Report to Planning and Environment Committee

To: Chair and Members

Planning & Environment Committee

From: George Kotsifas, P. Eng

Managing Director, Development & Compliance Services &

Chief Building Official

Subject: Domus Developments (London) Inc.

200 Callaway Road

Public Participation Meeting on: October 21, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions **BE TAKEN** with respect to the application of 2682207 Ontario Limited / Domus Developments (London) Inc. relating to the property located at 200 Callaway Road:

- (a) The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 4 storey, 60 unit apartment building; and
- (b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

Executive Summary

Summary of Request

The development for consideration is a four (4) storey, 60 unit apartment building on the northwest corner of Callaway Road and Royal Oaks Bend. The site is to be developed with municipal services and vehicular access from Callaway Road. The development proposal is subject to a public site plan meeting in accordance with the holding (h-5) zone regulations set out in the Zoning By-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommendation is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for the Site Plan Approval.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located at the northwest corner of Callaway Road and Royal Oaks Bend. Callaway Road is classified as a Neighbourhood Connector in The London Plan and a Secondary Collector in the 1989 Official Plan. Royal Oaks Bend, in front of the subject property, is classified as a Neighbourhood Street in The London Plan, and as Local Street in the 1989 Official Plan. Currently the site is undeveloped with a variety of existing mature trees sparsely located on the northern portion of the property.

The land uses surrounding the subject lands are comprised of the following: to the west of the subject site is multi-family residential (street-townhouse) and open space/ storm water management pond, to the north is open space (Pebblecreek Park West), to the east is open space (Pebblecreek Park Central) and an undeveloped parcel that is split

designated as medium / high density residential, and south of the site is an existing open space (Village Commons).

1.2 Current Planning Information (See Appendix 'D')

- 1989 Official Plan Designation Multi-Family, Medium Density Residential
- The London Plan Place Type Neighbourhoods Place Type
- Existing Zoning Residential R6, Residential R7, (h-5, h-99, h-100 R6-5(23) R7(11) with a maximum height of 15.0 metres

1.3 Site Characteristics

- Current Land Use Undeveloped
- Frontage 55.59 m (Royal Oaks Bend)
- Depth 96.98 m (North East South West)
- Area 8,023.65 m²
- Shape Irregular

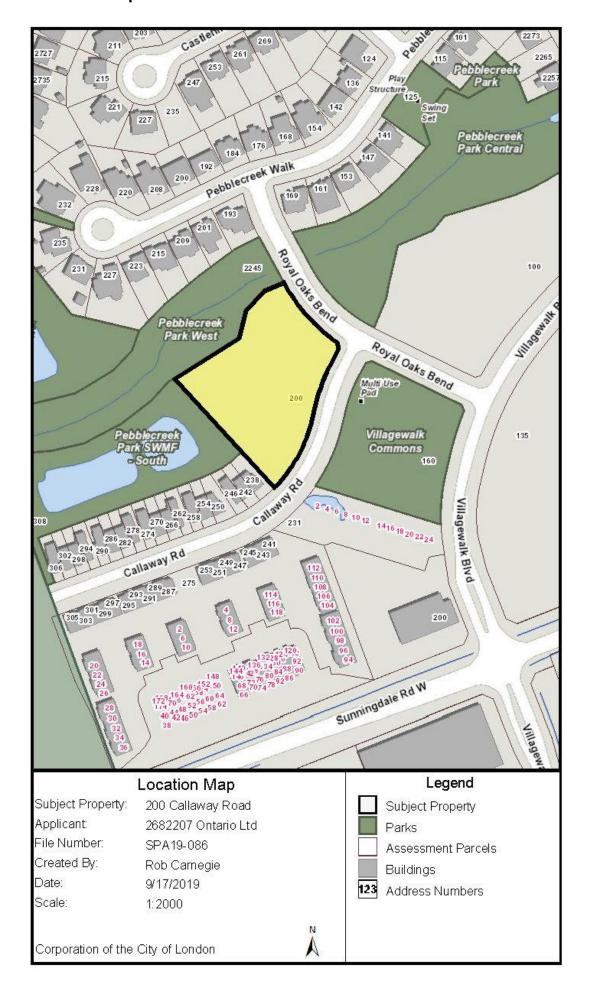
1.4 Surrounding Land Uses

- North Open Space (Pebblecreek Park West)
- East Open space (Pebblecreek Park Central) / undeveloped parcel (MFMDR / MFHDR)
- South Open Space (Village Commons)
- West Low-rise Medium Density Residential / Open Space (SWMF Pebblecreek Park – South)

1.5 Intensification

• The proposed apartment building is located beyond the identified limits of the Primary Transit Area, as identified in Figure 4.23 of the Z.-1 Zoning By-law.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The development for consideration is a four (4) storey, 60 unit apartment building on the northwest corner of Callaway Road and Royal Oaks Bend. Due to site grading constraints, access to the proposed development is provided from Callaway Road, adjacent to an existing medium density street-townhouse development. Functionally, the driveway into the development provides a direct fire route access to the principle entrance of the apartment building, and to the surface parking area located to the rear of the development.

Ninety Four (94) surface parking spaces (including three (3) accessible spaces) are provided at grade. The parking area is well landscaped with tree planted islands, sod and planting to create a continuous, visual green screening from both interior / rear yards and the front / exterior side yard along Royal Oaks Bend and Callaway Road. The developer has also incorporated a low wall / wrought iron fence along the easterly side yard to provide additional visual screening of the surface parking lot from Royal Oaks Bend.

The apartment building is four storeys in height, and is comprised of a mix of materials to create visual interest. Materials include, aluminum eaves, fascia, and soffits; aluminum siding, railings, and guards with tempered glass; prefinished hardie board siding, stone veneer; and a prefinished metal roof. The main entrance is located at the south side of the building, fronting Callaway Road.

In keeping with The London Plan's objective to create pedestrian friendly streetscapes, the building setback is proposed at 1.5 m along Royal Oaks Bend and 3.0 m at the closest point along Callaway Road. The developer has also proposed ground level units that provide direct access to the City sidewalk. These proposed setbacks and forecourt areas strengthen the public realm by creating a positive pedestrian space and interactive street edge against the adjacent Village Commons Park. Additionally, the placement of the building in the south east corner of the site provides an increased buffer setback distance of 13.2 m to the neighbouring street townhouse development.

Detailed plans of the development are contained in Appendix 'A' of this report.

3.0 Relevant Background

3.1 Planning History

The subject lands are located in the City of London within the Sunningdale North Area Plan. Amendments to the Official Plan were approved in April 2005 to designate the area with various forms of Low Density Residential, Multi-Family Medium Density Residential, Multi-Family High Density Residential, Business District Commercial and Open Space. The Sunningdale North Area Plan also provided community planning and design principles to support the development of a distinctive, attractive and self-sustaining community. Design principles and policies for the subject lands are also contained in the 2006 Council approved Upper Richmond Village Urban Design Guidelines.

Zoning By-law Amendment Application (Z-6842)

At a Planning Committee meeting held on June 17, 2008, staff recommended that a draft plan of subdivision for the northwestern corner of Richmond Street and Sunningdale Road be approved. Staff also recommended that a Zoning By-law amendment, which sought to permit various forms of residential housing, open space, and a mix of commercial, retail office and institutional uses be approved. Special provisions included in the zoning were implemented to encourage an appropriate mix of land uses, lot coverage, densities, height, gross floor areas, reduced yard setbacks, among others.

The subject lands at 200 Callaway Road were re-zoned from Urban Reserve Zone (UR4) and Open Space Zone (OS5) to a Holding Residential R6 Special Provision /Residential R7 Special Provision (h-5 h-99 h-100 R6-5(23)/ R7(11)) Zone to permit various forms of cluster housing and apartment buildings at a minimum / maximum density of 35 units per hectare and a maximum height of 12 metres, as well as apartment buildings for senior citizens, universally accessible and emergency care establishments at a minimum density of 40 units per hectare to a maximum of 60 units per hectare, with a maximum height of 12.0 metres.

Zoning of the subject lands was passed by City Council on June 23, 2008 and the subdivision was draft approved on July 4, 2008. A revision to the draft plan was requested by the land owner subsequent to initial approval and was granted on June 13, 2011.

Zoning By-law Amendment Application (Z-8130)

A staff initiated Zoning By-law amendment for 200 and 275 Callaway Road, and 180 and 200 Village Walk Boulevard was heard at Planning and Environment Committee on February 26, 2013. The amendment, in keeping with the 1989 Official Plan, sought to change the R6 Special Provisions Zones R6-5(23); (R6-5(24); and R6-5(26) Zones by deleting the minimum / maximum density of 35 units per hectare and replacing it with a minimum density of 30 units per hectare, while also permitting a maximum density of 75 units per hectare. It also increased the maximum permissible building height to 15.0 metres as opposed to the existing 12.0 metre maximum. The proposed amendment was passed by City Council and came into force and effect on March 5, 2013.

Site Plan Control Application

In April 2019, Development Services received a request for site plan consultation for the subject property. Consultation identified the requirement for minor variances to meet specific aspects of the special provisions zone. The Owner subsequently applied for and received three minor variances from the Committee of Adjustment decision A.068/19 respecting an increase to the proposed exterior side yard setback, and reductions to the 3rd and 4th storey 1.0 metre step back requirements of the portion of the building facing the exterior side yard and front yards.

In August 2019, the subject application of this report, being a Site Plan Control Application (file SPA19-086) for a four (4) storey, 60 unit apartment building, was received by the City of London. Conditional approval was issued on September 16, 2019. A resubmission to address comments made as part of the City response to the application was provided on June 17, 2019. Comments have been provided at the time of this reports submission. Outstanding items are identified in Section 4 of this report.

3.3 Community Engagement (see more detail in Appendix B)

Notice of Application

On September 5, 2019 Notice of Application was posted in the Londoner, and circulated to residents within 120m of the subject lands

Notice of Public Meeting

On October 3, 2019 Notice of Public Meeting was posted in the Londoner, and circulated by regular mail to within 120m of the subject lands.

Comments

At the time of this report, 2 email comments were received. Comments received can be summarized as follows:

- Density Concerns of over population of the area
- Fencing Request for information regarding fencing of adjacent properties
- Parking limited parking in the area for guests

Details with respect to the comments provided through circulation are found in Section 4 of this report.

3.4 Policy Context

Provincial Policy Statement, 2014 (PPS)

The PPS encourages intensification and redevelopment where it can be accommodated, which takes into account the existing building stock and the suitability of existing or planned infrastructure (1.1.3 PPS). The proposal will develop an undeveloped site that has full access to municipal services within a developing mixed use neighbourhood. Land use within settlement areas shall be based on densities that efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities that are planned or available and support active transportation ((1.1.3.2.a) & 1.4.3.d)). The proposal efficiently utilizes public services within a developing mixed use neighbourhood. Further, the proposed development will assist in achieving an established intensification target for built up areas, consistent with the goals of Municipal Council and in accordance with the PPS (1.1.3.5).

The proposed development is consistent with the policies of the PPS as it will facilitate the development of an undeveloped site within a settlement area. The proposed development introduces an efficient form of development within a mixed residential area, along an existing Neighbourhood Connector (Secondary Collector), proximate to transit. No new roads or infrastructure are required to service the site, therefore the development makes efficient use of existing services. As such, the recommended amendment is consistent with the policies of the PPS.

The London Plan

The subject site is located within the Neighbourhoods Place Type of The London Plan at the intersection of a Neighbourhood Connector (Callaway Road) and a Neighbourhood Street (Royal Oaks Bend).

The Our Strategy section of The London Plan establishes key directions to guide planning and development in our neighbourhoods. The developer's proposal seeks to achieve key directions by achieving cost-efficient growth patterns through planned subdivisions; promoting and developing affordable housing options to attract diverse populations to the city; and developing housing options within close proximity to employment lands. Additionally, the proposal seeks to build a mixed-use compact city by providing a development that achieves a compact, contiguous pattern of growth by developing inward and upward; and intensifying development within the Urban Growth Boundary to protect valuable agricultural lands.

Beyond the key directives, the Neighbourhoods Place Type seeks to create a strong neighbourhood character, sense of place and identify; creative attractive streetscapes, buildings, and public spaces; provide a diversity of housing choices; encourage well-connected neighbourhoods; provide opportunities for close employment lands; and locate close to parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering spaces. The applicant's proposal achieves the above by providing a high level of design detail that directly faces the street, providing an alternative more affordable housing option in a development neighbourhood, increases density in close proximity to employment lands, providing direct access from ground floor units onto the city sidewalks, and location of the development adjacent to park lands.

Taking the above into consideration, the development is considered to be in conformity with The London Plan.

1989 Official Plan

The subject site is designated Multi-Family, Medium Density Residential in the 1989

Official Plan, which permits multiple-unit residential developments having a low-rise profile, with a maximum height of 4-storeys and a density of 75 units per hectare (3.3.3 i) and ii)). As such, the applicant's proposal for a 4-storey, 60 unit (75 units per hectare) apartment building is consistent with the intent of the 1989 Official Plan.

Z.-1 Zoning By-law

The subject lands are zoned Residential R6, Residential R7, (h-5, h-99, h-100 R6-5(23) R7(11). For the purpose of this development, the R6 zone permits the proposed apartment building with a maximum height of 15.0 metres, a minimum density of 30 units per hectare and maximum density of 75 units per hectare. Setback, coverage, parking, and area regulations of the By-law are also being met. The proposed development meets the requirements of the Z.-1 Zoning By-law.

4.0 Key Issues and Considerations

4.1 Use

The use is contemplated in The London Plan and 1989 Official Plan. The Neighbourhoods Place Type strives for attractive streetscapes, buildings, and public spaces, to create strong neighbourhood character with a sense of identity, diversity in housing choices allowing for affordability and giving people opportunity to remain in neighbourhoods as they age, and to be safe, comfortable convenient and provide attractive alternatives for mobility, and parks, pathways, and recreational opportunities that strengthen the community serving as connectors and gathering spaces (*Policy 916_). The Site Plan Control application proposes a 60 residential unit apartment, which is located at the intersection of a Neighbourhood Connector (Callaway Road) and Neighbourhood Street (Royal Oaks Bend). Access to transit, pathways, and green spaces are available to the site.

4.2 Intensity

The Site Plan Control application proposes a 60 unit (75 units per hectare) apartment building, which is within the maximum permitted within the zoning for the lands (75 units per hectare). The intensity complies with the Zoning By-law and intensity allowed in The London Plan, and density of the 1989 Official Plan.

4.3 Form

Under the Neighbourhoods Place Type within The London Plan, new residential development should provide for frontage onto streets, and create both vibrant and recreational spaces (*Policy 919_ and 920_). Direct pedestrian access into the building and connection to City sidewalk are provided to address the policies of The London Plan. Additionally, Policy *259_ states that building 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, which is achieved in the proposed building location.

4.4 Landscaping

The subject lands are located adjacent to a Tree Protection Area and public park, with limited existing trees on site. While there is not many trees on-site to maintain, the developer has exceeded their required tree and shrub planting ratios. The development proposes the removal of three (3) trees on-site. As part of the landscaping plan for the development, the applicant is proposing 93 trees throughout the site, in keeping with key direction 4 Policy 58_9 of The London Plan, which seeks to strengthen our urban forest by planting more and better maintain trees and woodlands. Along the westerly property line, 9 trees are proposed in various locations adjacent to the existing development to provide a visual buffer. Additionally, pollinator species are utilized to help achieve Policy 58_16 of The London Plan to establish London as a key pollinator sanctuary. The landscaping for the site meets the requirements of the Site Plan Control By-law.

4.5 Privacy and Fencing

Fencing for the site is provided along the westerly property line adjacent to the existing townhouses. The proposed fence is a 1.8m privacy fence to be installed in accordance with the Site Plan Control By-law. Through special provisions in the Development Agreement, Staff will require the privacy fence be maintained along all common property lines. The applicant has also provided a decorative 1.2 metre iron and stone fence along the exterior side yard and front yard. Details of this fence were provided on the second submission landscape drawings.

4.6 Garbage

In accordance with Site Plan Control By-law, the applicant is to provide an internal garbage and recycling storage room as the primary storage area. An external separate staging area is proposed along the easterly property line to accommodate for garbage pick-up. Garbage bins will be required to be returned to the internal storage area following collection.

4.7 Signage

Signage is not regulated by the Site Plan Control. Rather, the placement of signs is regulated by the Sign By-law, and administered by the Building Division. The sign By-law acknowledges aims to ensure that signage minimize impacts on nearby private and public property, avoid public health and safety hazard, and that they are compatible with their surroundings. These are achieved through a number of regulations including, size, placement location, quantity, and brightness.

4.8 Noise and Parking

Due to site grading considerations, the rear surface parking area is lower at the easterly property line adjacent to Royal Oaks Bend and matches grade to the westerly property boundary. Due to building location, the majority of the rear at grade parking area is located beyond the existing neighbouring townhouse development. Fencing, landscaping, and minimal grade changes to the west are anticipated to provide buffering and separation from the abutting residential areas.

Setback of the parking area, proposed at 3.9 metres at the westerly property boundary, 3.0-4.0 metres to the northern property boundary, and approximately 9.0 metres to the easterly boundary, exceed the requirements of the Site Plan Control By-law, where a minimum setback of 1.5m is required.

With respect to noise from mechanical equipment, rooftop mechanical is enclosed within a mechanical penthouse enclosure or are surrounded by rooftop parapets. Also noise attenuation measures through fencing and landscaping help to minimize noise pollution to neighbouring properties.

4.9 Lighting

The applicant submitted a photometric plan (lighting plan) as part of the first submission. The plans provided show that light infiltration on abutting westerly parcels is not occurring. Three light standards are located along the westerly edge of the parking area, adjacent to the rear and side yards of the abutting residential uses. The light fixtures proposed are downward facing and function in a manner which has limited light dispersion so as to reduce impact on abutting uses.

4.10 Outstanding Site Plan Comments

First submission site plan control comments were provided to the applicant on September 16, 2019. The applicant subsequently submitted revised drawings to staff on September 20, 2019. From that submission staff are advising the applicant that the following matters remain outstanding:

- 1. A section 28 permit is required from the Upper Thames River Conversation Authority (UTRCA) as the subject lands are regulated.
- 2. Outstanding site engineering matters related to storm water management.
- 3. Applicant requires Holding Zone provisions removal prior to site plan approval.
- 4. Applicant to enter into a Development Agreement prior to site plan approval.

5.0 Conclusion

The proposed Site Plan is consistent with the Provincial Policy Statement, has regard to The London Plan, and is in conformity with the City of London 1989 Official Plan. The application has been reviewed in accordance with the Z.-1 Zoning By-law, and, as proposed, complies with the regulations of the By-law. The proposed Site Plan and elevations will result in development that will not conflict with the character of the area, and is in compliance with the Site Plan Control By-law.

Prepared by:	
	Dan FitzGerald Site Development Planner, Development Services
Recommended by:	
	Paul Yeoman, RPP, PLE
	Director, Development Services
Submitted by:	
	George Kotsifas, P.Eng. Managing Director, Development and Compliance Services & Chief Building Official
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.	

October 11, 2019 DM/df

CC: Heather McNeely, Manager, Development Services (Site Plans) Michael Pease, Manager, Development Planning

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Appendix A: Plans

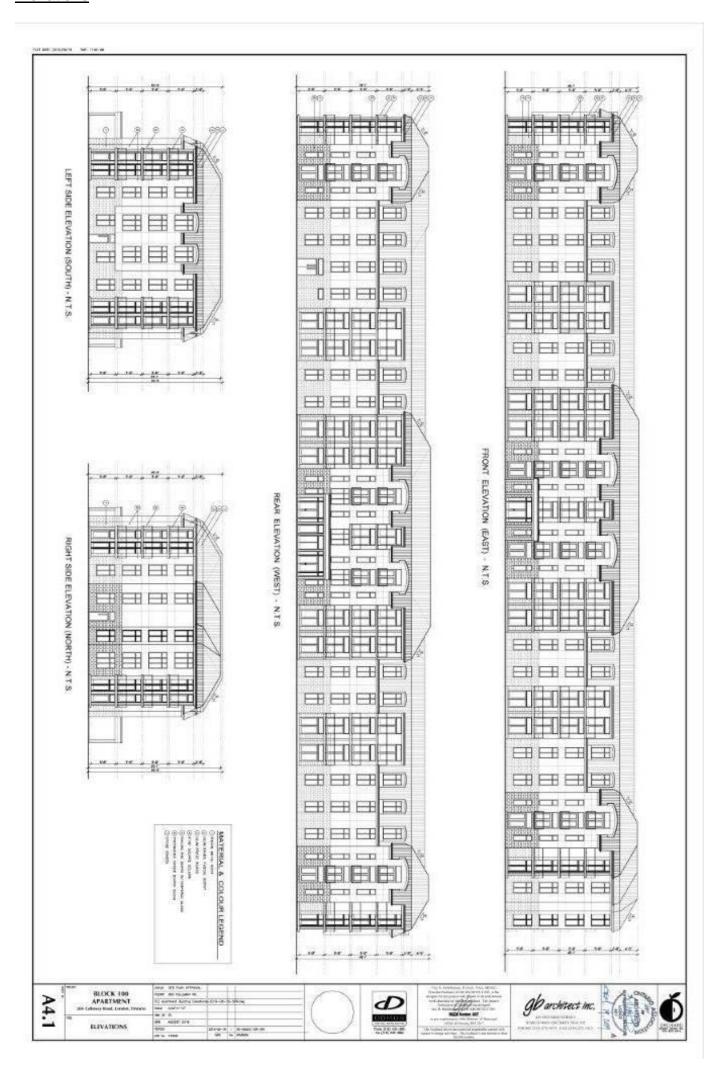
Site Plan (Coloured by Staff)



Landscape Plan (Coloured by Staff)



Elevations



Appendix B - Public Engagement

At the time of this report, staff received two email responses with respect to this application:

> From: To: FitzGerald, Dan

Cc: Subject: [EXTERNAL] File # spa19-086 4 story 60 unit apartment complex at 200 Callaway Rd.

Date: Wednesday, September 11, 2019 4:02:45 PM

Mr. Fitzgerald as owner of 275 Callaway rd. unit #112, I am opposed to the change in the planning act. I believe the area should be kept as a townhouse configuration. The area will become far too populated and the apartment complex will reduce the value of all the townhouses in the area, which may well reduce the taxation amount available to the city of London. Traffic is already a consideration and parking for the townhouses is already limited for

Mr. Eglinton as Property Manager, if others in the area are concerned, please add my name to that list.

From:

To: Subject:

<u>FitzGerald, Dan</u> [EXTERNAL] 200 Callaway road Thursday, September 12, 2019 5:52:12 PM

Hi Dan,

I received some mailings today about 200 Callaway rd plans. I live at 242 just 2 doors down from the property.

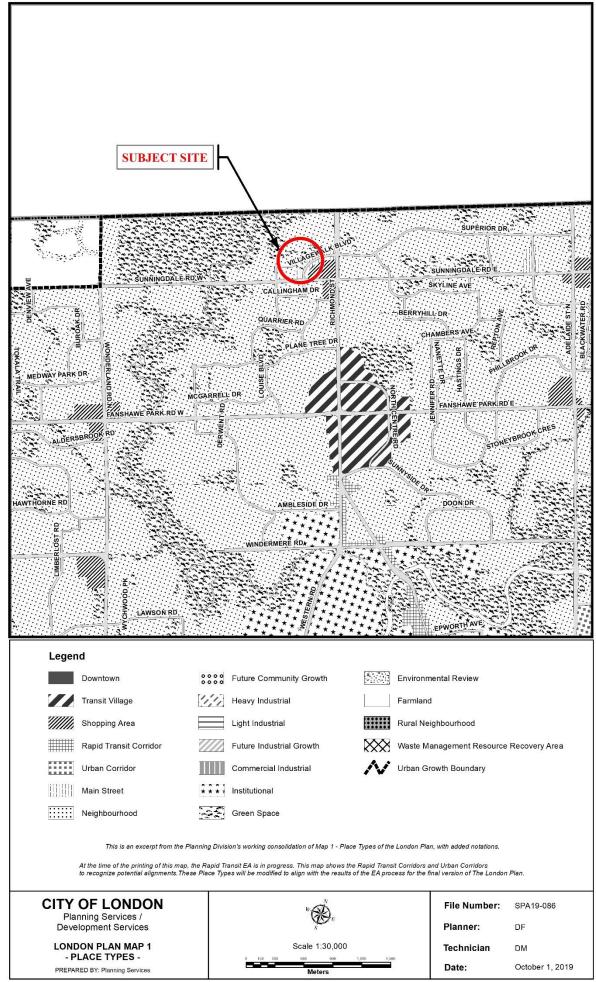
Is there anyway I can get better quality pictures of the site plans? I want to see what kind of privacy fence is planned between the storm pond/ units adjacent to the storm and the new building property.

The drawings that were provided are way too blurry and lack detail, I can't make out what they say.

Thank you, Andrew Coutts

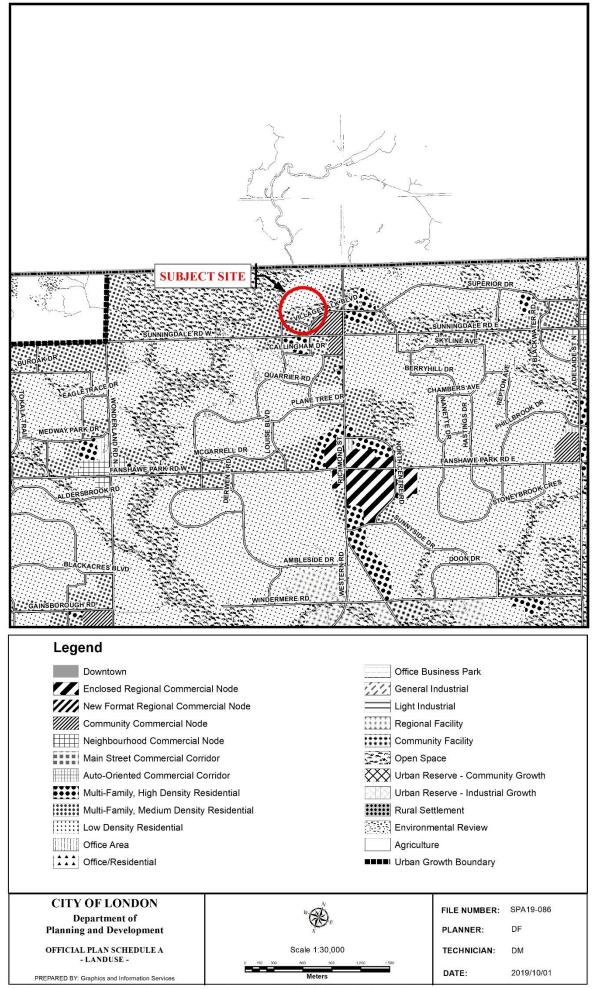
Appendix C - The London Plan, Official Plan Map and Zoning excerpts

The London Plan



Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\SPA19-086-Map1_PlaceTypes.mxd

Official Plan Excerpt



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Zoning Excerpt

