### **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:** Canadian Commercial Management Inc.

754-760 Base Line Road East

Public Participation Meeting on: June 22, 2020

### **Recommendation**

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Canadian Commercial Management Inc. relating to the property located at 754-760 Base Line Road East:

- (a) the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 29, 2020 to amend the Official Plan by **ADDING** a policy to section 10.1.3 Policies for Specific Areas;
- (b) the proposed by-law <u>attached</u> hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 29, 2020 to amend The London Plan by **AMENDING** policy 1101\_ in the Specific Policies for the Institutional Place Type;
  - **IT BEING NOTED THAT** the amendments will come into full force and effect concurrently with Map 1 and Map 7 of The London Plan;
- the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on June 29, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in parts (a) and (b) above, to change the zoning of the subject property **FROM** an Office (OF2) Zone **TO** a Residential R8 Bonus/Office (R8-4\*B-\_/OF2) Zone;

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 4-storeys, 28 dwelling units and a maximum density of 165 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

The building design shown in the various illustrations contained in Schedule "1" to the amending by-law is being bonused for features which serve to support the City's objective of promoting a high standard of design including:

- a) A building located along the street frontage with reduced front and exterior side yard setbacks;
- b) Providing for appropriate scale/rhythm/materials/fenestration; and,
- c) Enhanced landscaping and amenity area at grade.
- ii) Provision of Affordable Housing

The development shall provide for the following:

a) One, one-bedroom barrier-free affordable rental unit;

b) Rent not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy; and,

c) The duration of affordability shall be set at 25 years from the point of initial occupancy of the unit.

### **Executive Summary**

### **Summary of Request**

The owner has requested to amend the 1989 Official Plan, The London Plan, and Zoning By-law Z.-1. The requested amendment to the 1989 Official Plan would add a Chapter 10 Specific Area Policy to permit a 4-storey, 28-unit apartment building with a density of 165 units per hectare. The requested amendment to The London Plan would amend the existing specific policy 1101\_ to permit residential uses that are not accessory to an institutional use.

The owner has requested to amend Zoning By-law Z.-1 to change the zoning of the subject lands from an Office (OF2) Zone to a Residential R8 Bonus (R8-4\*B-\_) Zone. The following special provisions have also been requested: recognize Base Line Road East as the front lot line; a front yard depth of 0.1 metres, whereas 8 metres is required; an exterior side yard depth of 1.7 metres, whereas 8 metres is required; an interior side yard depth of 2.6 metres, whereas 6 metres is required; a reduced parking rate of 0.9 spaces per unit, whereas 1.25 spaces per unit is required; a building height of 17 metres; and a maximum density of 165 units per hectare, whereas 75 units per hectare is the maximum. The applicant proposed to provide bonusing for additional height and density in the form of affordable housing, quality urban design, and enhanced landscaped open space.

#### **Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended Official Plan and Zoning By-law amendments are to permit the development of a 4-storey, 28-unit apartment building at a density of 165 units per hectare. The bonus zone shall be implemented through a development agreement to facilitate the development of the requested apartment building in return for the provision of affordable housing, enhanced landscaped open space, and the construction of the high-quality form of development illustrated in Schedule "1" to the amending by-law.

### **Rationale of Recommended Action**

- 1. The recommended amendment is consistent with the PPS, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- 2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Institutional Place Type;
- 3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the criteria for a Chapter 10 Specific Area Policy;
- 4. The recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary and Primary Transit Area with an appropriate form of development.

### **Analysis**

### 1.0 Site at a Glance

### 1.1 Property Description

The subject site is located in the South London Planning District on the northwest corner of Base Line Road East and Fairview Avenue. The site consists of three lots previously developed with single detached dwellings. The site is currently undeveloped.

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

- Official Plan Designation Office Area
- The London Plan Place Type Institutional Place Type
- Existing Zoning Office (OF2) Zone

### 1.3 Site Characteristics

- Current Land Use Undeveloped
- Frontage 45.7 metres (149.9 feet)
- Depth 33.2 metres (108.9 feet)
- Area 1,697 square metres (18,266.36 square feet)
- Shape Irregular

### 1.4 Surrounding Land Uses

- North Low rise residential
- East Low rise residential
- South Institutional (London Health Sciences Centre Victoria Hospital)
- West Office

### 1.5 Intensification

• This development represents intensification inside the Built-Area Boundary and within the Primary Transit Area through the addition of 28 new residential apartment units.

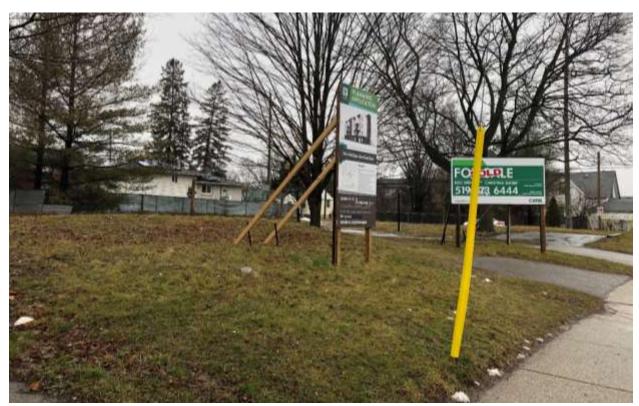
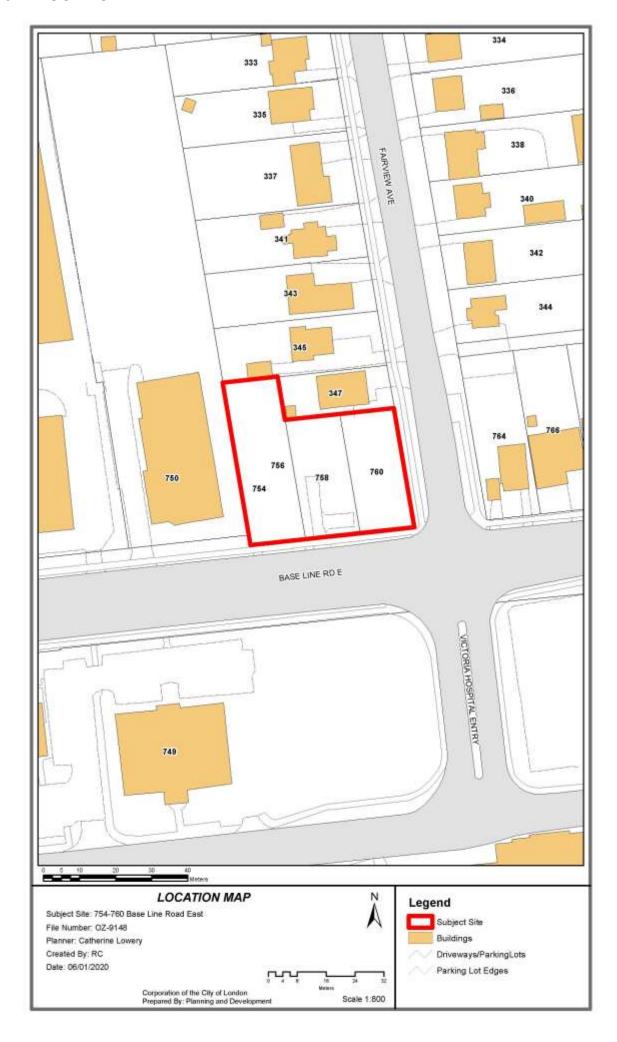


Figure 1: Photo of Subject Lands - view from Base Line Road East

### 1.6 LOCATION MAP



### 2.0 Description of Proposal

### 2.1 Development Proposal

The requested amendments are intended to permit and facilitate the development of a 4-storey, 28-unit apartment building at a density of 165 units per hectare and building height of 17 metres.

### Original Concept Plan

The conceptual site plan submitted in support of the requested amendment shows a 4-storey, 28-unit apartment building oriented towards the intersection of Base Line Road East and Fairview Avenue. Driveway access is provided off Fairview Avenue with parking provided in a surface parking lot in the rear yard, a portion of which is located below a building cantilever. Balconies are proposed on the front and rear building faces, as well as a canopy over the principle entrance on the Base Line Road East façade.

The building is oriented towards the intersection, providing for reduced setbacks of 0.1 metres from Base Line Road East and 1.7 metres from Fairview Avenue. The rear yard depth is 2.6 metres, however it should be noted that as Fairview Avenue is the shorter lot line abutting the street, it is interpreted to be the front lot line. As such, by definition the rear yard is that abutting the neighbouring office development to the west, however it appears and functions more as an interior side yard. Rooftop amenity space is proposed on a small single-storey portion of the building containing space for bicycle parking. A reduced landscaped open space of 27% has been requested, whereas 30% is required. A reduced parking supply of 29 spaces, whereas 35 spaces are required, has also been requested.

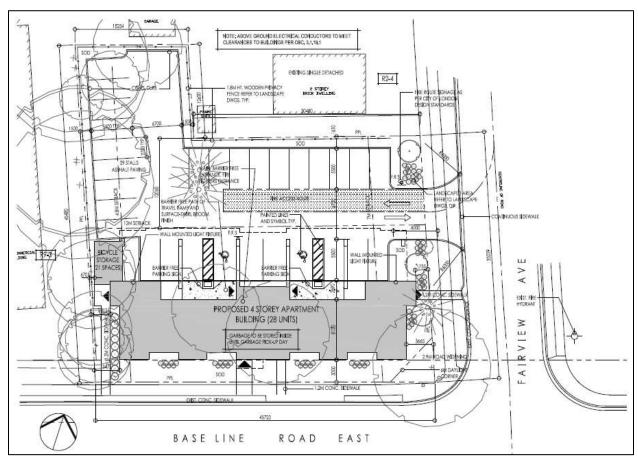


Figure 2: Original Site Concept Plan

### Revised Concept Plan (March 2020)

In response to concerns raised by City staff regarding the design and functionality of the site, the applicant submitted a revised concept with the following changes:

• The canopy over the principle entrance has been removed and the balconies no longer project beyond the face of the building, due to risk of encroachments into the City's right-of-way.

 A larger, more usable common outdoor amenity area has been added behind the parking area. As a result, the requested special provision for landscaped open space is no longer required.

- Parking spaces were removed from the plan to accommodate the larger amenity area. As a result, the parking has been reduced from 29 spaces to 26. Since a greater reduction in parking is required, the application has been amended to request a parking rate of 0.9 spaces per unit, whereas 1.25 spaces per unit is required.
- A concrete pad has been added to the rear of the site adjacent to the parking area where garbage and recycling bins will be rolled out on collection day.
- The portion of the building containing indoor bicycle parking and the proposed rooftop amenity area has been removed. Bicycle parking has been relocated to the basement of the building.

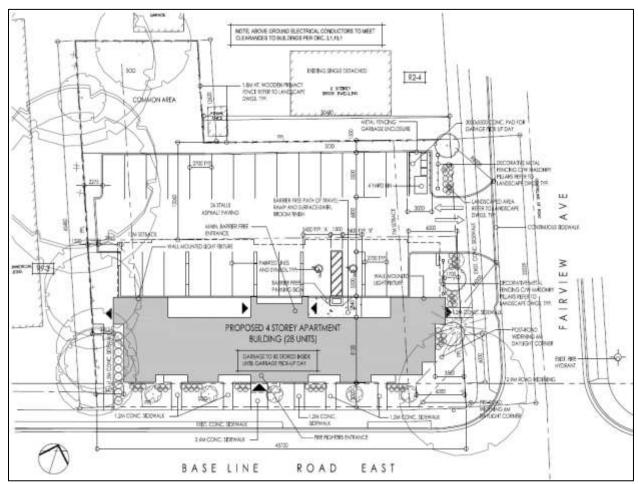


Figure 3: Revised Site Concept Plan (March 2020)

### 3.0 Relevant Background

### 3.1 Planning History

The subject site consists of three lots previously developed as single detached dwellings and is now undeveloped. City records indicate a by-law enforcement complaint was filed in June 1991, claiming a car repair business was operating illegally at 756 Base Line Road East. As part of the complete application, the owner submitted a Phase I Environmental Site Assessment in support of the requested amendment. The assessment did not identify any potential subsurface impacts on-site and recommended no further subsurface investigation work (Phase II ESA). The report advises there was no evidence during the site reconnaissance, such as stressed vegetation or staining, indicating potential contamination from this former land use.

### 3.2 Requested Amendment

The owner has requested to amend the 1989 Official Plan, The London Plan, and Zoning By-law Z.-1. The requested amendment to the 1989 Official Plan is to add a Chapter 10 Specific Area Policy to permit a 4-storey, 28-unit apartment building with a

density of 165 units per hectare. The requested amendment to The London Plan is to amend the existing specific policy 1101\_ to permit residential uses that are not accessory to an institutional use.

The owner has requested to amend Zoning By-law Z.-1 to change the zoning of the subject lands from an Office (OF2) Zone to a Residential R9 Special Provision (R9-7(\_\_)\*H17) Zone. The requested change would permit the use of the subject lands for apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities. In addition to the requested height of 17 metres, the following special provisions were requested: a front yard depth of 1.7 metres, whereas 7.1 metres is required; an exterior side yard depth of 0.1 metres, whereas 7.1 metres is required; a rear yard depth of 2.6 metres, whereas 7 metres is required; a landscaped open space of 27%, whereas 30% is required; a parking supply of 29 spaces, whereas 35 spaces are required; and a maximum density of 165 units per hectare, whereas 150 units per hectare is permitted.

Through the review of the application and consultation with staff, the owner amended the requested zoning by-law amendment. The amended application requests a Residential R8 Bonus (R8-4\*B-\_) Zone with the following special provisions: recognize Base Line Road East as the front lot line; a front yard depth of 0.1 metres, whereas 8 metres is required; an exterior side yard depth of 1.7 metres, whereas 8 metres is required; an interior side yard depth of 2.6 metres, whereas 6 metres is required; a reduced parking rate of 0.9 spaces per unit, whereas 1.25 spaces per unit is required; a building height of 17 metres; and a maximum density of 165 units per hectare, whereas 75 units per hectare is the maximum. The applicant proposed to provide bonusing for additional height and density in the form of affordable housing and enhanced landscaped open space.

### 3.3 Community Engagement (see more detail in Appendix D)

Two (2) written responses and two (2) phone calls were received from three (3) neighbouring property owners, which will be addressed later in this report. While one of the written responses was in opposition to the application, the other was in support. Concerns with respect to shadowing and impacts on solar panels fixed to the roof of the adjacent single detached dwelling were identified, as well as concerns related to traffic and over-intensification of the area. The phone call was to seek clarification of the requested amendments and proposed development, and expressing concern for loss of property values and views.

### 3.4 Policy Context (see more detail in Appendix E)

### Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions "shall be consistent with" the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

### The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal

(Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan provides Key Directions (54\_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to plan strategically for a prosperous city by:

• Investing in, and promoting affordable housing to revitalize neighbourhoods and ensure housing for all Londoners. (Key Direction #1, Direction 13).

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within the Primary Transit Area;
- Planning to achieve a compact, contiguous pattern of growth looking "inward and upward";
- Planning 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; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

• Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

The site is in the Institutional Place Type of The London Plan, as identified on \*Map 1 – Place Types. The Institutional Place Type contemplates a wide range of institutional uses and accessory uses that are related to the use of the lands for institutional purposes (1085\_1 and 1085\_2). The site is also located within the Baseline Office Area Specific Policy Area, as identified on \*Map 7, which contemplates office uses up to 5,000 square metres which are not accessory to an institutional use. The applicant has requested to amend this Specific Policy Area to allow residential uses that are not accessory to an institutional use on a site-specific basis.

### 1989 Official Plan

The subject site is designated Office Area in accordance with Schedule A of the 1989 Official Plan. The Office Area designation is intended to accommodate general office uses which would not normally locate in the Downtown, or which have specific location requirements that make a location outside of the Downtown desirable. The amount and scale of development in Office Areas will be controlled to protect the Downtown's role as the primary office employment area in the City (5.2.1). The applicant has requested to add a site-specific Chapter 10 Specific Area Policy to permit a 4-storey, 28-unit apartment building with a density of 165 units per hectare.

### 4.0 Key Issues and Considerations

Through an analysis of the use, intensity and form, Staff have considered the compatibility and appropriateness of the requested amendment and proposed development, as shown in the revised concept plan, with the subject lands and within the surrounding neighbourhood.

#### 4.1 Issue and Consideration # 1: Use

Provincial Policy Statement, 2020 (PPS)

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (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 (1.1.3.2).

The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed 4-storey, 28-unit apartment building contributes to a mix of housing types and provision of affordable housing, providing choice and diversity in housing options for current and future residents. No new roads or infrastructure are required to service the site, therefore the development makes efficient use of land and existing services. Further, the site is located in proximity to a planned transit corridor and a major institution (Victoria Hospital), supporting the use of transit and active transportation and minimizing the length and number of vehicle trips.

### The London Plan

Institutions play a very large role in shaping the structure of the city, both now and as planned for the future (1081\_). These large centres will continue to grow and change over the life of The London Plan and it is expected that some will evolve into a complex mix of research, education, health care, office, residential, retail, and service uses over time (1082\_). The vision for the Institutional Place Type will be realized by planning for Institutional Place Types with flexibility, to allow for their change and evolution over time and to create the context for new mixes of uses that may be advantageous to institutions in the future (1084\_1).

The Institutional Place Type contemplates a range of institutional uses as the primary permitted uses (1085\_1). Accessory uses that are related to the use of these lands for institutional purposes may be permitted, including such things as: dormitories and residences, residential uses, offices, laboratories, services, and, where appropriate, light industrial uses that are compatible within their institutional context and the surrounding neighbourhood (1085\_2). In addition to the primary and secondary permitted uses, the subject lands are located within the Baseline Office Area Specific Policy Area, permitting office uses up to 5,000 square metres which are not accessory to an institutional use (1101\_).

While the Institutional Place Type does contemplate accessory residential uses, it does not specifically contemplate stand-alone low rise apartments as a primary permitted use. However, the long-term goals include planning for flexibility to allow these areas to evolve and allowing for a mix of uses which are advantageous to and support these institutions. The target market for the proposed residential units are employees of the hospital, in particular resident doctors who require flexibility in rental accommodations. Though the owners are not affiliated with the London Health Sciences Centre, it is expected that the occupancy of these units by hospital employees will occur naturally given the proximity of the site to Victoria Hospital. As such, staff is satisfied that the

proposed 4-storey, 28-unit apartment complements the institutional use and is in conformity with and implements the long-term vision of the Institutional Place Type. Additionally, a site-specific Official Plan policy permits office uses that are not accessory to an institutional use thereby contemplating some autonomy for the development of this site.

#### 1989 Official Plan

The primary permitted use within the Office Area designation is offices within purposedesigned office buildings and buildings converted for office use. Secondary uses which may be permitted accessory to offices include eat-in restaurants; financial institutions; personal services; day care centres; pharmacies; laboratories; and clinics (5.2.2).

In accordance with Policy 10.1.1, policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land. The adoption of policies for Specific Areas may be considered where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use (10.1.1ii)). All applications for policies for Specific Areas are subject to a Planning Impact Analysis on the basis of criteria relevant to the proposed change (10.1.2). Appendix E of this report contains a complete Planning Impact Analysis addressing matters of use, intensity, and form.

Given the site's proximity to Victoria Hospital, it is appropriate to permit the proposed apartment building use on a site-specific basis. The recommended amendment would not prohibit office uses on the site and the bonus zone would ensure the site is developed in a manner that is sensitive to the abutting low rise residential neighbourhood. The proposed low rise apartment building will inherently support the hospital by providing housing options for employees. As such, staff is satisfied the proposed low rise apartment building use is appropriate on a site specific basis. It should be noted that the 1989 Official Plan policies do not require that the lands be developed as a use that is accessory to the institutional use.

### 4.2 Issue and Consideration # 2: Intensity

Provincial Policy Statement, 2020 (PPS)

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through 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 (1.1.3.3). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed, is promoted by the PPS (1.4.3d)). A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation (1.6.7.4).

The recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. As the site is currently vacant, the proposed development represents a form of intensification through infill development. The site is located in an area serviced by existing and planned transit. Further, the site is located in proximity to a major institution and several commercial amenities along Wellington Road. These considerations make this site an ideal location for residential intensification in a manner that is an efficient use of land and utilizes both existing and planned infrastructure. The consolidation of land previously developed as low density residential supports the Province's goal to achieve a more compact, higher density form of development,

consistent with the PPS.

#### The London Plan

The Institutional Place Type of The London Plan contemplates intensity ranging from a minimum of two-storeys to a maximum of 12-storeys, or up to 15-storeys with bonusing (1086\_1). However, the full range of intensity may not be permitted on all sites within the Institutional Place Type (1086\_3).

The site is located within an area characterized by a broad mix of land uses, including single detached dwellings to the north and east, Victoria Hospital to the south across Base Line Road East, and purpose-built offices and a commercial plaza to the west. When consolidated, the subject site is of a size suitable to accommodate more intensive redevelopment. In terms of the policy framework in The London Plan, the subject site is underutilized in its current vacant state. The subject lands have access to full municipal services and are located where the City's Official Plans direct and support residential intensification and redevelopment. Further, the proposed 4-storey apartment building is within the maximum intensity permitted in the Institutional Place Type. It should be noted that although bonusing for height and density are proposed under the policies of the 1989 Official Plan, a bonus zone would not be required to permit a 4-storey building under the intensity policies of the Institutional Place Type policies in The London Plan.

#### 1989 Official Plan

The Office Area designation contemplates office buildings that are low to medium rise in height and shall be permitted up to a medium scale (5.24). The proposed low-rise apartment building is scaled in accordance with this policy and additional considerations for the appropriateness of this scale are addressed in the Planning Impact Analysis contained in Appendix E.

The owner has requested a reduction in the required parking from 1.25 spaces per unit (35 spaces) to 0.9 spaces per unit (26 spaces) which staff is satisfied is sufficient to support the proposed development. The proposed development is unique by virtue of proximity to Victoria Hospital. It is anticipated that many residents of the building will be employees of the hospital, significantly reducing the need for a vehicle for these residents. Opportunities for active transportation, including walking and cycling, are encouraged to and from this proposed development to Victoria Hospital as well as the broad range of commercial amenities located to the west along Wellington Road. Access to public transit is also available along Base Line Road East and Wellington Road (the latter being an approved rapid transit route). The building has been designed with secure bicycle parking in the basement, further encouraging cycling as a mode of active transportation. In addition to facilitating a larger outdoor amenity area, the requested parking reduction contributes to a transit-oriented design which supports the use of current and planned transit systems and active transportation, consistent with the direction of the Provincial Policy Statement.

The requested zoning amendment includes a base Residential R8 (R8-4) Zone to permit the apartment use subject to standard zoning regulations. The standard R8 zone is limited to a maximum density of 75 units per hectare and height of 13 metres. A density of 75 units per hectare would yield approximately 12 units on the subject lands, whereas 28 are requested; a difference of 16 units. As such, the applicant has also applied to increase the permitted density to 165 units per hectare and a height of 4-storeys (17 metres) through the bonusing provisions outlined in Section 19.4.4 of the 1989 Official Plan. The original request was to rezone the site to an R9-7 Zone, which permits up to 150 units per hectare, approximately 25 units. Based on this request, the proposal represents an uplift of 3 units. Staff are recommending an R8-4 Zone, which permits more than half density than the recommended bonus zone, to guarantee provision of the bonusable features negotiated through this planning process and to ensure the site is developed in accordance with the "locked-in" design. Otherwise, the site could be developed as-of-right within the density permissions of the originally requested R9-7 Zone.

The policies of the 1989 Official Plan permit bonus zoning as a means of achieving enhanced development features which result in a public benefit that cannot be obtained through the normal development process in return for permitting increased heights and densities. The proposed building form and design and provision of affordable housing units, along with modest considerations for enhanced landscaped open space, allow the proposed development to qualify for bonus zoning in conformity to the policies of the 1989 Official Plan. The bonusable features are outlined in the Staff recommendation.

In order to implement the identified items for bonus zoning, section 19.4.4 iv) of the Official Plan states that:

"As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given."

Bonus zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements are intended to "lock in" the design features that will be incorporated into the form of development to merit the additional density. Through the Site Plan Approval process, the proposed development will be reviewed to ensure that all facilities, services, and matters that have warranted bonus zoning have been incorporated into the agreements. The relevant design features are highlighted in the recommendation and the amending by-law including the illustrations attached as Schedule "1".

#### 4.3 Issue and Consideration # 3: Form

Provincial Policy Statement, 2020 (PPS)

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

Consistent with the PPS, the recommended intensification of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed apartment building represents a more compact form of development than the current undeveloped state of the site, and the three single-detached dwellings that previously existed.

### The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7\_, 66\_). The London Plan encourages growing "inward and upward" to achieve compact forms of development (59\_ 2, 79\_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59\_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59\_ 8).

Within the Institutional Place Type, all planning and development applications are to conform to the City Design policies of The London Plan (1087\_1). Many of the relevant policies contained in this section relate to the site layout and building design. In particular, these policies require the site layout to respond to the existing and planned character of the surrounding neighbourhood, mitigate impacts on adjacent properties, promote safe connectivity, site buildings such that they maintain and reinforce the street wall with minimal setbacks from public rights-of-way, and orient buildings on corner lots towards the higher-order street (252\_, 253\_, \*255\_, 256\_, \*257\_ to \*259\_, and \*261\_). In addition, loading and garbage areas are to be located where they will not detract from pedestrian connections or cause a visual impact from the street (\*266\_). Similar to the

Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (\*1578\_). The form policies of the Institutional Place Type direct parking areas to be located in the rear and interior side yard (1087\_2).

The subject site has been designed with the building oriented towards the intersection of Base Line Road East and Fairview Avenue, with the parking located behind the building in the rear yard. Decorative metal fencing with masonry pillars are also proposed along the Fairview Avenue frontage to assist in screening the parking area. A portion of the parking area is also located under a cantilever, providing additional screening and making efficient use of the site. The building positioning towards the intersection, with reduced setbacks, push the building away from the low rise residential uses to the north of the site. This, along with adequate screening determined through the review of a future site plan application, provides separation and buffering while contributing to the streetscape.

Through the circulation of this application, concerns were raised by a neighbouring property owner regarding potential shadow impacts. As part of the application submission, the applicant prepared an Urban Design Brief complete with a shadow study. The study did not anticipate major shadow impacts as a result of the proposed 4-storey building. Further, it should be noted that through the requested amendment, the City has the ability to better control the design and alleviate impacts through zoning (ie through the recommended bonus zone).

### 1989 Official Plan

The policies of the Office Area designation directs development to maintain a nodal form through the clustering of small and medium scale office buildings (5.25). The proposed apartment building is of a low-rise scale, consistent with this direction.

Urban Design staff have worked closely with the applicant to address the site design and building form. Several urban design considerations have been incorporated into the site design, including: a 4-storey building that provides for enclosure to the street; a continuous street wall along the Base Line Road street frontage; appropriate scale, rhythm, materials, fenestration; active uses on the ground floor along the street, including the principle building entrance, creating an active street edge; inclusion of an appropriately-sized and located outdoor amenity area; and, locating all of the parking in the rear yard screened from the Base Line Road street frontage. In addition, the Urban Design Peer Review Panel (UDPRP) was supportive of the building orientation towards the intersection and the location of the parking in the rear yard screened from Base Line Road. The Planning Impact Analysis contained in Appendix E provides additional analysis of the appropriateness of the proposed building form in the context of the site and neighbouring properties.

More information and detail is available in the appendices of this report.

### 5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and long-term vision of the Institutional Place Type. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the criteria for Chapter 10 Specific Area Policies. The recommended amendment will facilitate the development of a vacant, underutilized site with a land use and intensity that is appropriate for the site. The proposed 4-storey, 28-unit apartment building contributes to a mix of land uses and housing types, including the provision of affordable housing. The recommended amendment with also facilitate the development of the site with a use and intensity that complements the nearby commercial, office, and institutional land uses.

Prepared by:		
	Catherine Lowery, MCIP, RPP Planner II, Development Services	
Recommended by:		
	Paul Voemen BDD DI E	
	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 oninions contained herein are offered by a person or persons		

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.

June 12, 2020

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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# Appendix A

Bill No.(number to be inserted by Clerk's Office) 2020

By-law No. C.P.-1284-A by-law to amend the Official Plan for the City of London, 1989 relating to 754-760 Base Line Road East.

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

- 1. Amendment No. # to the Official Plan for the City of London Planning Area 1989, as contained in the text <u>attached</u> hereto and forming part of this by-law, is adopted.
- 2. The Amendment 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 June 29, 2020.

Ed Holder Mayor

Catharine Saunders City Clerk

#### AMENDMENT NO.

#### to the

### OFFICIAL PLAN FOR THE CITY OF LONDON

#### A. PURPOSE OF THIS AMENDMENT

The purpose of this amendment is to add a Specific Area policy in Section 10.1.3 of the Official Plan for the City of London Planning Area – 1989 to permit an apartment building and adopt height and density bonusing policies, subject to the provision of design elements that mitigate the impacts of the additional height and density in return for the provision of facilities, services or matters that provide significant public benefit, including, but not limited to affordable housing and enhanced landscaped open space.

### B. LOCATION OF THIS AMENDMENT

This amendment applies to lands located at 754-760 Base Line Road East in the City of London.

### C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and the in-force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise apartment building, located within proximity to transit and a major institution. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would assist in providing a range of housing options and a mix of land uses to accommodate a diverse population of various ages and abilities.

### D. <u>THE AMENDMENT</u>

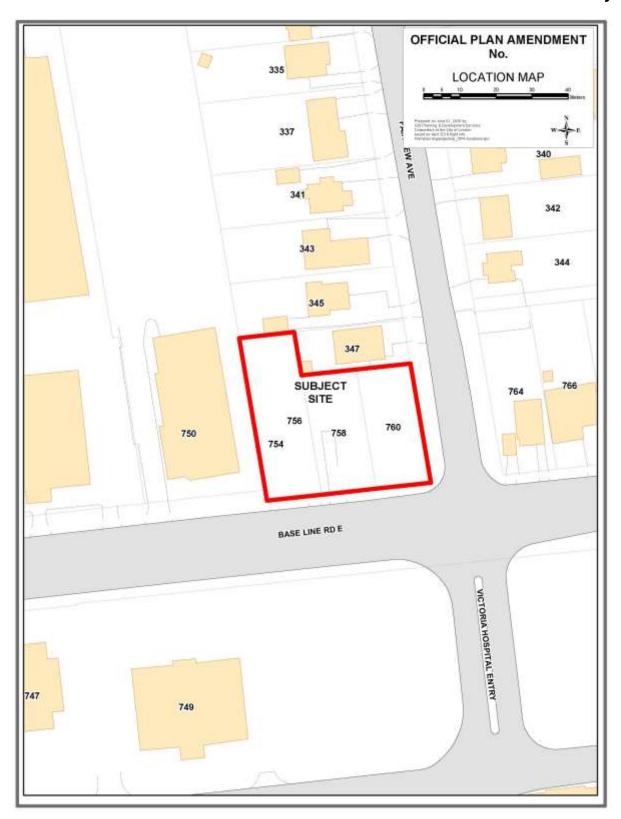
The Official Plan for the City of London Planning Area - 1989 is hereby amended as follows:

 Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London – 1989 is amended by adding the following:

### () 754-760 Base Line Road East

At 754-760 Base Line Road East, in addition to the permitted uses of the Office Area designation, residential development may be permitted in the form of a low rise apartment building up to a maximum height of 4-storeys and a maximum density of 75 units per hectare. Density bonusing may be permitted above 75 units per hectare up to a maximum of 165 units per hectare. Bonusing may be permitted provided the magnitude of the height and/or density of the bonus is commensurate with the provision of facilities, services or matters that provide significant public benefit. Bonusing may only be permitted where the site and building design mitigates the impacts of the additional height and/or density. The additional facilities, services or matters that are provided may

include, but are not limited to, affordable housing and enhanced landscaped open space.



# Appendix B

Bill No. (number to be inserted by Clerk's Office) 2020

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London Plan for the City of London, 2016 relating to 754-760 Base Line Road East.

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 Amendment 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 June 29, 2020.

Ed Holder Mayor

Catharine Saunders
City Clerk

First Reading – June 29, 2020 Second Reading – June 29, 2020 Third Reading – June 29, 2020

# AMENDMENT NO. to the

### THE LONDON PLAN FOR THE CITY OF LONDON

#### A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To amend a policy in Section 1101\_ of The London Plan for the City of London to permit residential uses, including low-rise apartments, which are not accessory to an institutional use.

### B. <u>LOCATION OF THIS AMENDMENT</u>

This Amendment applies to lands located at 754-760 Base Line Road East in the City of London.

### C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and the in-force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise apartment building, located within proximity of transit and a major institution. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would assist in providing a range of housing options and a mix of land uses to accommodate a diverse population of various ages and abilities.

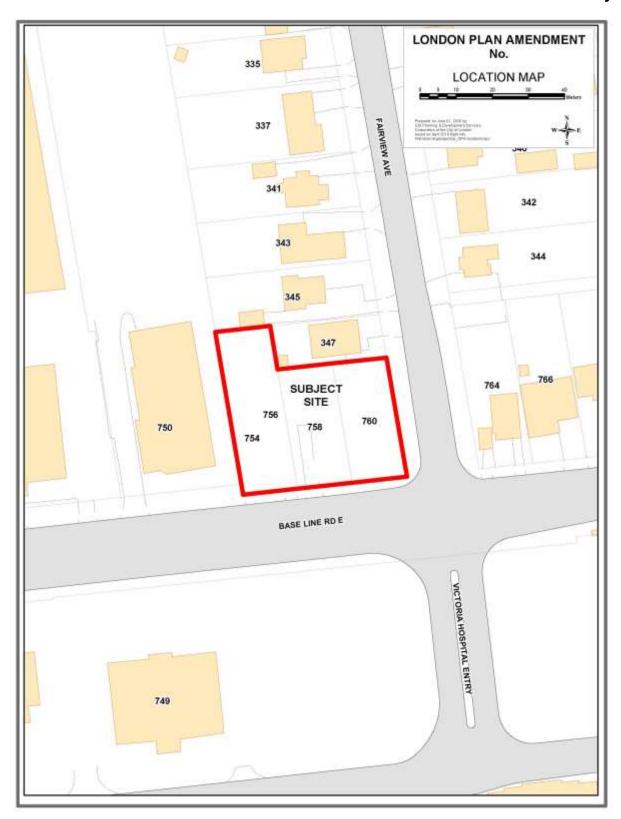
### D. <u>THE AMENDMENT</u>

The London Plan for the City of London is hereby amended as follows:

1. Policy 1101\_ – Baseline Office Area is amended by adding the following paragraph below the existing policy:

1101\_( ) 754-760 Base Line Road East

At 754-760 Base Line Road East, in addition to the permitted uses of the Institutional Place Type and the Baseline Office Area Specific Policy Area, residential uses that are not accessory to an institutional use may be permitted in the form of a low rise apartment building up to a maximum height of 4storeys and a maximum density of 75 units per hectare. Density bonusing may be permitted above 75 units per hectare up to a maximum of 165 units per hectare. Bonusing may be permitted provided the magnitude of the height and/or density bonus is commensurate with the provision of facilities, services or matters that provide significant public benefit. Bonusing may only be permitted where the site and building design mitigates the impacts of the additional height and/or density. The additional facilities, services or matters that are provided may include, but are not limited to, affordable housing and enhanced landscaped open space.



### **Appendix C**

Bill No.(number to be inserted by Clerk's Office) 2020

By-law No. Z.-1-20\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 754-760 Base Line Road East.

WHEREAS Canadian Commercial Management Inc. has applied to rezone an area of land located at 754-760 Base Line Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform 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 754-760 Base Line Road East, as shown on the attached map comprising part of Key Map No. A107, from an Office (OF2) Zone to a Residential R8 Bonus/Office (R8-4\*B-\_/OF2) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:
  - 4.3) B-\_ 754-760 Base Line Road East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 4-storeys and a maximum density of 165 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law, provides for affordable housing and enhanced landscaped open space. The affordable housing component shall consist of:

- one, one-bedroom barrier-free affordable rental unit;
- rents not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy; and,
- the duration of affordability shall be set at 25 years from the point of initial occupancy the unit.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

### a) Regulations

i) Base Line Road East shall be deemed to be the front lot line

ii)	Front Yard Depth (Minimum)	0.1 metres (0.32 feet)
iii)	Exterior Side Yard Depth (Minimum)	1.7 metres (5.57 feet)
iv)	Interior Side Yard Depth (Minimum)	2.6 metres (8.53 feet)
v)	Height	17 metres (55.7 feet)

(Maximum)

vi) Density 165 units per hectare (Maximum)

vii) Parking 0.9 spaces per unit (Minimum)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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 June 29, 2020.

Ed Holder Mayor

Catharine Saunders City Clerk

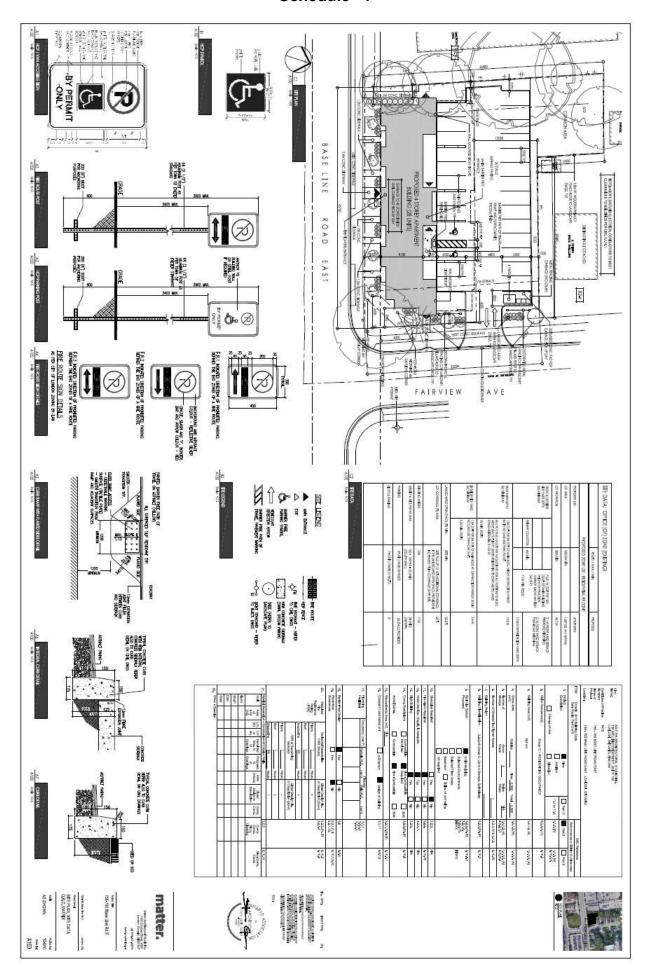
First Reading – June 29, 2020 Second Reading – June 29, 2020 Third Reading – June 29, 2020

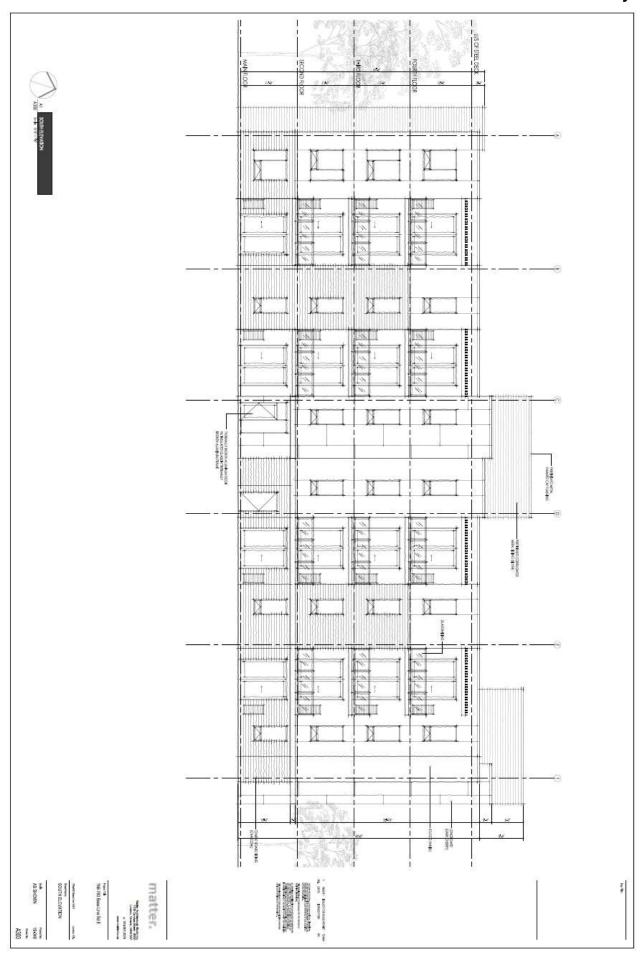
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

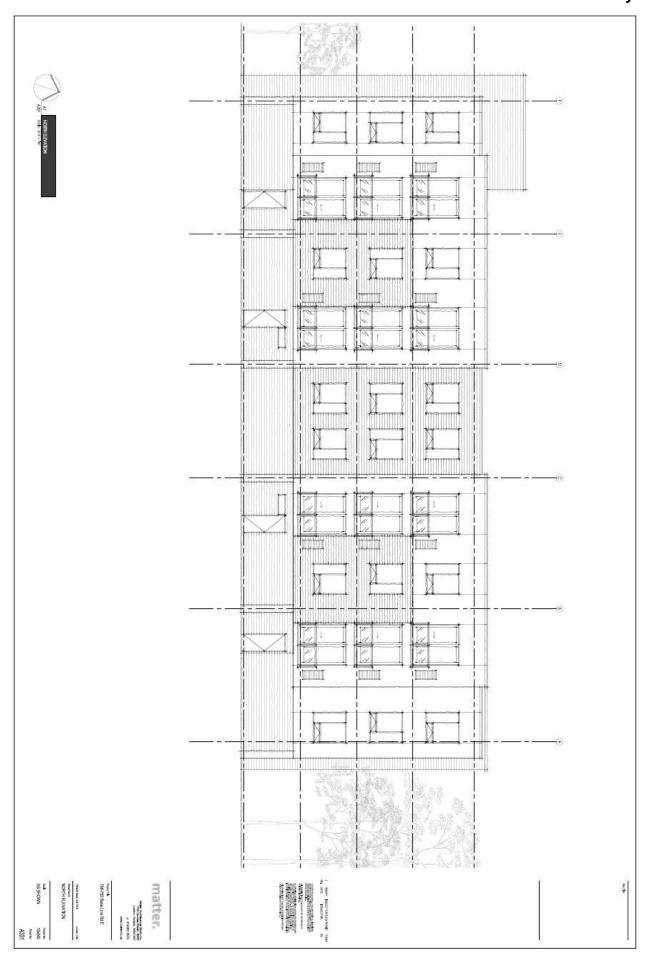


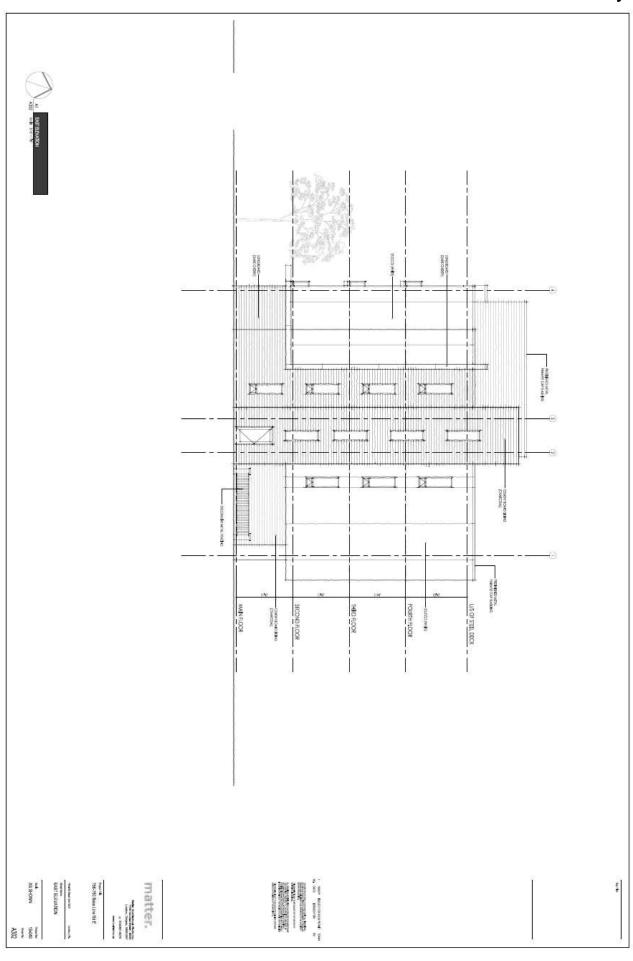
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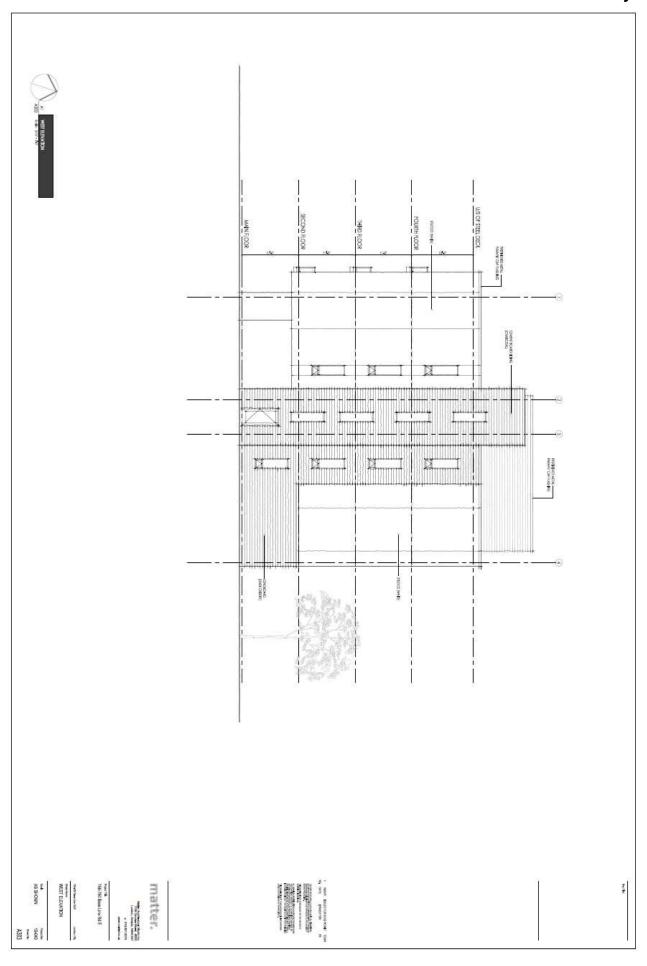
### Schedule "1"











### Appendix D – Public Engagement

### **Community Engagement**

**Public liaison:** On December 4, 2019, Notice of Application was sent to 32 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 5, 2019. A "Planning Application" sign was also posted on the site.

On May 27, 2020, Notice of Revised Application was sent to 32 property owners in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 28, 2020.

Four (4) replies were received.

**754-760 Base Line Road East** – The purpose and effect of this Official Plan and zoning change is to permit a 4-storey, 28-unit apartment building. Possible amendment to the 1989 Official Plan to ADD a Chapter 10 Specific Area policy permitting a 4-storey, 28unit apartment building with a maximum building height of 17 metres and a maximum density of 165 units per hectare. Possible amendment to The London Plan to amend the existing Specific Policy 1101\_ to permit residential uses that are not accessory to an institutional use. Possible change to Zoning By-law Z.-1 FROM an Office (OF2) Zone TO an Office/Residential R8 Bonus (OF2/R8-4\*B-\_\_) Zone to permit the proposed apartment building use. Special provisions through the bonus zone would recognize Base Line Road East as the front lot line; permit a reduced minimum front yard depth of 0.1 metres, whereas 8 metres is required; a reduced minimum exterior side yard depth of 1.7 metres, whereas 8 metres is required; a reduced minimum interior side yard setback of 2.6 metres, whereas 6 metres is required; a reduced minimum parking rate of 0.9 spaces per unit, whereas 1.25 spaces per unit is required; an increased maximum building height of 17 metres, whereas a maximum of 13 metres is permitted; and an increased maximum density of 165 units per hectare, whereas 75 units per hectare is the maximum. The proposed density, height, setbacks, and parking is requested in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan.

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

### Concern for:

Loss of Trees:

Concern regarding tree removal to facilitate construction.

Shadows:

Concern that shadows cast by the proposed building will impact solar panels fixed to the neighbouring single detached dwelling.

Traffic:

Concern that the proposed development will exacerbate traffic issues on Base Line road East at Victoria Hospital.

Loss of Property Value:

Concern that the proposed development will result in loss in property values to the broader residential neighbourhood.4

Fencing, Privacy, and Lighting:

Concern that the fence height is too low and will result in loss of privacy and lighting issues.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Edna May	Ross and Jennifer Robinson
749 Rowntree Avenue	347 Fairview Avenue
London, ON N6C 2L9	London, ON N6C 4V2
Ross and Jennifer Robinson 347 Fairview Avenue	Donald D'Haene 766 Base Line Road East
London, ON N6C 4V2	London, ON N6C 2R7

347 Fairview Avenue London N6C 4V2

12/12/2019

To Catherine Lowery.

Re-754-760 Baseline Road East.

We live next door to the open lot at Baseline and Fairview where we received notice that a 4 storey apartment building is scheduled to be built.

We appose this, there are enough apartments in this area a new one just built at Westminster and Whetter avenue. So many lovely trees will have to come down, I [sic] guess London wont be the forest city for much longer.

We have solar panels on our rood and if this building is built there will be no more sun. The traffic at Baseline and the hospital lights is bad enough now

Please let us know when the meeting about this property is being held we don't think there will be enough room either for this building or the parking

#### Sincerely

Ross and Jennifer Robinson. I sent you an email but it was not aaccepted

From: Donald D'Haene

**Sent:** Thursday, December 19, 2019 2:35 PM **To:** Lowery, Catherine <clowery@london.ca>

Subject: [EXTERNAL] Official plan and zoning by-law amendments 754-760 base line

road east

we Live at 766 Base line ...we support 100% the application...the proposed building compliments and enhances the neighbourhood and does not change our (at 766) current zoning's permitted uses (medical/offices etc).

Donald D'Haene

#### **Agency/Departmental Comments**

August 26, 2019: Urban Design Peer Review Panel with Applicant's Response

### Comment:

The applicant is to be commended for bringing forward this Urban Design Brief to receive input from the Panel prior to filing the ZBA application.

### **Applicant Response:**

We appreciate the opportunity to receive feedback prior to the ZBA application. Thank you for your comments.

#### **Comment:**

The Panel recognizes that it is a constrained site.

- The Panel identified that since the building is located at zero lot line (post-widening) that there may be issues with the encroachment of the canopy over the right of way. A recessed entry may be an alternative to still achieve weather protection rather than a canopy over the primary entrance.
- The Panel flagged that there may not be sufficient space for tree plantings within the landscape buffer and identified that this requires further consideration at the landscape design stage.

### **Applicant Response:**

We intend to move forward with the existing design which includes a canopy. We have aligned the canopy so that it is in line with the Tim Horton's Drive Thru lane at 352 Wellington Road. If/when road widening does occur along Base Line Road East, an encroachment agreement or the removal of the canopies is possible. Widening of this portion of the Base Line Road East is not anticipated within the next decade. Site Plan Consultation did not identify the need for additional space for tree plantings within the landscape buffer. Adequate landscaping and/or tree planting will be reviewed and confirmed throughout the Site Plan Approval for the 1.5m buffer around the perimeter of the site. This comment will be circulated to the consulting landscape architect during the Site Plan Approval process.

#### Comment:

The Panel supports the orientation relative to the street with parking located to the rear.

### **Applicant Response:**

Acknowledged. Thank you for your comments.

#### Comment:

The Panel encourages the applicant to enhance the principle entrance perhaps with landscaping/ an urban forecourt.

### **Applicant Response:**

We will consider opportunities for additional landscaping to enhance and soften the principle entrance along Base Line Road East. The extent of this additional landscaping would be reviewed and confirmed throughout the Site Plan Approval process.

### Comment:

The Panel recommended that the selection of tree species along the frontage should complement the architectural expression of the front elevation and not detract from it.

### **Applicant Response:**

Acknowledged. At this time, we have not retained a qualified professional to make a tree species selection. This comment will be circulated to the consulting landscape architect during the Site Plan Approval process.

### Comment:

The Panel questioned the need for the two separate walkways to the main entrance and garbage room entrance and recommended they be consolidated into one paved area and treated as a forecourt.

### **Applicant Response:**

We appreciate this comment. Upon review of this aspect of the project we feel that the suggestion to have a larger paved area for the door and a single walkway is ideal. We will adjust this during the Site Plan Approval process.

### Comment:

The Panel identified that the variation of materials of the building elevation on Base Line Road is effective, but the back elevation is less successful. The Panel suggested the applicant keep the rear elevation to three volumes rather than two.

### **Applicant Response:**

We appreciate this comment. The rear colour selection was initially intended to emulate the look of the Baseline façade, however, we are comfortable simplifying this approach.

#### Comment:

The Panel supports the provision of individual unit balconies and rooftop amenity over the bike storage room, however recommends that the applicant look at ways to enlarge the space.

### **Applicant Response:**

We appreciate your comment. The size and extent of the rooftop amenity area has yet to be confirmed. We will consider opportunities to enlarge the space, where feasible and appropriate.

#### Comment:

The Panel identified that the bike room is not well integrated into the building design and suggests that the applicant look at ways to better tie it in to the overall architecture of the building.

### **Applicant Response:**

The bicycle storage is intended to be an accessory structure that is distinct and independent of the main building. Residents can only access the bicycle storage structure from outside the main building (via the westerly secondary entrance). Details relating to the design and material selection for the bicycle storage structure will be reviewed and confirmed throughout the Site Plan Approval process.

#### Comment:

The Panel identified the blank wall on the corner of the building near the frontage and recommended that the applicant either introduce glazing on this edge of the building or landscaping to soften /screen the blank wall.

### **Applicant Response:**

We appreciate this comment. We will work with our landscape Architecture during the Site Plan Approval process to identify opportunities for adding additional foliage in this area.

Note: UDPRP comments provided prior to formal submission of a complete application.

<u>December 13, 2019: Upper Thames River Conservation Authority</u>

Dear Ms. Lowery:

Re: Application to Amend the Official Plan and Zoning By-law - File No. OZ-9148 Applicant: Canadian Commercial Management Inc. 754 to 760 Base Line Road East, London, Ontario

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

#### **CONSERVATION AUTHORITIES ACT**

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

**DRINKING WATER SOURCE PROTECTION:** Clean Water Act The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas).

Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at:

https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/

#### RECOMMENDATION

As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

Thank you for the opportunity to comment.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY

### December 19, 2019: London Hydro

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required. Any new infrastructure will be at the applicant's expense **Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability**.

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

### January 31, 2020: Urban Design

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

- As the site is fairly constrained due to its size and proposed intensity provide further details on how the following will be achieved on site:
  - Garbage and recycling pick-up
  - Ensure that the parking lot is designed to the expected parking lot design standards in the Site Plan Control By-Law, that includes appropriate setbacks from neighbouring properties and landscape islands at the ends of all parking rows;
  - Locate an appropriately sized and located amenity space is located on site
- Through the Site Plan Application the following refinements to the design of the building and the site will need to be addressed:
  - Design the building to have regard for its corner location and ensure that the design of both street facing facades include a high level of architectural details. This can be achieved by including further fenestration, material changes or a combination of both with enhanced landscaping along the Fairview Avenue frontage;
  - Provide direct access to the city sidewalk from the individual unit entrances along Baseline road in order to define and activate the street edge;

 Enhance the principle entrance with landscaping and an urban forecourt between the entrance and the sidewalk.

 Provide screening of the parking areas exposed along the Fairview Ave frontage.

### February 7, 2020: Transportation

- Right of way widening dedication of 13.0m from centre line required along Base Line Road East
- 6.0m x 6.0m daylight triangle required
- Detailed comments regarding access design and location will be provide through the site plan process

### February 7, 2020: Sewers Engineering

- The sewer available for the subject lands is the 200mm municipal sanitary sewer on Base Line Road East. Based on 2017 Infrastructure renewal program on Base line Rd plan by Aecom, the population should be 100 people /Ha
- The recorded showed more than one PDC that connected to the subject land. Applicant's Engineer to install a new PDC for the proposed use and to meet City of London and OBC requirements. Additional comments may be forthcoming as part of a future applications.

### February 7, 2020: Stormwater

- 1. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
  - the flow from the site must be discharged at a rate equal to or less than the existing condition flow,
  - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system,
  - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements),
  - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
  - shall comply with riparian right (common) law.

The consultant shall update the servicing report and drawings to provide calculations, recommendations and details to address these requirements.

- 2. The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating available capacity in the existing sewers, and that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.
- 3. If the number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 70% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devises.
- 4. Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, it's infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management

of the Design Specifications & Requirements manual; and may be reviewed for eligibility for reduction in stormwater charges as outlined in section 6.5.2.1.

- 5. To manage stormwater runoff quantity and quality, 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.
  - Additional SWM related comments may be required and provided upon future review of this site.

### March 27, 2020: Housing Development Corporation

#### Background:

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 ("lift") 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 Official Plan/Zoning By-law amendment requested by Canadian Commercial (Base Line) Inc. (the "proponent"), is to provide for the development of a four-storey, 28-unit apartment building containing 16 one-bedroom and 12 two-bedroom units (Attachment 1 – Site Plan and Elevation).

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 November 2019 Planning Justification Report submitted to the Corporation of the City of London in support of their requested action. To provide for the increased height and density sought through bonusing, the proponent has engaged in discussions with HDC to facilitate the provision of affordable rental housing units. This letter reflects the recommendation of HDC to the City of London Development Services as fair consideration of bonusing for affordable rental housing.

### **RECOMMENDATION:**

Development Services has informed HDC that the proposed "lift" would equate to three (3) units. Based on the review of the proponent's proposed project plans for the subject site, it is the recommendation of HDC that the Director, Development Services advance the following requirements within the affordable housing bonus zone:

- 1. One 1-bedroom barrier-free unit be considered for dedication to affordable rental housing in exchange for granting of increased height and density;
- 2. "Affordable Rent" for the one (1) one-bedroom unit shall be defined as rent not exceeding 85% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area for one-bedroom rates at the time of occupancy;
- 3. The affordability period be set at 25 years from the point of initial occupancy.

These, and any other amended conditions to be confirmed by Municipal Council, need to be secured through an encumbrance agreement ensuring compliance and to retain the value of the affordable rental housing bonus Zone over the 25-year affordability period. An agreement would also address other conditions including tenant selection. Any such agreement to retain the affordable rental housing would be subject to terms defined by the City Solicitor similar to other affordable rental housing development agreements with the City and HDC.

In addition to the items within the encumbrance agreement, HDC would recommend that the proponent be required to enter a Memorandum of Understanding with the City of London to align the bonus unit 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 unit.

### **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 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 on the north side of Baseline Road East, east of Wellington Road. The Planning Justification Report notes the site's proximity to employment opportunities (i.e. commercial uses along Wellington Road, office uses along Baseline Road East, and institutional/health care uses within the Victoria Hospital complex) which promotes the use of active transportation in the form of walking and cycling. Public transit is also available on Baseline Road East with additional opportunities located along Wellington Road.

The locational attributes of the site, and the inclusion of a barrier-free unit 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 CMHC indicate average apartment vacancy rates and rents in the defined area demonstrate housing affordability challenges.

The recommended bonus zone is specific to the mid-rise apartment building identified in Attachment 1 on lands known municipally as 754/756-760 Baseline Road East 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..." and 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.

### March 31, 2020: Urban Design (revised)

Urban Design staff commend the applicant for incorporating the following into the design; Providing a 4-storey building that provides for enclosure to the street; Providing for a continuous street wall along the Baseline Road street frontage; Providing for appropriate scale/ rhythm/ materials/ fenestration; Providing active uses on the ground floor along the street including the principle building entrance creating an active street edge; Including an appropriately sized and located outdoor amenity area; and, locating all of the parking in the rear yard, away from Baseline Road street frontage.

Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the Urban Design Peer Review Panel (UDPRP), and City staff. Staff will continue to work with the applicant through a subsequent Site Plan Application to ensure past concerns regarding garbage collection, parking lot design and location of the amenity area are implemented in the final design and to further refine the following outstanding design matters related to

the design of the building and the site:

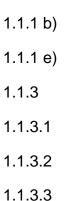
- Design the building to have regard for its corner location and ensure that the
  design of both street facing facades include a high level of architectural details.
  This can be achieved by including further fenestration, material changes or a
  combination of both with enhanced landscaping along the Fairview Avenue
  frontage;
- Provide direct access to the city sidewalk from the individual unit entrances along Baseline road in order to define and activate the street edge;
- Enhance the principle entrance with landscaping and an urban forecourt between the entrance and the sidewalk.
- Provide screening of the parking areas exposed along the Fairview Ave frontage.

### **Appendix E – Policy Context**

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

### Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns



1.1.3.4

1.4 - Housing

1.4.1

1.4.3 b)

1.4.3 d)

1.7 – Long Term Economic Prosperity

1.6 - Infrastructure and Public Service Facilities

1.6.7.4

#### The London Plan

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

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

Policy 54\_. Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 55\_13. Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 59\_1, 2, 4, 5 and 8. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61\_10. Our Strategy, Key Directions, Direction # 7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

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

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

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

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

Policy 252\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Policy 253\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

\*Policy 255\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

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

\*Policy 257\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

\*Policy 258\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

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

\*Policy 261\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

\*Policy 266\_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Policy 1081\_ Place Type Policies, Urban Place Types, Institutional, Role Within City Structure

Policy 1082\_ Place Type Policies, Urban Place Types, Institutional, Role Within City Structure

Policy 1084\_1 Place Type Policies, Urban Place Types, Institutional, How Will We Realize Our Vision?

Policy 1085\_1 Place Type Policies, Urban Place Types, Institutional, Permitted Uses

Policy 1085\_2 Place Type Policies, Urban Place Types, Institutional, Permitted Uses

Policy 1086\_1 Place Type Policies, Urban Place Types, Institutional, Intensity

Policy 1086\_3 Place Type Policies, Urban Place Types, Institutional, Intensity

Policy 1087\_1 Place Type Policies, Urban Place Types, Institutional, Form

Policy 1087\_2 Place Type Policies, Urban Place Types, Institutional, Intensity

Policy 1101\_ Place Type Policies, Urban Place Types, Institutional, Baseline Office Area

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

### 1989 Official Plan

- 3.7 Planning Impact Analysis
- 5.2 Office Areas
- 5.2.1 Function
- 5.2.2 Permitted Uses Office Areas
- 5.2.4 Scale of Development
- 5.5.5 Form and Design
- 10.1.1 Policies for Specific Areas Criteria
- 10.1.1ii)
- 10.1.2 Planning Impact Analysis
- 19.4.4 Bonus Zoning
- 19.4.4.iv) Agreements

3.7 Planning Impact Analysis				
Criteria	Response			
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The proposed land use contributes to a variety of housing forms within the neighbourhood and complements the neighbouring office, commercial, and institutional uses. No major impacts are anticipated on the adjacent low rise residential neighbourhood.			
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use.	The revised site concept can accommodate the recommended use while achieving an intensity and form that allows for other on-site functions such as adequate landscaped open space and garbage collection.			
The supply of vacant land in the area which is already designated and/or zoned for the proposed use.	There is no vacant land in the area already designated and/or zoned for the proposed use.			
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.	The subject site is located just east of a broad range of commercial amenities along Wellington Road and is located directly across from Victoria Hospital. The site is located approximately 600 metres from Rowntree Park. Transit services are available on Base Line Road East and Wellington Road.			

The proposed development is in an area

area, and in the City as a whole, as in need of affordable housing units and determined by the policies of Chapter 12 provides for an affordable unit at 85% of the Average Market Rent for a period of Housing. 25 years. The height, location and spacing of any The scale or height of the proposed apartment building on the adjacent 1buildings in the proposed development, storey single detached dwelling is and any potential impacts on surrounding land uses. mitigated by the proposed yard depths and building situation on the lot. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth and landscape screening, as well as review of photometric plans at the site plan approval stage. The proposed development does not The extent to which the proposed development provides for the retention of provide for the retention of existing any desirable vegetation or natural vegetation that contributes to the visual features that contribute to the visual character of the surrounding area. Tree character of the surrounding area. replacement measures are proposed around the periphery and internal to the site. Site concept revisions provide additional green spaces in which tree planting can occur. The location of vehicular access points Transportation Planning and Design was and their compliance with the City's road circulated on the planning application and access policies and Site Plan Control Bydevelopment proposal and is satisfied law, and the likely impact of traffic that driveway location and design can be generated by the proposal on City streets, addressed at the site plan approval stage. on pedestrian and vehicular safety, and Base Line Road East is a primary on surrounding properties. collector and serves light to moderate volumes of inter-neighbourhood traffic at moderate speeds and has limited property access. The recommended amendment and the proposed 28 units are not expected to significantly affect capacity of Base Line Road East. The applicant is commended for The exterior design in terms of the bulk, scale, and layout of buildings, and the incorporating the following into the integration of these uses with present and design: providing a 4-storey building that future land uses in the area. provides for enclosure to the street; providing for a continuous street wall along the Baseline Road street frontage; providing for appropriate scale/ rhythm/ materials/ fenestration; providing active uses on the ground floor along the street including the principle building entrance creating an active street edge; including an appropriately sized and located outdoor amenity area; and, locating all of the parking in the rear yard, away from Baseline Road street frontage. The potential impact of the development No natural heritage features are present on surrounding natural features and that will be affected by the proposed heritage resources. development. Constraints posed by the environment, City records indicate 756 Base Line Road including but not limited to locations East may have been previously used for

The need for affordable housing in the

where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development.	automobile repairs in some capacity, contrary to the uses permitted in the Zoning By-law. A Stage 1 Environmental Assessment was submitted as part of a complete application, which concluded that no evidence of contamination was observed on site and recommended no further studies be required.
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law.	The proposed form of development will be required to conform to the in-force Official Plan policies and comply with the City's regulatory documents prior to approval of the ultimate form of development through the Site Plan Approval process.
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.	As discussed above, tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit.	The residential intensification of the subject lands will have a negligible impact on the transportation system.

# Appendix F – Relevant Background

### **Additional Maps**

