

## 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:** Royal Premier Homes  
307 Fanshawe Park Road East

**Public Participation Meeting on: September 23, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Royal Premier Homes relating to the property located at 307 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 1, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone, **TO** a Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7 (\*)) Zone.

## Executive Summary

### Summary of Request

The requested amendment is to rezone the land from a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone to a Residential R5 Special Provision (R5-7 ( \_ )) Zone to permit townhouses and stacked townhouses only, with a 4.5 metre minimum front yard setback, a 4.9 meter west interior side yard for a lot depth of 30 metres, a 2.3 metre front yard setback to porch/patios, a maximum height of 12 metres for a lot depth of 30 metres, a maximum height of 10 meters for the balance of the lands, and 75 units per hectare maximum.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment will allow:

- Two staked townhouse buildings with 42 units:
  - One 3 storey (12.0m) stacked townhouse building consisting of 24 units.
  - One 2 storey (9.0m) stacked townhouse building consisting of 18 units.
- Special zoning regulations for reduced front and west side yard setbacks to the 3-storey building; reduced front yard setback to the porch; a reduction in the maximum height; and, a density of 75 units per hectare.

### Rationale of Recommended Action

- i) The recommended amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it encourages healthy, livable and safe communities by accommodating an appropriate range and mix of residential uses (including affordable housing, and housing for older persons), encourages settlement areas to be the main focus of growth and development, and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- ii) The recommended amendment conforms to the in force policies of The London Plan, including but not limited to the policies of the "Neighbourhoods" Place Type as

it permits a Use, Intensity, and Form that is compatible with the abutting uses and allows for an appropriate infill development;

- iii) The proposed amendment conforms to the policies of the 1989 Official Plan including but not limited to the Low Density Residential designation policies; and,
- iv) The proposed special provisions for reduced front yard and maximum heights are supported to encourage and foster improved design for the site.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject lands are located on the south side of Fanshawe Park Road East, east of Hastings Drive. The City issued demolition permits on January 4, 2019 to remove the single detached dwelling and the accessory (barn) structure.

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- The London Plan Street Classification- Urban Thoroughfare
- Existing Zoning – Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone

#### 1.3 Site Characteristics

- Current Land Use – vacant land (formerly single detached dwelling).
- Frontage – 53.3 metres
- Depth – 105.9 metres
- Area – 0.56 hectares
- Shape – rectangular

#### 1.4 Surrounding Land Uses

- North – Single detached dwellings
- East – Single detached dwellings
- South –Single detached dwellings
- West – Single detached dwellings, approx. 400 metres, Masonville Transit Village.

#### 1.5 Intensification (identify proposed number of units)

- Forty-two (42) units within the Built-area Boundary
- Forty-two (42) units within the Primary Transit Area

## 1.6 Location Map

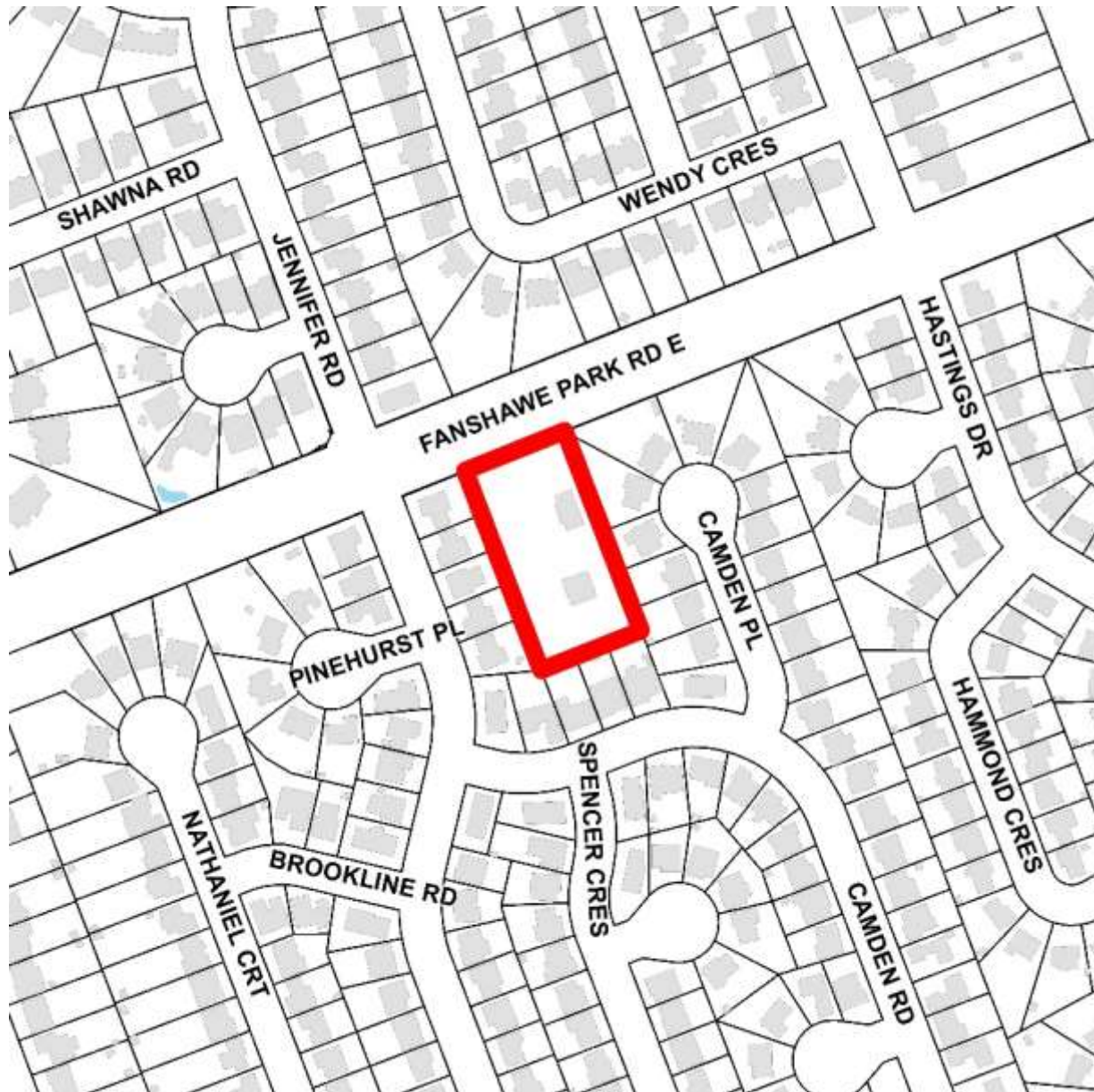


Figure 1 Location Map

## 2.0 Description of Proposal

### 2.1 Development Proposal

The proposed concept plan for the site illustrates one 3 storey (12.1m) stacked townhouse building consisting of 24 units, one 2 storey (9.0m) stacked townhouse building consisting of 18 units, for a total of two stacked townhouse buildings with 42 units (75 units per hectare).

The proposed site plan (figure 2) incorporates the following elements:

- locating a building along the Fanshawe Park Road frontage with units fronting the street, establishing a built edge and activating the street;
- massing and height that is compatible with the existing neighbourhood (composed primarily of 2 storey homes), with the taller building (3 storeys) along the Fanshawe Park Road frontage and the lower building (2 storeys) interior to the site; and
- locating all parking in the rear of the site.

It is anticipated that further refinements to the building design and elevations will occur during the site plan approval process. Additional detail regarding the site plan and building design is contained in the Urban Design Brief submitted in conjunction with the rezoning application.

Proposed Site Plan

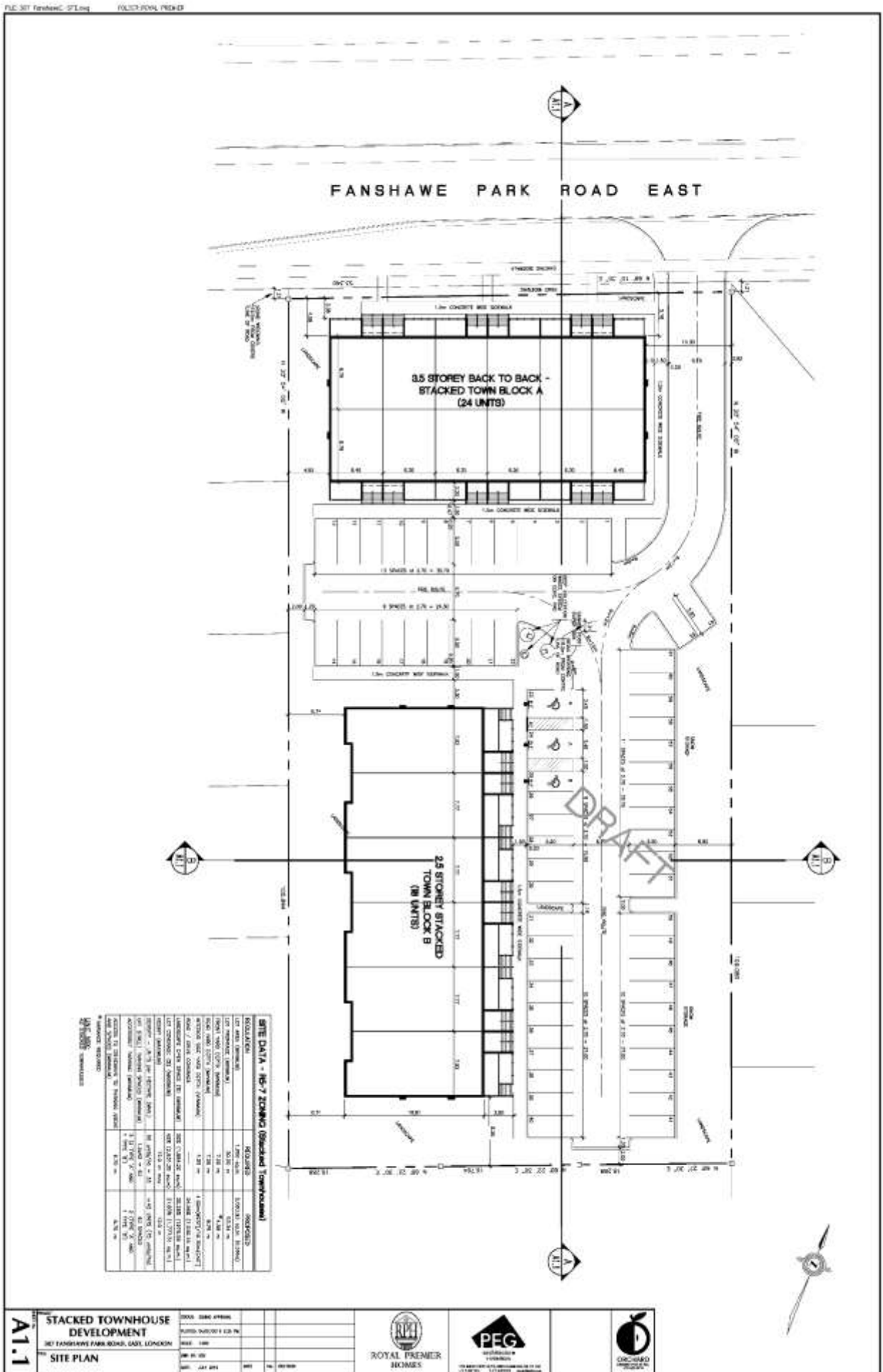


Figure 2 Proposed Site Plan

### 3.0 Relevant Background

#### 3.1 Planning History

The application was accepted as complete by the City on January 14, 2019. Notice of the Application was circulated on January 28, 2019. Notice of the public participation meeting was circulated on April 24, 2019. A public participation meeting was held on June 2, 2019. The application was referred back to staff without a decision of Council. On September 4, 2019 a second notice of a public participation meeting was circulated.

Section 34 of the Planning Act requires that within 180 days of the acceptance of an application for a Zoning By-law Amendment, Council must make a decision. If Council does not make a decision then the application for Zoning By-law Amendment can be subject of appeal to the Local Planning Appeals Tribunal. This application has not received a decision from Council within the 180 days as required by the Planning Act and may be subject to an appeal for lack of decision.

On June 2, 2019 a public participation meeting was held before the Planning and Environment Committee. Staff recommended that:

*“the following actions be taken with respect to the application of Royal Premier Homes relating to the property located at 307 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 27, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Residential R1/Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone, **TO** a Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7 ( \_)) Zone.”*

Municipal Council, at its meeting held on June 11, 2019 resolved:

*That the application of Royal Premier Homes, relating to the property located at 307 Fanshawe Park Road East, **BE REFERRED** back to the Civic Administration in order to undertake additional work with the applicant in relation to proposed tree protection, elevation, intensification and site grading concerns and a review undertaken by the Urban Design Peer Review Panel; it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:*

- a communication dated May 16, 2019, from M. Crawford, 21 Camden Place;
- a communication dated February 27, 2019, from B. Day, 1277 Hastings Drive;
- a communication from M. Crawford, 21 Camden Place;
- a communication dated June 4, 2019 from B. Brock; and,
- a communication from D. Beverly, President, Old Stoneybrook Community Association;

### 4.0 Key Issues and Considerations

The matters identified in the above Council resolution will be addressed as issues and considerations below:

#### 4.1 Tree Protection

The applicant submitted a Tree Protection Plan dated November 2018 and prepared by Leonard + Associates Landscape Architecture. The November 2018 report stated that all trees on site were to be removed. The only trees to be retained were boundary cedar trees located on the east and south lot lines. The applicant, following the June 2, 2019 PEC meeting submitted an updated tree protection plan (see figure 3) dated June 11, 2019. On this plan the applicant proposes to retain an additional six (6) trees within the site as well as retaining most of the existing boundary hedges or replacing those boundary hedges that are proposed to be move removed due to grading or other site development

activity.

Through the site plan process, a development agreement will be entered into which includes the requirement for all protection measures to retain the trees as identified in the June 1, 2019 updated plan.

Proposed Landscaped Plan

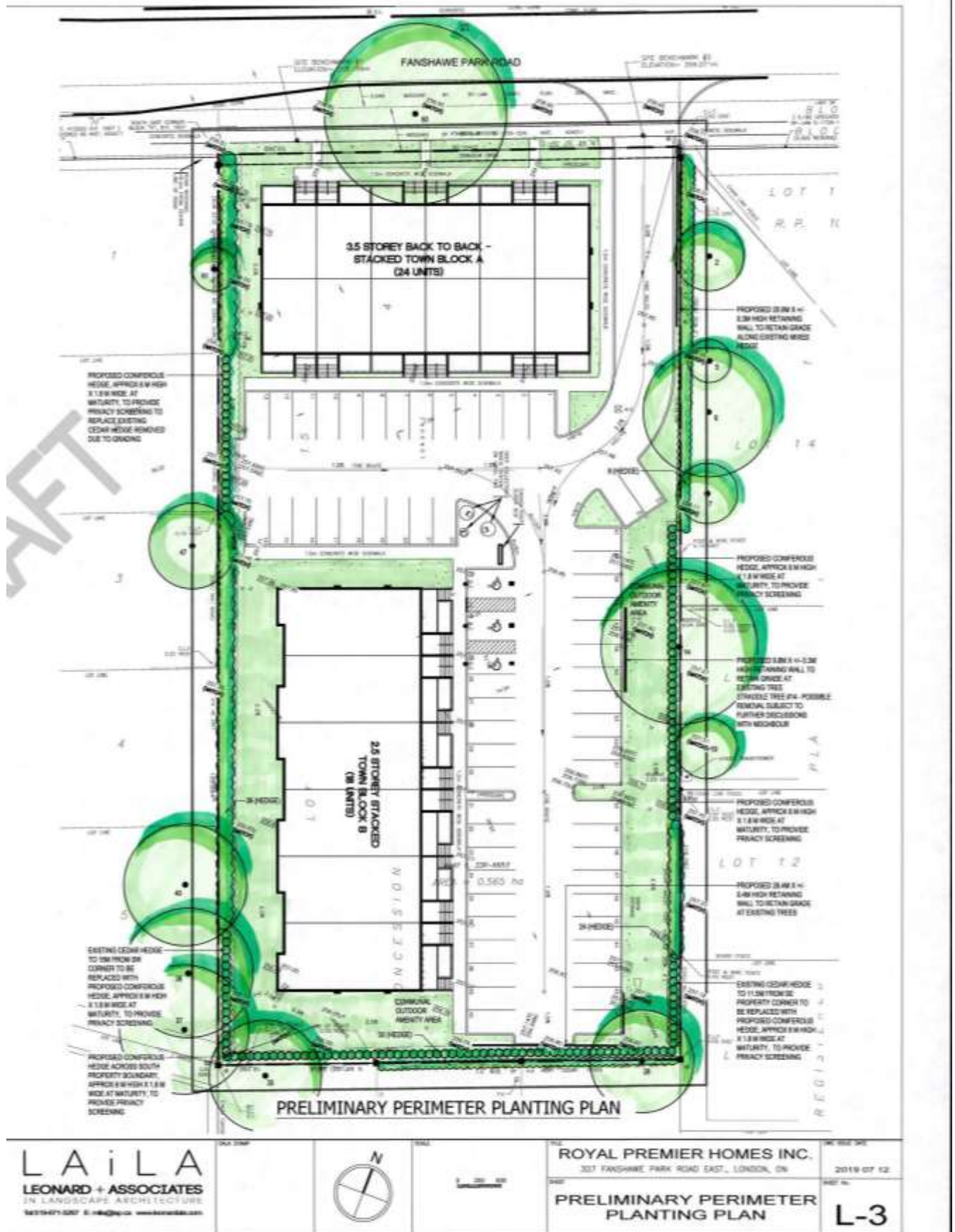


Figure 3 Proposed Landscape Plan

## 4.2 Intensification

### 4.2.1 – Surrounding Context

To ensure that the ultimate form of development would maintain a 2 and 3 storey height that is compatible with the scale of the adjacent land uses, the recommended amendment includes, among the special provisions, a maximum height of 12 metres for the first 30m of lot depth and a maximum height of 10m for the balance of lands. The proposed maximum heights are in keeping with the 10.5 metre maximum height permitted in the abutting Residential R1 Zone that surround the subject lands, and is consistent with the maximum height of 12 metres that is the standard condition permitted in the Residential R5 Zone variations.

### 4.2.2 – Official Plan Policies

The height of the requested stacked townhouse dwellings proposed at three (3) storeys (12m) and two (2) storeys conforms to the minimum height of 2-storeys and maximum height of 4-storeys contemplated in the Neighbourhoods Place Type of The London Plan where the property has frontage on an Urban Thoroughfare; as well as conforms to the low-rise form of development contemplated in the Low Density Residential designation of the 1989 Official Plan and would be compatible with the scale of the adjacent land uses in the surrounding residential neighbourhood that are typically 2-storey(s) in height. It should be noted that the planned intent for the Neighbourhoods Place Type contemplates greater height and density than existing development in appropriate locations (i.e., street classification).

### 4.2.3 – Zoning By-law

The Zoning By-law is a comprehensive document used to implement the policies of The London Plan and Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London, which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form have been considered and deemed to be appropriate.

The Residential R8 zone was previously considered to facilitate this development proposal. However, the City received public comments and concerns about allowing a Residential R8 Zone, believing that the R8 Zone would permit a wider range of uses than the proposed stacked townhouse development. In response to these comments, Staff recommended that the Residential R5 zone be applied. However, it should be noted that the application of an R8 zone would have resulted in the elimination of the special provisions for the west interior side yard setback as well as the density. The recommended Zoning Residential R5 Special Provision Zone R5-7(\*) Zone would require special provisions to recognize:

- a 4.5 metre front yard setback to the main structure (**whereas 8.0m is required**);
- a 2.3 metre front yard setback to porch/patios (whereas 3.0m is required);
- a 4.9 metre west interior side yard setback (whereas 6.0m is required); and
- a density of 75 units per hectare (whereas 60 units per hectare is required).
- a maximum height of 10m for the rear portion of the lands (beyond the first 30m of lot depth)

The recommended reduction to the front yard setback will allow the placement of the proposed 3-storey building to be located closer to Fanshawe Park Road West and farther away from the single detached dwellings that are located around the remaining perimeter of the site. The reduction to the front porch setback is inherent to the reduction in the main building setback. Such a reduction is consistent with Official Plan policies seeking improved street edges for comfortable pedestrian environments.

The request to permit a 4.9m interior side yard setback is required given that the standard R5 zone requires a minimum setback of 0.5m per 1.0m of building height resulting in a setback of 6.0m. However, as stated above, the Residential R8 zone initially considered

for this site would have required a setback 1.2m for every 3.0m of building height resulting in a minimum setback of 4.8m, thereby negating the need for this special provision. Regardless, the requested side yard setback is intended to apply only to the northernmost building where the side yard interface will consist of a side flanking wall of the proposed development facing a backyard. Furthermore, perimeter landscaping is proposed to be retained in that area to further mitigate impacts.

The recommended density of 75 units per hectare is required given that the maximum density within the R5 zone is 60 units per hectare. As noted above, while the Residential R8 zone initially considered for this site does contemplate a density of 75 units per hectare, a special zoning provision will be required to accommodate 75 units per hectare within the R5 zone category. The 75 units per hectare is within the policy permissions for infill developments within a Low Density Residential designation in an infill context.

The standard Residential R5 zone permits a maximum height of 12m. Therefore, unlike the other recommended special provisions that allow for some flexibility to standard zone requirements to facilitate the proposed development, the special provision to reduce the height to 10m for the portion of the site beyond the first 30m of lot depth represents a more rigorous requirement than the standard R5 zone would permit in an effort to ensure that the proposed development is compatible with the height of the adjacent single detached dwellings.

All other requirements of the R5-7 zoning regulation are met, see full R5-7 regulation below.

BY-LAW RESTRICTIONS		REQUIRED (R5-7)	AS SHOWN ON PLAN
Residential Type		Townhouses and Stacked Townhouses	Stacked Town
Lot Area (m <sup>2</sup> )		1000	5583.93
Lot Frontage (m) (min)		30.0	53.34
Front Yard (m) (min)	Arterial	8.0	<b>4.58**</b>
Rear Yard (m) (min)		6.0	8.79
Interior Side Yards (m) (min)		6.0	<b>4.92 (west)**</b> 10.30 (east)
Landscaped Open Space (%) (min)		30	35.29
Lot Coverage (%) (max)		45	31.83
Height (m) (max)		12.0	12.0 for the for the first 30m of lot depth then 10m for the balance of the lands
Density – Units per Hectare (max)		60	<b>75**</b>
GENERAL PROVISIONS		REQUIRED	PROVIDED
Off-street Parking Spaces (min)		1.5*42 = 63	1.5*42 = 63

It is not uncommon for applications requesting infill development to require relief from the zoning regulations. Unlike “greenfield” development, where lots are created to accommodate a specific use, infill development results in additional units being constructed on lots that were previously created to accommodate a lesser intensity use and often require some reductions to the standard requirements of the zone. This is recognized in the 1989 Official Plan which states that, “*It is intended that an intensification project should meet all Zoning By-law regulations; however, there may be instances when*



*a minor variance is warranted based on the configuration of the site or development constraints associated with it.” (3.2.3.8)*

It is recognized that intensification is possible for this site, and that infill and intensification polices in the Low Density Residential designation can be applied to this development at this location. It is recommended that the Residential R5 (R5-7) Zone be permitted, with Special Provisions to allow for the specific development proposal submitted with this application (figure 2). The Residential R5 Special Provision zone will facilitate the development of the proposal depicted in this report subject to a development agreement that will consider the input received during the recommended public site plan process. The proposed Residential R5 Special Provision zone ensures that the use, intensity and form as shown in the submitted site plan (figure 2) will be appropriate for the development of these lands.

### 4.3 Elevations/Cross Section

#### Cross Sections showing all of Proposed Stacked Townhouses

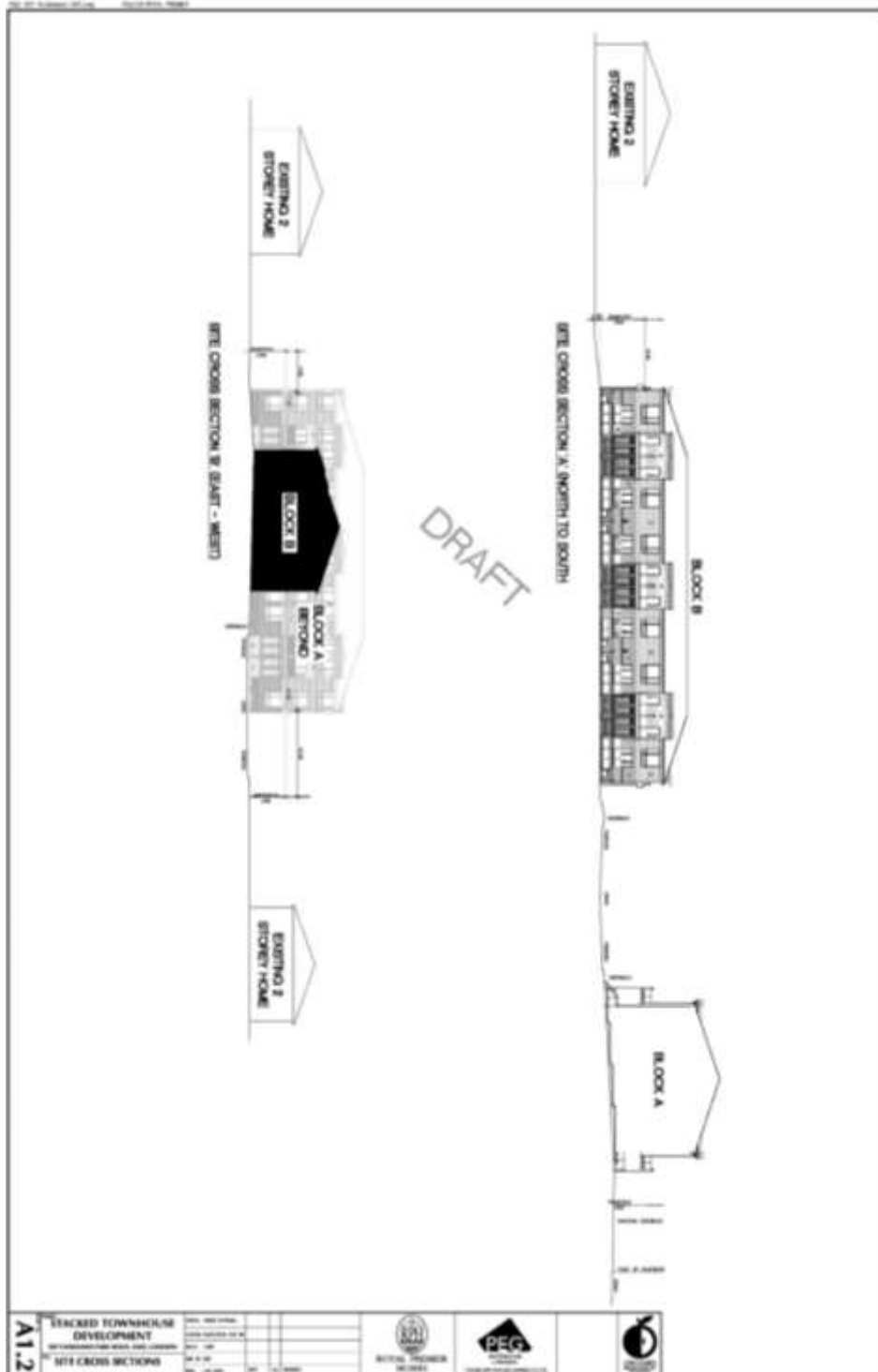


Figure 4 Cross Section of Stacked Townhouses

Cross Sections Showing Heights in Relation to Abutting Uses

Rear Yard Cross Section

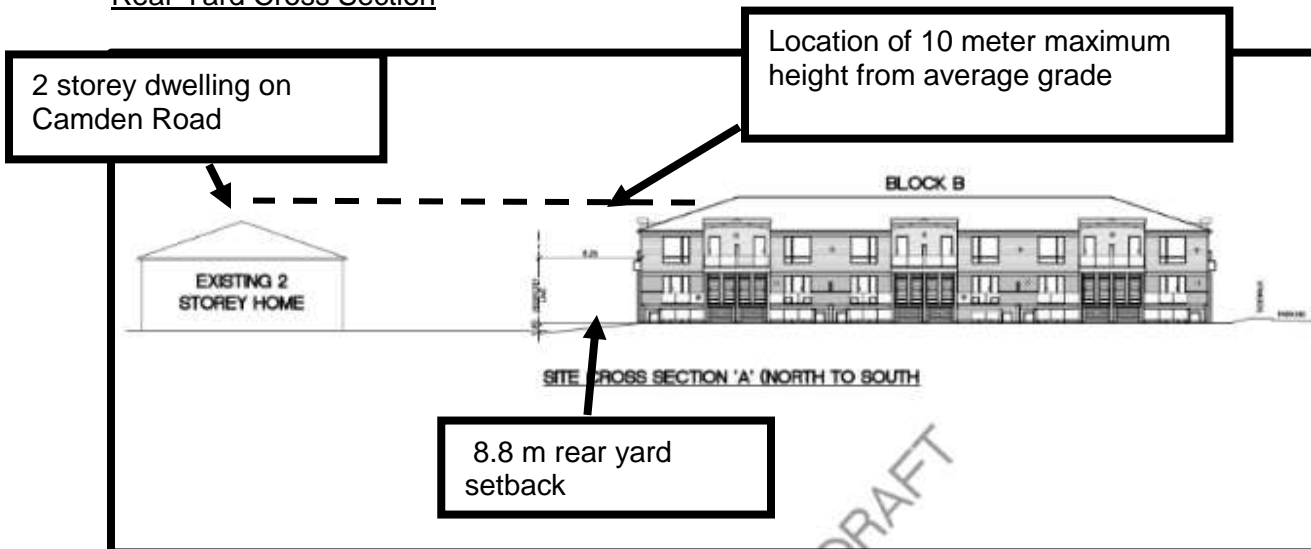


Figure 5 Rear yard Cross Section

Front Portion- North South Site Section

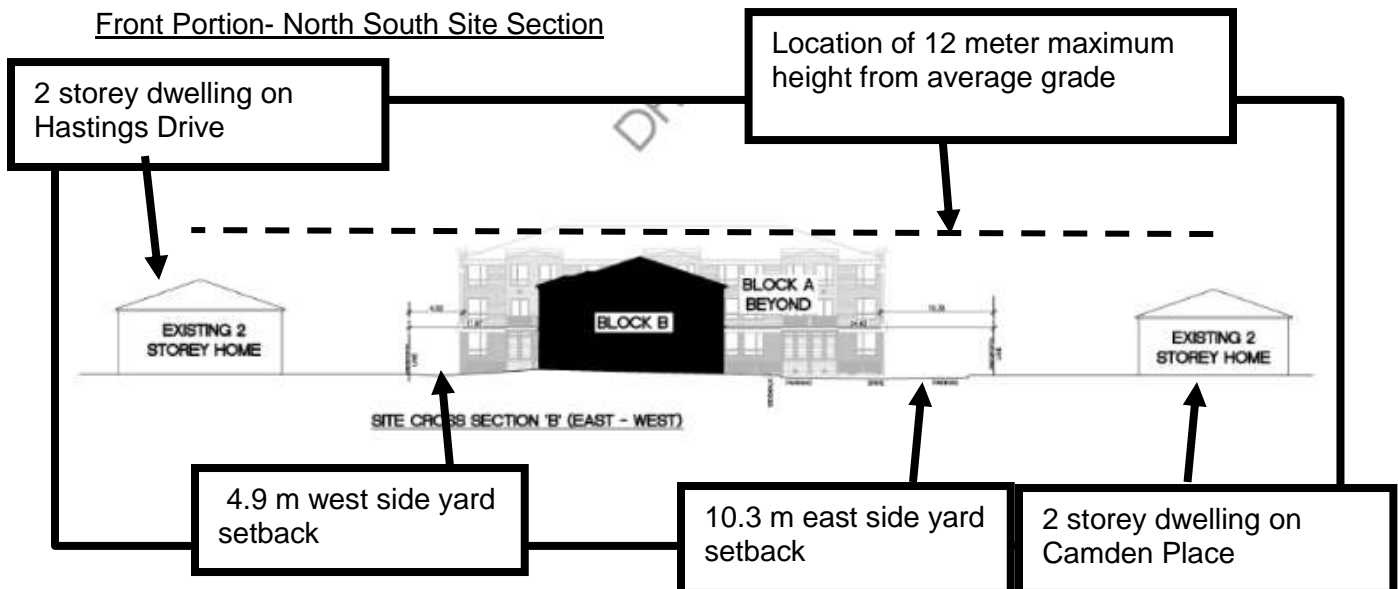


Figure 6 Cross Section Front Portion

Figures 4, 5, and 6 show cross sections in relation to the abutting uses. The London Plan and the Official Plan permit infill development on Fanshawe Park Road West to a maximum of 4 storeys. The proposed maximum height for Block "A" is 12 metres (shown on figure 6) (three storeys). The proposed maximum height for Block "B" is 10 metres (shown on figure 5) (2 storeys). As shown, the proposed setbacks and landscaping is sufficient to provide a buffer from the abutting lands from the proposed stacked townhouses.

During the public consultation process leading up to the previous meeting of the Planning and Advisory Committee where this application was presented, it was believed by members of the public that this site would require significant fill to raise the grading of the site to disperse stormwater flows to sewers located at Fanshawe Park Road E and the rear of the subject site. This scenario created concern that the proposed townhouse buildings would be situated significantly higher than the adjacent single detached dwellings causing issues with overlook into rear yards.

However, as part of the referral back to Staff, the applicant prepared new elevations and cross sections that depict the opposite – whereby the site will be inversely graded such that the southerly proposed townhouse building located interior to the site will sit lower than the northerly building fronting Fanshawe Park Road E resulting in a similar grade to that of the neighbouring properties (see figure 4 above).

#### 4.4 Site Grading/Stormwater Management/Flooding/Sanitary Capacity

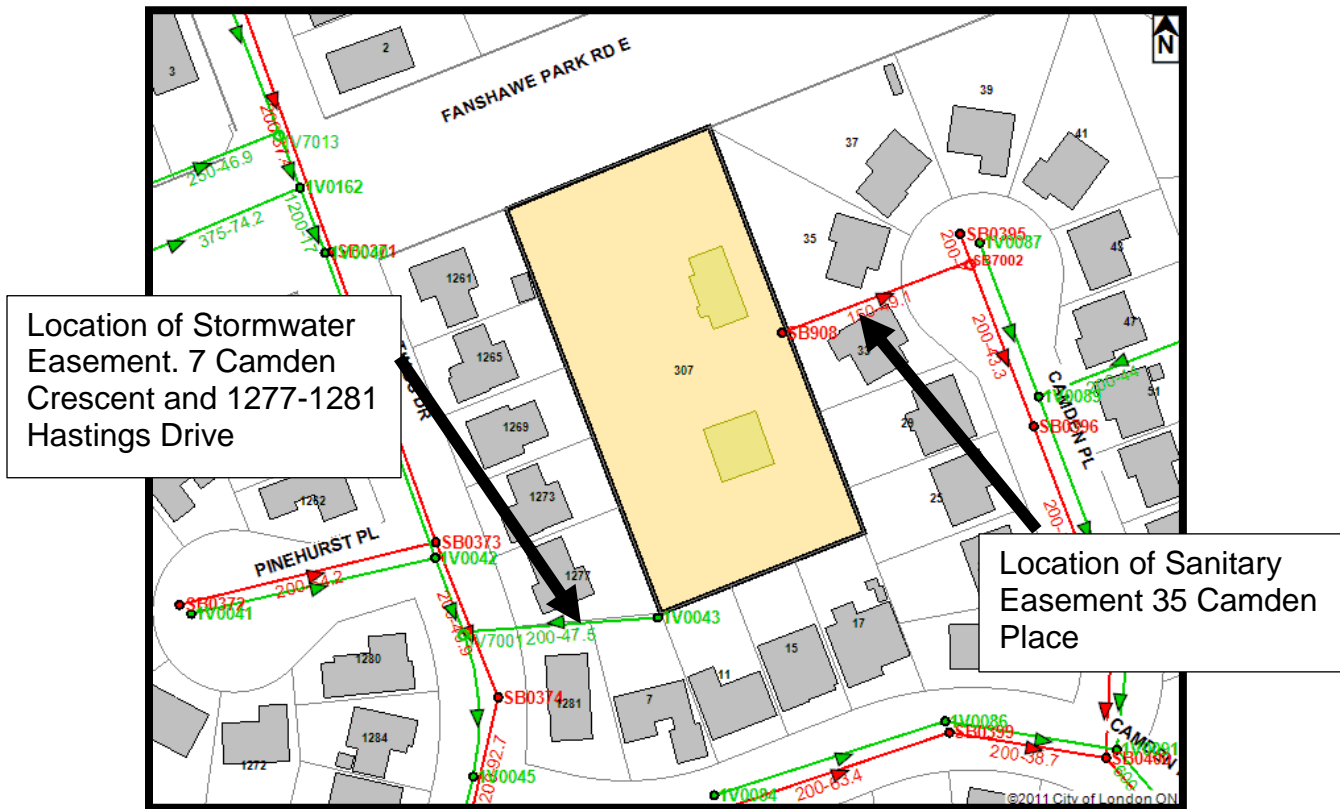


Figure 7 Existing storm and sanitary easements

#### Stormwater

Neighbourhood residents expressed concerns that the existing slope of the land will result in water run-off and pooling onto surrounding yards, therefore the belief is that stormwater mitigation is already a problem and that the proposed development will exasperate the issue.

On May 7, 2019, the applicant submitted a Servicing Feasibility Study. Engineering staff reviewed the report and provide the following:

*The City has reviewed the Feasibility Study prepared by Strik, Baldinelli, and Moniz (SBM) Ltd. and have concluded that the Stormwater Management (SWM) Strategy for the site is acceptable to proceed for the re-zoning application. As part of the future site plan application, further reports and documentation will be required to be submitted in order to refine the design and to satisfy the City's drainage by-law and SWM standards. This information will be required to be reviewed and accepted by the City prior to the removal of the h-89 holding provision*

The design of the parking area will include a bowl shape that is intended to act as an overflow water retention feature should a significant storm event overwhelm the stormwater sewers and additional flows cannot be accepted. In this case, the stormwater will pool in the parking area and drain into the catch basin when normal conditions return (see hatched area in Figure 8 below).

In the submitted Feasibility Study, it shows that the site has an area that is more than sufficient to capture, store and drain stormwater in conformity with the City's Drainage By-law. There is no current mitigation measures for stormwater management on the property. The proposed stormwater management plan is an improvement to the existing situation and provides an engineered system to address existing concerns. Through the Site Plan Approval process and recommended Public Site Plan meeting, stormwater management will be further refined.

## Sanitary

Neighbourhood residents expressed further concerns that the existing sanitary service was insufficient to services this proposal.

In the submitted Feasibility Study prepared by Strik, Baldinelli, and Moniz (SBM) Ltd. it states that:

*The proposed flows from the subject property are shown on the Sanitary Sewer Design Sheet appended to this Study. Using a flow of 230 L/capita/day as per the DS&RM for the building occupancy load of 101 people (2.4 people per unit) results in an anticipated peak flow of 1.25 L/s. When combined with infiltration, this results in a total peak flow of 1.31 L/s. A 150mm diameter sanitary PDC at a slope of 1.0% has sufficient capacity to convey these proposed flows.*

*As per the Stoneybrook West Subdivision design sheet, Drawing 4997As1, Sheet 2 of 4, the subject site is accounted for with a total flow of 0.11 c.f.s (3.11 L/s). Due to the proposed site conveying 1.31 L/s, there is available capacity in the downstream sanitary sewer.*

Based on the information that the applicant has submitted to date the City is satisfied that the sanitary service capacity will be sufficient to accommodate the level of intensity proposed by this development and nothing further is required by the applicant pending the Site Plan Approval process. Through the Site Plan Approval process and Public Site Plan meeting, sanitary service will be further refined.

Site Grading Plan

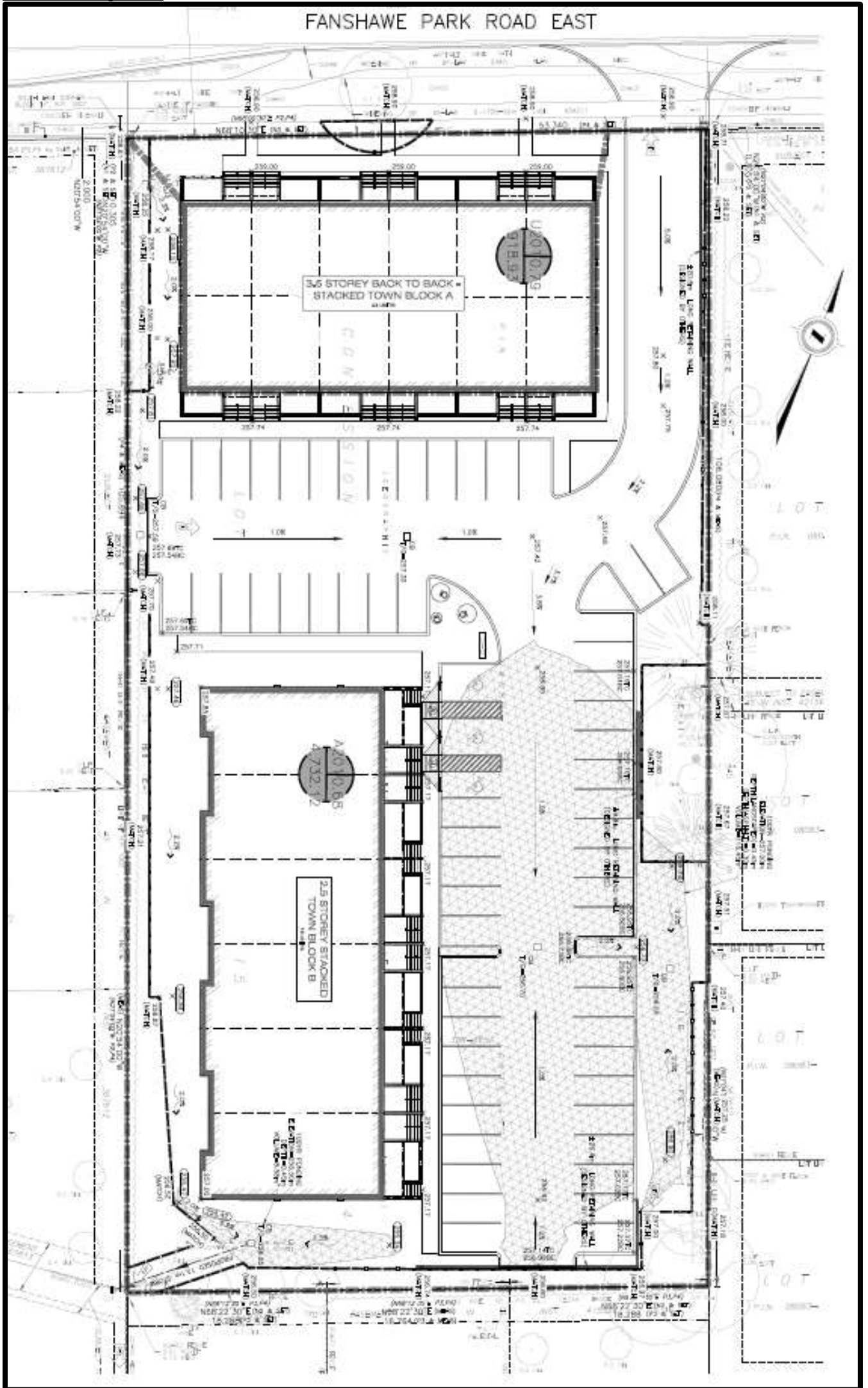


Figure 8 Site Grading Plan

## 4.5 Design

On July 17, 2019 the City of London Urban Design Peer Review Panel (UDPRP or the Panel) reviewed the submitted development proposal. While the UDPRP did not explicitly divide the comments into Zoning-related matters and Site Plan-related matters, they did provide comments on both when they prepared the following comments (full comments including the applicant's response is attached in Appendix B):

*"The Panel understands, and is sensitive to, the concept of scale/density for this development. In this regard, the Panel is supportive of the developments size, height and density based on the location within London and direct adjacency to Fanshawe Park Road East"*

*"Additionally, the Panel is supportive of the taller form (Building 1) nearer to the street, stepping down to 2.5 metres-built form (Building 2) to the rear."*

*"Generally, the Panel is supportive of the siting of Building 2 relative to the lot lines as there appears to be sufficient separation from adjacent buildings to the west/south/east"*

With regard to the Zoning-related matters, the UDPRP is supportive of the elements of the recommended zoning that facilitate the development of townhouses on this site, at the recommended density, and its size/height/orientation. Specifically, the UDPRP is supportive of the special provision for a reduced front yard setback, the orientation of Building 1 along the Fanshawe Road street edge and the special provision for a reduced west side yard setback.

On September 13, the applicant provided updated architectural elevation to address the UDPRP comments regarding the use of wood siding and the depth of details or articulation expected for a development in a neighbourhood this well-developed. The applicant has removed the wood siding and added brick and siding that is more in keeping with the abutting dwellings (see figure 9 and 10).

The UDPRP supports the townhouse use, intensity and form as it relates to the site's location in proximity to the Masonville Transit Node and location on Fanshawe Park Road East.

With regard to Site Plan-related matters, the UDPRP has requested that through the Site Plan Approval process the following items be refined and brought back to the UDPRP for further discussion:

- Submission of a vegetation management plan
- Maintenance of mature trees
- Screening where vegetation is proposed to be removed
- Reconsideration of greenspace location/utilization and private amenity space
- Improved articulation/exterior design for Building 2 and of unit entrances

In light of the UDPRP's support for the Zoning-related matters, it is recommend that the Residential R5 Special Provision zone be approved while allowing the Site Plan Approval process to implement the matters related to vegetation/tree retention, landscaping, and design.

The UDPRP also recommended that the applicant consider constructing below grade parking to facilitate this development proposal to create outdoor amenity space at grade around the proposed townhouses. Although Staff are not opposed to below grade parking, it is challenging to require it given that the proposed development provides the required number of parking spaces within a surface parking lot that is proportionate in size relative to the building coverage and landscaped coverage. In other words, the Zoning standards which aim to achieve a balanced ratio between the building footprint, landscaped area, and parking area have been achieved through the proposed development. Typically, underground parking is provided when the size of the building

footprint or parking area reduces the amount of required landscaped areas - which is not the case in this development proposal. Finally, neither Official Plan provides a policy basis to compel underground parking for development of this form and scale.

### Front Elevation Block "A"



Figure 9-Front Elevation Block "A"

### Front Elevation Block "B"



Figure 10- Front Elevation Block "B"

### Holding Provisions

The following Holding provisions have been included in the proposed zoning amendment to ensure that a public participation meeting will be held prior to final site plan approval, that a noise mitigation report will be received and accepted and all mitigation measure implemented, and a servicing report be received and accepted and all management systems implemented.

- (h-5) to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol;
- (h-54) to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London; and,
- (h-89) To ensure the orderly development of the lands the "h-89" symbol shall not be deleted until a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the

City Engineer.

## 5.0 Conclusion

The subject lands are considered to be an underutilized lot appropriate for residential infill and intensification. The proposed development of two stacked townhouse blocks is consistent with the Provincial Policy Statement, The London Plan and the City of London Official Plan policies for Residential Intensification.

<b>Prepared by:</b>	<b>C. Smith, MCIP, RPP Senior Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG 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	

September 16, 2019  
CS/

CC: Michael Tomazincic, Manager, Current Planning



## 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 307 Fanshawe Park  
Road East.

WHEREAS Royal Premier Homes has applied to rezone the lands located  
at 307 Fanshawe Park Road East, 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 307 Fanshawe Park Road East, as shown on the attached  
map, from a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone to a  
Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7 (\*) Zone.

2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by  
adding the following Special Provision:

- \_\_\_) R5-7 (\*)
- a) Permitted Uses:
    - i) Stacked Townhouse
  - b) Regulation[s]
    - i.) Density 75 units per hectare  
(maximum)
    - ii.) Front 4.5 metres  
Yard Depth  
(minimum)
    - iii.) West interior side yard 4.9 metres  
for a lot depth  
of 30 metres
    - iv.) Front Yard Setback 2.3 metres  
to patio/porch  
(minimum)
    - v.) Height 12 metres  
For a Lot Depth  
of 30 metres  
(maximum)
    - vi.) Height 10 metres  
For balance  
of the lands.  
(maximum)

3) 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. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

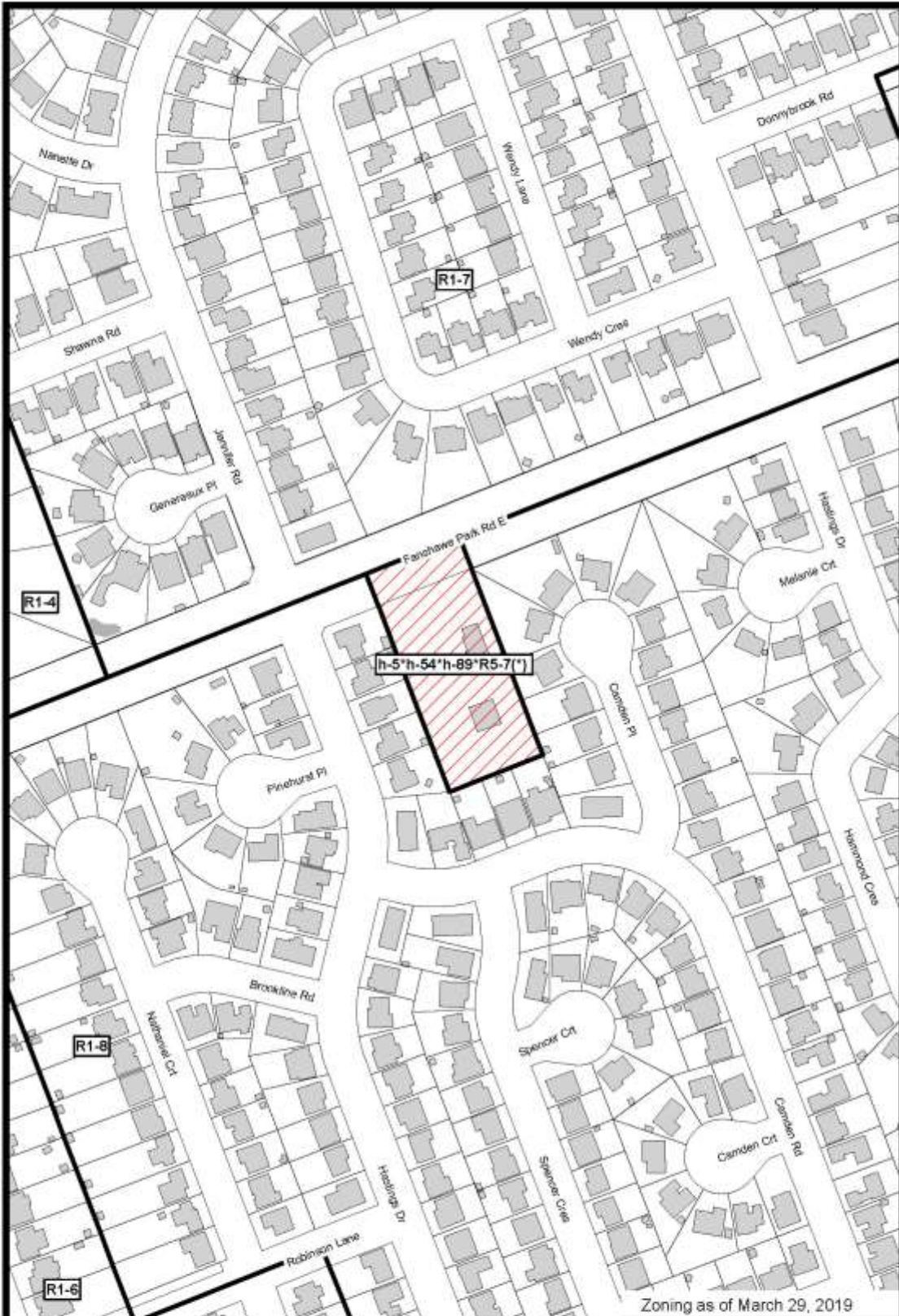
PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

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




File Number: Z-9006

Planner: CS

Date Prepared: 2019/04/05

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.5 25 50 75 100 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On January 28, 2019, Notice of Application was sent to all property owners with 120 m of the property. 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.

Following the referral back to staff additional comments have been received and are attached below.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit two stacked townhouse buildings with 42 units (75 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone **TO** a Residential R8 Special Provision (R8-4 ( )) Zone to permit townhouses and stacked townhouses with A 4.5 metre minimum front yard setback, a 2.3 metre front yard setback to porch/patios, and a maximum 75 units per hectare.

### Departmental Comments

#### Urban Design Peer Review Panel (UDPRP)

RE: 307 Fanshawe Park Road East Presentation & Review, July 17, 2019

Considering that the application is a zoning by-law amendment, the comments provided herein are meant to inform the decision-making with respect to the zoning by-law amendment application, though detailed comments to inform the future Site Plan application(s) have also been provided for consideration.

The Panel provides the following preliminary feedback on the submission:

- The Panel understands, and is sensitive to, the concept of scale/density for this development. In this regard, the Panel is supportive of the developments size, height and density based on the location within London and direct adjacency to Fanshawe Park Road East.
- The panel is supportive of the orientation of Building 1 along the Fanshawe Road street edge. Additionally, the Panel is supportive of the taller form (Building 1) nearer to the street, stepping down to 2.5 metres-built form (Building 2) to the rear.
- Generally, the Panel is supportive of the siting of Building 2 relative to the lot lines as there appears to be sufficient separation from adjacent buildings to the west/south/east.
- The applicant should be commended for the use of “Moloks” and their placement which is centrally located within the site. • The applicant should provide a vegetation management plan for the project. The Panel suggests that existing vegetation and mature trees be maintained wherever possible. Where vegetation is to be removed screening consideration(s) for the adjacent properties should be provided (and is critical).
- The development should consider/explore the possibility of below grade parking to create green space / outdoor amenity space around the buildings at grade. Ideally, the two buildings would create an outdoor courtyard space that could be a shared amenity area, and reduce the impact of surface parking on the existing residential neighbourhood.
- At a minimum, additional greenspace should be provided between the surface parking and the south side of Building 1.

- The greenspace on the west side of Building 2 appears to be undeveloped / not designed and is an opportunity for use by the residents on site, or for potential balconies or walk-outs from the west side of Building 2.
- Landscaping along the west and south yards, needs further development. Supportive of the provision of outdoor private amenity in the form of terraces/balconies/patios for each unit. Common amenity should also be considered and its siting would be most appropriate between Buildings 1 and 2 rather than in the exterior (west or south) yards considering the interface. The west interface seems not to be evolved fully, report mentions potential for decks, question the suitability of this for common amenity, especially considering its linear shape.
- The treatment of the yards is an important consideration for compatibility with surrounding residential development. There are a number of existing trees along south property boundary, for example, retain trees to the extent possible.
- Ensure sufficient room for plantings around perimeter of property, including east interface. Support the proposed intent to provide for privacy fencing.
- The west elevation of Building 2 requires further articulation in order to provide better compatibility between it and the neighbouring residential neighbourhood.
- The wood siding on the exterior does not add to the articulation of the building and does not seem to relate to any contextual elements. The exterior design does not offer the depth of detail or articulation expected for a development in a neighbourhood this well developed, with a long history, and on arterial road.
- The applicant should consider additional landscaping along Fanshawe Park Road. The transition and number of steps up to each unit seems abrupt, further articulated landscape design would result in a softer, and more sensitive, transition.
- Consider potential for conflict with the 2 vehicular parking spaces on the curve of the access.
- Resolution of entrance to each unit, integrated with the stair and balcony above, corner masonry piers on the terrace seem foreign to the scheme. Overall the elevations appear to need further refinement.
- The applicant is encouraged to return to the Panel again through the site plan approval process when more details about the revised design are available for review.

Concluding comments:

The Panel is supportive of the overall project, scale, orientation and siting of the buildings along Fanshawe Park Road East. The Panel has provided several detailed design comments for consideration in working through the holistic design, including suggested refinements to the building elevations, amenity spaces and landscape design details. It is requested that the application return to the Panel for review once an application has been submitted.

## Applicants Response to UDPRP Comments

Address of Development Site: 307 Fanshawe Park Road E

Date of Panel Meeting: 07/17/2019

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As per the Memo provided in conjunction with this letter, the Urban Design Peer Review Panel has the following comments regarding the above-referenced application. In the **Applicant Response** section of the text box, please provide a detailed response that explains how the Panel comments have been addressed.

<b>Comment:</b>
The applicant should provide a vegetation management plan for the project. The Panel suggests that existing vegetation and mature trees be maintained wherever possible. Where vegetation is to be removed screening consideration(s) for the adjacent properties should be provided (and is critical).
<b>Applicant Response:</b>
A Preliminary Perimeter Planting Plan was prepared and submitted to address the screening considerations, particularly in response to community concerns. The proposed removal of trees is due to construction, hazard or undesirable/invasive species. The proposed removal of existing hedge screening is due to either grading issues on the west side at the parking south of Building 1 adjacent to 1265 Hastings Drive or is due to sparse growth from lack of sun exposure on the existing Cedar hedges adjacent to 1277 Hastings Drive and 25 Camden Place. The developer is happy to leave the latter hedges in place and plan for new screening vegetation to be planted on the development side if that is what is preferred by the adjacent property owners (he has confirmed this at previous meetings with adjacent property owners). It is anticipated that the opportunity to improve screening will be considered through the future public site plan approval process.

<b>Comment:</b>
The development should consider/explore the possibility of below grade parking to create green space / outdoor amenity space around the buildings at grade. Ideally, the two buildings would create an outdoor courtyard space that could be a shared amenity area, and reduce the impact of surface parking on the existing residential neighbourhood.
<b>Applicant Response:</b>
The proposed development has been designed to provide all the required requisite facets to deliver a high-quality development, including a compliant number of required surface parking spaces (standard and BF), minimum landscape open space, and appropriate lot coverage; as well as areas for snow storage, and deep well garbage and recycling facilities. The consideration of providing underground parking is deemed unwarranted and unnecessary in this instance given that the proposed development is capable of providing all the required design components at-grade, including the required number of parking spaces. Moreover, the construction of underground parking for a development of this scale is not considered cost effective.

**Comment:**

At a minimum, additional greenspace should be provided between the surface parking and the south side of Building 1.

**Applicant Response:**

The applicant has made considerable efforts to ensure that the proposed development makes efficient use of the subject lands while providing an opportunity for desirable intensification, and was designed the development to provide all the required requisite facets to deliver a high-quality development. It is our opinion that the areas of proposed open space are of appropriate sizes and configurations, and are in locations on the site, that will deliver acceptable levels of amenity for future residents.

**Comment:**

The greenspace on the west side of Building 2 appears to be undeveloped / not designed and is an opportunity for use by the residents on site, or for potential balconies or walk-outs from the west side of Building 2.

**Applicant Response:**

Building 2 has been designed to provide internalized entrances and balconies to promote passive surveillance of the subject site, as well as to help minimize the potential for undue impacts on neighbouring properties. As part of the future public site plan approval process, opportunities will be explored on how to create a sense of place in the area to the rear of Building 2. It is considered that this area is of a configuration and size (at approximately 300 square metres) to provide for a meaningful outdoor amenity area for those residents requiring such space.

**Comment:**

Landscaping along the west and south yards, needs further development. Supportive of the provision of outdoor private amenity in the form of terraces/balconies/patios for each unit. Common amenity should also be considered and its siting would be most appropriate between Buildings 1 and 2 rather than in the exterior (west or south) yards considering the interface. The west interface seems not to be evolved fully, report mentions potential for decks, question the suitability of this for common amenity, especially considering its linear shape.

**Applicant Response:**

As above, as part of the future public site plan approval process, opportunities will be explored on how to create a sense of common place in the area to the rear of Building 2. This area is large enough and of a suitable shape to provide for a meaningful outdoor amenity area for future residents.

**Comment:**

The treatment of the yards is an important consideration for compatibility with surrounding residential development. There are a number of existing trees along south property boundary, for example, retain trees to the extent possible.

**Applicant Response:**

The developer is mindful of the community's concerns and is amenable to keeping all hedging the community wishes, excepting those to be removed due to municipal grading requirements. The existing trees along the south property boundary are either hazard trees (Silver Maple, south east property boundary) or undesirable/invasive species (Mulberry) growing against the existing wood privacy fence adjacent to 11 Camden Road and are thus indicated for removal to prevent future site challenges. The removal of these trees will make space for an improved landscape for this property and its neighbours. The developer understands that the privacy screening between the existing residential area and this development is extremely important. New screening and planting will be addressed in the Landscape Plan as part of the future public site plan approval process.

**Comment:**

Ensure sufficient room for plantings around perimeter of property, including east interface. Support the proposed intent to provide for privacy fencing.

**Applicant Response:**

Following industry best practices and municipal standards for privacy fencing and plantings along the east property boundary, the developer will provide adequate space for plants to grow into maturity. It is the developer's intention to construct appropriate boundary fencing. This boundary fencing, which will be constructed to City standard, will be considered/reviewed as part of the future public site plan approval process.

**Comment:**

The west elevation of Building 2 requires further articulation in order to provide better compatibility between it and the neighbouring residential neighbourhood.

**Applicant Response:**

The buildings west elevation have been refined to assist with addressing this comment.

**Comment:**

The wood siding on the exterior does not add to the articulation of the building and does not seem to relate to any contextual elements. The exterior design does not offer the depth of detail or articulation expected for a development in a neighbourhood this well developed, with a long history, and on arterial road.

**Applicant Response:**

The use of exterior wood siding has been removed from the project. The building elevations have been refined to provide for more articulation. The inclusion of traditional materials such as brick and siding have been introduced to improve compatibility with the surrounding buildings.

**Comment:**

The applicant should consider additional landscaping along Fanshawe Park Road. The transition and number of steps up to each unit seems abrupt, further articulated landscape design would result in a softer, and more sensitive, transition.

**Applicant Response:**

There is suitable areas along the sites Fanshawe Park Road frontage to provide for articulated landscaping. During the future public site plan approval process, the building will be softened and integrated into the Fanshawe Park Road East streetscape through the planning of shade trees as well as human-scale plant material.

**Comment:**

Consider potential for conflict with the 2 vehicular parking spaces on the curve of the access.

**Applicant Response:**

All on-site parking spaces, as well as access aisles/driveways, have been designed to City standards, and as such, it is not anticipated that there will be any undue vehicular-related conflicts for residents or visitors.

**Comment:**

Resolution of entrance to each unit, integrated with the stair and balcony above, corner masonry piers on the terrace seem foreign to the scheme. Overall the elevations appear to need further refinement.

**Applicant Response:**

The entrances and porches have been refined to assist with addressing this comment.



<b>Comment:</b>
The applicant is encouraged to return to the Panel again through the site plan approval process when more details about the revised design are available for review.
<b>Applicant Response:</b>
While it is our understanding that returning to the Panel is not a requirement of the future public site plan approval process, if requested by City staff, consideration will be given by the developer to seek further input from the Panel.

**Responses to Public Liaison Letter and Publication in “The Londoner”**

Old Stoneybrook Community Association	Bill and Linda Day 1277 Hastings Drive London ON N5X 2H8
Alex and Mirella Plommer Spencer Crescent	Brandon Lawrence 41 Meridene Crescent East
Brian Blazey 11 Melanie Court	Fred and Wendy Ruddle
Carl Hallberg and Phyllis Retty 1262 Hastings Drive London ON N5X 2H7	Cathy and Fred Cull 33 Camden Place London ON N5X 2K5
Gary and Joanne Schleen 11 Spencer Court	Gary Croxell 17 Camden Road
Gloria McGinn-McTeer 18-683 Windermere Road London ON N5X 3T9	Sandra and Greg Peloza 63 Robinson Lane
Heidi Cull-Capstick and Jason Capstick 28 Frobisher Crescent	John Howitt and Anne MacDougall 1281 Hastings Drive London ON N5X 2H8
June Smith 67 Millford Crescent	Katherine and Dale Laird 51 Camden Place N5X 2K5
Ken McGuire 63 Camden Place London ON N5X 2K5	Lindsey Bradshaw and Steve Cameron 33 Camden Place
Mary and Vladimir Stopar 30 Fawn Court London ON N5X 3X3	Michael Crawford 21 Camden Place London ON N5X 2K5
Mary Lacey 37 Camden Place	Phil and Deena Lincoln 7 Camden Road
Shannon and Mark McGugan 20 Cedarwood Crescent London ON N6H 5P4	Tom Collins 70 Millford Crescent N5X 1A8
Tracey Taylor	Wendy McDonald 55 Camden Place
Dave Crackel 171 Cambridge Street	Tony Mara
Piotr and Bozena Nowakowski 1273 Hastings Drive	Claudia Clausius
Catherine Traill	Brian Crombeen 87 Camden Road
David Jackson 60 Camden Road	Susan Campbell
Rick and Barb Giroux 1269 Hastings	Mike and Ashely Kirley
Shi Yinggru 76 Camden Road	Keith Stewart 75 Camden Road London ON N5X 2K2
Rasul Shafikov 1304 Hastings Drive	Barbara Allen 116 Robinson Lane
Jean Hammond 1260 Hastings Drive London ON N5X 2H7	Russell Sawatsky 1541 Hastings Drive

Hello,

As you will recall, City Council referred the original application back to City Planning and the Planning and Environment Committee (PEC). There were concerns at Council regarding fit, character, sanitary and storm water management, buffering, and density. As a consequence the developer was asked to undertake the extraordinary step of outlining their proposal to the Urban Design Peer Review Panel (UDPRP).

In sum the present plan:

1. based on submissions at a meeting mediated by the city the developer presented a tree plan that reveals an intention to build swales around most of the lot - there will be even fewer mature trees and buffering than presented at the last PEC meeting in May.
2. the "revised" proposal exhibits no changes that reflect ANY of the UDPRP recommendations including
  - a. no modification to reduce the footprint of the parking lot (put it underground)
  - b. no provision of useful green amenity space for development residents
  - c. no change of parking plan to facilitate garbage pickup and ameliorate parking traffic issue
  - d. no change of building block 2 position
  - e. no provision of a full and revised tree plan and landscaping - buffering was deemed sensitive and critical by UDPRP
3. It is interesting to note that the snow storage plan would necessitate the parking lot be empty for snow to be piled where proposed
3. traffic issues have not been addressed (traffic seems to be a matter of no concern to the city despite the developer's consultant recommend u-turns on Fanshawe during rush hour. Justification? Because it is not illegal.
4. The sanitary and waste water flow rates proposed are deemed to be adequate by the City, and also by our own engineering advisor. That said, they are based upon calculations and flow rates established at the time of construction in 1972 - 47 years ago. A request to the City for more recent assessment of viability has not been answered.
5. City Planning seems to support the provisions for maximum density allowable by the London and Official Plans and bylaws, but ignores directions in those same documents regarding buffering, parking lot design, privacy, green amenity space, accessibility, and sensitivity to avoid adverse impacts. They should not be permitted to cherry-pick. Moreover, when these issues are raised, we are told they are a matter for the Site Planning process once rezoning has been accomplished. This is a logical fallacy - once rezoning (and maximum density) is permitted, all the other Site Planning issues are rendered moot, and we must take it as an article of faith that City Planning will enforce bylaws and UDPRP recommendation and thereby look after our interests in this matter.

Sincerely,

The Atta's  
1 Donnybrook Road

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Dear Mr. Smith,

As you will recall, City Council referred the original application for 307 Fanshawe Park E. back to City Planning and the Planning and Environment Committee (PEC). There were concerns at Council regarding fit, character, sanitary and storm water management, buffering, and density of the proposed development. As a consequence, the developer was asked to undertake the extraordinary step of outlining their proposal to the Urban Design Peer Review Panel (UDPRP).

However, I, and others in the neighbourhood, still have concerns about the presented plan based on the following components, and we certainly hope these concerns (itemized below) will be addressed in detail by both the developer in any new application they submit as well as sincerely taken into consideration by the city before approval:

1. Based on submissions at a meeting mediated by the city, the developer presented a tree plan that reveals an intention to build swales around most of the lot; however, now even fewer mature trees and buffering will exist than presented at the last PEC meeting in May.
2. The "revised" proposal exhibits no changes that reflect ANY of the UDPRP recommendations including
  - a. no modification to reduce the footprint of the parking lot (ie: put it underground)
  - b. no provision of useful green amenity space for development residents
  - c. no change of parking plan to facilitate garbage pickup and ameliorate parking traffic issues
  - d. no change of building block 2 position
  - e. no provision of a full and revised tree plan and landscaping despite buffering being deemed sensitive and critical by UDPRP
3. The snow storage plan would necessitate the parking lot be empty for snow to be piled where proposed—a difficult proposition given the spaces will indeed need to be used for parking.
4. Traffic issues have not been satisfactorily addressed. The developer's consultant recommended U-turns on Fanshawe, but during rush hour, these actions could lead to seriously negative consequences as drivers get impatient. U-Turns may not be illegal, but they are also not safe in large numbers.
5. While the city (and an impartial engineering advisor) deemed the sanitary and waste water flow rates proposed to be adequate, they are based upon calculations and flow rates established at the time of construction in 1972 - 47 years ago. We in the neighbourhood still request the City for more recent assessment of viability—and given climate change and the now common occurrence of mass rainfall events, this request could not be more timely and serious.

In conclusion, City Planning seems to support the provisions for maximum density allowable by the London and Official Plans and bylaws, but conversely seems to ignore suggestions and directives in those same documents regarding buffering, parking lot design, privacy, green amenity space, accessibility, and sensitivity to adverse impacts to the property, neighbourhood, and city as a whole. At best, this seems like a lack of due diligence, and at worst, a sad instance of cherry picking to suit various ends.

Additionally—and most alarmingly—I am told that the above concerns are a matter for the Site Planning process once rezoning has been accomplished; however, this seems like a case of the “the cart before the horse”: once rezoning (and maximum density) is permitted, all the other Site Planning issues are rendered moot, and residents must take it as an article of faith that City Planning will enforce bylaws and UDPRP recommendations---essentially addressing the main concerns in this letter at a later date. This **\*may\*** prove true, but residents of this neighbourhood—myself included—would rather these very legitimate urban planning concerns be met—logically and legally—at the preliminary stage before ground is broken, as opposed to later as a matter of good faith.

Sincerely,

Robert Muhlbock  
64 Robinson Lane

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Thank you for providing the drawings shown at our meeting with the developer that was facilitated by Councillor Hopkins and City Planning. As a Community Association, we appreciated that you and the developer took the time to meet and share perceptions and information. We have looked over the plans and have the following comments to offer.

Although the plans were sent to us after the Urban Peer Review Panel had convened, there do not appear to be any revisions that might speak to any of their criticisms.

1. The swales

The grading has been clarified and substantially revised. The good news is that instead of the site being convex and raised with a high point situated in the middle of the Northern parking lot, it is now partly concave with the larger parking lot defining a bit of a site-localized depression to collect water during storms. As we predicted, the swales are now clearly indicated to circumscribe much of the lot. The size of the proposed parking lots necessitates pushing the storm/snowmelt management system - the swales - to the very periphery. This peripheral swaling in turn drives the necessity to remove even more buffering trees.

The double-purposing of swales as green amenity space seems counter-intuitive. How can the residents of the proposed development enjoy use of a soggy drainage ditch?

## 2. The tree plan.

The Revised Tree Plan looks simpler, but reveals that even fewer trees will be spared (14 instead of 20). The majority of trees preserved in this plan are on neighbors' property. The hedge also is less well preserved. Where there are little green circle indicators, these are replacement or new hedging that might be 3 ft high, or six feet... who knows? Written clarification and promises on this point would make a world of difference. There are those among us who could care less if the bottom of the hedge was scruffy as long as the upper 20-30 feet buffered the noise and visibility of the proposed buildings. Others might be happy to reach a compromise. We cannot see that 20-30 hedge on the NW corner will survive the swale proposed, but we are not arborists. We will require written assurances that the proposed tree protection zone will suffice to keep the coniferous (cedar) hedge alive. Excepting the hedge (with deficits indicated above), there is no proposed deciduous tree replacement plan, so the impact of the removal of almost all trees on the property is still impossible to understand or to assess.

For deciduous trees, even a 16 foot replacement tree might sound impressive but our own recent experience (a 16 ft maple) indicates that such a tree looks like a vertically positioned and quite naked stick and we are advised it will take 3-5 years before it starts to fill out and start to grow taller. Even so, no new plantings are indicated - do the swales prohibit replacement? Would trees situated there drown or impeded swale function? If the answer to either of these is yes, then the buffering of this development from neighbours will be adversely impacted in the extreme, and are impossible to understand from the plans presented.

## 3. The proposed water catchments

The water catchments are going to be conveying water from basins that are of higher elevation than the existing SW corner easement. What is to stop the proposed catchments from discharging into the easement area and ponding there? We have receive no concrete guidance, analysis, or figures to analyze and understand this aspect of the proposal. The water management system cannot be permitted to adversely impact neighbouring gardens, water table level, pools, or basements.

## 4. Sanitary sewer line

We are concerned that the development proposes to use the NE sanitary sewer easement that runs between neighbours' lots at 33 and 35 Camden Place (the development property is a proposed tributary to the municipal sanitary sewer within the Camden Place R.O.W. as per Record Drawings 4983). The report by Strik Baldinelli Moniz advises that the easement might connect, at a 1% grade, the existing 150 mm (6 inch) sanitary pipe. This pipe then meets up with the 200 mm (8 inch) pipe that services the rest of the residents at Camden Place. This junction is at a 90 degree angle. We are advised by a person with years of experience with underground utilities that a 150 mm pipe is insufficient to service the additional 101 people contemplated to inhabit the development. Moreover, the operational diameters and flow rates were calculated in August of 1972. There is no assurance that grade, flow rates, and capacity are still the

same. In addition, there are any number of modern and non-dissoluble products (baby wipes etc.) that are flushed down lines today that were not in existence when flow rates were originally calculated and the pipes installed in 1972. Given these vagaries, is therefore not surprising that Strik Baldinelli Moniz, the company that provided the developer's analysis indicates that they will accept no responsibility for damages resulting from any changes installed as a result of their own report. This does not inspire confidence. The proposed sanitary service should instead connect to the main Fanshawe service pipe. This would avoid potential for damage to neighbours' homes.

Moreover, if the rentals are directed to provision of high occupancy housing, the occupancy could even DOUBLE the population sketched in the proposal documents. The estimates for sanitary sewer service discharge appear to risk catastrophic under-estimation of capacity.

## 5. Fencing

We understand from the meeting and from the Urban Peer Review discussion that a 6 ft board on board fence is to be constructed around the entire site. Correct? Moreover, given the degree of densification proposed, and the doubling of structure height, some neighbours might prefer a higher sound-absorbing wall. Is that a possibility?

## 6. Traffic concerns

The traffic analysis has had little discussion or critique. In our original proposal, we highlighted concerns that pertained to:

- a) Lack of sight lines at the top of the exit lane to view and anticipate cyclists or pedestrians;
- b) The consultants advisory that west-bound entrants, and east bound exists merely U-turn on Fanshawe because it is not illegal. At rush hours the traffic is very heavy, and this proposal is asking for trouble;
- c) The Consultant's report considers that with an assumed population of 101 inhabitants, 65 cars, only 19 will leave at morning rush hour, but 24 will return in evening...? The math is based upon assumptions, estimates traffic volume on the lower end of the scale, and doesn't add up (19 leave but 24 return...).

## 7. Peer Review Panel Criticisms and matters arising

- a) The peer review panel cautioned that tree preservation would have to be fulsome and well done - we do not believe that there is an appreciable or understandable indication of that here (see above).
- b) The review panel thought the wall looking onto the Goldrick's property (NW corner) needed to be rethought to offer neighbours more privacy. Perhaps there should be no windows?
- c) The peer review panel thought there was "a lot of parking lot". We agree - the size of the parking lot is being driven by alterations to requested density of residences. If the parking lot is too large to fit and preserve buffering, then the unit density is too high.
- d) The parking lot itself does not adhere to zoning bylaws - 3 meters distance is required from neighboring properties. In three places (NE spot for two cars, SE middle end, and NW middle) the parking lots infringe by about a meter.
- e) The peer review panel thought there needed to be more useful and central green amenity space. The City Plan, more recent London Plan, and the zoning guidance all require the provision of green amenity space. In addition, the London Plan suggests the provision of play areas for children. There is no way to provide this space without reducing parking lot dimension (number of spaces) and residential density without putting at least some parking underground.

f) One panel member suggested putting some parking underground. This was too cost-prohibitive in 2011 (we gather that the water table is too high to do this cheaply, and that underground parking itself is too expensive to be economical). We cannot imagine it being economical for rental housing (high occupancy residences?, the developer referred to rental \$ per room, not per unit... Are we to infer high occupancy housing is the end game?). This will dictate the degree to which buffering will need to be challenged and bolstered. It also has critically important ramifications to anticipated sanitary sewer discharge and required capacity.

g) Two of the reviewers suggested rotating the rear building 90 degrees to make some more space for green amenity common areas. Again, if this advice was to be followed, the required building set-backs along the southern border would mean that amenity space could still only be provided by either reducing parking spot number and residential density, or by putting substantial parking underground.

h) We note with interest that the plan does not indicate LEED-compliant building, recharging for electric cars, bicycle racks, nor even more importantly, accessible residential units: all residences appear to be accessed solely via stairs.

i) It is also not clear if/how air conditioning will be installed. This will have ramifications for buffering (tree preservation and planting).

We attach a copy of our submission to the Planning and Environment Committee wherein we cite many of the bylaws alluded to above.

Respectfully

Old Stoneybrook Community Association

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## Appendix C – Policy Context

The following policy and regulatory documents were 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 (PPS)***

Policy 1.1.3.1 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.2 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.3 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.4 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.4.3 Building Strong Health Communities, Housing

Policy 1.7.1 Building Strong Health Communities, Long Term Economic Prosperity

Policy 2.6.1 Wise Use and Management of Resources, Cultural Heritage and Archaeology

Policy 2.6.2 Wise Use and Management of Resources, Cultural Heritage and Archaeology

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

Section 3.1.1 vi) Residential Land Use Designations, General Objectives For All Residential Designations

Section 3.2 Residential Land Use Designations, Low Density Residential, Preamble

Section 3.2.1 Residential Land Use Designations, Low Density Residential, Permitted Uses

Section 3.2.2 Residential Land Use Designations, Low Density Residential, Scale of Development

Section 3.2.3 Residential Land Use Designations, Low Density Residential, Residential Intensification

Section 3.2.3.2 Residential Land Use Designations, Low Density Residential, Residential Intensification, Density and Form

Section 3.2.3.4 Residential Land Use Designations, Low Density Residential, Residential Intensification, Compatibility of Proposed Residential Intensification Development

Section 3.7 Residential Land Use Designations, Planning Impact Analysis,

Section 3.7.2 Residential Land Use Designations, Planning Impact Analysis, Scope of Planning Impact Analysis

Section 3.7.3 Residential Land Use Designations, Planning Impact Analysis, Required Information

Section 19.4.3 Implementation, Zoning, Holding Zones

***The London Plan***

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7\_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 59\_2., 4., and 8. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 66\_ Our City, Planning for Growth and Change

Policy 79\_ Our City, City Structure Plan, The Growth Framework, Intensification

\*Policy 83\_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84\_ Our City, City Structure Plan, The Growth Framework, Intensification

\*Policy 90\_ Our City, City Structure Plan, The Growth Framework, Primary Transit Area

Policy 154\_8. Our City, Urban Regeneration

Policy 256\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

\*Policy 259\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

\*Policy 389\_ City Building Policies, Forest City, What Are We Trying to Achieve

Policy 393\_ City Building Policies, Forest City, How Are We Going to Achieve This, Urban Forestry Strategy

Policy 394\_ City Building Policies, Forest City, How Are We Going to Achieve This, Urban Forestry Strategy

Policy 398\_ City Building Policies, Forest City, How Are We Going to Achieve This, Strategic Approach

\*Policy 399\_3. and 4. b. City Building Policies, Forest City, How Are We Going to Achieve This, Strategic Approach, Protect More

Policy 497\_ City Building Policies, Homelessness Prevention and Housing, What Are We Trying to Achieve



Policy 554\_2. and 3. City Building Policies, Cultural Heritage, What Are We Trying To Achieve

Policy 557\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, General Cultural Heritage Policies, The Register of Cultural heritage Resources

Policy 565\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, General Cultural Heritage Policies, Design

Policy 566\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, General Cultural Heritage Policies, Design

Policy 567\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, General Cultural Heritage Policies, Design

Policy 568\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, General Cultural Heritage Policies, Design

Policy 574\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, Identification of Cultural Heritage Resources, Individual Heritage Properties

Policy 579\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, Identification of Cultural Heritage Resources, Archaeological Resources

Policy 581\_ City Building Policies, Cultural Heritage, How Are We Going to Achieve This, Identification of Cultural Heritage Resources, Archaeological Resources

Policy 586\_ City Building Policies, Cultural Heritage, Specific Policies for the Protection, Conservation, and Stewardship of Cultural Heritage Resources, Individual Heritage Properties

Policy 608\_ City Building Policies, Cultural Heritage, Archaeological Resources

Policy 609\_ City Building Policies, Cultural Heritage, Archaeological Resources

Policy 616\_ City Building Policies, Cultural Heritage, Archaeological Resources

Policy 617\_ City Building Policies, Cultural Heritage, Archaeological Resources

\*Table 10 Range of Permitted Uses in Neighbourhoods Place Type

\*Table 11 Range of Permitted Heights in Neighbourhood Place Type

\*Policy 919\_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

\*Policy 937\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

\*Policy 939\_6. Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

\*Policy 952\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Site Plan Approval for Intensification Proposals, Public Site Plan Approval Process

\*Policy 953\_2 a.-f. and 3. Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

\*Policy 1578\_ Our Tools Planning and Development Applications, Evaluation Criteria for Planning and Development Applications

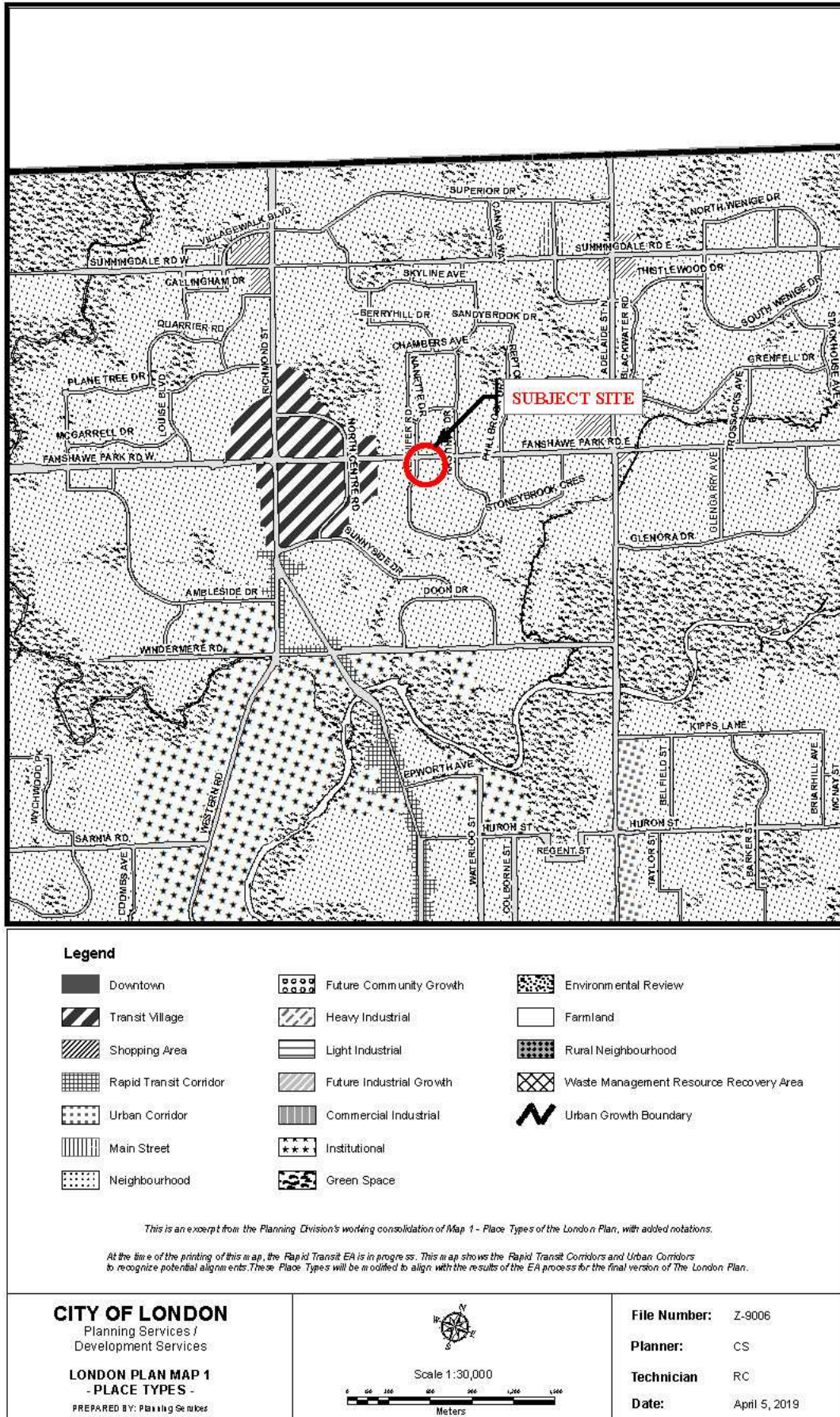
Policy 1657\_ Our Tools, Holding Provision By-law

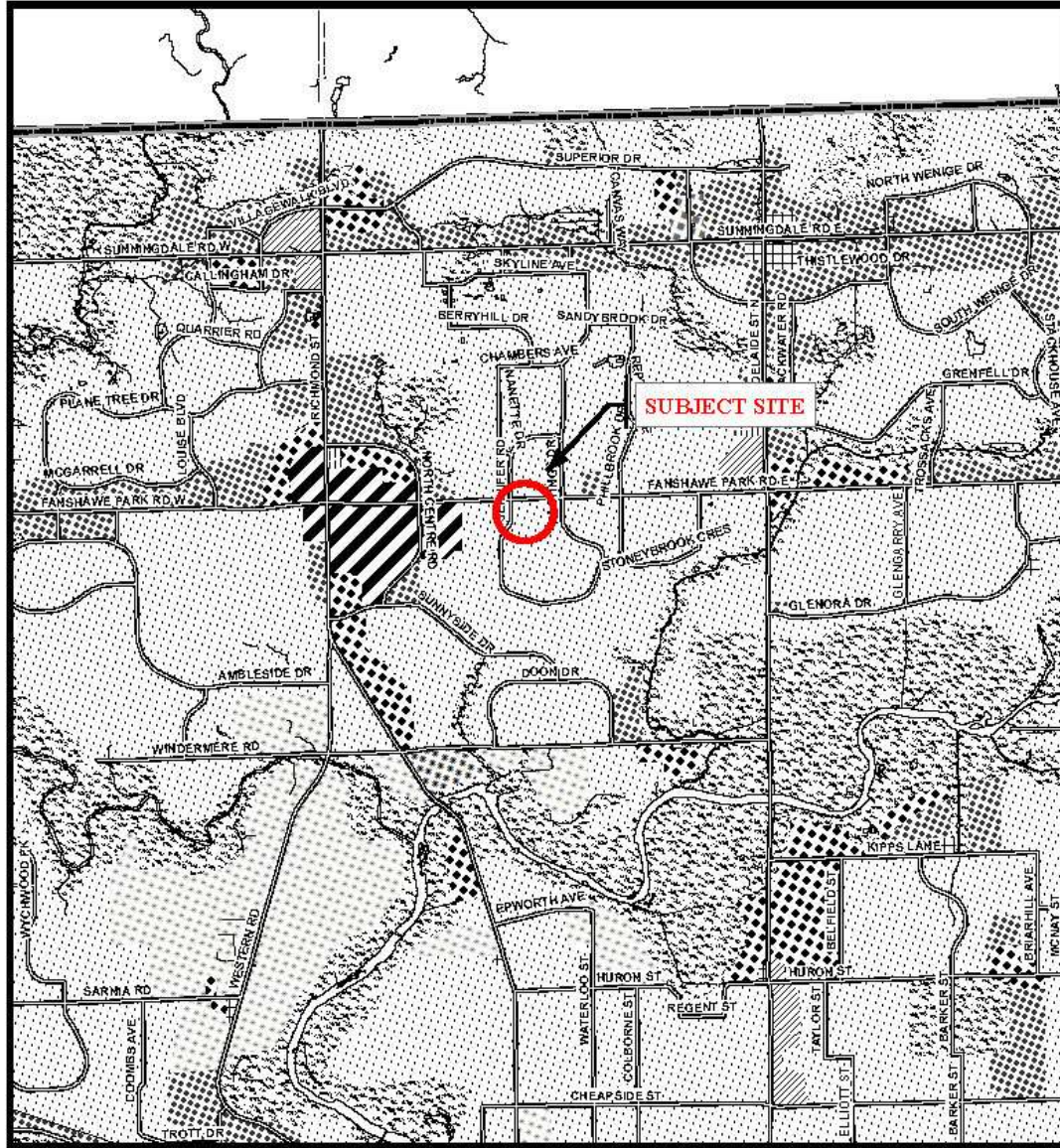
Policy 1682\_ Our Tools, Planning and Development Controls, Site Pan Control, Public Site Plan Process

\*Policy 1683\_ Our Tools, Planning and Development Controls, Site Pan Control, Public Site Plan Process

# Appendix D – Relevant Background

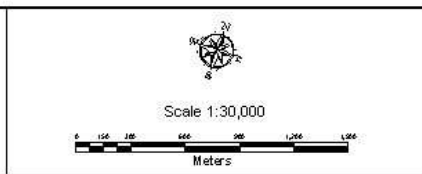
## Additional Maps



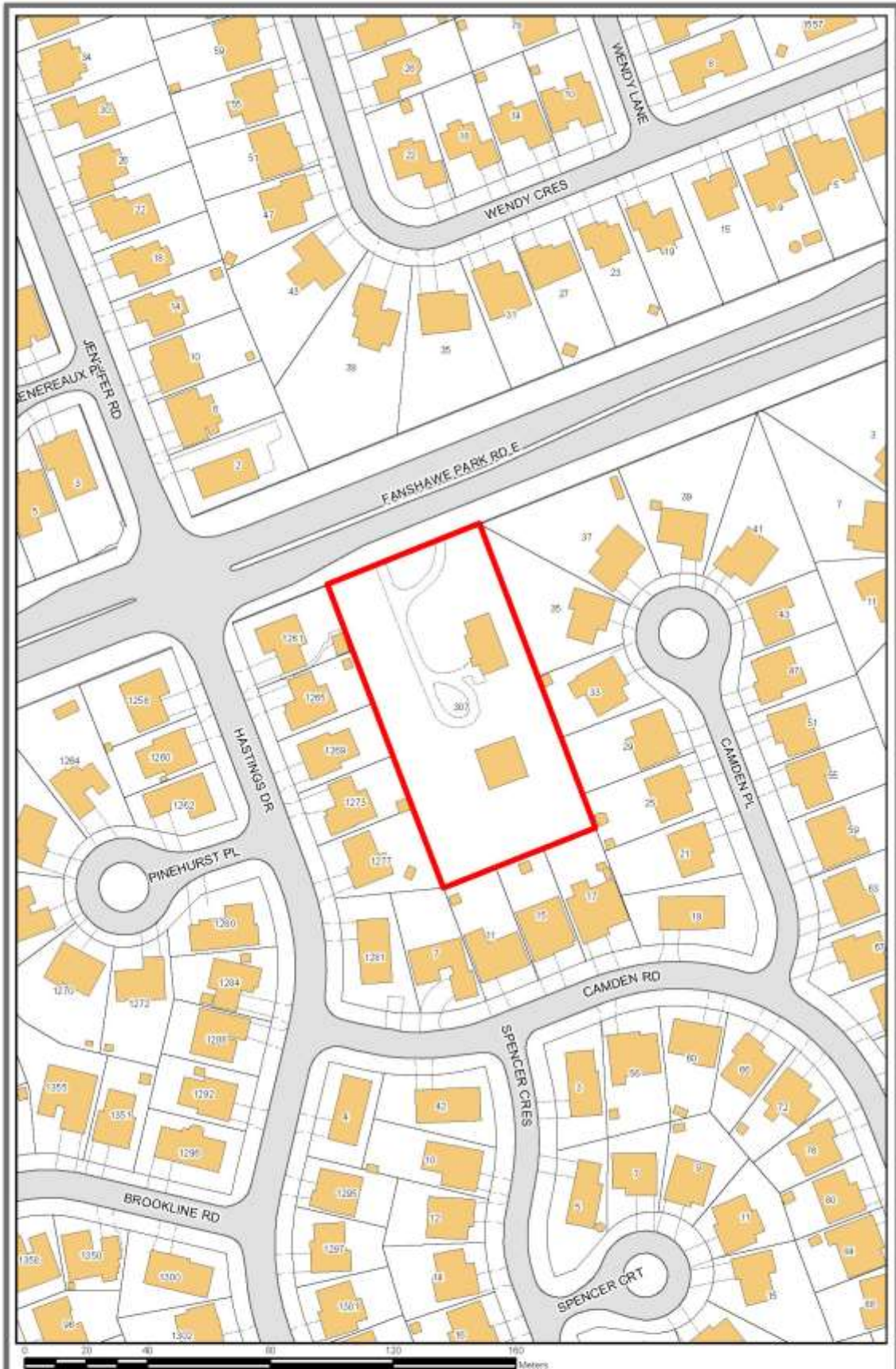


Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	NewFormat Regional Commercial Node		Office/Residential		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

**CITY OF LONDON**  
 Planning Services /  
 Development Services  
**OFFICIAL PLAN SCHEDULE A**  
 - LANDUSE -  
 PREPARED BY: Graphics and Information Services

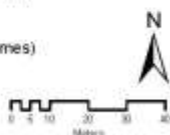


**FILE NUMBER:** Z-9006  
**PLANNER:** CS  
**TECHNICIAN:** RC  
**DATE:** 2019/04/05



**LOCATION MAP**

Subject Site: 307 Fanshawe Park Road East  
Applicant: 1423197 Ontario Inc. (Royal Premier Homes)  
File Number: Z-9006  
Planner: Craig Smith  
Created By: RC  
Date: 06/04/2019

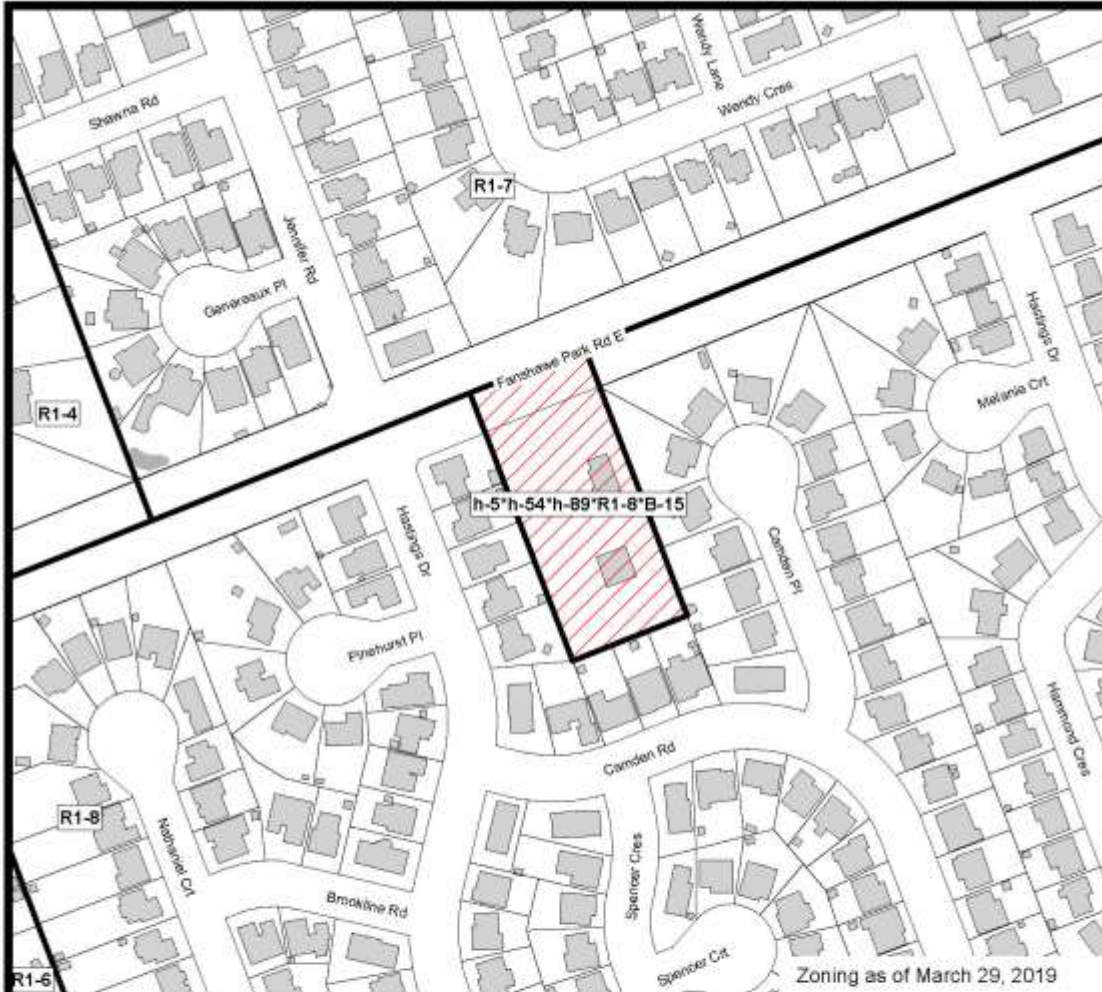


Scale 1:1,500

Corporation of the City of London  
Prepared By: Planning and Development

**Legend**

-  Subject Site
-  Buildings
-  Driveways/Parking Lots
-  Parking Lot Edges



**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> |
|--|--|

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
 BY-LAW NO. Z-1  
 SCHEDULE A**



FILE NO:

Z-9006

CS

MAP PREPARED:

2019/04/05

DM

1:2,500

0 12.525 50 75 100  
 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS