

--	--

Z-7933
L. Mottram

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING D. AILLES MANAGING DIRECTOR – DEVELOPMENT APPROVALS BUSINESS UNIT
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 1780 COMMISSIONERS ROAD WEST & 1788 SUMAC WAY PUBLIC PARTICIPATION MEETING ON NOVEMBER 14, 2011 @ 5:00 P.M.

RECOMMENDATION

That, on the recommendation of the Director of Development Planning and the Managing Director – Development Approvals and Business Unit, based on the application of Sifton Properties Limited relating to the lands located at 1780 Commissioners Road West and 1788 Sumac Way, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 21, 2011 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Urban Reserve Special Provision UR3(1) Zone which permits agricultural uses, conservation lands, passive recreation uses, kennels, and riding stables **TO** a holding Residential R6 Special Provision (h- R6-5()) Zone to permit cluster housing in the form of single detached, semi-detached, duplex and townhouse dwellings with a minimum lot frontage of 18 metres (59 ft.) together with a holding provision to ensure water services are connected to a high level system, to the satisfaction of the City Engineer.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

October 19, 2009 - Planning Committee Agenda Item # 14 – Sifton Properties Ltd. 1780 Commissioners Road West and 1788 Sumac Way (File No. 39T-08506/Z-7574)

December 13, 2010 – Built and Natural Environment Committee Agenda Item # 1 – Special Provisions - Sifton Properties Ltd. Warbler Woods West (File No. 39T-08506 / 39T-04507)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to rezone a small parcel of land located between Oxford Street West and Sumac Way. This parcel is designated as a multi-family, medium density residential block (Block 13) within a draft-approved plan of subdivision. The recommended zoning would permit cluster housing in the form of single detached, semi-detached, duplex and townhouse dwellings.

RATIONALE

1. The recommended zoning is appropriate and compatible with existing residential uses and planned future uses in this area, is consistent with the Provincial Policy Statement, and conforms with the Official Plan.
2. A noise assessment study has been undertaken. The recommended noise attenuation measures, including a combination of landscaped berm and noise wall extending across a portion of the site's frontage adjacent Oxford Street West and blending with the existing noise wall to the east, are considered appropriate.

--	--

Z-7933
L. Mottram

3. The recommended holding provision in the zoning will be removed at such time as a high level water supply line has been extended from Westdel Bourne.

BACKGROUND

Date Application Accepted: June 29, 2011	Agent: Sifton Properties Limited
<p>REQUESTED ACTION: Amend Zoning By-law Z.-1 to change the zoning of the subject lands from Urban Reserve UR3(1) to Residential R6 (R6-5) to permit townhouse dwellings. Supporting documents accompanying the application include a proposed site development plan for 26 one-storey, cluster housing units, an urban design brief, and noise assessment report.</p>	

<p>SITE CHARACTERISTICS (based on draft-approved Block 13):</p> <ul style="list-style-type: none"> • Current Land Use – vacant • Frontage – 18 metres (59 ft.) • Depth – 161 metres (528 ft.) • Area – 1.76 hectares (4.37 acres) • Shape – irregular
--

<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North – vacant (future development lands) • South – vacant (future development lands) • East – residential (single detached and multiple-attached townhomes) • West – vacant (future development lands)

<p>OFFICIAL PLAN DESIGNATION: (refer to map on page 4)</p> <ul style="list-style-type: none"> • Multi-family, Medium Density Residential
<p>EXISTING ZONING: (refer to map on page 5)</p> <ul style="list-style-type: none"> • Urban Reserve (UR3(1))

PLANNING HISTORY

On November 9, 2009, the Approval Authority for the City of London approved a draft plan of subdivision submitted by Sifton Properties Limited, subject to conditions and red-line revisions, which show a total of 11 single detached residential lots, one block for future multi-family, medium density residential development, 2 park blocks, and one block for future low density residential development, served by one local street (Sumac Way). The multi-family block (Block 13) in this draft plan is the subject of the current rezoning application.

Prior to draft approval, Municipal Council considered the proposed draft plan of subdivision as well as an accompanying application to amend the zoning by-law. The zoning amendment adopted by Council resulted in the multi-family block being placed in an Urban Reserve Special Provision (UR3(1)) Zone, with special provisions for a minimum lot frontage of 18 metres (59 ft.) and a minimum lot area of 1.7 hectares (4.2 acres). The applicant's requested zoning was refused by Clause (d) of the Council resolution of October 26, 2009, which reads as follows:



©2011 City of London ON



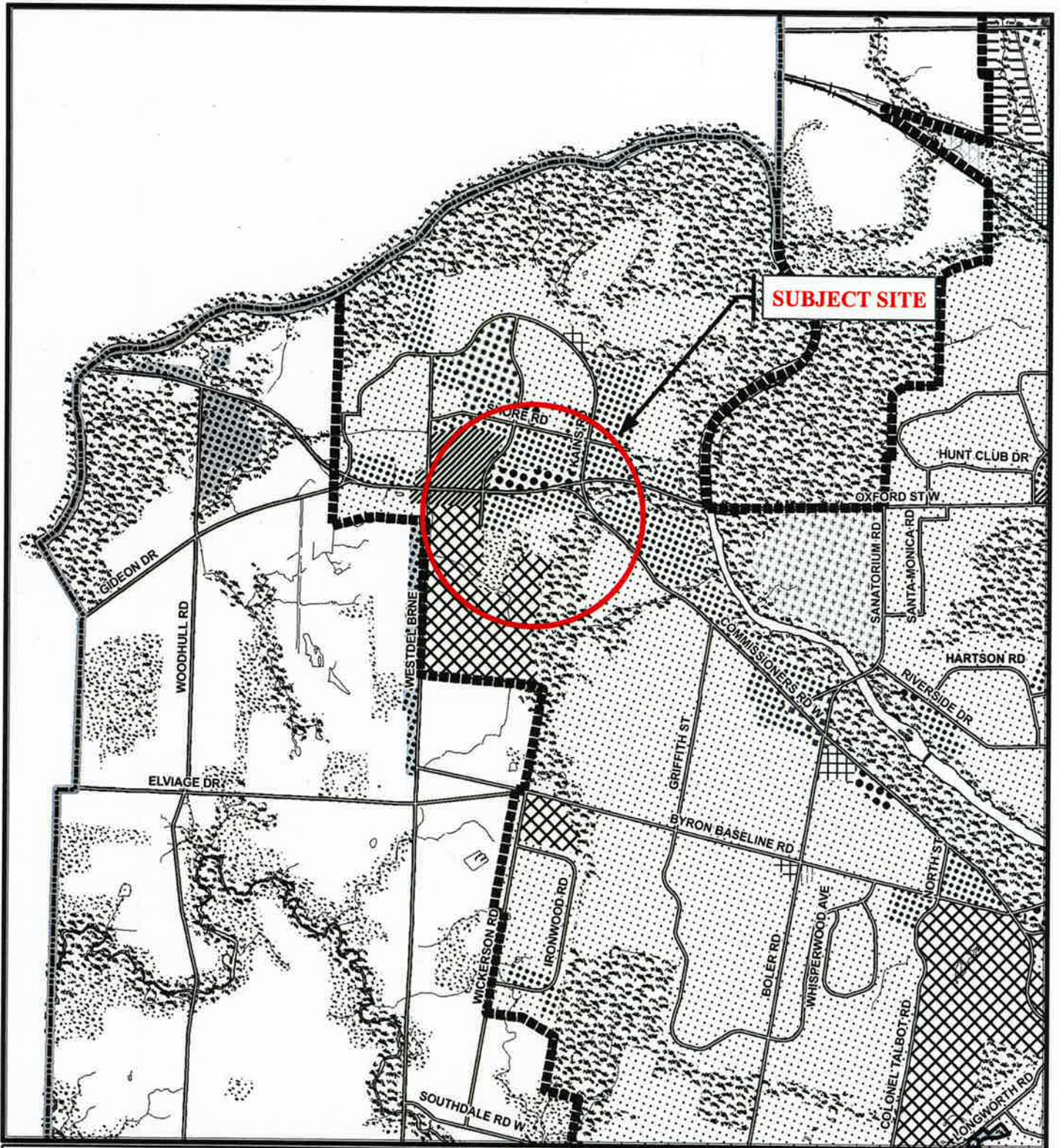
LOCATION MAP

Subject Site: 1780 Commissioners Rd W
 and 1788 Sumac Way
 Applicant: Sifton Properties Limited
 File Number: Z-7933
 Planner: LM
 Created By: Im
 Date: 2011-10-30
 Scale: 1:2500

LEGEND

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





Legend

- | | |
|--|-----------------------------------|
| Downtown Area | 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 |
| | Areas Under Appeal |

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

PREPARED BY: Graphics and Information Services



Scale 1:30,000

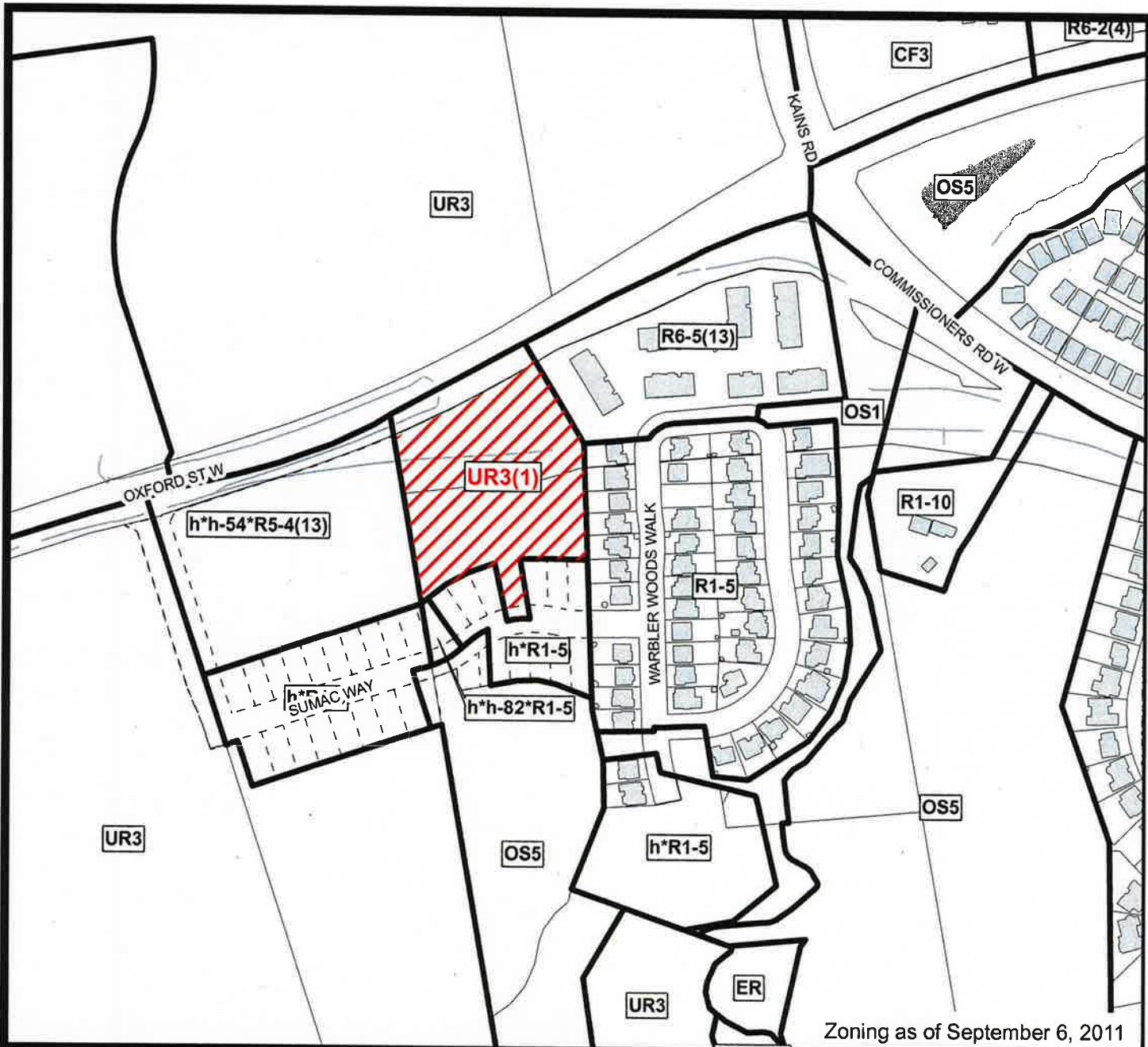


FILE NUMBER: Z-7933

PLANNER: NM

TECHNICIAN: CK

DATE: 2011 Oct 19



Zoning as of September 6, 2011



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR3(1)

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

- 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

- 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

2)  **ANNEXED AREA APPEALED AREAS**

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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

SCHEDULE A



FILE NO:

Z-7933

LM

MAP PREPARED:

2011/10/19

CK

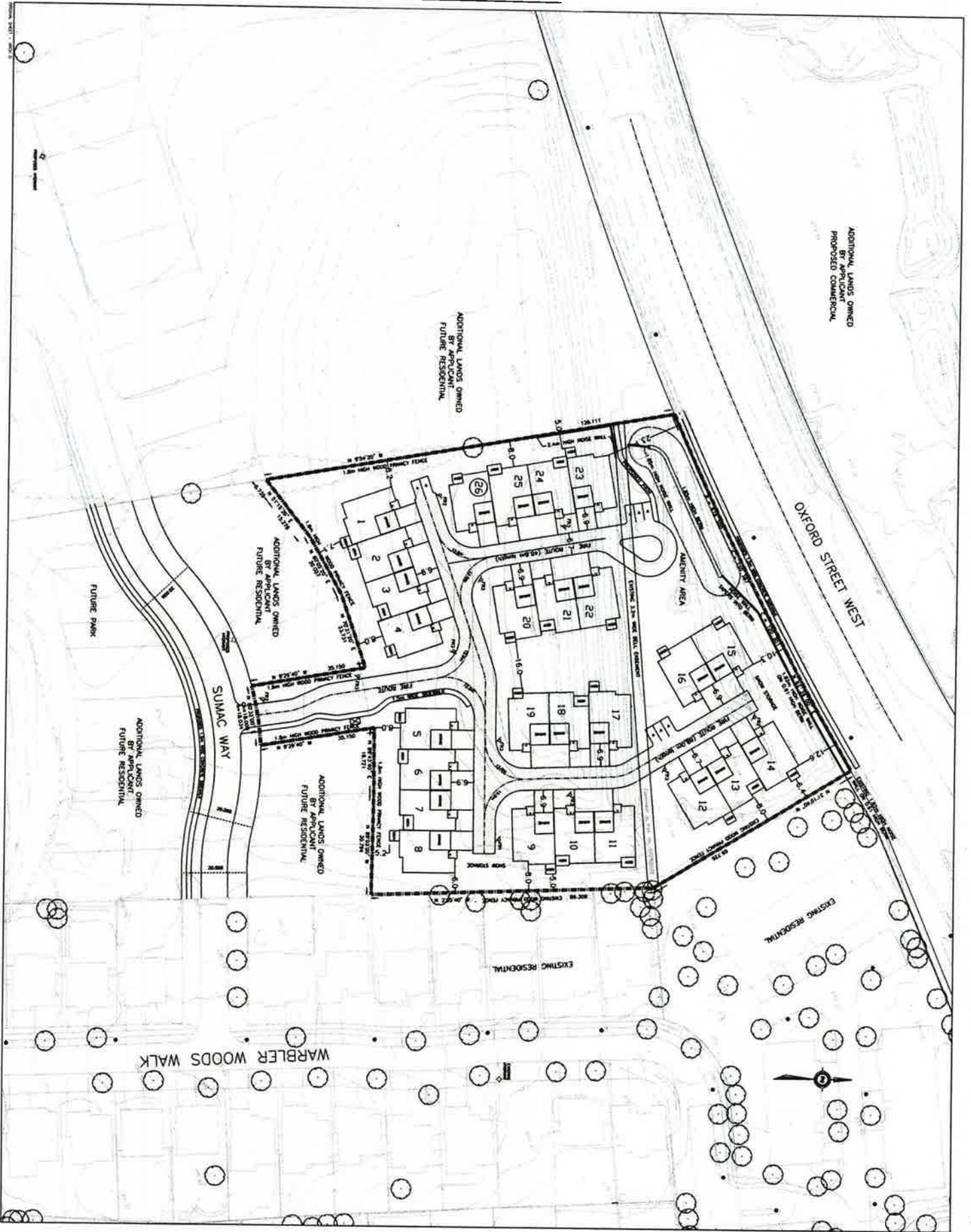
1:4,500

0 20 40 80 120 160

Meters

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

Warbler Woods West Multi-family Block Concept Site Plan



Sinteric Consulting Ltd.
111 Queen's Avenue
West, Suite 207
Toronto, Ontario
M5H 2S7
Tel: 519.463.2007
Fax: 519.463.6575
www.sinteric.com

Sinteric

Copyright Reserved. This plan and any other documents are the property of Sinteric Consulting Ltd. No part of this plan may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of Sinteric Consulting Ltd.



SITE DATA	
Site Name	WARBLER WOODS WEST
Site Address	111 Queen's Avenue West, Suite 207, Toronto, Ontario M5H 2S7
Site Area	1.14 Ha (2.84 Acres)
Site Zoning	Residential Medium Density (RMD)
Site Use	Multi-family Residential
Site Description	Concept Site Plan for 26 Units
Site Status	Proposed
Site Owner	Sifton Properties Limited
Site Contact	John Sifton, President
Site Phone	416.593.1111
Site Fax	416.593.1112
Site Email	john@sifton.com
Site Website	www.sifton.com
Site Date	2023-08-15
Site Version	1.0

ANNEXOR CORRECTIONS TABLE

NO.	DATE	DESCRIPTION
1	2023-08-15	Issue for Public Review
2	2023-08-15	Issue for Public Review
3	2023-08-15	Issue for Public Review
4	2023-08-15	Issue for Public Review
5	2023-08-15	Issue for Public Review
6	2023-08-15	Issue for Public Review
7	2023-08-15	Issue for Public Review
8	2023-08-15	Issue for Public Review
9	2023-08-15	Issue for Public Review
10	2023-08-15	Issue for Public Review
11	2023-08-15	Issue for Public Review
12	2023-08-15	Issue for Public Review
13	2023-08-15	Issue for Public Review
14	2023-08-15	Issue for Public Review
15	2023-08-15	Issue for Public Review
16	2023-08-15	Issue for Public Review
17	2023-08-15	Issue for Public Review
18	2023-08-15	Issue for Public Review
19	2023-08-15	Issue for Public Review
20	2023-08-15	Issue for Public Review
21	2023-08-15	Issue for Public Review
22	2023-08-15	Issue for Public Review
23	2023-08-15	Issue for Public Review
24	2023-08-15	Issue for Public Review
25	2023-08-15	Issue for Public Review
26	2023-08-15	Issue for Public Review

ANNEXOR CORRECTIONS TABLE

NO.	DATE	DESCRIPTION
1	2023-08-15	Issue for Public Review
2	2023-08-15	Issue for Public Review
3	2023-08-15	Issue for Public Review
4	2023-08-15	Issue for Public Review
5	2023-08-15	Issue for Public Review
6	2023-08-15	Issue for Public Review
7	2023-08-15	Issue for Public Review
8	2023-08-15	Issue for Public Review
9	2023-08-15	Issue for Public Review
10	2023-08-15	Issue for Public Review
11	2023-08-15	Issue for Public Review
12	2023-08-15	Issue for Public Review
13	2023-08-15	Issue for Public Review
14	2023-08-15	Issue for Public Review
15	2023-08-15	Issue for Public Review
16	2023-08-15	Issue for Public Review
17	2023-08-15	Issue for Public Review
18	2023-08-15	Issue for Public Review
19	2023-08-15	Issue for Public Review
20	2023-08-15	Issue for Public Review
21	2023-08-15	Issue for Public Review
22	2023-08-15	Issue for Public Review
23	2023-08-15	Issue for Public Review
24	2023-08-15	Issue for Public Review
25	2023-08-15	Issue for Public Review
26	2023-08-15	Issue for Public Review

IDENTIFIED

SIFTON PROPERTIES LIMITED

WARBLER WOODS WEST

BLOCK 32

LONDON ON CANADA

PROJECT TITLE

WARBLER WOODS WEST

BLOCK 32

DATE

2023-08-15

SCALE

1:1000

DRAWING NO.

1

REVISIONS

1

Two empty rectangular boxes for agenda item and page numbers.

Z-7933
L. Mottram

(d) *the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property from an Urban Reserve (UR3) Zone and a holding Residential R6 Special Provision (h-R6-5(13)) Zone to a Residential R5/Residential R6 (R5-4/R6-5) Zone and an Open Space Special Provision (OS1()) Zone with a special provision for a minimum lot area of 200 square metres (2,152.8 sq ft) **BE REFUSED** for the following reasons: that, with respect to the proposed medium density residential Block 13, building orientation and noise attenuation concerns for this block adjacent Oxford Street West have not been resolved and until such time as a development proposal is brought forward which addresses these concerns, an Urban Reserve zone variation should be applied; and, with respect to the proposed open space Blocks 14 & 15, the zoning should be consistent with the OS5 zone variation existing on the adjacent open space lands to the south; and*

At that time, Sifton had concerns with what they considered an excessive number of holding provisions, including holding provisions dealing with building orientation plans (h-71) and noise attenuation measures (h-54). The holding provisions were recommended in order to satisfy the requirements of the Official Plan policies for residential uses adjacent an arterial road. Municipal Council has adopted in its Official Plan noise attenuation policies and criteria with the objective of eliminating the need for continuous noise walls along arterial roads and promoting alternative approaches through land use and building orientation (Section 19.9.6).

The applicant was also concerned because they didn't have a specific proposal for development of the multi-family block and preferred that the zoning not be encumbered with holding provisions. The multi-family block includes a remnant portion of the former Commissioners Road allowance which existed prior to the opening of the Oxford Street extension. These lands pose significant site planning challenges because of topographical conditions and the presence of a Bell Canada easement which traverses the site from east to west. It was felt the imposition of a holding provision which requires approval of a building orientation plan did not allow the flexibility needed to address these challenges. The applicant proceeded to request an amendment to their application to remove the block from the draft plan.

Rather than removing the block from the draft plan, staff recommended amending the zoning to an Urban Reserve (UR) Zone variation to permit existing uses on an interim basis. In the future they could apply for the desired ultimate zoning in conjunction with a site development plan. This allowed the subdivision to proceed through draft approval, in particular it satisfied Sifton's desire to obtain draft-approval of the single detached lots on Sumac Way; and deferred the issue of the need for holding provisions related to noise mitigation and building orientation on the multi-family block. The Urban Reserve (UR3) Zone was already in place over a portion of these lands so it would continue to maintain its existing zoning status. This approach was amenable to the applicant as an interim solution in order to move forward.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Environmental and Engineering Services Department

The applicant is advised that water servicing for the above noted subject lands is to be provided from Sumac Way. Further, these lands are to be serviced by the high level water distribution system.

Bell Canada

The following paragraph(s) are to be included as Conditions of Zoning Amendment Approval:

1. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunications services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.

If there are any conflicts with existing Bell Canada facilities or easements, the Owner/ Developer shall be responsible for re-arrangements or relocations.

--	--

London Hydro

No objection

Parks Planning & Design

Parkland dedication has not been collected for the subject lands as directed by the Draft Approval Agreement. At the time of development cash-in-lieu of parkland, consistent with the regulations of by-law CP-9 and an approved subdivision agreement, will be required.

PUBLIC LIAISON:	On July 8, 2011, a Notice of Application to Amend the Zoning By-law was sent to thirty-one surrounding property owners. Notice was published in the Living in the City section of the London Free Press on July 23 2011.	2 replies received.
Nature of Liaison: see "Requested Action" section.		
Responses: The Development Approvals Business Unit received two telephone calls with the callers requesting clarification with respect to the specific form of housing, building height, and timing of development.		

ANALYSIS

Existing Conditions

These lands represent a block (Block 13) in a draft plan of subdivision which was draft approved on November 9, 2009 (Warbler Woods West - File No. 39T-08506). They were previously open fields now being developed for future multi-family, medium density and low density residential uses. The topography is characterized by a high ridge of land traversing the north half of the site from east to west, and gradually sloping southwards. This portion of the site also contains a remnant of the former Commissioners Road West which was closed prior to the Oxford Street extension and Commissioners Road re-alignment. The road cut through the ridge is evident by steep embankments on either side of the former road allowance. Parallel with the former road allowance is a 3.2 metre wide easement containing a Bell Canada fibre optics cable.

On the north, the subject lands are bounded by Oxford Street West and vacant lands beyond which have been designated Multi-family, High Density Residential. The lands to the west are the subject of another draft approved plan (Hopedale - File No. 39T-04507) which includes a multi-family residential block immediately adjacent the subject lands zoned R5-4(13) to permit cluster townhouses. Single detached lots are proposed to the south fronting either side of the future westerly extension of Sumac Way. Provision has been made through the draft approved plan for frontage and access to the multi-family block from Sumac Way. To the east there are existing single detached homes fronting Warbler Woods Walk, and an existing townhouse condominium development located at the north end of the subdivision between Warbler Woods Walk and Oxford Street West. A combination berm and noise wall approximately 2.5 metres high extends along the northerly boundary of the condominium development adjacent Oxford Street West.

The proposal by Sifton Properties Limited is for 26 one-storey cluster housing units similar to the adjacent condominium units to the east. Sifton recently completed their site plan pre-application consultation submission and are proceeding to finalize their formal application for site plan approval. A copy of the proposed site plan is shown on Page 6. A noise assessment report and urban design brief have been prepared and accompanied the rezoning application.

--	--

Does the recommended zoning conform with the Official Plan?

These lands are currently designated as “Multi-family, Medium Density Residential” in the City’s Official Plan. The primary permitted uses under Section 3.3.1 include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. The recommended zoning permits a range of residential dwelling types including detached and attached cluster housing consistent with the range of uses permitted by the Official Plan. Given the permitted uses, density, height, and scale of development, the recommended zoning conforms with the Official Plan. A holding zone provision is recommended to address Official Plan servicing policies as development cannot proceed until adequate municipal water is available to service the site.

How have the Official Plan noise criteria been satisfied?

Section 19.9.6 in the Official Plan provides criteria for the review of applications for residential development adjacent to an arterial road. In order to avoid land use conflicts and the need for noise walls, the criteria encourages less sensitive land uses such as commercial, institutional, open space or offices uses to act as a buffer between arterial road noise and sensitive residential uses. The policies also encourage high density residential and medium density residential uses, wherever practical, be sited adjacent to an arterial road. This form of development provides for greater flexibility in building orientation thereby allowing front facing buildings with amenity space in the rear.

The application proposes medium density residential uses for the site adjacent Oxford Street West. The issue is that dwelling units are proposed to be side-lotted to Oxford Street as the location of the Bell fibre optics easement, topographical challenges, and site configuration poses a significant constraint for alternative dwelling orientations. An extension of the existing noise wall to the east is proposed to continue along a portion of the site, transitioning to a landscaped berm along the northwest frontage of the site.

A noise assessment study was undertaken by Stantec Consulting on behalf of Sifton Properties Limited. The study determined that noise attenuation measures are required for Units 14, 15, 16, 23 & 24 as noise levels for outdoor private amenity areas are predicted to exceed Ministry of Environment and City guidelines. A 1.8 metre high noise wall on a 0.61 metre high berm is proposed on the easterly portion of the frontage adjacent Oxford Street. The height of the wall is shown on the site plan to match the existing noise wall for the condominium development to the east. The proposed noise wall would taper into a 1.85 metre high landscaped berm along the westerly portion of the site adjacent Oxford Street. The landscaped berm curls slightly at the westerly end and at that point the noise wall would resume for a short distance (approx.4-5 metres). A common outdoor amenity area would be located in the north-central / northwest quadrant of the site, adjacent to the proposed landscaped berm that provides visual and sound screening of traffic on Oxford Street.

The combination berm/noise wall recommended by the noise assessment report provides appropriate noise mitigation for the dwelling units (Units 14, 15, & 16). The study recommends for Units 23 and 24 a localized noise wall approximately 2.4 metres high is required to protect the outdoor private amenity area.

Other recommended measures to mitigate noise impacts on indoor living spaces include double glazed windows and exterior doors, brick veneer or solid masonry exterior walls, installation of forced air heating and central air conditioning, and warning clauses registered on title to warn prospective purchasers of sound levels due to increasing road traffic.

The second option was a 2.4 metre high noise wall without the use of any berms along Oxford Street. As the City’s policy is generally to discourage the use of noise walls wherever possible, it is recognized that there are physical constraints and challenges unique to this site and that some form of noise mitigation barrier will be necessary. The proposed solution consisting of a noise wall/berm transitioning into a berm approximately half way across the Oxford Street frontage was viewed by staff as an acceptable compromise. Where noise walls are determined to be the only practical noise attenuation measure, the following requirements under Section

--	--

19.9.6 (5) will apply, as follows:

- a. *For Multi-Family, Medium and/or High Density Residential development - A common elements condominium corporation will be established for the noise wall. The condominium corporation will ensure that there are adequate funds to pay for the upkeep, maintenance and replacement costs of the noise wall. The requirements of the common elements condominium will be established as conditions of subdivision approval.*

A common elements condominium corporation could be established for the noise wall. Alternatively, it is more likely that this type of multiple-attached townhouse development will be established as a standard condominium corporation in which case the noise wall would become a common element. The proposed noise wall/berm will be entirely on private lands. Responsibility and maintenance for the noise wall would be assumed by the condominium corporation at no cost to the City, as part of their obligations in accordance with the Condominium Agreement and conditions of draft plan approval.

- b. *For freehold residential development – this policy is not applicable as there is only one parcel of land and not multiple individual parcels benefiting from the proposed noise wall.*
- c. *The proposed size, height and location of the noise wall will need to address expected future traffic volumes as established in the Transportation Master Plan and Schedule C of the Official Plan;*

Oxford Street West is classified an “Arterial” on Schedule C of the Official Plan. The size, height and location of the noise wall are based on recommendations from the noise assessment report prepared by Statec Consulting, dated June 6, 2011. Traffic volumes were based on a 20 year assumed projection in accordance with the City of London Transportation Master Plan.

- d. *The proposed noise wall will be constructed of higher-quality materials that effectively mitigate noise, are durable and do not detract from the aesthetic of the community;*

The applicant’s Planning Rationale Report indicates the proposed wall will be constructed of high grade materials, of the same type that exists on the noise wall immediately to the east being a solid, textured masonry wall. The specifications will be implemented through the site plan approval process.

- e. *Where appropriate, the proposed noise wall will be compatible and consistent with other noise walls along the same arterial road, except where existing noise walls are in conflict with the above criteria;*

Based on the information above and the intended matching of style and materials, the proposed noise wall will be compatible and consistent with the existing wall to the east. This will be reviewed and implemented through site plan approval.

- f. *Landscaping will be encouraged on the road-side of noise walls to improve noise wall aesthetics and mitigate the canyon effect. Landscaping materials will be selected which can withstand the harsh growing conditions associated with road allowances flanked by noise walls.*

Landscaping is proposed along the noise wall (ivy, vines, trees, etc) as well as a transition from the noise wall to a landscaped berm that is intended to provide a green corridor along this section of Oxford Street. This will be implemented through the approved site plan and landscape plan.

Based on our review of the application in accordance with the policies under Section 19.9.6 in the Official Plan, the proposed noise mitigation measures meet the criteria for residential

--	--

development adjacent an arterial road.

Have good Urban Design principles been incorporated into the design?

Oxford Street West at this location is a gateway to the City from the west, and high importance should be placed on streetscape design and building orientation, and avoiding the need for continuous noise walls wherever possible. The Urban Design policies under Section 11 of the Official Plan have been considered as part of the applicant's Urban Design Brief which accompanied the rezoning application. The main principles addressed in the Urban Design Brief are summarized as follows:

Landscaping: Extensive landscaping will contribute to blending of new and existing development and provide visual screening from traffic, as well as contribute to the concept of a "green corridor" streetscape along this stretch of Oxford Street. Plantings, landscape elements and a gradual reduction in height will be used to create a transition between the existing noise wall on the adjacent site to a landscaped berm along the frontage of the subject site to enhance the streetscape while protecting residents from traffic noise.

Building Positioning: Residential buildings on the site are positioned to provide privacy to individual dwelling units while defining the common areas to promote security and neighbourly interaction.

Parking and Loading: Each dwelling unit will be provided parking within garages and driveways. Visitor parking spaces are also proposed at three convenient locations within the development. The internal road is characterized by a "Y" or fork configuration designed to follow the general configuration of the site and channel traffic flow to the main entrance on Sumac Way.

Privacy: The buildings have been positioned to maximize rear yard interface with rear yards of adjacent residential dwellings, together with privacy fencing that will be required as a standard condition of site plan approval. Because of the low-rise design, there are no shadow impacts created by the proposed buildings on existing buildings to the east or future dwellings to the south. Exterior lighting will be oriented to minimize intrusion on surrounding uses through the use of appropriate fixtures and lighting angles.

Outdoor Space: Outdoor living space in the form of private back yards and deck/patio area for each individual unit, as well as a common landscaped amenity area are identified on the site plan.

Architectural Continuity: Building elevations (side, front and rear) were provided with the Urban Design Brief showing one storey buildings having similar massing and architectural features as the buildings to the immediate east. The elevations indicate the primary construction materials being brick on the main floor with textural variation and architectural detail provided by siding, shakes and dormer windows on siding.

High Design Standards: As Oxford Street West is a major entryway into the City from the west it is expected that there will be a high standard of landscape design along the Oxford Street frontage of the site, as illustrated by the conceptual renderings accompanying the applicant's Urban Design Brief. The landscaped berm will incorporate significant plantings of trees, shrubs, and other vegetation in groupings contributing to a "green corridor" concept along Oxford Street, and breaking up the visual impact of a continuous noise wall. The feeling of open space will be enhanced by additional landscaped amenity area located in the north central / north westerly area of the site intended to complement the landscaping along the berm, and provide an attractive appearance along Oxford Street.

In addition to consideration of the above urban design principles, the City's Urban Design staff have reviewed the proposed site plan through the pre-consultation process and have provided a number of recommendations, including enhancements to the rear and side building elevations of view terminus dwellings (specifically Units 16, 19 & 20). These units will be the most visible from the main entrance to the development and contribute towards creating a positive visual impression of the neighbourhood. Suggested architectural enhancements, such as wraparound porches, provide architectural relief to side elevations (Units 19 & 20) which are within this view

--	--

Z-7933
L. Mottram

terminus. Strong articulation of the base, middle and top of each building through the use of contrasting building materials or brick soldier course was also recommended.

These and other design recommendations have been provided to the applicant through the pre-consultation as they prepare to finalize their site plan. Based on our review, the proposal promotes the principles of good urban design as outlined in the City's Official Plan under Chapter 11.

Is the recommended zoning amendment consistent with the Provincial Policy Statement?

The recommended zoning is consistent with the PPS, as summarized as follows:

1. **Building Strong Communities**
The subject lands are located within the Urban Growth Boundary. It represents new development occurring adjacent to an existing built up area of the City. The zoning implements the objectives for promoting sustainable land use patterns, and providing a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. Development will not be able to proceed until a high level water supply becomes available. A noise assessment study has been undertaken and recommended mitigation measures will be implemented through the site plan and development agreement.

2. **Wise Use and Management of Resources**
There are no identified Natural Heritage, Water, Agriculture, Minerals and Petroleum, or Mineral Aggregate Resource issues. As for cultural heritage resources, the subject lands are part of a draft plan of subdivision for which the owner has satisfied the draft plan condition for undertaking archaeological assessments and obtaining clearances from the Ministry of Culture.

3. **Protecting Public Health and Safety**
There are no Natural Hazards or Human-Made Hazards issues associated with this development.

Is the recommended zoning appropriate?

The recommended Residential R6-5() special provision zoning is appropriate provided it contains a special provision to permit cluster housing in the form of single detached, semi-detached, duplex and townhouse dwellings. The standard R6-5 list of permitted uses would have also allowed stacked townhouses and low-rise apartment buildings. The recommended zoning has been customized to reflect the specific dwelling types in proposed development. The form of development is considered to be in keeping with the character of this area. A special provision for an 18 metre minimum lot frontage and 1.7 hectare (4.2 ac) minimum lot area are also included consistent with the current regulation for lot frontage and area for Block 13 on Sumac Way.

A holding provision is recommended to address municipal water services. In accordance with the subdivision agreement, this block is not to be developed until such time as a high level water supply is available on Westdel Bourne. The holding provision reads as follows:

Purpose: To ensure the orderly development of land and adequate provision of municipal water supply, the holding provision shall not be deleted until such time as the high level water supply is available on Westdel Bourne, and the necessary works to connect this subdivision to high level water servicing has been undertaken, to the satisfaction of the City Engineer.





Permitted Interim Uses: Existing Uses

--	--

Z-7933
L. Mottram

CONCLUSION

A specific proposal for development of the subject site has been brought forward by Sifton Properties Limited. Based on our review, the recommended zoning is appropriate and compatible with existing residential uses and planned future uses in this area, is consistent with the PPS, conforms with the Official Plan, and generally represents good land use planning. Noise criteria for residential uses adjacent an arterial road was included in the review of the application. A noise assessment study has been undertaken and the recommended noise attenuation measures, which feature a combination of landscaped berm and wall blending with the existing noise wall to the east, criteria for construction of dwellings, and warning clauses registered on title, are considered appropriate. The recommended holding provision is also appropriate and will be removed at such time as a high level water line has been extended from Westdel Bourne.

PREPARED BY:	SUBMITTED BY:
	
LARRY MOTTRAM MCIP, RPP SENIOR PLANNER	JEFF LEUNISSEN MCIP, RPP MANGER, DEVELOPMENT PLANNING
RECOMMENDED BY:	
	
D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	D. AILLES, P. Eng. MANAGING DIRECTOR, DEVELOPMENT APPROVALS BUSINESS UNIT

November 4, 2011
DA/DNS/JL/LM/lm

"Attach." Y:\Shared\Sub&Spec\SUBDIV\2011\Z-7947 - 2430 Bradley Ave\BNEC report.docx

--	--

Responses to Public Liaison Letter and Publication in “Living in the City”
<u>Telephone</u>
<p>Trish Hill 1538 Warbler Woods Walk Issue summary:</p> <ul style="list-style-type: none"> - Inquiry for further information/clarification - What form of housing is proposed? - Building height? 1 or 2 storey? <p>Chris Thompson 1594 Warbler Woods Walk Issue summary:</p> <ul style="list-style-type: none"> - Inquiry for further information/clarification - Tenure and form of housing proposed? - What is the timing for development?

Bibliography

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Sifton Properties Limited, dated June 8, 2011

ZBA Planning Rationale Report, Warbler Woods West Phase 3 Condo Site Plan, submitted by Sifton Properties Limited in association with GSP Group and Stantec Consulting Ltd.

Urban Design Brief, Warbler Woods West Multi-Family Site 1788 Sumac Way, June 2, 2011, submitted by Sifton Properties Limited in association with GSP Group and Stantec Consulting Ltd.

Noise Assessment Report, Block 32 Warbler Woods West, London, Ontario; prepared by Stantec Consulting Ltd. dated June 6, 2011

Reference Documents:

City of London Official Plan, June 19, 1989, as amended

City of London, Zoning By-law No. Z.-1, May 21, 1991, as amended

Ontario Ministry of Municipal Affairs and Housing, *Planning Act, R.S.O. 1990, CHAPTER P. 13*, as amended

Ontario Ministry of Municipal Affairs and Housing, *Provincial Policy Statement*, March 1, 2005

City of London – Development Approvals and Business Unit subdivision application File No. 39T-08506 – An application by Sifton Properties Limited for a plan of subdivision on lands located at 1780 Commissioners Road West and 1788 Sumac Way

Correspondence: (located in City of London File No. Z-7933 unless otherwise stated)

Andrew MacPherson, Parks Planning & Design, City of London, July 12, 2011

John La Chapelle, Bell Canada, August 15, 2011

Ismail Abushehada, Engineering Review Division, City of London, August 19, 2011

Dave Dalrymple, London Hydro, July 18, 2011

Various e-mail correspondences

--

--

**Z-7933
L. Mottram**

Bill No. (number to be inserted by Clerk's Office)
2011

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1780 Commissioners Road West and 1788 Sumac Way.

WHEREAS Sifton Properties Limited has applied to rezone an area of land located 1780 Commissioners Road West and 1788 Sumac Way, 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1780 Commissioners Road West and 1788 Sumac Way, as shown on the attached map, from an Urban Reserve (UR3(1)) Zone to a holding Residential R6 Special Provision (h- R6-5()) Zone.

1) Section Number 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provisions:

) R6-5()

a) Permitted Uses:

- i) Single detached dwellings
- Semi-detached dwellings
- Duplex dwellings
- Townhouse dwellings

b) Regulations:

- i)

Lot Frontage (minimum)	18 m (59.06)
---------------------------	--------------
- ii)

Lot Area (minimum)	1.7 hectares (4.2 ac)
-----------------------	-----------------------

9) Section Number 3.8(2) of the Holding Zone Provisions to By-law No. Z.-1 is amended by adding the following holding provision:

) h- Purpose: To ensure the orderly development of land and adequate provision of municipal water supply, the holding provision shall not be deleted until such time as the high level water supply is available on Westdel Bourne, and the necessary works to connect this subdivision to high level water servicing has been undertaken, to the satisfaction of the City Engineer.

Permitted Interim Uses: Existing Uses

Agenda Item #

Page #

--

--

Z-7933
L. Mottram

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 subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on November 21, 2011.

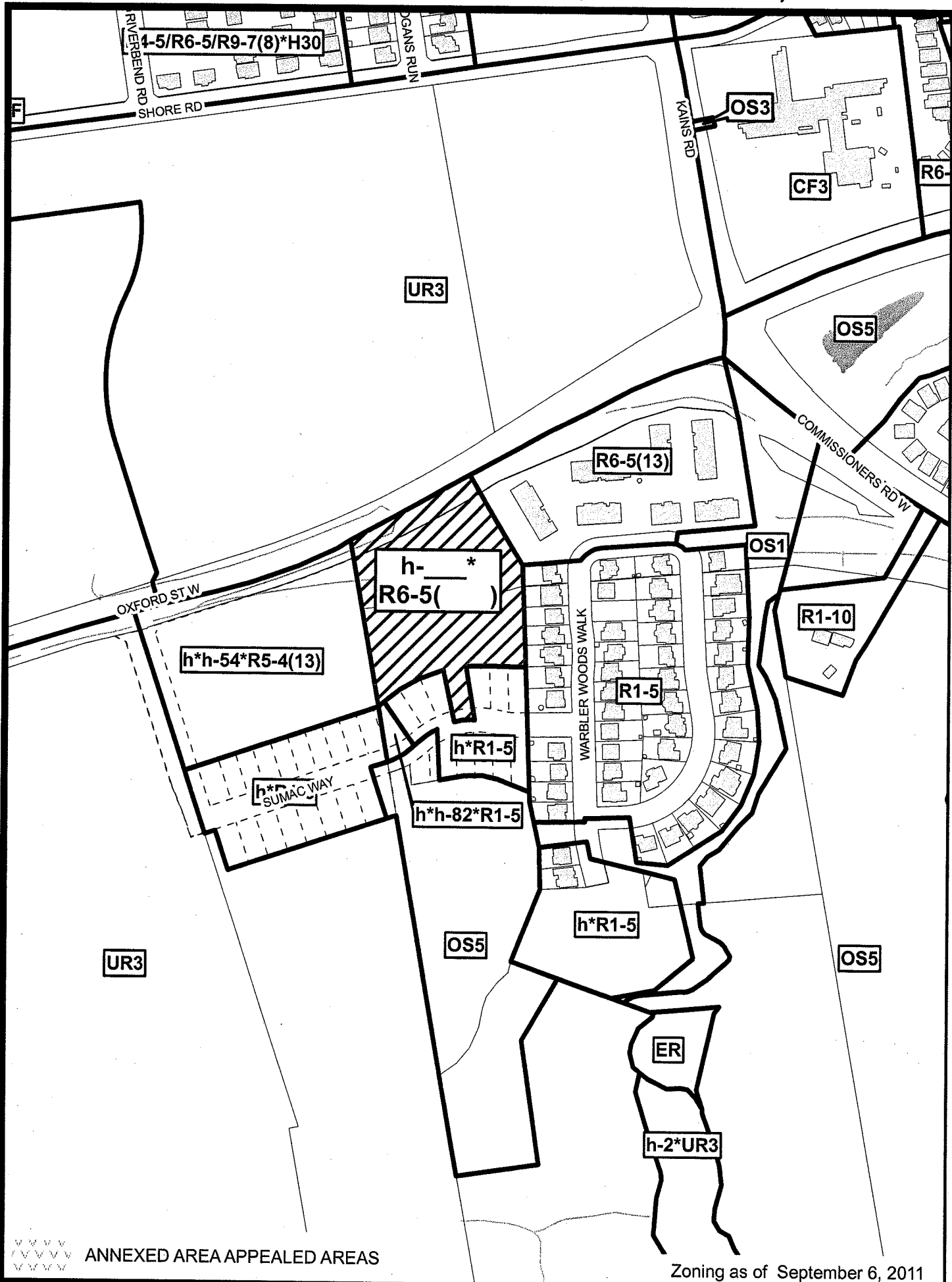
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - November 21, 2011
Second Reading - November 21, 2011
Third Reading - November 21, 2011



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



File Number: Z-7933

Planner: LM

Date Prepared: 2011/10/20

Technician: CK

By-Law No: Z.-1-

SUBJECT SITE 

1:4,200

0 20 40 80 120 160 Meters

