'A' is found at Appendix D.

Riverbend South Secondary Plan

The Secondary Plan was intended to provide the rationale for land use designations, and provide a vision, goals and policies to allow the area to develop into a vibrant, active, and healthy neighbourhood. It provides a more detailed framework, that in conjunction with the Official Plan, will be used to review and approve other development applications including subdivision plans, site plans, and zoning by-law amendments. These lands are designated Medium Density Residential and High Density Residential in the Riverbend South Secondary Plan. An excerpt from Schedule 2 - Preferred Land Use Plan is found at Appendix D.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Is the recommended zoning to permit street townhouses and special provisions appropriate?

Use

The addition of the Residential R4 (R4-6()) Special Provision Zone to permit street townhouses is appropriate to accommodate a full range of housing types permitted by the multi-family, medium density and high density residential designations. This zoning would be applied in conjunction with the existing compound zones to broaden the range of residential uses, and achieve the objectives of the Riverbend South Secondary Plan for providing a mix of housing types, tenure and choice. A range of dwelling types are already permitted, including low-rise and high-rise apartment buildings, townhouses, stacked townhouses, and cluster detached and attached dwellings.

Intensity

The intent of the Secondary Plan was that the higher intensity residential uses occur on the multi-family, high density residential block (Block 132), adjacent Westdel Bourne and Upperpoint Boulevard, as these lands are closer to commercial lands to the north and more accessible to future public transit routes. Residential densities range from 65 to 150 units per hectare and building heights up to 40 metres (approx. 10-12 storeys). The scale and intensity of development within the multi-family, medium density blocks (Blocks 133, 134, and 135) was intended to decrease as one proceeded south towards the southerly limits of the area plan. The densities across these blocks range from 35 to 60 units per hectare. The requested special provisions for building heights up to 13 metres (approx. 2-3 storeys) for street-oriented townhouses and conventional townhouses/cluster housing is considered appropriate and provides flexibility in design, while meeting the Secondary Plan principles of a transition of land use and intensity.

Form

Street-oriented townhouses can add to variety and visual interest along the street, and help create a transition from the lower density single detached dwellings to medium and higher density residential development. One of the concerns with street townhouses is that individual driveways and garages could potentially dominate the streetscape, as well as concerns for adequate space for on-street parking and street trees. Therefore, in order to discourage projecting garages dominating the streetscape, a special provision is being recommended that garages not project beyond the façade of the main dwelling or façade (front face) of any porch. This is intended to work in conjunction with the minimum front and exterior yard setback regulations of 3.0 metres for the main dwelling and 5.5 metres for the garage. Driveway widths are regulated by the general provisions in the Zoning By-law. As outlined in Section 4.19.6 (j) for freehold street townhouse dwellings, the maximum driveway width leading to a parking area shall be no greater than 50% of the lot frontage or a maximum of 6.0 metres, whichever is less and in no case shall it be less than 3.0 metres. Street townhouse developments are subject to Site Plan Approval, and the City will have the opportunity to review building plans and elevations in more detail, and have any specific concerns for garages and driveways addressed at that time.

The additional special provisions being applied to the existing zone variations for reduced building setbacks are also found to be appropriate and maintain the intent of the Neighbourhoods Place Type in The London Plan, the Multi-family, Medium Density and High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Riverbend South Secondary Plan. The current holding (h, h-54 and h-209) provisions to ensure adequacy of municipal services, implementation of noise mitigation measures adjacent arterial roads, and compliance with the Riverbend South Secondary Plan design guidelines, will continue to apply to the recommended zoning and will be removed at such time in the future as Site Plan and Development Agreements have been entered into.

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to the Neighbourhoods Place Type in The London Plan, the Multi-family, Medium Density Residential and High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Riverbend South Secondary Plan.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official
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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompilli, Manager, Development Services - Planning
Ismail Abushehada, Manager, Development Services - Engineering

August 30, 2019
GK/PY/LM/lm

Appendix A

Appendix "A"

Bill No. (number to be inserted by
Clerk's Office)
(2019)

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 915,
965, 1031 and 1095 Upperpoint
Avenue.

WHEREAS Sifton Properties Limited has applied to rezone an area of land located at 915, 965, 1031 and 1095 Upperpoint Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 915, 965, 1031 and 1095 Upperpoint Avenue, as shown on the attached map, from a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35) Zone, and a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40 Zone to a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-3(5) Zone, a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R8-4(35) Zone, and a Holding Residential R4/R5/R6/R9 Special Provision (h•h-54•h-209•R4-6()/R5-7(9)/R6-5()/R9-7(26)•H40 Zone.
- 2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:

R4-6()

a) Regulations:

- | | | |
|------|---|------------|
| i) | Lot Frontage
(Minimum) | 7.0 metres |
| ii) | Front and Exterior Yard
Depth to Main Dwelling
(Minimum) | 3.0 metres |
| iii) | Front and Exterior Yard
Depth to Garage
(Minimum) | 5.5 metres |
| iv) | Garages shall not project beyond the façade of the main dwelling or façade (front face) of any porch. | |
| v) | Interior Side Yard
Depth (Minimum) | 1.5 metres |

- | | | |
|------|--|-----------|
| vi) | Height
(Maximum) | 13 metres |
| vii) | Dwelling Setback from a
High Pressure Pipeline
(Minimum) | 20 metres |

- 3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following regulations to the R5-7(9) Zone:

R5-7(9)

a) Regulations:

- | | | |
|------|---|------------|
| ii) | Front Yard Depth to
Main Dwelling
(Minimum) | 3.0 metres |
| iii) | Front and Exterior
Yard Depth to Garage
(Minimum) | 5.5 metres |
| iv) | Exterior Side Yard
Depth (Minimum) | 4.5 metres |
| v) | Interior Side Yard
Depth (Minimum) | 1.2 metres |
| vi) | Height
(Maximum) | 13 metres |

- 4) Section Number 10.4 of the Residential R6 Zone is amended by adding the following special provisions:

R6-5()

a) Regulations:

- | | | |
|------|--|------------|
| i) | Front Yard Depth to
Main Dwelling
(Minimum) | 3.0 metres |
| ii) | Front and Exterior
Yard Depth to Garage
(Minimum) | 5.5 metres |
| iii) | Exterior Side Yard
Depth (Minimum) | 4.5 metres |
| iv) | Interior Side Yard
Depth (Minimum) | 1.2 metres |
| v) | Height
(Maximum) | 13 metres |
| vi) | Dwelling Setback from a
High Pressure Pipeline
(Minimum) | 20 metres |

- 5) Section Number 12.4 of the Residential R8 Zone is amended by adding the following regulations to the R8-3(5) Zone:

R8-3(5)

b) Regulations:

- ii) Front and Exterior Yard Depth (Minimum) 3.0 metres

- 6) Section Number 12.4 of the Residential R8 Zone is amended by adding the following regulations to the R8-4(35) Zone:

R8-4(35)

b) Regulations:

- ii) Front and Exterior Yard Depth (Minimum) 3.0 metres

- 7) Section Number 13.4 of the Residential R9 Zone is amended by adding the following regulations to the R9-7(26) Zone:

R9-7(26)

b) Regulations:

- ii) Front and Exterior Yard Depth (Minimum) 3.0 metres

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

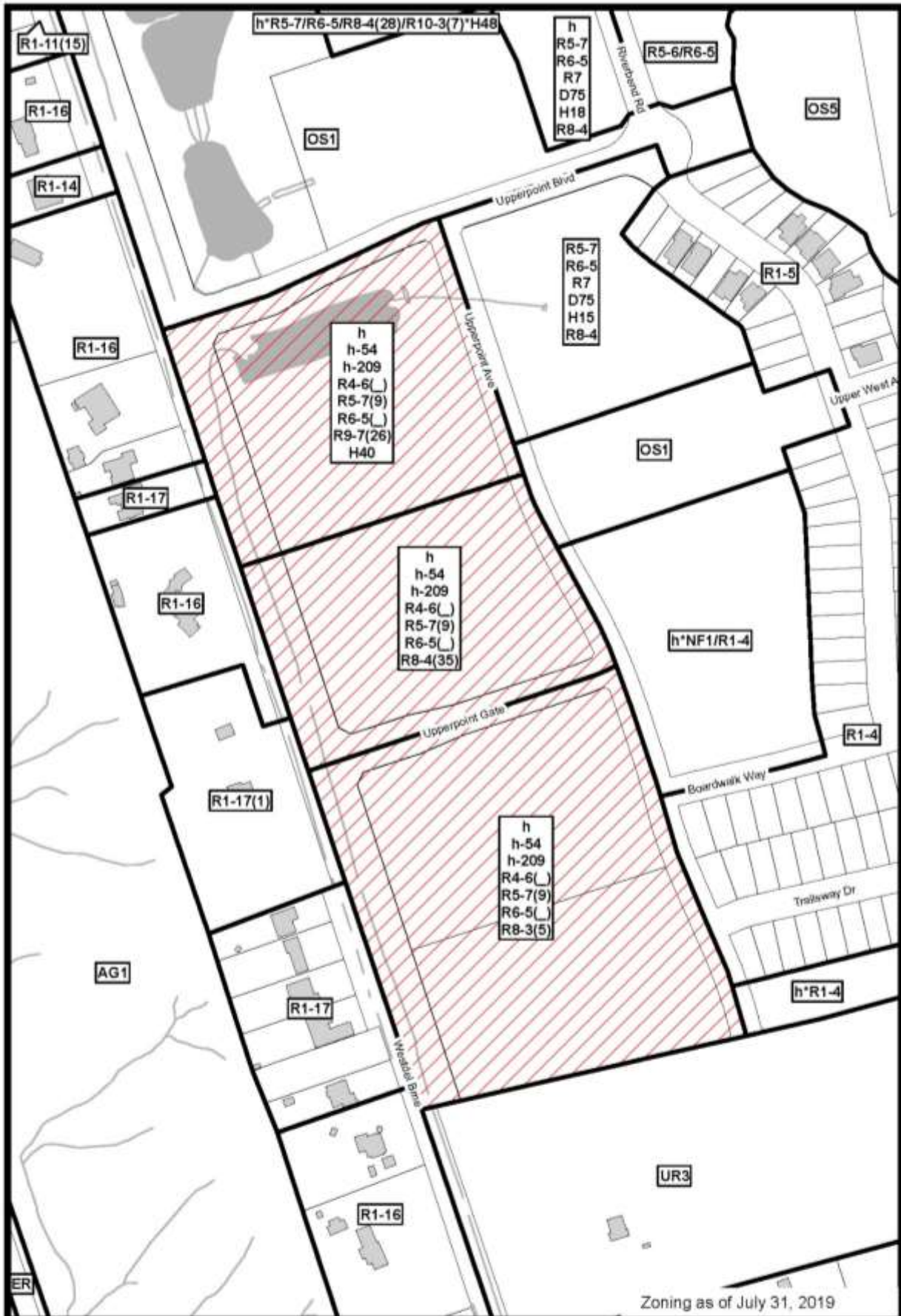
PASSED in Open Council on September 17, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 17, 2019
Second Reading – September 17, 2019
Third Reading – September 17, 2019

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of July 31, 2019

File Number: Z-9057
Planner: LM
Date Prepared: 2019/8/26
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On May 10, 2019, Notice of Application was sent to 23 property owners in the surrounding area. A Planning Application sign was erected on the site and notice was posted on the City of London's website.

Responses: No replies received.

Nature of Liaison: To consider a request for zoning by-law amendment to allow street townhouse dwellings in addition to the current permitted uses, and to add special zone regulation for building setbacks and height. This will involve an amendment to the zoning by-law to add a Residential R4 Special Provision (R4-6()) Zone to the current zoning of the subject lands. The current zones are as follows: Holding Residential R5/R6/R8 Special Provision (h*h-54*h-209*R5-7(9)/R6-5(21)/R8-3(5)); Holding Residential R5/R6/R8 Special Provision (h*h-54*h-209*R5-7(9)/R6-5(21)/R8-4(35)); and Holding Residential R5/R6/R9 Special Provision (h*h-54*h-209*R5-7(9)/R6-5(21)/R9-7(26)*H40). Special zone provisions to be added to the current and requested zoning are as follows: R4-6() Zone - lot frontage 6.0 metres (minimum); front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); interior side yard 1.5 metres (minimum); and height 13 metres (maximum); R5-7(9) Zone - front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum); R6-5(21) Zone - front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum); R8-3(5) Zone - front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum); R8-4(35) Zone - front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum); R9-7(26) Zone - front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum).

Agency/Departmental Comments:

1. Upper Thames River Conservation Authority

The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has no objections to this application.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

The proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

The PPS contains policies regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs (Sections 1.1 and 1.4). The requested zoning to permit street townhouses will add to the mix of residential dwelling types which includes a variety of detached and attached forms of cluster housing, townhouses, stacked townhouses, low-rise and high-rise apartment buildings at densities ranging from 35 to 150 units per hectare. The subject site is located within the Riverbend South Secondary Plan which was approved by Municipal Council with the objective of promoting efficient and resilient development patterns, and accommodating an appropriate range and mix of low, medium, and high density residential, recreational, parks, and open space uses to meet long-term needs.

The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or available; minimize negative impacts to air quality and climate change; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2). These lands are immediately adjacent to existing and proposed built-up areas to the north and east. Development will efficiently utilize services and infrastructure, including recently completed stormwater management facilities. The site is in close proximity to public parks and open spaces, schools, and community facilities, and it is expected that the area will be serviced by future public transit. A key objective of the secondary plan is promoting energy efficiency through site planning and building design.

Policies for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). The secondary plan promotes cycling and pedestrian movement and connectivity by incorporating a network of multi-use paths and walking trails to enhance active transportation opportunities.

Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). Planning Authorities shall also support energy conservation and efficiency through land use and development patterns which, among other matters, promotes design and orientation which maximizes opportunities for renewable energy systems (Section 1.8.1). The proposed development is supportive of transit service and is located in close proximity to existing and planned walking and cycling pathways. The subdivision road network maintains a strong north-south orientation, and encompasses development blocks that optimize exposure to solar energy capture.

Protection of natural heritage features and functions, cultural heritage and archaeological resources have previously been dealt with through the secondary plan process. The proposed development is outside of any natural hazards and there are no known human-made hazards. Use restrictions and building setback regulations in proximity to the Union Gas high pressure pipeline along Wesdel Bourne have been applied through special provisions in the zoning by-law. Based on our review, Development Services staff are satisfied that the recommended zoning by-law amendment is consistent with the Provincial Policy Statement.

The London Plan

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning by-law amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 – Build a mixed-use compact city

- 2. Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
- 4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
- 5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

- 1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*
- 7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- 2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

City Building and Design Policies

*197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage. **

The recommended R4 zoning will permit street-oriented townhouse dwellings which are compatible with the range of uses currently permitted, and which will contribute to a sense of place and neighbourhood character consistent with the planned vision of the Neighbourhood Place Type. The building form facing the public street should be balanced and the streetscape should not be dominated by driveways and individual garages.

*212_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods.**

The street configuration represents a modified grid pattern, providing multiple direct connections to the developing neighbourhood to the north, east, and south, and direct connections to Westdel Bourne to the west.

*216_ Street networks, block orientation, lot sizes, and building orientation should be designed to take advantage of passive solar energy while ensuring that active mobility and other design criteria of this chapter are satisfied.**

The street network in this subdivision maintains a north-south orientation thereby increasing exposure to passive solar energy for street townhouses, or conventional townhouses and apartment building blocks. The network also ensures active mobility by providing pedestrian and cycling connections to the future multi-use pathway along Westdel Bourne, and path/trail connections through parks and open spaces within the subdivision. Streets will incorporate sidewalks as required by the subdivision agreement.

222A_ The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.

The application was accompanied by an on-street parking plan to demonstrate that individual driveways and garages can be appropriately spaced to accommodate on-street parking, street trees, and movement of pedestrians and cyclists.

256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.

*259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.**

Building siting in relation to the street line will be reviewed in further detail as part of site plan approval process. The recommended zoning does include special provisions with reduced setbacks to encourage buildings to be closer to the street in order to maintain a consistent street wall/edge and sense of enclosure.

260_ Projecting garages will be discouraged.

In order to discourage projecting garages dominating the streetscape, a special provision is recommended that garages not project beyond the façade of the main dwelling or façade (front face) of any porch, in addition to the minimum front and exterior yard setback regulations for the main dwelling and garage.

495_ Providing accessible and affordable housing options for all Londoners is an important element of building a prosperous city. Quality housing is a necessary component of a city that people want to live and invest in. Housing choice is influenced by location, type, size, tenure, and accessibility. Affordability and housing options are provided by establishing variety in these factors.

518_ Secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing

types and sizes. In keeping with this intent, 40% of new housing units within a secondary plan, and lands exceeding five hectares in size outside of any secondary plan, should be in forms other than single detached dwellings.

The recommended zoning to permit street townhouses provides an additional form of tenure and choice of housing options, and contributes to diversifying the housing stock. The Riverbend South Secondary Plan housing and population breakdown had estimated that approximately 75 to 80 percent of the total dwelling units would be in medium and high density residential forms of housing, with 20 to 25 percent single family homes.

Neighbourhoods Place Type

These lands are located within the Neighbourhoods Place Type in The London Plan. Upperpoint Avenue is classified on Map 3 – Street Classifications* as a Neighbourhood Connector. The range of permitted uses includes townhouses and stacked townhouses; low-rise apartments; and mixed use buildings. The proposed development of street townhouses, anticipated to be a three (3) storeys in height is consistent with the use, intensity and form policies of the Neighbourhoods Place Type.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential and Multi-family, High Density Residential on Schedule 'A' of the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The Multi-family, High Density Residential designation permits low-rise and high-rise apartment buildings, multiple attached dwellings; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. The recommended zoning and range of permitted uses is consistent with and conforms to the 1989 Official Plan.

Riverbend South Secondary Plan

The Riverbend South Secondary Plan incorporates planning objectives, principles and policies intended to guide the review of future development applications. The following is a brief overview of the applicable policies and guidelines.

20.6.1.4 Principles of the Secondary Plan

2) Principle: Provide a Range of Housing Choices

- i) Provide for a mix of housing types in the community to support a diverse range of ages, stages of life and incomes.*

The recommended zoning will provide for a greater mix of housing and choice to support a range of ages, incomes and stages of life.

20.6.3.1 Residential

- i) Low density, multi-family medium density and multi-family high density residential land use designations will accommodate a full range of single family, cluster, townhouse and apartment dwellings.*

- iii) Higher intensity residential land use designations shall be located along Westdel Bourne, Riverbend Road and newly created collector roads to offer transition between land uses and to provide access to commercial areas and future public transit routes.*

- v) Residential intensity within the Multi-family Medium Density Residential land use designation shall decrease as the blocks progress to the south to provide a transition towards the Urban*

Growth Boundary.

The recommended zoning is appropriate to accommodate a full range of housing types permitted by the multi-family, medium density and high density residential designations. The intent of the Secondary Plan was that the higher intensity residential uses occur on the multi-family, high density residential block (Block 132) adjacent Westdel Bourne and Upperpoint Boulevard, as these lands were closer to commercial lands further to the north, as well as being more accessible to future public transit routes. Residential intensity within the multi-family, medium density blocks (Blocks 133, 134, and 135) was intended to decrease as one proceeded south towards the southerly limits of the area plan coinciding with the Urban Growth Boundary. The Secondary Plan principles of transition of land use and intensity will continue to be maintained.

20.6.4.6 Edges and Interfaces

iii) Within the Multi-family High Density Residential designation at the southeast corner of Westdel Bourne and Street A, building design and placement shall provide a transition from Westdel Bourne eastwards. This may be accomplished through the use of podium buildings, townhouse 'bases' fronting apartment buildings, building height and massing, landscaping and other means at the site plan and architectural design stage.

The recommended zoning provides additional flexibility to incorporate street-oriented townhouses or conventional cluster townhouses into the building design and placement at the base of low-rise or high-rise apartment buildings. This maintains the principle of transition of built form from Westdel Bourne proceeding eastwards from the outer edge towards the interior of the community.

20.6.5 Urban Design

2) Residential Guidelines

ii) Buildings are encouraged to be located close to the street, with front doors oriented to the street, to provide a strong street edge and sense of enclosure.

iv) Reduced setbacks to the main building are encouraged to create a more intimate streetscape and reduce the prominence of garages.

v) Attached garages are encouraged to be set back from or flush with the main building façade to minimize their visual dominance from the street.

viii) A variety of roofline types and building facades should be utilized for individual homes and townhouses to create visual interest along a street and within development.

ix) Transition between low density residential areas and medium / high density development is encouraged through the use of appropriate massing, scale, materials, architectural detailing and articulation, landscape features and consideration of access to sunlight.

xi) Larger high-density multi-family blocks should incorporate a mix of lower scale, street-oriented buildings, appropriate landscaping and other site / design features with higher density buildings to provide suitable transition where they are located adjacent to low density residential development.

Through the recommended special zone provisions, the residential design guidelines are being addressed with reduced building setbacks that provide for a closer and more intimate streetscape, and garages that are flush with and do not project beyond the main building façade. Street-oriented townhouses can also add to variety and visual interest along the street, and help create a transition from the lower density single detached dwellings to medium and high density residential developments.

Zoning By-law

The zoning by-law amendment involves adding a Residential R4-6() Special Provision Zone to the existing zoning, together with special provisions for all the zone variations broken down as follows (reference should be made to the zoning by-law amendment and schedule found in Appendix 'A'):

Requested Special Provisions:

R4-6() Zone: Lot frontage 6.0 metres (minimum); front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); interior side yard 1.5 metres (minimum); and height 13 metres (maximum).

The standard R4 Zone regulation for minimum lot frontage per unit is 5.5 metres. However, staff recommend increasing the lot frontage above both the standard 5.5 metres and the requested 6.0 metres to 7.0 metres per unit minimum in order to ensure there is adequate spatial separation to install and maintain underground utility, water and private drain connections between the unit and the services within the road allowance that it fronts on. Draft reference plans were subsequently submitted with the Applications for Exemption from Part Lot Control and indicate the street townhouse units will have minimum 7.0 metre frontages.

A minimum front and exterior yard depth of 3.0 metres to the main dwelling, and 5.5 metres to the garage, as well as a special provision that garages not project beyond the façade of the main dwelling or façade (front face) of any porch, is considered appropriate and implements the Riverbend South Secondary Plan residential design guidelines. An interior side yard depth of 1.5 metres minimum is appropriate to provide for a 3.0 metre wide separation between buildings for access to rear yards. A maximum height regulation of 13.0 metres above the standard 12.0 metres maximum height requirement is also appropriate to accommodate three (3) storey street townhouse dwellings as proposed. The 20 metre setback regulation from the Union Gas high pressure pipeline along Westdel Bourne has also been added to the special provisions consistent with the zoning already in place.

R5-7(9) and R6-5() Zones: Front yard depth to main dwelling 3.0 metres (minimum); front and exterior side yard depth to garage 5.5 metres (minimum); exterior side yard depth 4.5 metres (minimum); interior side yard 1.2 metres (minimum); and height 13 metres (maximum)

These zone variations permit various forms of cluster housing, including townhouses, stacked townhouses, and low-rise apartment buildings at densities ranging from 35 to 60 units per hectare. The minimum front and exterior yard depth of 3.0 metres to the main dwelling, and 5.5 metres to the garage are considered appropriate and also implement the secondary plan design guidelines which encourage buildings to be located and oriented close to the street. The requested 4.5 metre exterior side yard setback and 13 metre height requirement to provide flexibility to construct either two (2) storey or three (3) storey dwelling units, as well as the ability to create transition of built forms, scale and height, is considered appropriate and consistent with the residential guidelines. It should be noted that the existing R6-5(21) Zone is being replaced by a new R6-5() Special Provision Zone because it has been applied to other lands within the City, and the additional regulations would only be applicable to the subject lands.

File: Z-9057

Planner: L. Mottram

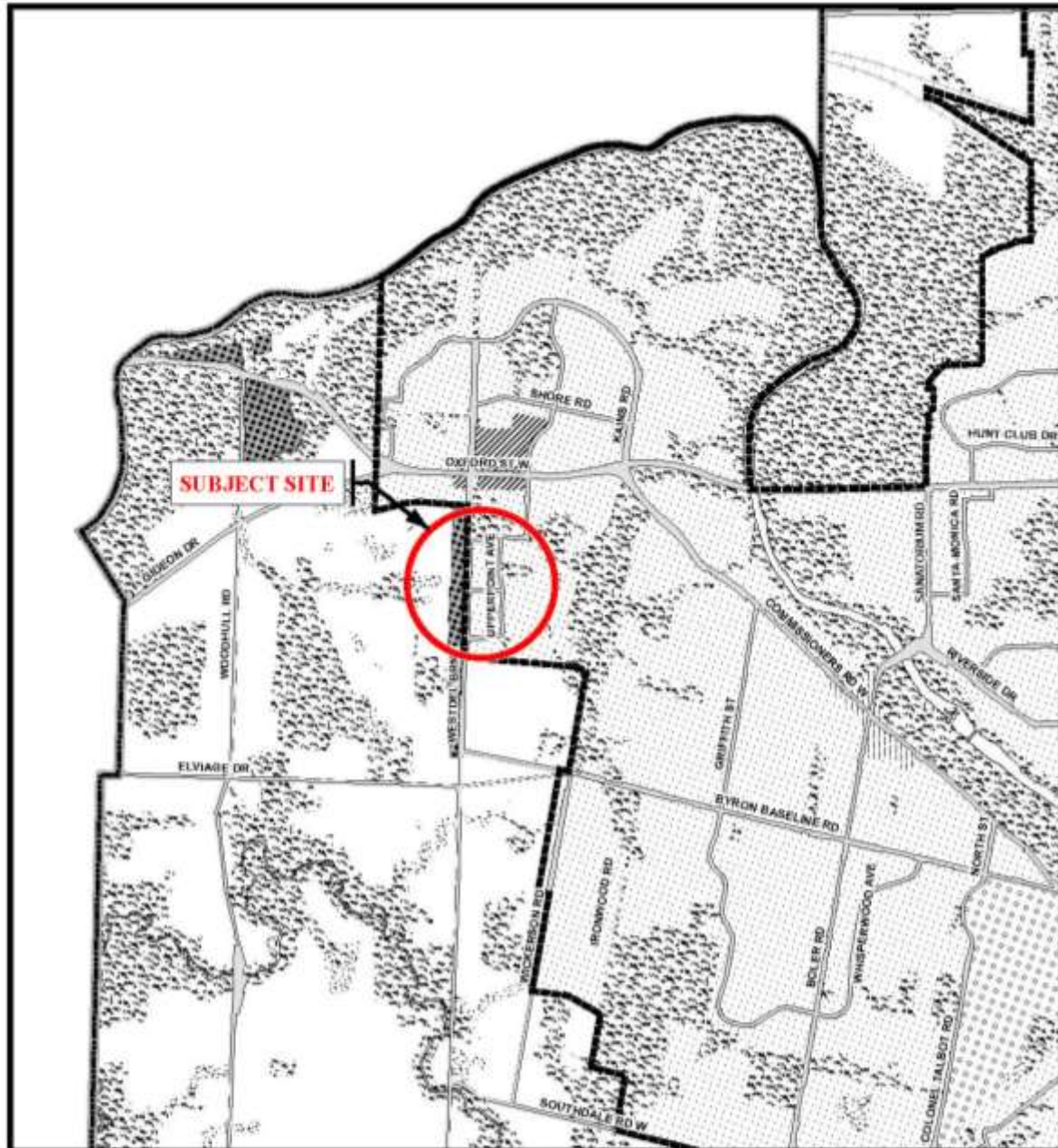
R8-3(5), R8-4(35), and R9-7(26) Zones: Front yard depth 3.0 metres (minimum); and exterior side yard depth 3.0 metres (minimum)

These zone variations permit various forms of medium and high density residential housing, including low-rise and high-rise apartment buildings at densities ranging from 65 to 150 units per hectare. The minimum front and exterior yard depth of 3.0 metres again is appropriate and implements the secondary plan design guidelines which encourage buildings as close as possible to the street to create a strong street wall.

The recommended Residential R4 Special Provision (R4-6()) Zone, and the additional special provisions to the existing zone variations, are found to be appropriate and maintain the intent of the Neighbourhoods Place Type in The London Plan, the Multi-family, Medium Density and High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Riverbend South Secondary Plan. The current holding (h, h-54 and h-209) provisions to ensure adequacy of municipal services, implementation of noise mitigation measures adjacent arterial roads, and compliance with the Riverbend South Secondary Plan design guidelines, will continue to apply to the recommended zoning and will be removed at such time in the future as Site Plan and Development Agreements have been entered into.

Appendix D – Relevant Background

London Plan Map Excerpt



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

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

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognise potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



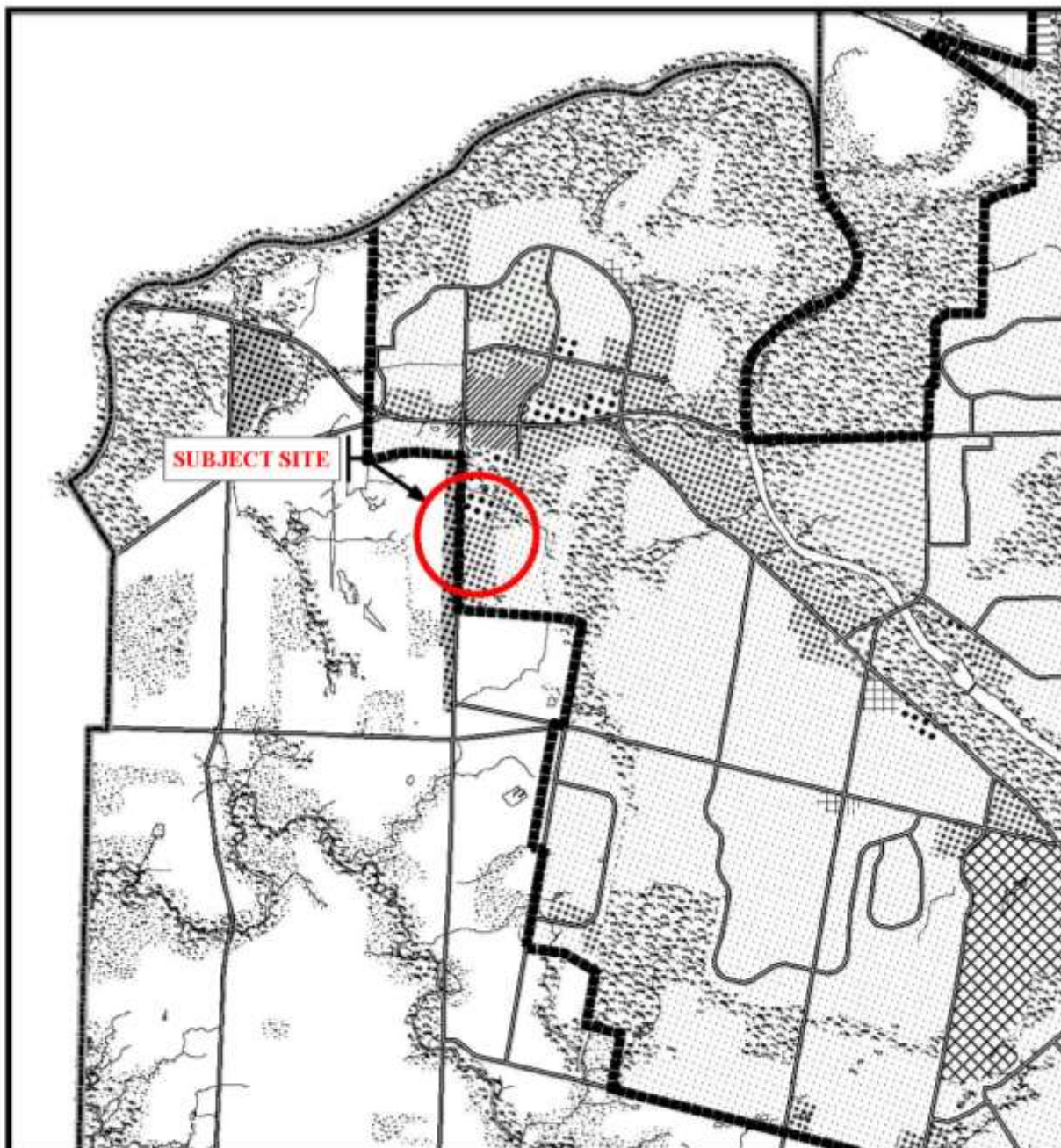
File Number: Z-9057

Planner: LM

Technician: RC

Date: August 1, 2019

Official Plan Map Excerpt

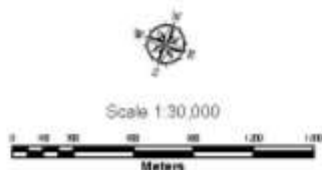


Legend

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

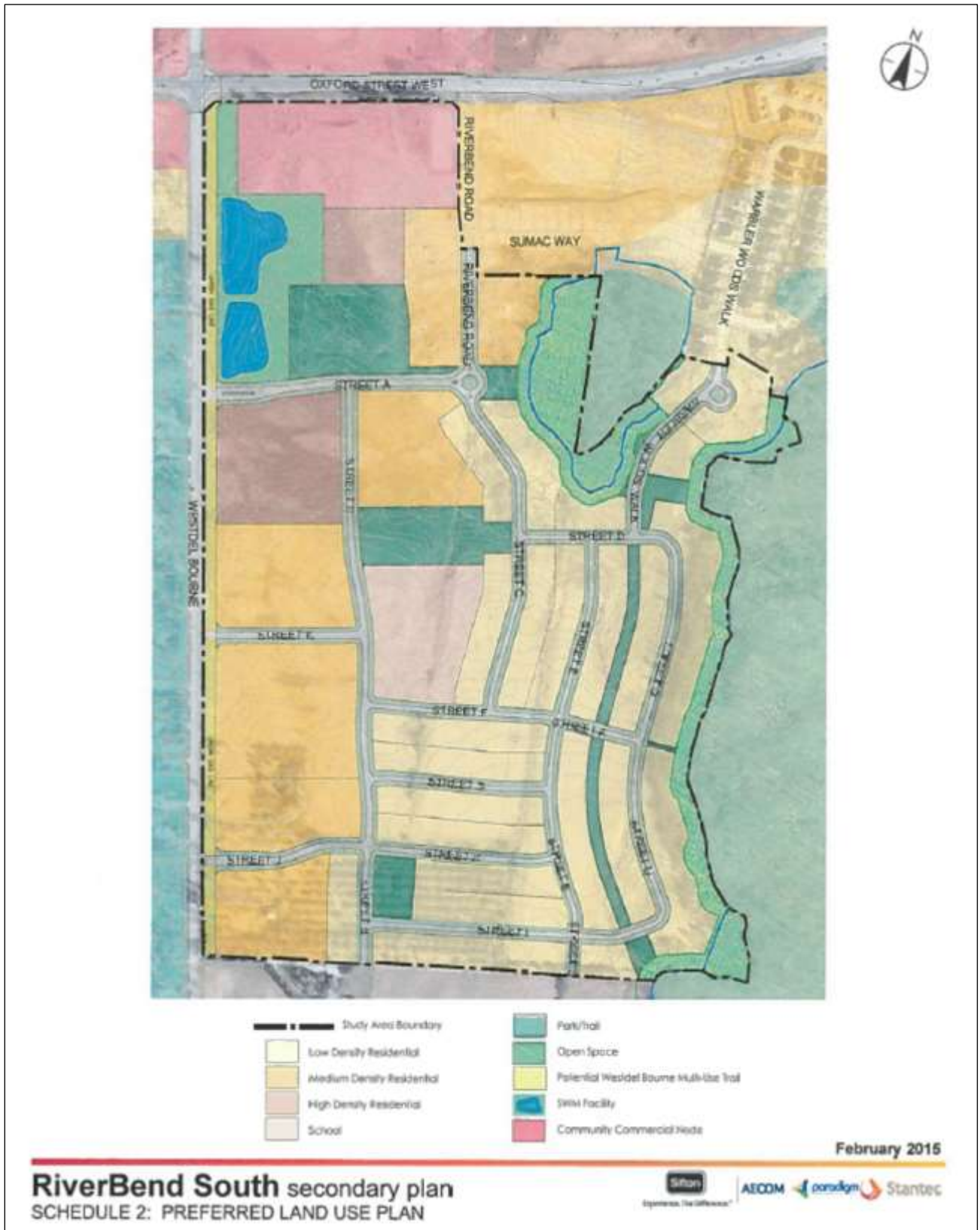
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9057
 PLANNER: LM
 TECHNICIAN: rc
 DATE: 2019/08/01

Riverbend South Secondary Plan



Additional Reports

November 14, 2016 – Planning and Environment Committee – Application by Sifton Properties Limited for approval of Draft Plan of Subdivision and Zoning By-law Amendments re: properties located at 1420 Westdel Bourne, 1826 and 1854 Oxford Street West - File No. 39T-16502 / Z-8621 (Agenda Item #10).