

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: Copia Developments
1018 and 1028 Gainsborough Road

Public Participation Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Copia Developments relating to the lands located at 1018 and 1028 Gainsborough Road:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend The London Plan by adding a Specific Policy for the Neighbourhoods Place Type and to add the subject lands to Map 7 – Specific Policy Areas, of The London Plan; and,
- (b) the proposed by-law attached hereto as Appendix 'B' **BE INTRODUCED** at the Municipal Council meeting to be held on December 10, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Business District Commercial (h-17•BDC) Zone **TO** a Business District Commercial Special Provision (BDC()) Zone; and **FROM** an Urban Reserve (UR3) Zone **TO** a Residential R9 Special Provision Bonus (R9-7()•H44•B-) Zone.

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a residential apartment building, with a maximum height of 12 storeys, 182 dwelling units and a maximum density of 392 units per hectare, which generally implements in principle the site concept and elevation plans attached as Schedule "1" to the amending by-law, with further refinements to occur to the orientation of the apartment building and parking area through the site plan approval process, in return for the following facilities, services and matters:

- i) Provision of Affordable Housing

The development shall provide for the following:

- i. A total of 18 affordable rental apartment units consisting of 16, one bedroom units and 2, two bedroom units to be provided and located within Building "B"
- ii. A minimum of 3, one-bedroom and 1, two-bedroom accessible units are to be provided and located within Building "B";
- iii. Four, 1-bedroom units and two, 2-bedroom units shall not exceed 90% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 10 years from the point of initial occupancy; and,

- iv. 12, one bedroom units shall not exceed 75% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 20 years from the point of initial occupancy.
- (c) **IT BEING NOTED THAT** the following Site Plan matters pertaining to 1018 and 1028 Gainsborough Road have been raised during the public consultation process: pedestrian connections to Gainsborough Road, parking space and drive aisle configuration, privacy screening of outdoor common amenity areas, buffering along the south property boundary, provisions for a public access laneway, and building orientation.

Executive Summary

Summary of Request

The application request is to change the zoning on the front portion of the subject lands from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone, together with special provisions to permit a maximum density of 97 units per hectare and building height of 25 metres. The BDC zone permits a broad range of uses, including apartment buildings, with any or all of the other uses permitted on the first floor such as: clinics; commercial recreation establishments; day care centres; financial institutions; medical/dental offices; offices; private clubs; restaurants; retail stores; service and repair establishments; convenience stores; and food stores.

The request also involves rezoning the rear portion of the subject lands from an Urban Reserve (UR3) Zone to a Residential R9 Special Provision Bonus (R9-7()•B-) Zone which would permit such uses as apartment buildings; senior citizens apartment buildings; handicapped persons apartment buildings; and continuum-of-care facilities; together with special provisions to permit an east interior side yard setback of 11.2 metres; a west interior side yard setback of 2.2 metres; and building height of 43.5 metres; as well as a bonus provision for a maximum residential density of 392 units per hectare. A bonus zone is requested in return for provision of affordable housing, underground parking facilities, common open space and passive recreational amenity areas.

The application has been processed concurrently with a City-initiated amendment to The London Plan to add a Specific Policy for the Neighbourhoods Place Type to permit an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the Zoning By-law to allow a six (6) storey mixed-use building with ground floor commercial, second floor office, and third to sixth floor residential uses located at the front of the property fronting Gainsborough Road; and a twelve (12) storey residential apartment building consisting of 182 units located on the rear portion of the site.

Rationale of Recommended Action

1. The recommended zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs.

2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Main Street and Neighbourhoods Place Types, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies; subject to approval of an amendment to add a specific policy to permit an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare.
3. The recommended zoning amendment conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Main Street Commercial Corridor and Multi-Family, High Density Residential designations.
4. The recommended zoning amendment will allow for an increased density through a Bonus Zone which requires that provision be made for affordable rental housing. The recommended Bonus Zone provides for an increased density in return for bonusable facilities, services, and matters that benefit the public in accordance with Section 19.4.4 of the (1989) Official Plan.
5. The recommended zoning amendment allows development that is consistent with the Hyde Park Community Plan and Urban Design Guidelines which encourages pedestrian and street-oriented forms of development at this location.
6. The recommended zoning amendment provides appropriate regulations to control the building height and intensity and ensure that a well-designed development with appropriate mitigation measures is implemented.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands consist of two contiguous parcels fronting the south side of Gainsborough Road, approximately 55 metres east of Hyde Park Road. These properties were previously occupied by a 1.5 storey, single detached dwelling at 1028 Gainsborough Road, and two former single detached dwellings converted to commercial use on the front portion of 1018 Gainsborough Road, with a storage building located to the rear. All of these buildings have since been demolished and what remains is a small area of surface parking, landscaping and several mature trees dispersed throughout the site.

Both properties shared a driveway access with full right and left turn maneuverability on to Gainsborough Road. Pedestrian sidewalks are located on both sides of Gainsborough Road providing connecting links to neighbouring retail, restaurant, and office uses.

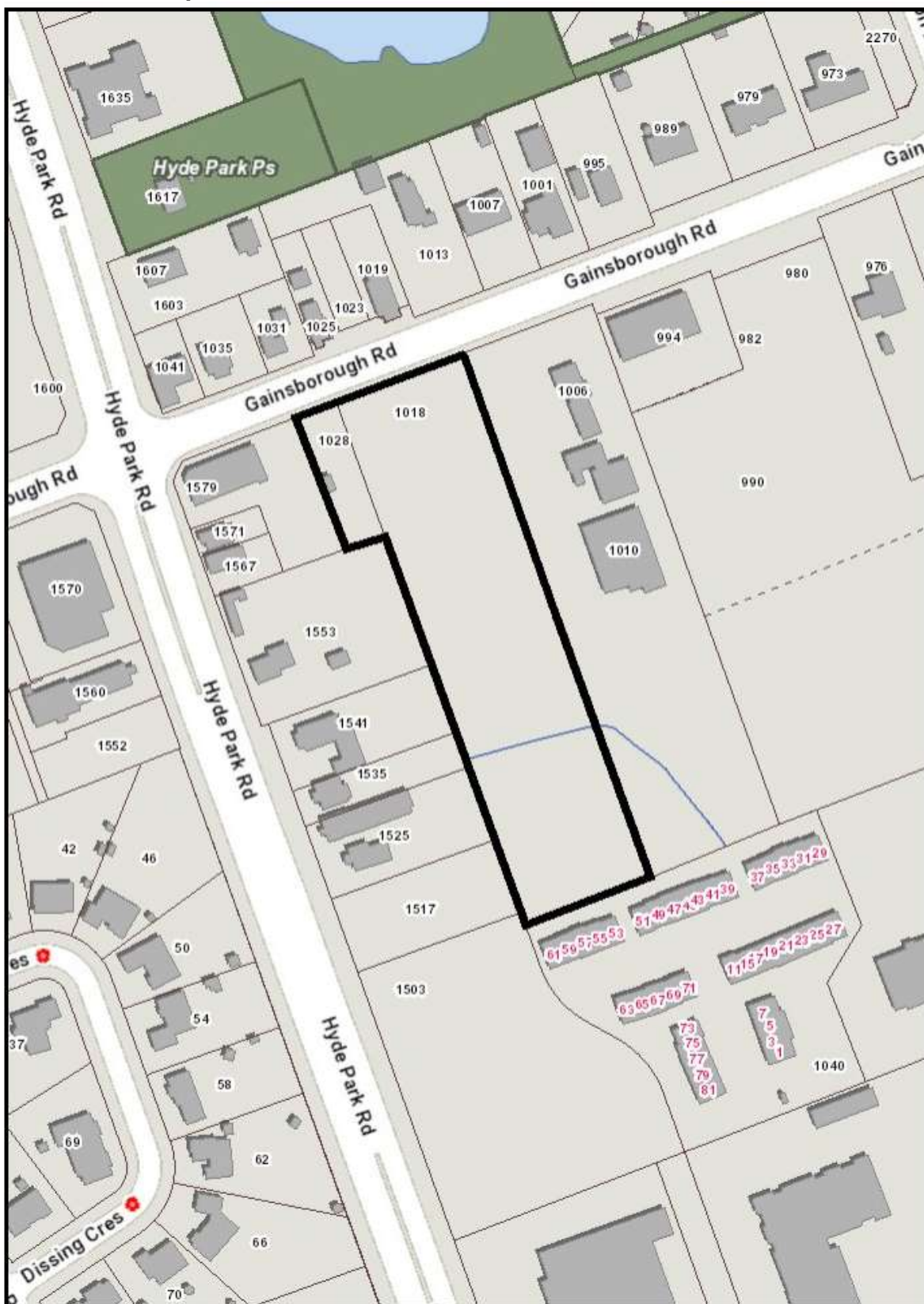
1.2 Current Planning Information (see more detail in Appendix E)






- The London Plan Place Type – Main Street and Neighbourhoods
- 1989 Official Plan Designation – Main Street Commercial Corridor and Multi-family, High Density Residential
- Zoning:
 - Holding Business District Commercial (h-17• BDC)
 - Urban Reserve (UR3)

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 70 metres
- Depth – approx. 218 metres
- Area – approx. 1.26 hectares
- Shape – irregular

1.4 Location Map



Location Map		Legend	
Subject Property:	1018 and 1028 Gainsborough Road		Subject Property
Applicant:	COPIA DEVELOPMENTS		Parks
File Number:	Z-9079		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	10/4/2019		Address Numbers
Scale:	1:2000		

Corporation of the City of London

1.5 Views of the site fronting Gainsborough Road



1.6 Surrounding Land Uses

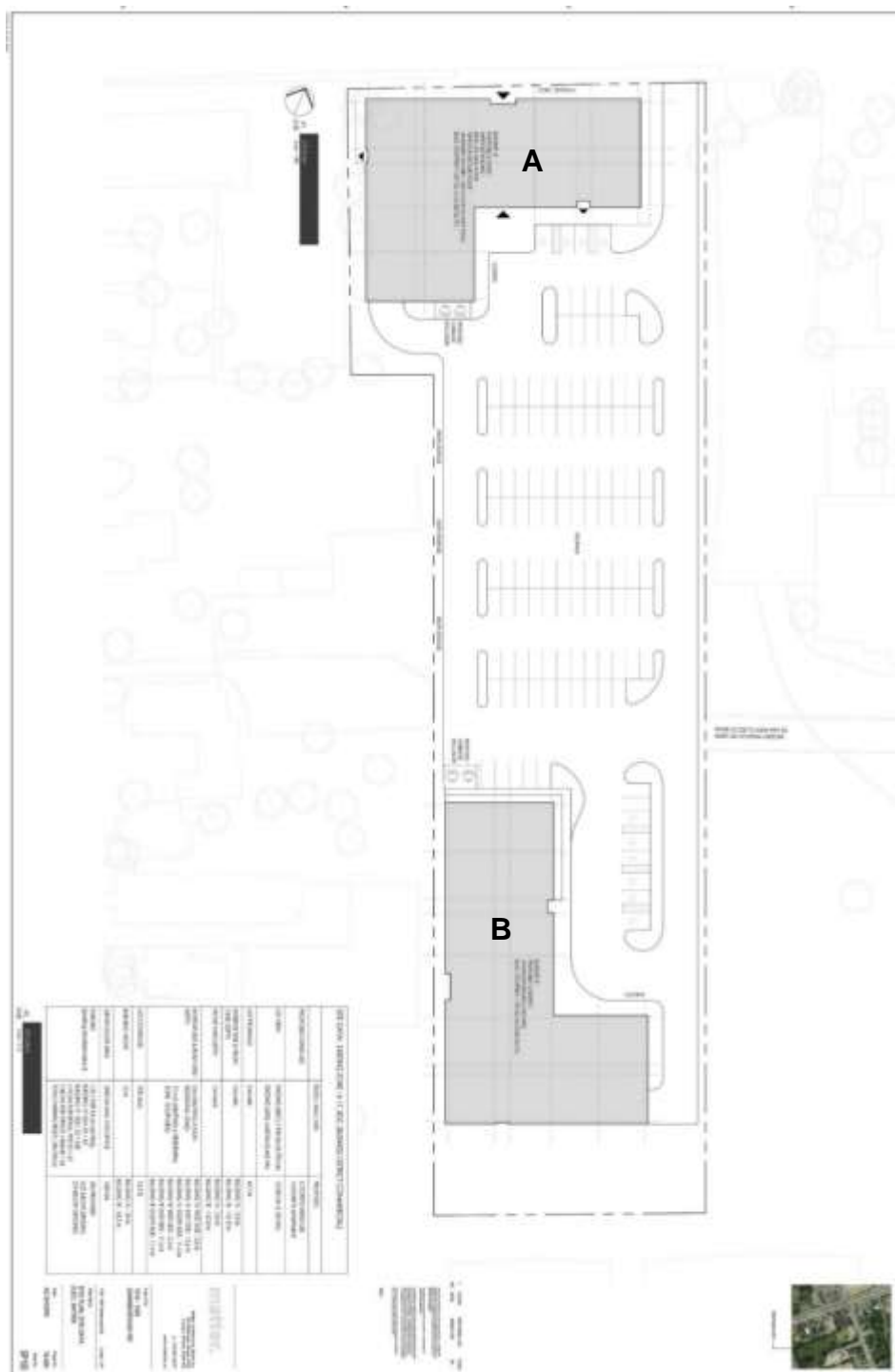
- North – mix of single detached homes and existing dwellings converted for commercial use
- East – commercial/retail market and residential dwelling
- South – residential townhouses and apartment buildings
- West – existing single detached dwellings and church converted to commercial uses

2.0 Description of Proposal

2.1 Development Proposal

The proposal is for development of a six (6) storey mixed-use building (Building 'A') at the front of the property with approximately 992 m² of retail on the ground floor, approximately 1,434m² of office space on the second floor, and 52 residential units above; and, a twelve (12) storey residential apartment building (Building 'B') located on the rear portion of the site consisting of 182 units. A total of 396 parking spaces will be provided with 122 spaces at grade and 274 underground.

2.2 Site Concept Plan



2.3 Conceptual Building Rendering -
View from Gainsborough Road looking southwest



3.0 Relevant Background

3.1 Planning History

In July 2019, Municipal Council approved a zoning amendment at 1076 Gainsborough Road, south side, just west of Hyde Park Road, to permit development of a proposed 4-storey (15.5 metre) mixed-use apartment building with 32 residential units (90uph), a total of 311m² of commercial space at grade fronting Gainsborough Road, and 55 parking spaces at the rear of the property.

In May 2018, the Committee of Adjustment granted minor variances to permit reduced parking for proposed commercial/office uses located at 982 Gainsborough Road, south side, further east of the subject lands. The development proposal consists of a 2-storey office building and a 2-storey medical clinic on the northerly portion of the site zoned for Business District Commercial uses. Special provisions in the Development Agreement included provisions for a public access easement for the east/west laneway adjacent the south limit of the site. The owner/developer is also responsible for liability and maintenance of the public access easement. A future development phase further to the south (978 Gainsborough Road) is currently vacant and the zoning for these lands would permit a residential apartment building up to 50 metres in height.

In March 2014, Municipal Council amended the zoning on lands located at 1040 Coronation Drive, immediately south of the subject site, from a Holding Residential R9 (h-89*h-90*R9-7*H45) Zone to a Holding Residential (R5) Special Provision (h-89*h-90*h-91*h-166*R5-4(15)) Zone. Council subsequently approved removal of the holding provisions from the zoning to permit a 3-storey townhouse condominium development consisting of 39 residential units.

3.2 Requested Amendment

An amendment to Zoning By-law Z.-1 has been requested to change the zoning from a Holding Business District Commercial (h-17*BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone to permit the uses currently permitted. This includes apartment buildings with any or all of the following uses permitted on the first floor: clinics; commercial recreation establishments; day care centres; financial institutions; medical/dental offices; offices; private clubs; restaurants; retail stores; service and repair establishments; convenience stores; artisan workshop; brewing on premises establishment; and food stores; together with special provisions to permit a maximum density of 97 units per hectare and building height of 25 metres; and, from an Urban Reserve (UR3) Zone to a Residential R9 Special Provision Bonus (R9-7()•B-) Zone to permit such uses as apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and continuum-of-care facilities; together with special provisions to permit an east interior side yard setback of 11.2 metres; a west interior side yard setback of 2.2 metres; and building height of 43.5 metres; as well as a bonus provision for a maximum residential density of 392 units per hectare.

3.3 Community Engagement (see more detail in Appendix C)

Comments/concerns received from the community are summarized as follows:

- Increased residential density will result in increased traffic volumes on Hyde Park Road and Gainsborough Road, and congestion at an already clogged intersection.
- Transit facilities such as Park-and-Ride hubs for bus commuters do not exist and Rapid Transit is not planned for this part of the City.
- The proposed 12-storey building will block the view currently enjoyed by residents on the north and west sides of the building at 1030 Coronation Drive.

3.4 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2014

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

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

The PPS contains polices regarding the importance of promoting efficient development and land use patterns which sustain the long term financial well-being of the Province and municipalities; accommodate an appropriate range and mix of residential (including affordable housing and housing for older persons), employment (including industrial and commercial), parks and open space uses to meet long term needs; and promote cost-effective development patterns and standards to minimize land consumption and servicing costs (Sections 1.1.1). The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2).

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Under this policy, Planning Authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities (Section 1.1.3.6).

The polices for Public Spaces, Recreation, Parks, Trails and Open Space promote healthy and active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1). Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit (Section 1.6.7.4).

The London Plan

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

These lands are located within the Main Street and Neighbourhoods Place Types in The London Plan. This section of Gainsborough Road is also classified on Map 3 – Street Classifications* as Main Street. The Main Street Place Type permits a range of residential, retail, service and office uses. Mixed-use buildings are encouraged, with retail and service uses at grade, and residential and non-service offices uses directed to the rear of buildings and to upper floors. The Neighbourhoods Place Type permits a range of residential uses including stacked townhouses, fourplexes, and low-rise apartments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix E.

(1989) Official Plan

These lands are designated Main Street Commercial Corridor and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. The Main Street Commercial Corridor designation permits a range of small-scale retail uses,

convenience commercial uses, financial institutions, small-scale offices, and residential units created through the conversion of existing buildings, or through the development of mixed-use buildings. The Multi-family, High Density Residential designation permits such uses as low-rise and high-rise apartment buildings, multiple attached dwellings, and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. An excerpt from Land Use Schedule 'A' is found at Appendix E.

Hyde Park Community Plan

The site is also located within the Hyde Park Community Planning Area which provides Community and Urban Design Guidelines to guide the overall design of the community, as well as development of individual sites. The Hyde Park Community Plan designated the subject lands as "Business District" and "High Density Residential".

4.0 Key Issues and Considerations

4.1 Use

Provincial Policy Statement, 2014

The PPS polices emphasize the importance of promoting efficient development and land use patterns; accommodating an appropriate range and mix of residential (including affordable housing and housing for older persons), employment (including industrial and commercial), parks and open space uses to meet long term needs (Sections 1.1.1 (a) and (b)); and identifying appropriate locations and opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, existing or planned infrastructure and public services to meet projected needs (Section 1.1.3.3). The PPS policies also support the goal of long term economic prosperity including maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (Section 1.7.1(c)).

The London Plan

The front portion of the subject lands are located within the Main Street Place Type for Hyde Park, and the rear portion is within the Neighbourhoods Place Type. The Main Street Place Type permits a range of residential, retail, service and office uses. Mixed-use buildings are encouraged, with retail and service uses at grade, and residential and non-service offices uses directed to the rear of buildings and to upper floors.

The range of uses permitted within the Neighbourhoods Place Type is directly related to the classification of street onto which a property has frontage (Table 10- Range of Permitted Uses in Neighbourhoods Place Type*). The Neighbourhoods Place Type at this location would permit a range of residential uses including stacked townhouses, fourplexes, and low-rise apartments.

One of the key elements envisioned by the Neighbourhoods Place Type is a diversity of housing choices allowing for affordability and giving people choices and opportunities to remain in their neighbourhoods as they age. It also envisions well-connected neighbourhoods, from place to place within the neighbourhood, and to other locations in the city.

1989 Official Plan

These lands are designated Main Street Commercial Corridor and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. Under Section 3.4.1, the Multi-family, High Density Residential designation permits such uses as low-rise and high-rise apartment buildings, multiple attached dwellings, and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. Under Section 4.4.1.4, the Main Street Commercial Corridor designation permits a broad range of uses, such as small-scale retail uses, convenience commercial uses, financial institutions, small-scale offices, and residential units created through the conversion of existing buildings, or through the development of mixed-use buildings.

Analysis

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, subject to approval of the recommended amendment to add a Specific Policy for the Neighbourhoods Place Type, this proposal will result in an efficient and appropriate form of development that accommodates a range and mix uses, including a residential apartment building which is planned to incorporate an affordable rental housing component.

The proposed mixed-use building fronting Gainsborough Road includes first and second floor commercial and office space supporting employment opportunities, as well as promoting “live work” opportunities with residential units on the floors above. The site will be well connected to the surrounding neighbourhood including the public street and sidewalk on Gainsborough Road to promote a pedestrian environment, and eventually by a planned rear lane providing ingress and egress for public access through lands to the east and west.

4.2 Intensity

Provincial Policy Statement, 2014

The PPS policies promote cost-effective development patterns and standards to minimize land consumption and servicing costs (Section 1.1.1 (e)). Policies also require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2). New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities (Section 1.1.3.6).

The London Plan

Buildings in Main Street Place Types will be designed to fit in with the scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment. Appropriate and sensitive forms of infill development and intensification are envisioned to support the long-term sustainability of the Main Street. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of the Plan.

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2-storeys and a maximum height 4-storeys, with bonusing up to 6-storeys, is contemplated within the Neighbourhoods Place Type at this location.

1989 Official Plan

Redevelopment or infilling of commercial uses within a Main Street Commercial Corridor designation shall form a continuous, pedestrian-oriented shopping area and shall maintain a setback and storefront orientation that is consistent with adjacent uses. Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. Scale of Development. Under these provisions net residential densities will normally be less than 150 units per hectare outside of Central London.

Council may consider proposals to allow higher densities than would normally be permitted through density bonusing. Under Section 3.4.3.(iv) and Section 19.4.4.,

Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. The maximum cumulative bonus that may be permitted without a zoning by-law amendment (as-of-right) on any site shall not exceed 25% of the density otherwise permitted by the Zoning Bylaw. Bonusing on individual sites may exceed 25% of the density otherwise permitted, where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the owner of the subject land shall enter into an agreement with the City, to be registered against the title to the land. The recommended density bonus is addressed below under Section 4.4 Bonusing.

Analysis

The subject lands are an appropriate site and location for the intensity that is proposed as they are located adjacent to a range of commercial land uses to the east and west, as well as medium and high density residential land uses to the south; they are located on an arterial road with access to public transit along Hyde Park Road; and they are sufficiently sized to accommodate the proposed number of dwelling units with parking facilities, amenity area, and appropriate building setbacks.

The proposed density of Building 'A' is 94 units per hectare, and Building 'B' is 392 units per hectare, with an overall combined density of 205 units per hectare for the entire site. The densities and building heights (Building 'A' - 6-storeys and Building 'B' 12-storeys) are in keeping with newer developments in the immediate surrounding area, recognizing the existing building stock along Hyde Park and Gainsborough Roads consists of many older dwellings converted to businesses and building heights in the range of 1-2 storeys. This proposal represents a form of intensification and infilling of a site that fronts along a "Main Street" with opportunities for higher intensity development in the rear. The proposed development is of a density and compactness that will make full use of municipal services, minimizing consumption of land and servicing costs.

The rear portion of the subject lands were identified as Multi-family, High Density Residential in the 1989 Official Plan. However, these lands were not included in the High Density Residential Overlay in The London Plan. Both Map 1 – Place Types* and Map 2 - High Density Residential Overlay* (from the 1989 Official Plan) are currently subject to LPAT appeal PL170100. This development proposal is proceeding in conformity with the in-force 1989 Official Plan which designates the rear portion of the subject lands as Multi-family, High Density Residential. The proposal satisfies the above criteria in the 1989 Official Plan for allowing higher densities as follows:

The applicant has demonstrated that the proposed intensity and height can be implemented in a sensitive and compatible manner in relation to adjacent uses. The Planning Justification Report indicates there will be a significant separation distance of approximately 41 metres between the proposed building (Building 'A') footprint and existing Unger's Farm Market to the east, and approximately 22 metres to the commercial buildings to the west. The adjacent property side and rear yards are occupied by parking and landscaped open space, with existing vegetation and mature trees along the property boundary to screen the proposed development. Building 'B' will provide for a 17.4 metres rear yard setback which meets the minimum zoning required under the proposed R9-7 Zone. There will be an approximately 25 metre separation distance between the proposed building and the townhouse dwellings to the south to help minimize privacy concerns for residents of both the townhouses and proposed apartment building. Overall, the level of intensity as proposed is considered appropriate for the site, size, and location; contributes to efficient use of public infrastructure, services, and facilities; encourages compact, cost-effective development; and supports active transportation and public transit.

Recognizing that the subject lands have not been included within the High Density Residential Overlay of The London Plan, staff are recommending that an amendment to The London Plan be approved to add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, an apartment building with a maximum height of 12 storeys and a maximum density of 392

units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas. An amendment to the Neighbourhoods Place Type, rather than the application of a High Density Residential Overlay, is required given that The London Plan does not permit new or expanded High Density Residential Overlay areas.

4.3 Form

Provincial Policy Statement, 2014

The PPS promotes development standards which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (Section 1.1.3.4). The PPS also supports the goal of achieving long term economic prosperity through land use planning and development by, among other matters, encouraging a sense of place by promoting a well-designed built form (Section 1.7.1(d)).

The London Plan

The form policies in the Main Street Place Type require buildings to be located at or along the front property line in order to create a street wall that sets the context for a comfortable pedestrian environment, with enhanced street tree planting and signage integrated with the architecture of the buildings, fixed to buildings, and appropriate for the character of the area. Surface parking will be located to the rear or interior side yard of a building. Parking facilities will not be located between the building and the street.

The London Plan does not include Form policies in the Neighbourhoods Place Type for the proposed 12-storey apartment building given that the policies do not contemplate such a use. As previously mentioned, an amendment to The London Plan is recommended to facilitate the proposed development.

1989 Official Plan

Main Street Commercial Corridors are pedestrian-oriented and the Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape. Building design should provide appropriate building massing and height provisions to ensure main streets define the public spaces in front of and between buildings. One of the key design objectives is to enhance the street edge by providing for high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting.

Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

The Hyde Park Community Plan Urban Design Guidelines provide direction with respect to streetscape design and built form within the hamlet of Hyde Park. Buildings should be sited in close proximity to the street with walkways extending to the adjacent sidewalk, and parking located at the side or rear of the buildings. Buildings should define the public street space with building walls maximized along the street to enclose and animate the street and create a consistent street edge. Buildings should be arranged in varied, clustered masses, relating closely to the street. Variety, irregularity, and uniqueness in building location and design is encouraged.

The Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development. A transition in scale shall be encouraged, where appropriate, to avoid extremes in building height and bulk. High-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service) with

densities and building heights decreasing as the distance from an activity node increases. Massive, at-grade or above-grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation.

Analysis

Building 'A' has been sited with minimal setbacks from the Gainsborough Road right-of-way to create a street edge, establish a sense of enclosure, and develop a comfortable pedestrian environment. The front entrance is directly connected to the public sidewalk and to an internal pathway system that leads to secondary entrances on the side and rear of the building, and to surface parking and garbage enclosures. The location and orientation of the building accommodates ample space between existing uses to the east and west along Gainsborough Road, and the extensive use of glass, combination of materials, and positioning of the building close to the street and sidewalks maintains the intent of the Main Street Place Type. The applicant's Planning Justification Report notes: "that the proposed development will define the character of this portion of Gainsborough Road, creating a unique identity and strong sense of place for the area. The proposed development adds to a diversity of patterns, sizes, and residential housing choices, which may accommodate a variety of demographics." Main streets can be planned to create a strong neighbourhood character and distinct sense of place, and the proposed mix of uses and building orientation to the street contributes to this planned vision.

Comments received from the Urban Design Peer Review Panel were generally supportive of the proposed mix of uses, density, and inclusion of affordable housing; and that the development proposal is well-suited to the site and appropriately addresses the street (see Appendix C). The panel did encourage the applicant to consider mirroring/flipping Building 'B' to the east side of the site to a) provide a better visual link to Building 'B' from the street, b) improve pedestrian access/circulation to Building 'B' and c) provide greater setback from the west property line (shared with properties which are planned for future intensification). Urban Design staff suggested rotating building 'B' so that the narrow portion of the "L" shaped building is located adjacent to the south property line in order to avoid a large sheer wall mass next to the 3-storey townhomes to the south. Rotating the parking spaces and driveway aisles was also suggested in order to enable a direct pedestrian walkway from the building to Gainsborough Road. The applicant indicated that they are open to reviewing these options with City staff and confirming final positioning of the building footprint and parking/drive aisle configuration through the site plan approval process.

The Panel also offered suggestions to visually tie together both buildings in terms of their composition of building materials, balancing vegetative plantings and hardscape elements along the streetscape, and treatment of the open space area at rear of the site. This includes consideration of an indoor common amenity room on the rear side of the Building 'B' that provides a visual connection to the exterior common amenity area; and appropriate privacy screening between exterior common amenity space and grade-related residential units. Staff further recommend that there be a substantial tree and vegetation planting strip along the rear property boundary to buffer adjacent residential uses to the south. The suggestions have been provided to the applicant for their consideration, and have also been incorporated into the recommendation as matters to be considered in greater detail through the site plan review process.

4.4 Bonusing

The requested amendment is for a Site Specific Bonus Zone to allow for an increase in building density. The consideration for Bonus Zoning is through Chapter 19 of the (1989) Official Plan and policies 1638* through 1655* of The London Plan which sets out the various facilities, services and matters that can be provided as a public benefit for the increase.

The Applicant has requested a Bonus Zone in return for affordable housing, provision of

underground parking, and provision of common open space that is functional for passive recreational use. While all the aforementioned public benefits meet the criteria for bonus zoning, the most impactful public benefit from this application is derived from the provision of affordable rental apartment units. This is recognized as a permitted facility and service meeting eligibility for bonusing under both The London Plan and the (1989) Official Plan.

Development Services staff and the applicant have consulted with Housing Development Corporation, London (HDC), to determine what the suitable amount of affordable housing would be for the proposed development, taking into consideration the proposed bonusing, scale of the increased density, the location and context, and the 'lift' from the existing zone to the proposed Bonus Zone.

The recommended Bonus Zone is to provide for a total of eighteen (18) affordable rental housing units consisting of sixteen (16) one-bedroom units and two (2) two-bedroom units, which shall include at least three (3) one-bedroom and one (1) two-bedroom barrier-free accessible units. The breakdown of affordable rental units and the rental periods are as follows:

- 4, one bedroom units and 2, two bedroom units shall not exceed 90% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 10 years from the point of initial occupancy.
- 12, one bedroom units shall not exceed 75% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 20 years from the point of initial occupancy.

The recommendation is based on HDC's in-house knowledge of local affordable housing needs and demands, local industry measures including CMHC rental market and housing analysis, City neighbourhood profiles, and labour market data, as well as a review of the bonusing policies and practices of other major urban centres. The recommended Bonus Zone considers the difference between the number of units permitted under the existing height and density permissions and the height and density being sought through the Bonus Zone. The conditions and requirements to enter into an encumbrance agreement to be registered on title are outlined in the attached correspondence received from Housing Development Corporation, London found at Appendix C of this report.

Overall, the proposed density bonus for the 12 storey apartment building is considered appropriate given the size of the area to be rezoned from an Urban Reserve UR3 Zone to a Residential R9 (R9-7()•H44•B-) Zone to permit the proposed apartment building is much smaller (0.465 ha.) relative to the total site area (1.26 ha.). When considering the proposed density on the entire site, the total density (including both buildings) equates to 205 units per hectare.

4.5 Laneway

A system of rear lanes for lands fronting Gainsborough Road and Hyde Park Road was identified in the Hyde Park Community Plan. This private laneway system is intended to allow access to lands to the rear as a form of mid-block connection from future collector roads instead of allowing individual access for businesses on to the arterial roads. The laneway reduces the need for on-street parking by providing a shared access to rear yard parking areas. Reducing the number of vehicular accesses along Hyde Park Road and Gainsborough Road allows for building frontages to contribute to a quality, pedestrian-oriented streetscape.

The applicant's site concept plan identifies the approximate location for the laneway connection aligned with the north leg of Sophia Crescent to the east. Comments

received from the City's Transportation Planning and Design Division confirm that as part of the Hyde Park Community Plan the applicant is required to build a rear lane (approx. 12 metres wide) consistent with the alignment identified in the community plan and register an easement for public access. Easements have been taken on a number of adjacent properties "fixing" the location of the lane, the applicant is to ensure that the lane lines up opposite these existing easements. Details regarding the rear lane, access location and design will be reviewed through the site plan process.

4.6 Public Concerns

- *Increased traffic volumes on Hyde Park Road and Gainsborough Road.*
A Traffic Impact Assessment (TIA), prepared by Paradigm Transportation Solutions Limited dated April 2019, accompanied the Zoning By-Law Amendment application. The study indicated that under existing conditions, the intersection operates under acceptable levels of service during the weekday AM and PM peak hours. The proposed development is estimated to generate approximately 64 AM peak hour trips and 53 PM peak hour trips for Phase 1 (Building 'A'), and approximately 116 AM peak hour trips and 117 PM peak hour trips for Phase 2 (Building 'B').

Based on 2022 and 2027 background traffic conditions, the intersection of Hyde Park Road and Gainsborough Road is forecast to operate at acceptable levels of service during the weekday AM and PM peak hours, with the exception of the northbound left-turning and southbound left-turning movements which register high v/c ratios and poor levels of services during the PM peak hour. The available storage capacity for the southbound left-turning movement will also be exceeded during the PM peak hour. The TIA remedial measures recommend that the north-bound left turn queuing problem could be addressed through signal timing optimization measures, with attendant level-of-service improvements. For the south-bound left turn movement, the storage length should be extended from 70 metres to 90 metres.

The comments from Transportation Planning and Design staff noted that the TIA needed some further updating to the trip generation calculations and also needed to take into consideration recently installed traffic signals at the intersection of Hyde Park Road and South Carriage Road. They also indicated that access to Gainsborough Road is to be located to the easterly limits of the site, and that care will be needed with the access design so as to not adversely impact the existing access for 1006 Gainsborough Road (Unger's Market). A future shared access should be identified on the plan so that at such time as that property redevelops a consolidated shared access can be used for both properties, consistent with the City's Access Management Guidelines for access along arterial roads.

- *Lack of public transit facilities*
The proposed development is pedestrian-oriented and supportive of active transportation and public transit. London Transit operates regularly scheduled bus routes (Route #19) along Hyde Park Road to the west.
- *Loss of views*
The proposed 12-storey apartment building is located further to the west and would not be directly in line with the north-facing views of the apartment building at 1030 Coronation Drive. Apartment buildings of similar heights are currently being developed in the immediate area to the south and southwest. Furthermore, the current Zoning on the rear portion of lands to the east at 978 Gainsborough Road permits residential apartment buildings up to a maximum 50 metres in height (approximately 15 storeys).

5.0 Conclusion

The recommended zoning amendments are appropriate and consistent with the Provincial Policy Statement, conform to the Main Street Commercial Corridor and Multi-family, High Density Residential designations in the (1989) Official Plan, and the policies and guidelines of the Hyde Park Community Plan. The recommended amendment to add a specific policy in The London Plan is also considered appropriate to facilitate the recommended bonus zoning for increased density in return for provision of affordable rental housing as a component of this development proposal. Recognizing that the relevant London Plan policies are still under appeal and are not the in-force policies that apply to this application, the recommended 12-storey apartment building contributes to the overall form of the development in the area which is considered appropriate within this transitional period between Official Plans.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Michael Tomazincic, Manager, Current Planning
Michael Pease, Manager, Development Planning

November 25, 2019
GK/PY/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2019 PEC Reports\19- December 2\1018 & 1028 Gainsborough Rd Z-9079 LM.docx

Appendix A – The London Plan Amendment

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

By-law No. C.P.-1512()____

A by-law to amend The London Plan for the City of London, 2016 relating to 1018 and 1028 Gainsborough Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas, of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1018 and 1028 Gainsborough Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014, the in-force policies of The London Plan, and the 1989 Official Plan. The amendment provides for the development of an underutilized site by way of a site-specific policy in return for the provision of affordable housing.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

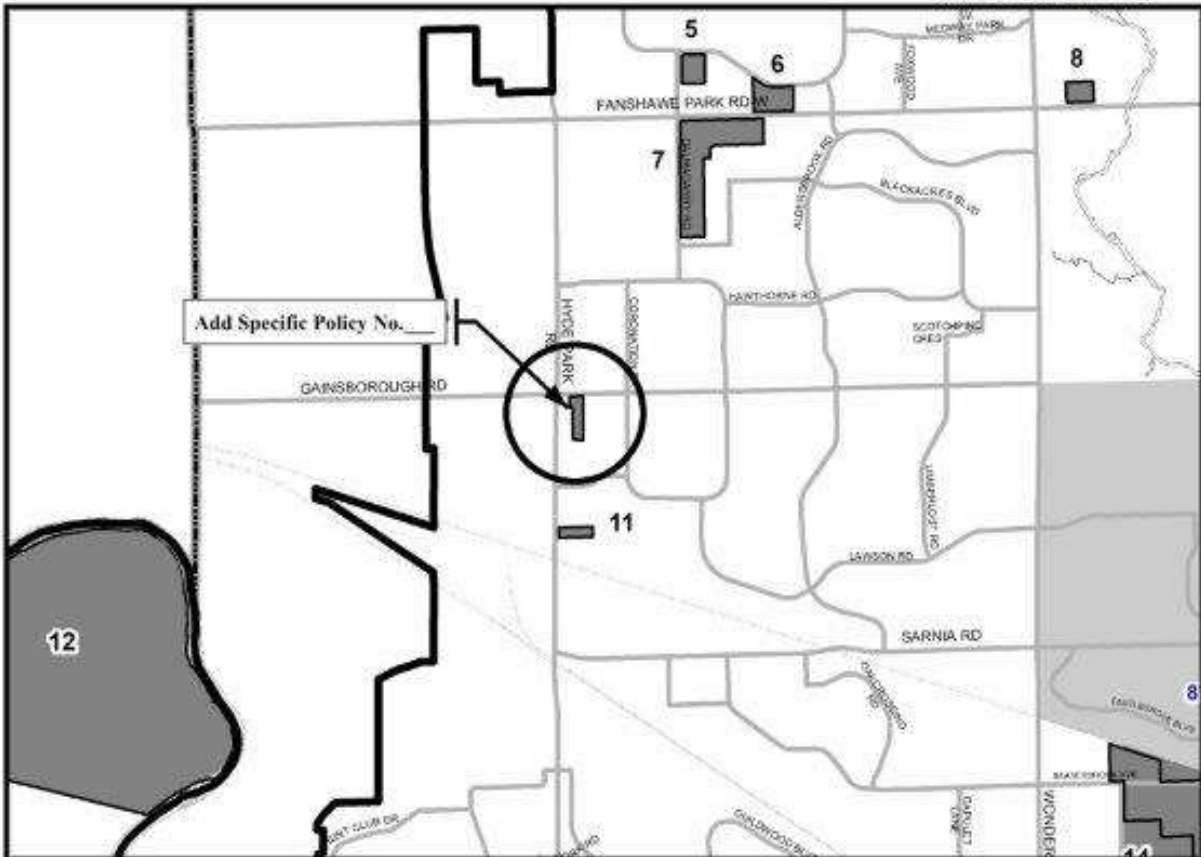
1. Specific Policies for the Neighbourhoods Place Type of the London Plan for the City of London is amended by adding the following:

1018 and 1028 Gainsborough Road

()_ In the Neighbourhoods Place Type applied to the lands located at 1018 and 1028 Gainsborough Road, an apartment building with a maximum height of 12 storeys and maximum density of 392 units per hectare may be permitted.

2. Map 7 - Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1018 and 1028 Gainsborough Road in the City of London, as indicated on “Schedule 1” attached hereto.

AMENDMENT NO: _____



LEGEND

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

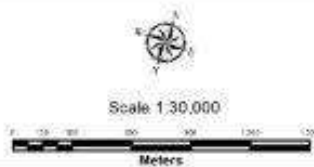
BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE #
 TO
 THE LONDON PLAN**
 AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: Z-9079

PLANNER: LM

TECHNICIAN: DM

DATE: 10/7/2019

Appendix B – Zoning By-law Amendment

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 1018
and 1028 Gainsborough Road.

WHEREAS Copia Developments has applied to rezone an area of land located at 1018 and 1028 Gainsborough Road, 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 1018 and 1028 Gainsborough Road, as shown on the attached map, from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone; and from an Urban Reserve (UR3) Zone to a Residential R9 Special Provision Bonus (R9-7()•H44•B-) Zone.
- 2) Section Number 4.3 of the General Provisions is amended by adding the following Site Specific Bonus Provision:

B-__ 1018 and 1028 Gainsborough Road

The Bonus Zone shall be enabled through one or more agreements to facilitate development of a residential apartment building, with a maximum height of 12 storeys, 182 dwelling units and a maximum density of 392 units per hectare, which generally implements in principle the site concept and elevation plans attached as Schedule "1" to the amending by-law, with further refinements to occur to the orientation of the apartment building and parking area through the site plan approval process, in return for the following facilities, services and matters:

- A total of 18 affordable rental apartment units consisting of 16, one bedroom units and 2, two bedroom units to be provided and located within Building "B";
- A minimum of 3, one-bedroom and 1, two-bedroom accessible units are to be provided and located within Building "B";
- 4, one bedroom units and 2, two bedroom units shall not exceed 90% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 10 years from the point of initial occupancy; and,
- 12, one bedroom units shall not exceed 75% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by CMHC at the time of building occupancy; and duration of affordability shall be set at 20 years from the point of initial occupancy.

- 3) Section Number 25.4 of the Business District Commercial BDC Zone is amended by adding the following special provisions:

BDC()

a) Regulations:

- | | | |
|------|--|-------------------------|
| i) | Density
(Maximum) | 97 units per
hectare |
| ii) | Height
(Maximum) | 25 metres |
| iii) | Offices and medical/dental offices may be permitted on the first and second floors of apartment buildings. | |

- 4) Section Number 13.4 of the Residential R9 Zone is amended by adding the following special provisions:

R9-7()

a) Regulations:

- | | | |
|------|--|----------------------------------|
| i) | East Interior Side Yard
Depth (Minimum) | 11.2 metres |
| ii) | West Interior Side Yard
Depth (Minimum) | 2.2 metres |
| iii) | Height
(Maximum) | Twelve (12) storeys
44 metres |

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

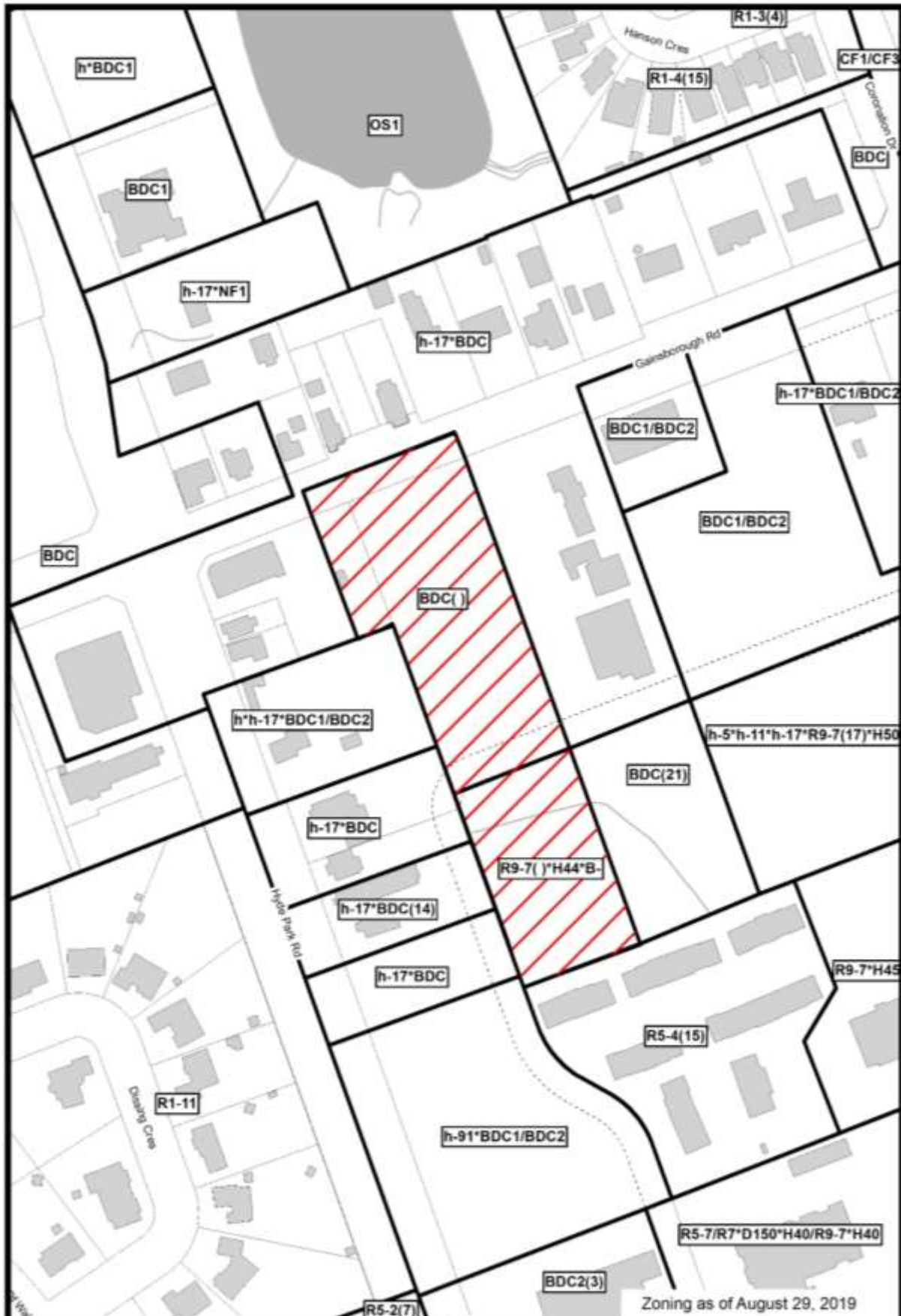
PASSED in Open Council on December 10, 2019

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 10, 2019
Second Reading – December 10, 2019
Third Reading – December 10, 2019

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



File Number: Z-9079
Planner: LM
Date Prepared: 2019/09/26
Technician: DM
By-Law No: Z-1-

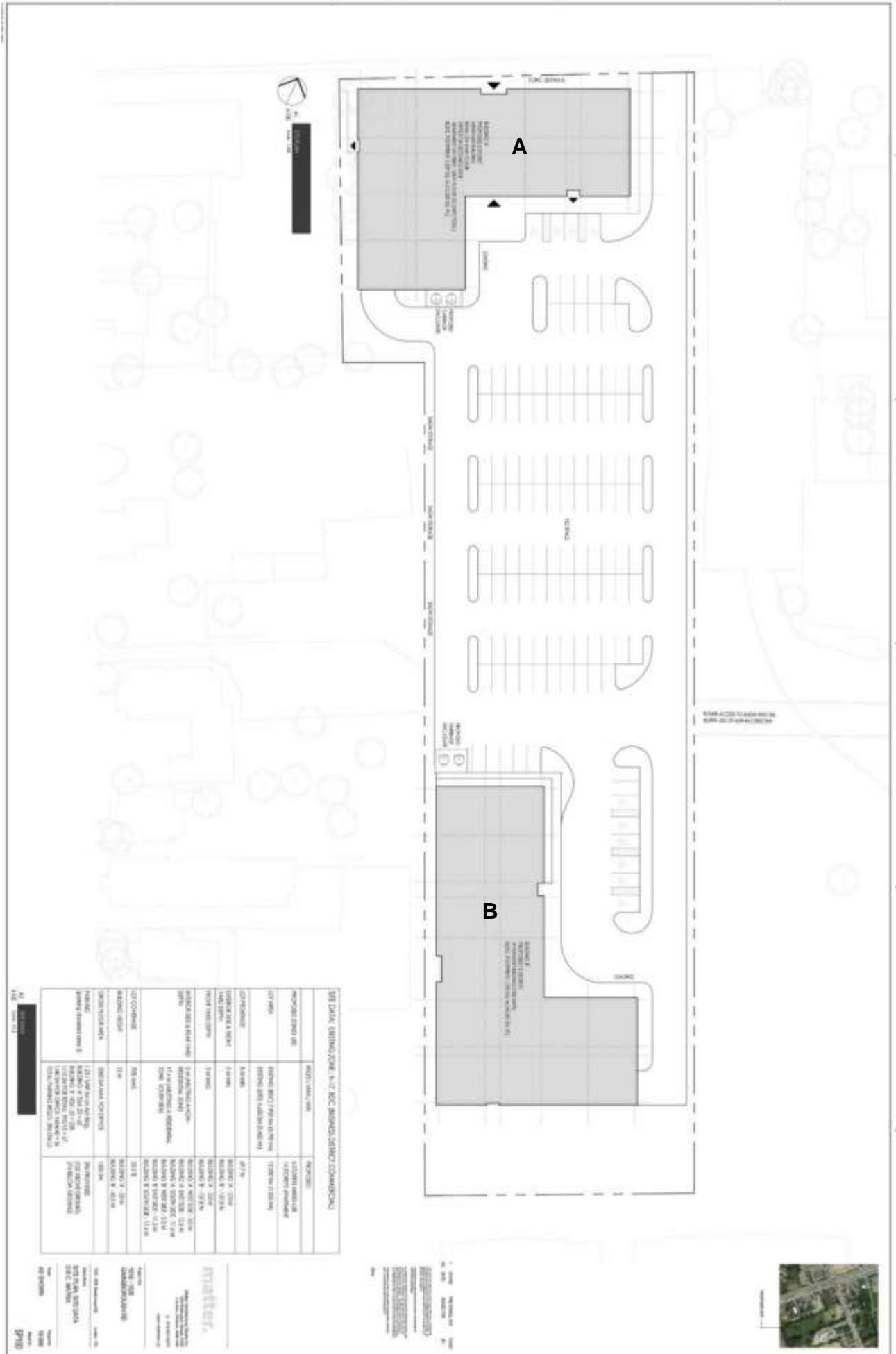
SUBJECT SITE 

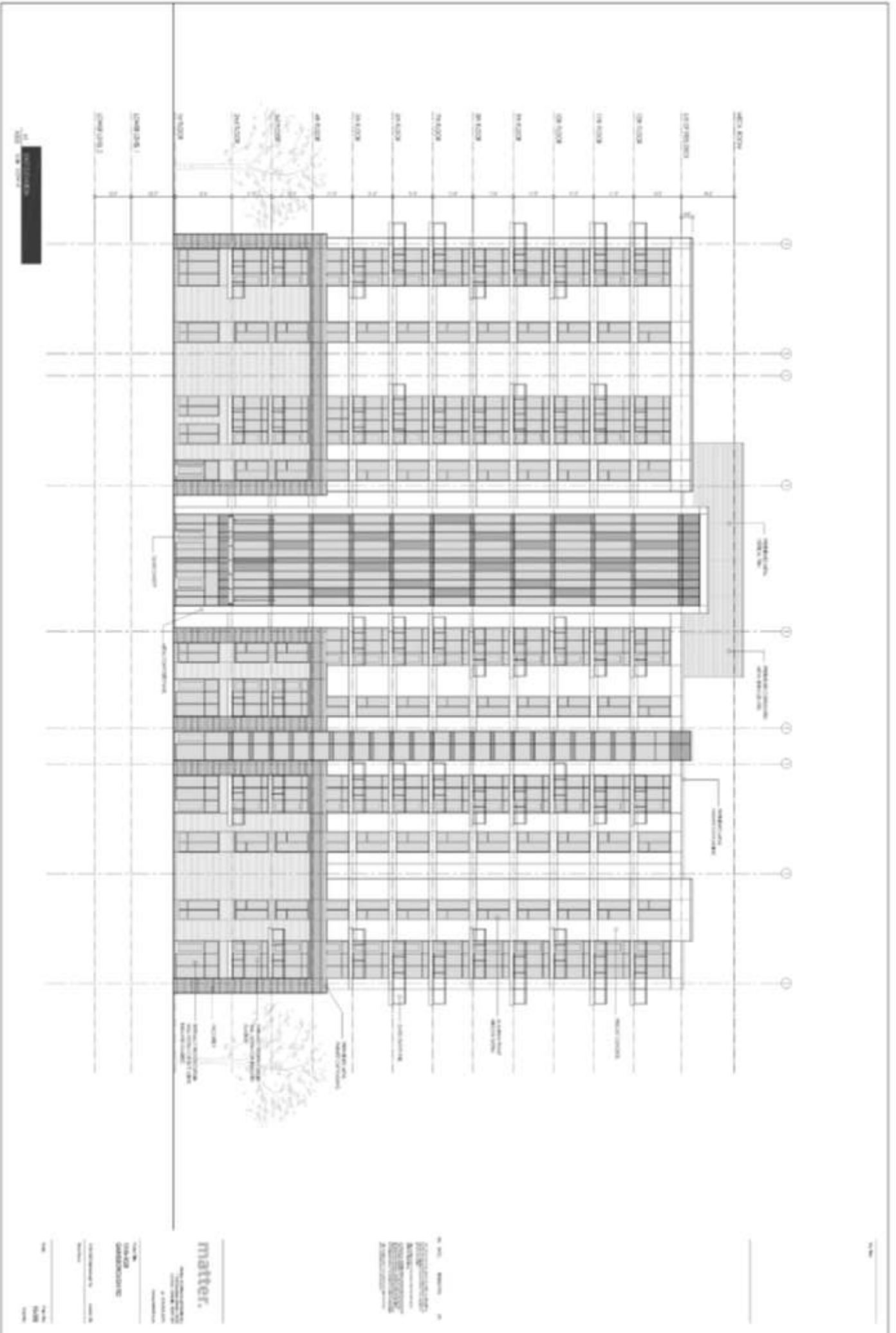
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0 10 20 40 60 80 Meters



Schedule "1"





Appendix C – Public Engagement

Community Engagement

Public liaison: On June 19, 2019, Notice of Application was sent to 262 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 27, 2019. A Planning Application sign was erected on the site and notice was posted on the City of London’s website.

Responses: 3 replies received.

Nature of Liaison: Possible Amendment to Zoning By-law Z.-1 to change the zoning from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone to permit such uses as animal hospitals; apartment buildings with any or all of the other uses permitted on the first floor; clinics; commercial recreation establishments; day care centres; financial institutions; medical/dental offices; offices; private clubs; restaurants; retail stores; service and repair establishments; convenience stores; artisan workshop; brewing on premises establishment; and food stores; together with special provisions to permit a maximum density of 97 units per hectare and building height of 25 metres; and, from an Urban Reserve UR3 Zone to a Residential R9 Special Provision Bonus (R9-7()•B-) Zone to permit such uses as apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and continuum-of-care facilities; together with special provisions to permit an east interior side yard setback of 11.2 metres; a west interior side yard setback of 2.2 metres; and building height of 43.5 metres; as well as a bonus provision for a maximum residential density of 392 units per hectare.

Responses: A summary of the various comments received include the following:

- Increased residential density will result in increased traffic volumes on Hyde Park Road and Gainsborough Road, and congestion at an already clogged intersection.
- Transit facilities such as Park-and-Ride hubs for bus commuters to not exist and Rapid Transit is not planned for this part of the City.
- The proposed 12-storey building will block the view currently enjoyed by residents on the north and west sides of the building at 1030 Coronation Drive.

Responses to Notice of Application and Publication in “The Londoner”

Telephone	Written
	Bob McFarlane, Family Law Group (2444712 Ontario Inc.) – 1579 Hyde Park Road
	Mary Dowds – #1303 – 1030 Coronation Drive
	Michelle Doornbosch – Brock Development Group Inc.

Significant Agency/Departmental Comments:

1. Housing Development Corporation, London – November 21, 2019
2. Urban Design Peer Review Panel (UDPRP) - August 21, 2019
3. Environmental and Engineering Services (EESD) – September 26, 2019
4. Urban Design (DS) – November 15, 2019

Mary Dowds
1030 Coronation Drive - #1303
London, ON N6G 0G5



July 19, 2019

Larry Mottram
Development Services
City of London
300 Dufferin Avenue – 6th Floor
London, ON PO Box 5035
N6A 4L9

Dear Mr. Mottram:

Re: File Z-9079 (Copia Developments)

I am writing to express my concerns and strong opposition to the proposed zoning amendment (File Z-9079) at 1018-1028 Gainsborough Rd. Urgent family matters took me out of town for a month, and I have just returned and received notice of this proposed zoning amendment.

I am a resident at 1030 Coronation Drive, located just southeast of the aforementioned property. In 2017, my husband and I purchased our condo, taking into account the zoning of adjacent properties, so that we would not find ourselves in a situation where a developer could construct a building of a height and size which would impede our view, diminish the enjoyment of our home and community, and bring an inappropriate and negative impact to the neighbourhood and its traffic corridors through over-densification.

Since moving to our current residence, we have watched the volume of traffic on Hyde Park Road steadily and rapidly increase. We have watched motor vehicle accidents and near-misses occur on a regular basis at the intersection of South Carriage Rd. and Hyde Park Rd. as residents try to enter and exit their quiet residential neighbourhoods by way of this uncontrolled intersection. Only now is the City of London installing long-awaited traffic lights at this intersection, in response to a dangerous situation occasioned by overdevelopment and seemingly unplanned urban sprawl in the Hyde Park area.

New growth and development in the Hyde Park area, especially of a type requiring a zoning amendment, ought only be accommodated *if it aligns with and meets the needs of our entire community*. The perilous intersection which I have just described (South Carriage Rd. at Hyde Park Rd.) is a mere block from 1018-1028 Gainsborough Rd., the property whose owner, Copia Developments, is applying for a zoning by-law amendment. This property is right near the congested intersection of Gainsborough Rd. and Hyde Park Rd. Transit facilities such as “park-and-ride” hubs for bus commuters do not exist in this part of the city. In fact, London’s Rapid Transit plan does not contemplate reaching anywhere near the neighbourhoods of northwest London. It seems shortsighted and illogical to allow a zoning amendment such as this, whereby increased residential density, and accompanying traffic, is crammed onto an already clogged and narrow traffic corridor such as Gainsborough Road, especially in the absence of efficient and attractive public transit options.

The current zoning at the front of the property at 1018-1028 Gainsborough Rd. allows for development of structures 12 metres in height *of a type that would enhance our community*,

File: Z-9079
Planner: L. Mottram

such as daycare centres, medical/dental offices, private clubs, artisan workshops, food or retail stores, service and repair establishments. The rear of the property is zoned for structures up to 15 metres in height and permitted uses include dwellings, conservation lands, passive recreation uses, private recreation clubs and riding stables; again, *uses of a type that would greatly enhance our community*. This requested zoning by-law amendment seeks to change the current zoning to allow for greatly increased density and building height. This change would allow the developer to build a proposed 12-storey residential structure, adding increased traffic at an already choked and busy intersection (Hyde Park Rd. at Gainsborough Rd.), and eclipsing the view currently enjoyed by residents on the north and west sides of the building at 1030 Coronation Drive (a view for which residents have paid a premium price). If the by-law change occurs, the only party benefiting from the amendment will be the developer. *In no way will the daily lives of residents in the adjacent neighbourhoods be enhanced*; the reality will be, in fact, quite the opposite.

I urge you to reject this Zoning By-law Amendment.

Sincerely,
Mary Dowds

Dear Larry Mottram and Josh Morgan,

Re: Planning Application, File: Z-9079, 1018 - 1028 Gainsborough Road

The Family Law Group (FLG) 2444712 Ontario Inc. located at 1579 Hyde Park Road, which is the adjoining property to the proposed development located at 1018 - 1028 Gainsborough Road.

Family Law Group (FLG) 2444712 Ontario Inc is supporting the Planning Application, File: Z-9079 for the following reasons.

- FLG supports the Six (6) storey mixed-use building with ground floor commercial.
- FLG supports the roughly 200 units per hectare density across the entire site.
- FLG supports the Second floor offices.
- FLG supports third to sixth floor residential uses located at the front of the property.
- FLG supports the twelve (12) storey residential apartment buildings.
- FLG supports the height and density: 6 and 12 storey buildings.
- FLG supports this project because there is no undue, adverse impacts to surrounding land uses.
- FLG supports this project because it is compatible with the surrounding area and other proposed developments in the neighbourhood.

Should you need any further information, please do not hesitate to contact Brenda Barr or Bob McFarlane.

Regards,
Bob McFarlane

Operations Manager
Family Law Group | 1 – 1579 Hyde Park Rd. London Ontario, Canada N6H 5L4

November 21, 2019

City of London, Development Services
c/o Larry Mottram, Senior Planner
300 Dufferin Avenue
P.O. Box 5035
London ON N6A 4L9

Re: Bonusing for Affordable Housing at 1018-1020 Gainsborough Road
City of London File: Z-9079
HDC File: 1018-1020 Gainsborough Road

Dear Larry,

Housing Development Corporation, London (HDC) was engaged as a third party to support information, facilitate negotiation, and assist in the provision of a fair recommendation to Development Services in response to an action under Sections 34 and 37 of the *Planning Act* that included a request for an increase in height and density above and beyond what would otherwise be permitted in the Zoning By-law in return for eligible facilities, services and matters, including the provision of affordable housing.

Requested Zoning By-law Amendment:

The purpose and effect of the Zoning By-law amendment requested by Copia Developments (the proponent) is to provide for the development of:

- A six-storey mixed-use apartment building containing retail and office uses on the first and second floor and 52 residential units on floors three to six on the frontage of lands known municipally as 1018-1020 Gainsborough Road; and,
- A twelve-storey residential tower containing 182 residential units at the rear of lands known municipally as 1018-1020 Gainsborough Road (shown as Building "B", Attachment 1).

The details of the requested Zoning By-law Amendment, including consideration of facilities, services, and matters of public benefit, were identified in the proponent's May 2019 Planning Justification Report submitted to the City of London in support of their requested action. To provide for the increased height and density sought through bonusing for Building "B", Copia Developments engaged in discussions with HDC to facilitate the provision of affordable rental housing. This letter reflects the recommendation of HDC to City of London Development Services as fair consideration of bonusing for affordable rental housing.



520 Wellington Street, Unit 7, London, ON N6A 4L9
P: 519-930-3512 www.hdcilondon.ca

Recommendation:

HDC acknowledges the progressive philosophy and approach demonstrated by Copia Developments in the negotiation of the elements to the bonus zone detailed below. The recommended bonus provides for a mix of bedroom types, accessibility, deep levels of housing affordability, varying affordability periods, and the alignment of the bonus with populations in need of housing with support.

Based on comments received from City of London Development Services and a review of the proponent's proposed plans for 1018-1020 Gainsborough Road, it is the recommendation of HDC that the Director, Development Services advance the following requirements within the affordable housing bonus zone, assuming a total uplift of 112 units for Building "B":

1. **Sixteen (16) one-bedroom units and two (2) two-bedroom units be considered for dedication to affordable rental housing in exchange for the granting of increased height and density;**
2. **A minimum of three (3) of the one-bedroom units are to be accessible and a minimum of one (1) of the two-bedroom units is to be accessible and that all units be scattered throughout Building "B", noting that the units may be constructed to a more modest level but within the size range outlined in the Affordable Housing Planning and Development Guide (as shown in Attachment 2);**
3. **"Affordable Rent" for four (4) of the one-bedroom units and the two (2) two-bedroom units shall be defined as rents not exceeding 90% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area for one and two-bedroom rates at the time of occupancy;**
4. **"Affordable Rent" for twelve (12) of the one-bedroom units shall be defined as rents not exceeding 75% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area at the time of occupancy;**
5. **The affordability period for four (4) of the one-bedroom units and the two (2) two-bedroom units be set at ten (10) years from the point of initial occupancy of all 18 designated affordable rental housing units; and,**
6. **The affordability period for twelve (12) of the one-bedroom units be set at twenty (20) years from the point of initial occupancy of all 18 designated affordable rental units.**

These, and any other amended conditions to be confirmed by Municipal Council, will be secured through an encumbrance registered on title to ensure the value of the affordable rental housing bonus zone (at a rate established by HDC to otherwise create similar such affordable rental housing) is retained over the affordability periods as well as ongoing compliance. The encumbrance would address other conditions including tenant selection, other terms defined by

the City Solicitor, and related compliance reviews and remedies – similar to other affordable housing development agreements of the City of London and HDC.

In addition to the items within the encumbrance identified above, HDC would recommend that Copia Developments be required to enter a Memorandum of Understanding (MOU) with the City of London to align the bonus units with an identified population in need of housing with supports. Under the MOU, the proponent would retain final tenant selection, noting compliance of any eligibility requirements that may be related to the subject units.

Rationale for Affordable Housing Bonus:

The London Plan recognizes that average market rent is out of reach for many Londoners and that housing affordability is one of the City's principle planning challenges. Accordingly, the Homeless Prevention and Housing policies of the Plan identify affordability targets stating that planning activities will serve to provide for both a mixture of dwelling types and integrated mixtures of housing affordability. In pursuit of this goal, the policies of the Plan identify bonusing as a planning tool in support of the provision of affordable housing in planning and development proposals.

The subject lands are located on the south side of Gainsborough Road, east of Hyde Park Road. A mix of low, medium and high-density residential uses abut the site to the east, south and west. Commercial and open space uses abut the site to north and northwest. As noted in the Planning Justification Report, the proposed development is located within an "...existing built-up residential area..." and enjoys proximity to "...a range of commercial uses..." and "...public service facilities..." (including schools and parks, etc.).

The Planning Justification Report further notes the site's proximity to public transit (Route 19) as well as commercial and employment centres. The locational attributes of the site directly align with the guidelines and considerations used by HDC to advance affordable housing. HDC would further note that a review of housing analytics from the Canada Mortgage and Housing Corporation (CMHC) indicate average apartment vacancy rates and rents in the defined CMHC area demonstrating housing affordability challenges.

The recommended bonus zone is specific to the residential tower identified as Building "B" in Attachment 1 and does not apply to any other development or development phase by any perceived similarity in lift or built form.

Conclusion:

Section 37 of the *Planning Act* provides municipalities the ability to advance public services in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentages of households in "Core Housing Need" in major urban centres. (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London". (4.4/12/PEC, July 25, 2018). HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

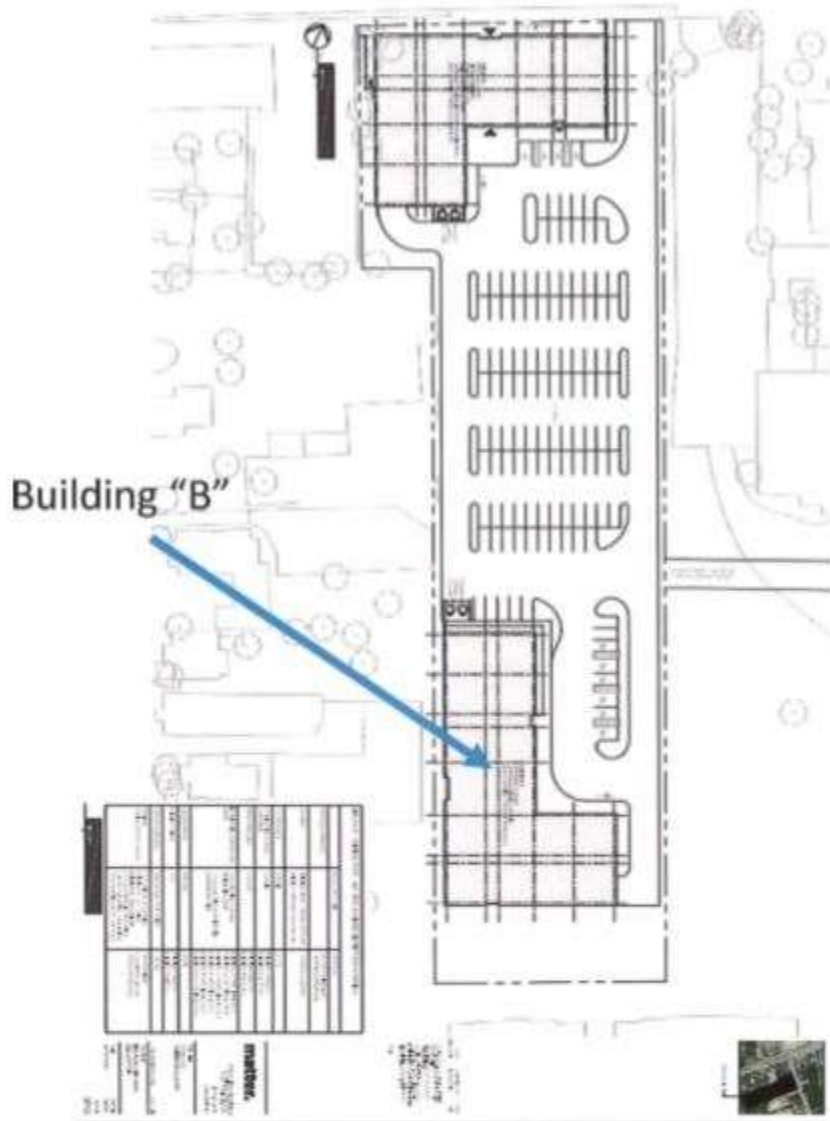
Sincerely,



Stephen Giustizia, CEO, HDC

- c. Brian Turcotte, Development Manager, HDC
Isabel da Rocha, Business and Program Manager, HDC
City of London Development Services for public reporting purposes and for distribution to:
Zelinka Priamo, Attention: Ben McCauley and Harry Froussios'

Attachment 1 – Building “B” – 1018-1020 Gainsborough Road



Attachment 2 – Affordable Housing Planning and Development Guide
Unit Size Range

Unit Type	Description	Size Range
1BR-S	One Bedroom - Standard (where provided)	47m ² - 51m ² (506ft ² - 550ft ²)
1BR-A	One Bedroom - Accessible	48.8m ² - 55.7m ² (525ft ² - 600ft ²)
2BR-S	Two Bedroom - Standard (where provided)	57m ² - 62.7m ² (614ft ² - 675ft ²)
2BR-A	Two Bedroom - Accessible	57m ² - 67.4m ² (614ft ² - 725ft ²)
2BR/2BA-A	Two Bedroom / Two Bath - Accessible	57m ² - 76.6m ² (614ft ² - 825ft ²)
+BR	Where more than two bedrooms are provided, add 10m ² (108ft ²) for each additional bedroom	
-BR	Where Bachelor or Studio units (no bedrooms) are provided, dwelling units shall be no less than 37m ² (399ft ²)	
CTR SDU SRHU	Where an existing non-residential building or space, or previously unfinished or uninhabitable space within an existing residential building or space, is being converted into a dwelling unit(s), the minimum gross floor area of the converted dwelling unit is permitted to be reduced to 25m ² (269ft ²). *See DEFINITIONS for <i>Convert to Rent Units</i> and <i>Secondary Dwelling Units</i> , and <i>Supportive Rental Housing Units</i> .	



Memo

To: Proponents

- Steven Cooper, Architect, Matter Architectural Studio Inc.
- Ben McCauley, Planner, Zelinka Priamo Ltd.
- Alex Hois, Project Manager, Copia Developments

From: Urban Design Peer Review Panel (UDPRP)

- Heather Price, Urban Designer
- Ryan Ollson, Architect
- Tim O'Brien, Landscape Architect

Regrets:

- McMichael Ruth, Architect

Conflicts:

- Steven Cooper, Architect

**RE: Pre-submission Concept: 1018-1028 Gainsborough Road
Presentation & Review, August 21, 2019**

The Panel provides the following comments the submission:

- The development is well-suited to the site and appropriately addresses the street.
- The Panel supports the mixing of uses within Building A and the provision of parking located screened from view from the street and located underground.
- The Panel supports the inclusion of affordable housing as a community benefit.
- The Panel supports maintaining a 25 metres separation to the adjacent building to the south.
- The Panel recommends that pedestrian circulation be given further consideration, particularly along the east side of the site to Building B.
- The Panel recommends that there be careful consideration in the design of the rear yard common amenity space. To this end, the Panel suggests the applicant incorporate an indoor common amenity room on the rear side of the building that provides visual connection to the exterior common amenity. The Panel also recommends that there be appropriate privacy screening between exterior common amenity spaces and the grade-related residential units.
- The Panel flagged that there may be an issue with the proposed access to the underground parking structure as it is also shown as an access to loading/garbage rooms located at grade.

- Building A is of an appropriate scale and massing in relation to the human scale. The Panel supports the horizontal articulation and changes of materials between the lower floor non-residential uses and residential floors above.
- With respect to the material palette of Building A, the Panel acknowledges that there is a gesture to tie together the materials of both buildings, however the brick pillars at the base of Building A do not tie in well to the character of that building. The Panel recommends a different material for the base of Building A that is more in keeping with the materials of that building.
- In the ground floor base of Building A the Panel recommends that the detailing be further developed to integrate opportunities for signage and canopies over each retail unit.
- The Panel questions the viability of retail spaces on the south side of Building A (facing the interior parking area) and suggests that ground floor amenity in this location may also be appropriate.
- The Panel supports the rendering that shows a good balance of vegetation of hardscaping along the streetscape and encourages this to be further developed at the Site Plan stage.
- The Panel encouraged the applicant to consider mirroring/flipping Building B to the east side of the site to a) provide a better visual link to Building B from the street, b) improve pedestrian access/circulation to Building B and c) provide greater setback from the west property line (shared with properties which are planned for future intensification).
- The Panel identified that there may be a need for more space for snow storage.
- The Panel recommends that both buildings incorporate secure indoor bike parking for building occupants as well as convenience bike parking at grade.

Concluding comments:

The Panel generally supports the mix of uses and overall density of the proposed development and is supportive of the inclusion of affordable housing as a community benefit. The Panel supports the scale and siting of Building A and the preliminary architectural detailing and streetscape design intent. Some suggestions have been provided with respect to refinement of the ground floor façade of Building A. The Panel recommends some refinement to the layout toward the rear of the site, including consideration of flipping Building B toward the east of the site. The Panel provided some suggestions for the common amenity spaces located toward the rear of the Site. The Panel is supportive of integration of underground parking and identified that some refinement to the access may be required and recommended that the structure incorporate opportunities for secure indoor bike parking.

Sincerely on behalf of the UDPRP,



Heather Price, UDPRP Chair



Development Services
8th Floor, City Hall
300 Dufferin Avenue
London, ON
N6A 4L9

To: S. Cooper, Matter Architectural Studio Inc.
B. McCauley, Zelinka Priamo Ltd.
A. Hois, Copia Developments

Date: 08/26/2019

Re: Urban Design Peer Review Panel Comments – Applicant Response

Address of Development Site: 1018-1028 Gainsborough Road

Date of Panel Meeting: 08/21/2019

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.

Comment:
The development is well-suited to the site and appropriately addresses the street.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel supports the mixing of uses within Building A and the provision of parking located screened from view from the street and located underground.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel supports the inclusion of affordable housing as a community benefit.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel supports maintaining a 25 metres separation to the adjacent building to the south.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel recommends that pedestrian circulation be given further consideration, particularly along the east side of the site to Building B.
Applicant Response:
Noted. Improvements to the pedestrian circulation on the subject lands will be included in revisions to the Site Plan moving forward throughout the process, including further consideration along the east side of site to Building B. An emphasis will be placed on providing clear, safe pedestrian connections between the buildings. The extent of these improved connections will be reviewed and confirmed through the Site Plan Approval process.

Comment:
The Panel recommends that there be careful consideration in the design of the rear yard common amenity space. To this end, the Panel suggests the applicant incorporate an indoor common amenity room on the rear side of the building that provides visual connection to the exterior common amenity. The Panel also recommends that there be appropriate privacy screening between exterior common amenity spaces and the grade-related residential units.
Applicant Response:
Noted. We will accommodate an indoor common amenity space at the rear of the building that will provide an improved connection to exterior, rear yard amenity space. This will be reviewed and confirmed in the Site Plan Approval process.

Comment:
The Panel flagged that there may be an issue with the proposed access to the underground parking structure as it is also shown as an access to loading/garbage rooms located at grade.
Applicant Response:
Noted. The proposed garbage enclosure area can be relocated away from the entrance to underground parking area below Building 'A' through future revisions of the Site Plan.

Comment:
Building A is of an appropriate scale and massing in relation to the human scale. The Panel supports the horizontal articulation and changes of materials between the lower floor non-residential uses and residential floors above.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
With respect to the material palette of Building A, the Panel acknowledges that there is a gesture to tie together the materials of both buildings, however the brick pillars at the base of Building A do not tie in well to the character of that building. The Panel recommends a different material for the base of Building A that is more in keeping with the materials of that building.
Applicant Response:
Noted. We will review material options for the columns, and select a material that is more in keeping with the materials of the building. This will be reviewed and confirmed through the Site Plan Approval process.

Comment:
In the ground floor base of Building A the Panel recommends that the detailing be further developed to integrate opportunities for signage and canopies over each retail unit.
Applicant Response:
Noted. We recognize the value in providing a variety of clear signage for the commercial uses at-grade, as well as canopies to protect pedestrians from the elements. Opportunities for signage and canopies will be reviewed and confirmed throughout the Site Plan Approval process.

Comment:
The Panel questions the viability of retail spaces on the south side of Building A (facing the interior parking area) and suggests that ground floor amenity in this location may also be appropriate.
Applicant Response:
We appreciate your comment. Our client would like to proceed with the existing proposal with retail space on the north and south side of Building 'A' on the ground floor. These uses will likely require less visibility along the street, or will be directly targeted towards the residents of the development.

Comment:
The Panel supports the rendering that shows a good balance of vegetation of hardscaping along the streetscape and encourages this to be further developed at the Site Plan stage.
Applicant Response:
Acknowledged. Thank you for your comment.

Comment:
The Panel encouraged the applicant to consider mirroring/flipping Building B to the east side of the site to a) provide a better visual link to Building B from the street, b) improve pedestrian access/circulation to Building B and c) provide greater setback from the west property line (shared with properties which are planned for future intensification).
Applicant Response:
Noted. We are open to mirroring/flipping Building B, with opportunities to review where the wider massing of the "L" shaped building is located. We will review and confirm this through Site Plan Approval.

Comment:
The Panel identified that there may be a need for more space for snow storage.
Applicant Response:
Noted. We will review the area dedicated to snow storage through revisions to the Site Plan moving forward throughout the process.

Comment:
The Panel recommends that both buildings incorporate secure indoor bike parking for building occupants as well as convenience bike parking at grade.
Applicant Response:
Noted. We will provide secure, indoor bike parking at grade and convenience bike parking at grade. We will review and confirm this through Site Plan Approval.

If you have any questions, please contact Wyatt Rotteau by email at wroteau@london.ca or by phone at 519-661-CITY (2489), extension 7545.

Sincerely,



Wyatt Rotteau
Urban Design Technician

cc: J. Smolarek, Urban Designer
L. Mottram, Senior Planner



MEMO

DATE: September 26, 2019 **FILE:** Z-9079

TO: Larry Mottram
Planning & Development

FROM: Mustafa Almusawi
Development Services

RE: **1018-1028 Gainsborough Road**

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

- The TIA will need to be updated, to address the below comments:
 - Trip generation is to use the fitted curve equation for all land uses not just the general office use
 - Traffic signals are currently under construction at Hyde Park Road and South Carriage Road

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

Transportation:

- Road widening dedication of 18.0m from centre line required on Gainsborough Road
- As part of the Hyde Park Community Plan the applicant is required to build a rear lane consistent with the alignment identified in the community plan and register an easement for public access. Easements have been taken on a number of adjacent properties "fixing" the location of the lane, the applicant is to ensure the lane lines up opposite these existing easements
- Access to Gainsborough is to be located to the easterly limits of the site, care will need to be taken with the access design as to not adversely impact the existing access for 1006 Gainsborough Road,
- A future shared access should be identified on the plan to provide for a future access through these lands to 1006
- Detailed comments regarding the rear lane, and access location and design will be made through the site plan process

Water:

- At the time of development application, should the concept for multiple buildings including commercial usage still be proposed; one of the conditions of Water Engineering that each of the 2 building be serviced independently from each other to the municipal main.

Wastewater:

- The municipal sanitary sewer available for 1028 and a portion of 1018 Gainsborough Road is the 450mm sanitary sewer on Gainsborough Rd with the rear portion of 1018 Gainsborough Road being tributary to a future extension of a sanitary sewer on Coronation Drive.
- Based on accepted sanitary area plan (City Plan #20907R1 recognizes the location of the 150mm san. p.d.c) only 1028 Gainsborough and a front portion of 1018 Gainsborough were identified at a commercial rate of 100ppHa as being tributary to the 450mm diameter sanitary sewer on Gainsborough. The area at the rear portion of 1018 Gainsborough that is being zoned as a higher density is tributary to the future extension of the sanitary sewer on future extension of Coronation Road.
- Sewer Engineering has no concern with the requested zoning amendments. The fronting portion 1018 and 1028 Gainsborough as shown by the Applicant' consultation engineer can be accommodated in the 450mm diameter sanitary sewer.
- As part of a future Site Plan Application the Applicants Engineer is to include the increase in population being requested and shown as an external area to the existing Whitney "As-built" area plan and design sheet. Only the new area and equivalent population can be included at 230 l/cap/day without having to revise the entire design sheet.
- The sanitary sewer outlet for the future high density residential apartment building 1018 Gainsborough Road is not built nor is the future road to the existing sanitary sewer on Coronation Drive. SE has no objection to adding a holding provision until the subject lands has an outlet accessible.

Stormwater:

SWED have no objection to the above noted zoning by-law amendment. SWED staff have the following SWM comments in addition to those provided during the pre-application consultation

- The proposed development is medium/high density residential and therefore shall comply with the approved City Standard Design Requirements for Permanent Private Stormwater System (PPS), including LIDs.
- Since the front area will be the main entrance to the site, there will be an increased level of traffic on this portion resulting in higher sediment and contaminant loads. Although there are only 29 surface level parking spaces indicated in the application, the owner shall be required to have a consulting Professional Engineer addressing water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, LID filtration or infiltration solutions, etc.
- To comply with stormwater runoff quantity and quality requirements, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design. This would include directing a portion of stormwater runoff from parking areas(s) to landscaped areas before reaching the designated outlet (e.g. a catchbasin).
- A connection to the local storm sewer system on Coronation Drive may present the need for a private easement.
- Additional SWM related comments will be provided upon future review of this site.

Urban Design (DS) Comments – November 15, 2019

Urban design staff have worked closely with the applicant through the rezoning process to address the majority of the design concerns that have been raised by the community, the Urban Design Peer Review Panel, and City staff. The applicant is commended for incorporating the following into the design; Providing for a continuous active street wall along the Gainsborough Road frontage, with ground floor commercial uses oriented to the street and residential units above; Providing for appropriate scale/ rhythm/ materials/ fenestration; and incorporating all of the on-site parking internal to the site, away from the street frontages.

The following comments are related to site and building design that will need to be further refined through the Site Plan process, as such the bonus should ensure wording that does not lock in the specific design of the site:

- Ensure that a safe, direct, and convenient pedestrian walkway is included through the parking lot linking the entrance of building 'B' to the City sidewalk along Gainsborough Road. This could be ideally achieved by rotating the parking area to provide for north south drive isles with a walkway along the west side of the main north south driveway through the site. This change would reduce amount of vehicle and pedestrian conflict points along a proposed walkway through the parking lot.
- Ensure the Public Access Laneway, located directly north of building 'B', which bisects the site is defined as a lane to the same dimensions of the lane on other approved properties and includes limited parking spots accessed direct from the lane. This could be achieved in coordination with the above comment as it would allow for the northern limit of the lane to be lined with the landscape islands of the parking rows to the north.
- Rotate building 'B' so that the narrow portion of the "L" shaped building is located adjacent to the south property line in order to avoid a large sheer wall mass next to the 3-storey townhomes on the site directly to the south.

Appendix D – Policy Context

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

Provincial Policy Statement, 2014

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

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

The PPS contains policies regarding the importance of promoting efficient development and land use patterns which sustain the long term financial well-being of the Province and municipalities; accommodate an appropriate range and mix of residential (including affordable housing and housing for older persons), employment (including industrial and commercial), parks and open space uses to meet long term needs; and promote cost-effective development patterns and standards to minimize land consumption and servicing costs (Sections 1.1.1). This application would result in an efficient and appropriate form of development that accommodates a range and mix uses, including a residential apartment building which will incorporate an affordable rental housing component. The proposed mixed-use building includes first and second floor commercial and office space supporting employment opportunities, as well as promoting “live work” opportunities with residential units on the floors above. The proposed development is of a density and compactness that will make full use of municipal services, minimizing consumption of land and servicing costs.

The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion (Section 1.1.3). The subject lands are located within Hyde Park, formerly a rural hamlet and now within the City’s Urban Growth Boundary, and are part of an area of the City that has been planned through a community planning process as a focus for community growth. The subject lands are immediately adjacent existing and developing built-up areas.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated. Under this policy, Planning Authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The proposed development is considered a form of intensification as it proposes the redevelopment of a vacant/underutilized lot within an existing built-up area. The subject lands are an appropriate location for intensification as they are located adjacent to a range of commercial land uses to the east and west, as well as medium and high density residential land uses to the south; they are located on an arterial road with access to public transit along Hyde Park Road; and they are sufficiently sized to accommodate the proposed number of dwelling units with parking facilities and appropriate building setbacks. The proposed development will make use of existing municipal services along Gainsborough Road. The site is also in close proximity to public parks and open spaces, schools, and community facilities.

New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses, and densities that allow for efficient use of land, infrastructure, and public service facilities (Section 1.1.3.6). The subject lands are immediately adjacent existing and developing built-up areas. As has been noted, this proposal represents a compact form of development that allows for efficient use of land, infrastructure, and public service facilities. The proposed density of Building 'A' is 94 units per hectare, and Building 'B' is 392 units per hectare, with an overall combined density of 205 units per hectare adds to the mix of uses and densities in this predominantly commercial area.

Transportation policies promote a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (Section 1.6.7.4). The proposed development has been designed to be pedestrian-oriented, offering an appropriate range of residential, commercial and office uses that interfaces well with Gainsborough Road, and supports the use of active transportation and public transit (Route #19) along Hyde Park Road to the west.

With respect to cultural heritage and archaeological resources (Section 2.6), a Stage 1-2 Archaeological Assessment has been completed and did not result in the identification of any archaeological resources. A Heritage Impact Statement has also been completed as the subject lands are adjacent to listed non-designated heritage properties. The study concluded that the proposed development would not have a negative impact on any potential heritage attributes. The subject lands are not affected by any natural heritage features and functions or natural hazards, and there are no known human-made hazards. Therefore, Development Services staff are satisfied that the recommended zoning by-law amendment is consistent with the Provincial Policy Statement.

The London Plan

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

Our Strategy

Key Direction #1 – Plan strategically for a prosperous city

11. Plan for cost-efficient growth patterns that use our financial resources wisely.

13. Invest in, and promote, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners.

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

2. Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.

4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.

5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.

6. Mix stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity.

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

1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.

6. Dependent upon context, require, promote, and encourage transit-oriented development forms.

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

4. Create social gathering places where neighbours can come together, such as urban parks and public spaces, community centres, family centres, community gardens, cafés, restaurants, and other small commercial services integrated within neighbourhoods.

10. Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources.

City Building and Design Policies

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

215_ *Rear laneways may be permitted in new neighbourhood design to allow for building frontages that contribute to quality pedestrian-oriented streetscapes. In addition, such laneways should be employed to avoid garage-dominated streetscapes where lot frontages are small.**

The mixed use building located at the front of the site (Building 'A') is positioned close to the street, establishing a street wall with retail uses on the ground floor that is easily accessible by pedestrians. The applicant's Planning Justification Report notes: "that the proposed development will define the character of this portion of Gainsborough Road, creating a unique identity and strong sense of place for the area. The proposed development adds to a diversity of patterns, sizes, and residential housing choices, which may accommodate a variety of demographics." Main streets can be planned to create a strong neighbourhood character and distinct sense of place, and the proposed built form contributes to this planned vision.

A system of rear lanes for lands fronting Gainsborough Road and Hyde Park Road was identified in the Hyde Park Community Plan. This private laneway system is intended to allow access to rear lands from future collector roads instead of allowing individual access for businesses on to the arterial roads. The laneway reduces the need for on-street parking by a shared access to rear yard parking areas. Reducing the number of vehicular accesses along Hyde Park Road and Gainsborough Road allows for building frontages to contribute to a quality, pedestrian-oriented streetscape.

The applicant's site concept plan identifies the approximate location for the laneway connection aligned with the north leg of Sophia Crescent to the east. Comments received from the City's Transportation Planning and Design Division confirm that as part of the Hyde Park Community Plan the applicant is required to build a rear lane (approx. 12 metres wide) consistent with the alignment identified in the community plan and register an easement for public access. Easements have been taken on a number of adjacent properties "fixing" the location of the lane, the applicant is to ensure the lane lines up opposite these existing easements. Details regarding the rear lane, access location and design will be made through the site plan review process.

253_ *Site layout should be designed to minimize and mitigate impacts on adjacent properties.*

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

268_ Sites shall be designed to provide a direct, comfortable and safe connection from the principle building entrance to the public sidewalk.

The Planning Justification Report accompanying the application addresses the site layout within the context of the surrounding area. The adjacent properties consist of a mix of existing commercial and office uses to the east and west, and medium and high density residential uses to the south. The proposed 6-storey, mixed use building at the front of the site (Building 'A') is positioned to provide appropriate separation distance to minimize impacts on adjacent uses. Other factors to take into consideration are the existing building setbacks, mature trees, and landscaping that provide buffering and screening from the proposed development. The proposed 12-storey apartment building (Building 'B') abuts deep rear yards that have substantial amounts of open space to the east, and vacant rear yards used for parking or outside storage to the west. The building will be setback appropriately from residential uses to the south and maintain a 17.4 metre rear yard setback. The PJR noted that the actual separation distance to the back of the adjacent 3-storey townhouses will be approximately 26 metres, and that this is greater than the existing apartment building to the east of the townhouse complex at 1030 Coronation Drive which is approximately 15 metres. The rear yard is proposed to be maintained as common open space that is appropriately sized to buffer and maintain privacy levels of the townhouse residents, as well as provide for enhanced screening opportunities, including landscaping, tree plantings and/or fencing. The screening and landscaping plan details will be reviewed in greater detail as part of the Site Plan Approval process.

Building 'A' has been sited with minimal setbacks from the Gainsborough Road right-of-way to create a street edge, establish a sense of enclosure, and develop a comfortable pedestrian environment. The front entrance is directly connected to the public sidewalk and an internal pathway system that leads to secondary entrances on the side and the rear of the building, surface parking, and garbage enclosures. Comments received from the Urban Design Peer Review Panel were generally supportive of the proposed mix of uses, density, and inclusion of affordable housing (see Appendix C).

269_ Buildings should be sited to minimize the visual exposure of parking areas to the street.

*272_ The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.**

*275_ Parking should be located underground for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings.**

The site concept plan indicates all surface parking will be located to the rear of Building 'A' thereby minimizing visual exposure to Gainsborough Road. The area between Building 'A' and Building 'B' will be primarily occupied by surface parking, driveway and access aisles; including buffer strips enabling visual screening through fencing and landscaping along the east and west sides. The majority of parking spaces for residents of the apartment building will be underground.

284_ All planning and development proposals will be required to demonstrate how the proposed building is designed to support the planned vision of the place type and establishes character and a sense of place for the surrounding area. This will include matters such as scale, massing, materials, relationship to adjacent buildings, heritage impact and other such form-related considerations. The Our Tools chapter and the Residential Intensification policies in the

*Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.**

The applicant's Planning Justification Report included an analysis of potential impacts on nearby properties as part of evaluating the appropriateness and compatibility of the proposed development, and its conformity with The London Plan in accordance with Policy 1578 of the Our Tools Chapter*. The following provides a summary of the analysis:

Traffic and Access - A Traffic Impact Assessment (TIA) accompanied Zoning By-Law Amendment application. All recommendations within the assessment to address traffic concerns are to be fully implemented through the application process. The response from Transportation Planning and Design staff indicated that access to Gainsborough Road is to be located to the easterly limits of the site. Care will be needed with the access design so as to not adversely impact the existing access for 1006 Gainsborough Road. A future shared access should be identified on the plan so that at such time as that property redevelops a consolidated shared access can be used for both properties, consistent with the City's Access Management Guidelines for access along arterial roads.

Noise - A Noise Study is not required for the proposed Zoning By-Law Amendment. No significant noise levels are anticipated from the proposed development that would negatively impact adjacent lands.

Parking - Adequate parking is provided for the proposed development. It is not anticipated that any overflow parking will be required on streets or adjacent properties. On-street parking is not permitted on the south side of this portion of Gainsborough Road.

Lighting - The location and type of exterior lighting will be confirmed in the Site Plan Approval process. A photometric plan may be required to illustrate the effects of the proposed lighting fixtures.

Garbage – The applicants have indicated that garbage and recycling will be provided internal to each building, with garbage enclosures for pick-up within the surface parking area, buffered from the property lines by the underground parking ramps and landscape strips.

Privacy, Visual Impact, Loss of Views - The rear yards of adjacent properties fronting on Hyde Park Road and Gainsborough Road are occupied by surface parking and open space providing significant spatial separation between the existing built form and the proposed development. Staff agree with the observations given that these lands are zoned BDC to permit compact development with minimal setbacks, and adequate privacy levels are maintained to the east and west. Gainsborough Road provides a sufficient buffer between Building 'A' and the uses across the street to the north. A 17.4m rear setback providing for landscaped amenity space between Building 'B' and the townhouse dwellings to the south, maintain appropriate privacy levels.

Shadowing - A shadow study was not required for the proposed Zoning By-Law Amendment, although the Heritage Impact Assessment does provide some shadow study illustrations. Shadowing of the proposed buildings are anticipated to be similar to the shadow pattern of the existing apartment buildings to the south.

Loss of Trees, Impact on Natural Heritage Features, Impact on Natural Resources - A Tree Preservation Plan and/or Study was not required. There is limited vegetation on the subject site and there will no significant loss of trees, natural heritage features, or natural resources.

Impact on Cultural Heritage Resources - The City of London determined that an Archaeological Assessment and a Heritage Impact Assessment (HIA) is required for the

Zoning By-Law Amendment application. No further archaeological assessment is recommended, and any recommendations/mitigation measures to protect heritage resources from the assessment are to be fully incorporated throughout the approvals process.

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

In exchange for bonus zoning to allow for an increase in residential density, the proposed apartment building will be required to provide a total of eighteen (18) affordable rental housing units consisting of sixteen (16) one-bedroom units and two (2) two-bedroom units, which shall include at least three (3) one-bedroom and one (1) two-bedroom accessible units.

Main Street Place Type

The Main Street Place Type permits a range of residential, retail, service and office uses. Mixed-use buildings are encouraged, with retail and service uses at grade, and residential and non-service offices uses directed to the rear of buildings and to upper floors. Appropriate and sensitive infill and intensification is envisioned within the Main Street Place Type. The proposed development is appropriate for the subject lands and sensitive to abutting uses. The location and orientation of the building accommodates ample space between existing uses to the east and west along Gainsborough Road, and the extensive use of glass, combination of materials, and positioning of the building close to the street and sidewalks maintains the intent of the Main Street Place Type.

Neighbourhoods Place Type

The Neighbourhoods Place Type permits a range of residential uses including stacked townhouses, fourplexes, and low-rise apartments. The maximum permitted height is 4 storeys, and up to 6 storeys with Type 2 Bonusing.

Both Map 1 – Place Types and Map 2 - High Density Residential Overlay (from the 1989 Official Plan) are currently subject to LPAT appeal PL170100. This development proposal is proceeding in conformity with the in-force 1989 Official Plan which designates the rear portion of the subject lands as Multi-family, High Density Residential. The High Density Residential Overlay policies under Section 958* state that outside the Primary Transit Area residential development may be permitted up to 12 storeys in height and at a density of up to 150 units per hectare on lands within the High Density Residential Overlay (from 1989 Official Plan). However, the proposed apartment building development will be permitted to exceed this upper limit when density bonusing is applied. Therefore, staff are recommending an amendment to The London Plan to add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, an apartment building with a maximum height of 12 storeys and a maximum density of 392 units per hectare, and to add the subject lands to Map 7 – Specific Policy Areas.

(1989) Official Plan

These lands are designated Main Street Commercial Corridor and Multi-family, High Density Residential on Schedule 'A' of the (1989) Official Plan. Under Section 3.4.1, the Multi-family, High Density Residential designation permits such uses as low-rise and high-rise apartment buildings, multiple attached dwellings, and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. Under Section 4.4.1.4, the Main Street Commercial Corridor designation permits a broad range of uses, such as small-scale retail uses, convenience commercial uses, financial institutions, small-scale offices, and residential units created through the conversion of existing buildings, or through the development of mixed-use buildings. The proposed use, form, and intensity of development have been reviewed in conjunction with the Official Plan, and

are generally in keeping with the policies and implementing guidelines, including the following specific policies:

4.4.1.8. Mixed Use Development

Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

4.4.1.13.4 Hyde Park (Specific Main Street Commercial Corridors)

The Main Street Commercial Corridor extending along Gainsborough Road and Hyde Park Road in the Hamlet of Hyde Park is currently comprised of a mixture of pedestrian and auto-oriented commercial uses. It is the long term intent of the Official Plan policies to foster and encourage the development of a pedestrian/street-oriented commercial area for Hyde Park similar to Richmond Row. This development will be guided by the Official Plan policies, by urban design guidelines included in the Hyde Park Community Plan and other guidelines/standards prepared by the City and/or Business Association. When Hyde Park Road and Gainsborough Road are widened some on-street parking in off-peak periods may be permitted, however, over time as traffic volumes increase, on-street parking may be restricted or removed and the businesses should plan for individual and/or grouped parking facilities.

Hyde Park Community Plan

The site is also located within the Hyde Park Community Planning Area which provides Community and Urban Design Guidelines to guide the overall design of the community, as well as development of individual sites. The Hyde Park Community Plan designated the subject lands as “Business District” and “High Density Residential”.

Section 3.5.12 - Hyde Park Community Planning Area

In the area bounded by Fanshawe Park Road West on the North, CN Rail line to the south, the former City Boundary (pre-1993) to the east and the former CN railway spur line to the west, design guidelines have been developed through the Community Plan process which encourage street-oriented development and discourage noise attenuation walls along arterial roads. New development should be designed and approved consistent with the design guidelines in the Hyde Park Community Plan.

The proposal is consistent with the Hyde Park Community Plan and Design Guidelines. The proposed development concept is generally in keeping with the urban form, street network, streetscape design, and building design principles as outlined in design guidelines. Specifically, it implements the direction for a proposed rear laneway system and provides vehicular access to the surface parking area to the rear of the building, as well as to other uses along Hyde Park Road and Gainsborough, allowing for an increased pedestrian focus along Gainsborough Road.

Zoning By-law

The recommending zoning by-law amendment involves amending the zoning over both the front and rear portions of the subject lands. The zoning amendments are broken down as follows (reference should be made to the amending by-law and schedule found in Appendix 'B')

Front Portion – Amend the zoning from a Holding Business District Commercial (h-17•BDC) Zone to a Business District Commercial Special Provision (BDC()) Zone, which will allow the same range of uses currently permitted; together with special provisions for a maximum density of 97 units per hectare, and maximum height of 25

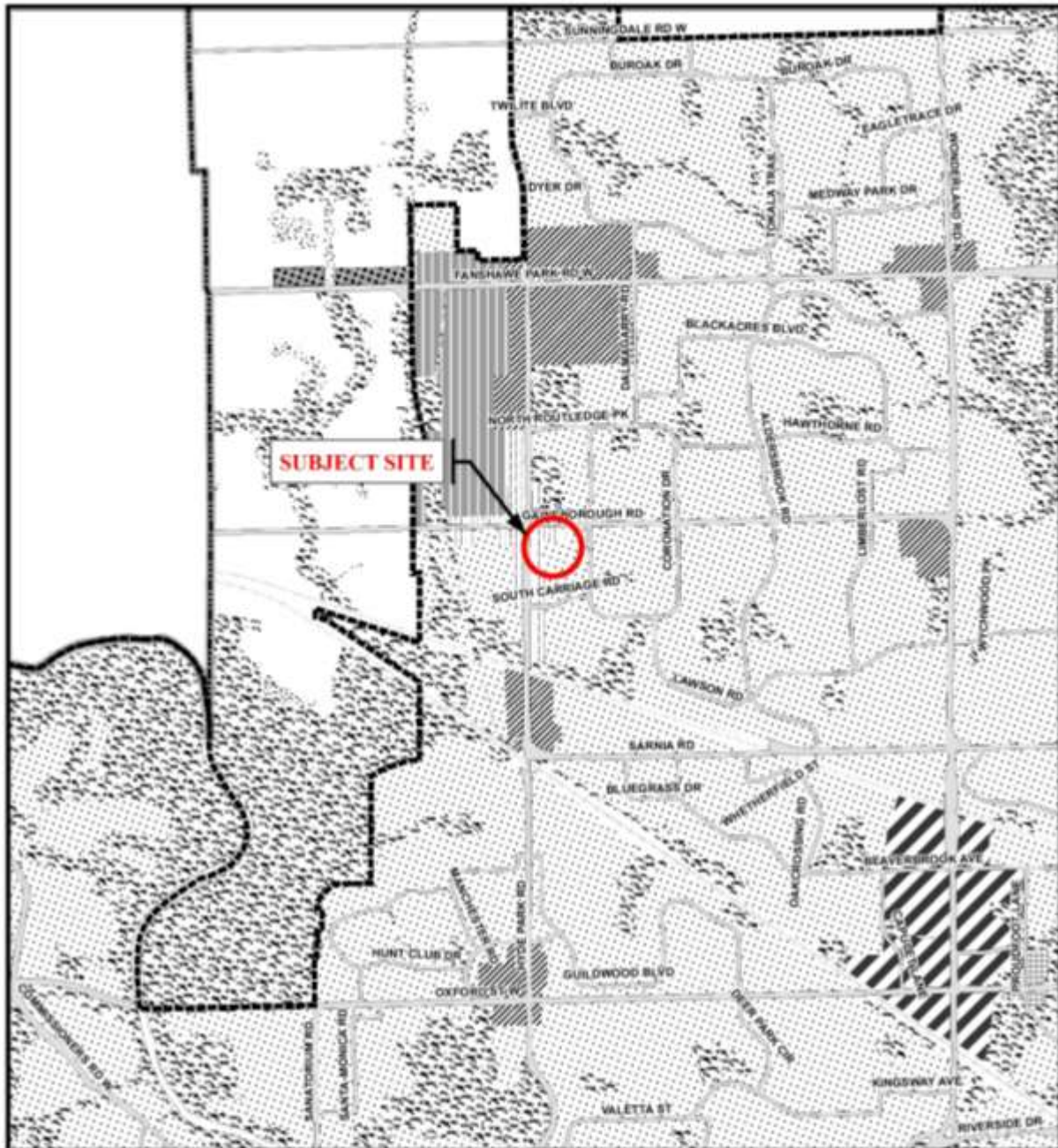
metres. The maximum density and height provisions are appropriate and will accommodate the commercial, office and residential components of the proposed mixed-use building at a height of six (6) storeys. The mixed-use density calculation is based on 52 residential units and 2,184 m² of retail and office floor area, and represents the equivalent of 94 units over the front portion of the site which is 0.79 hectares in area. The recommended special provision also ensures that offices and medical/dental offices will be permitted on the second floor of the proposed mixed-use/residential apartment building.

Rear Portion – Amend the zoning from an Urban Reserve UR3 Zone to a Residential R9 Special Provision Bonus (R9-7()•H44•B-) Zone to permit such uses as apartment buildings and senior citizen’s apartment buildings up to maximum density of 150 units per hectare, and maximum height of 44 metres (12 storeys); together with special provisions to permit an east interior side yard depth of 11.2 metres minimum and a west interior side yard depth of 2.2 metres minimum. The requested reduced side yard setbacks are considered appropriate and are not expected to result in significant impacts on adjacent properties to the east and west. The vacant rear yard of Unger’s Farm Market to the east is zoned for an accessory parking lot under the Business District Commercial (BDC(21)) Zone. Four adjacent properties to the west fronting along Hyde Park Road are also zoned Business District Commercial (BDC and BDC(14)) with zoning and building setbacks consistent with the front portion of the subject property.

The bonus (B-) portion allows an apartment building with 182 dwelling units at a density of 392 units per hectare. Affordable housing is to be provided including the provision of eighteen (18) affordable rental housing units consisting of sixteen (16) one-bedroom units and two (2) two-bedroom units, which shall include at least three (3) one-bedroom and one (1) two-bedroom accessible units. An agreement shall be entered into with the Corporation of the City of London to secure the said affordable housing units, rent rates and affordability periods.

Appendix E – Relevant Background

London Plan Map Excerpt



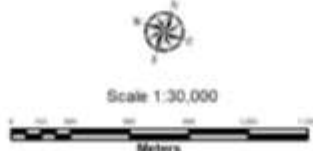
Legend

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

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

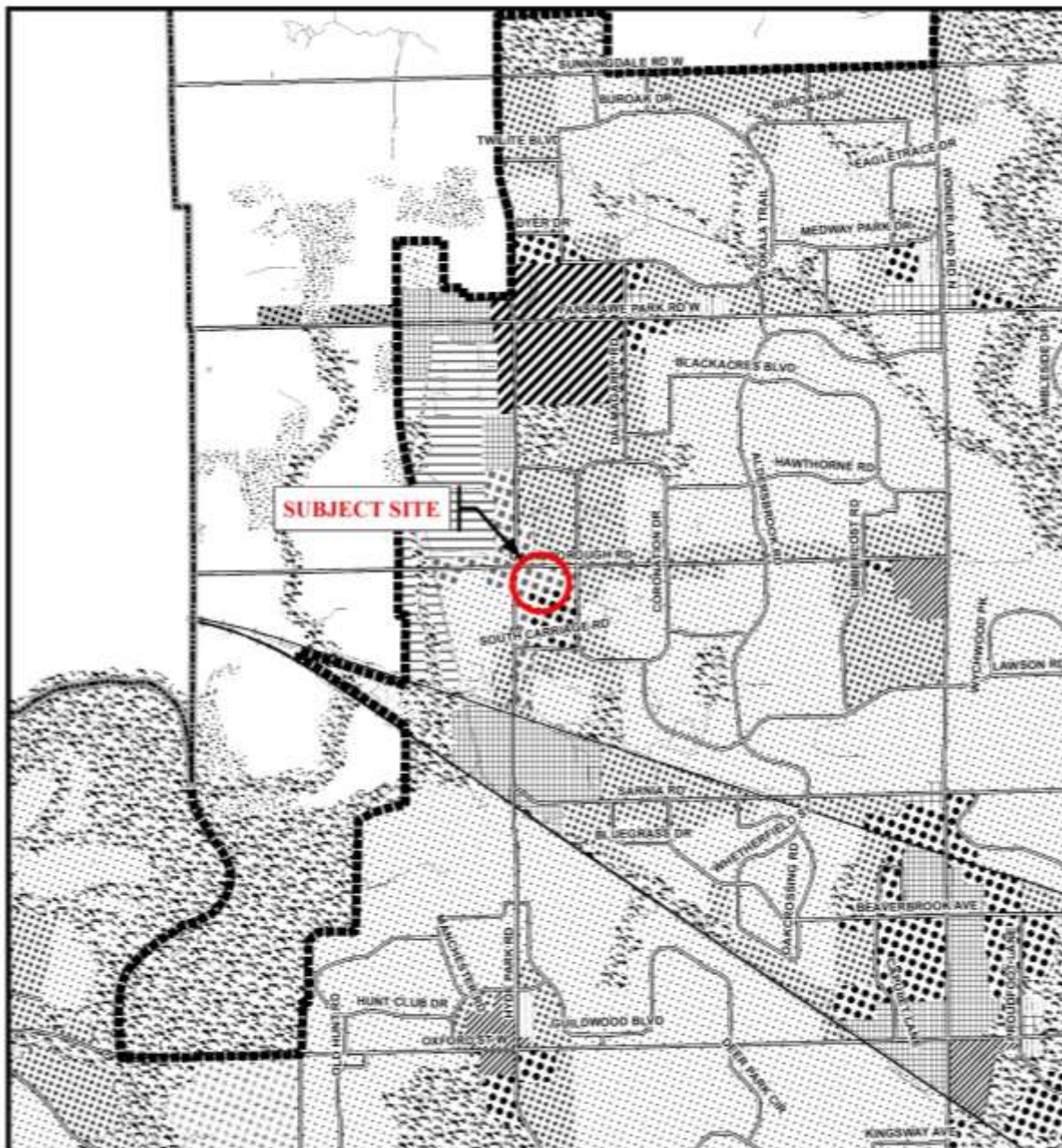
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: Z-9079
Planner: DM
Technician: DM
Date: September 26, 2019

Official Plan Map Excerpt

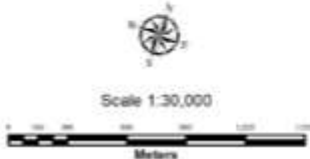


Legend

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

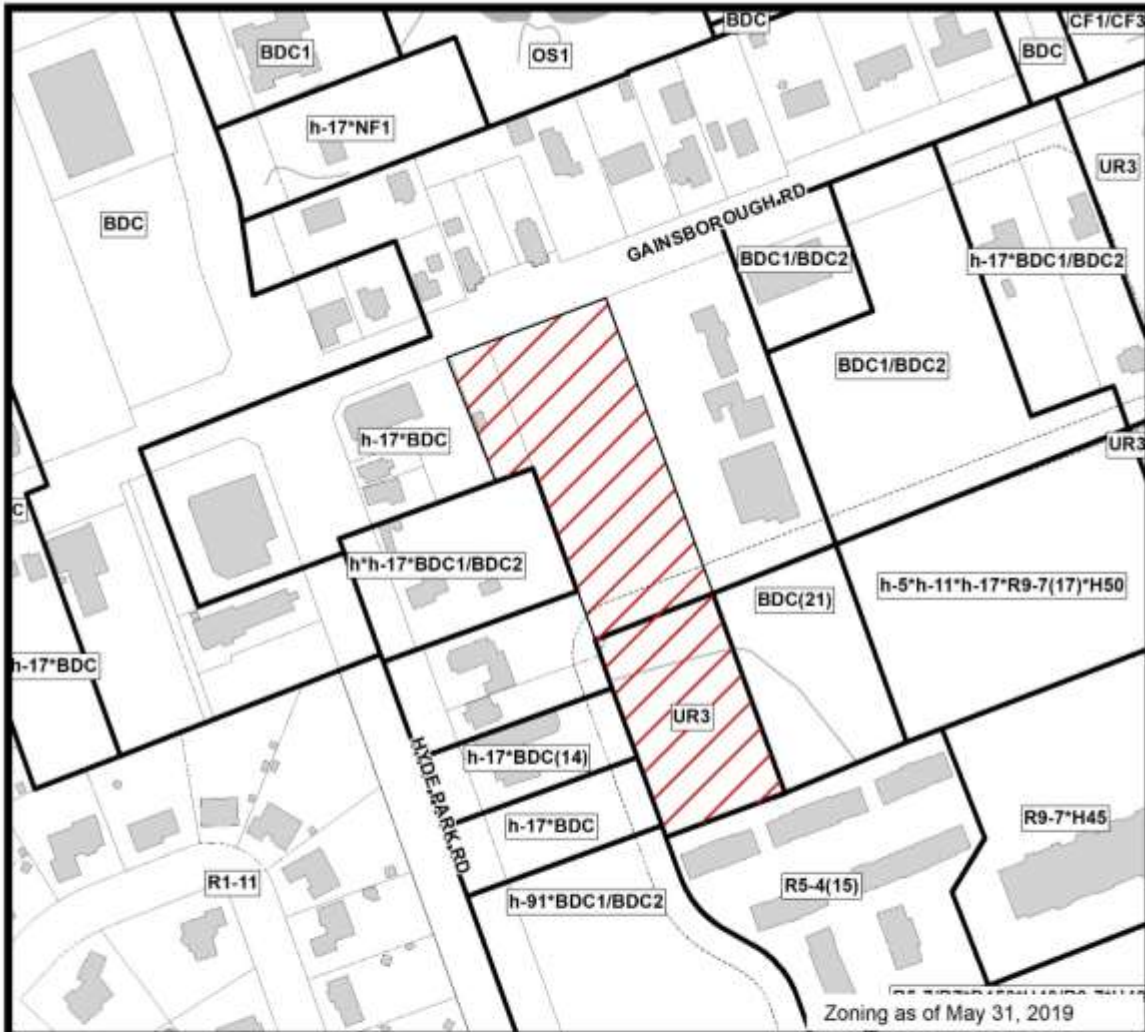
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9079
 PLANNER: LM
 TECHNICIAN: DM
 DATE: 2019/09/26

Zoning By-law Map Excerpt



Zoning as of May 31, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
 Z-9079 LM

MAP PREPARED:
 2019/09/26 DM

1:2,500
 0 15 30 60 90 120 Meters

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