

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: Application By: Tricar Properties Limited
230 North Centre Road

Meeting on: September 8, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Tricar Properties Limited relating to the property located at 230 North Centre Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 15, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R9 Special Provision Bonus (h-183/R9-7/B55) Zone **TO** a Residential R9 Special Provision Bonus (R9-7/B55) Zone to remove the "h-183" holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h-183" holding symbol from the zone map to permit the development of a residential apartment building with a maximum height of 15-storeys.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the property owner has submitted hydrogeological assessment which addresses the holding provision, by confirming that the proposed development will not have a negative impact on groundwater resources or impacts on existing wells for the proposed use.

1.0 Site at a Glance

1.1 Property Description

The site is addressed as 230 North Centre Road and is located on the north side of North Centre Road, east of Richmond Street. The subject site is currently vacant. The eastern portion of this block developed for a continuum-of-care facility (Richmond Woods Retirement Village) while the western portion (the subject site) remained vacant. The lands directly south are used for Office uses while the remainder of the lands on the south side of North Centre Road are Residential and have been developed as townhouses. To the north is a large estate lot owned by Western University and is zoned for a mix of medium density residential type uses. To the west of the site are existing two storey townhouse condo developments.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, High Density Residential
- Existing Zoning – Holding Residential R9 Special Provision (h-183/R9-7/B55) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 80 metres
- Depth – 83 metres
- Area – 1.16 ha
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Large Estate Lot
- East – Continuum of Care Facilities
- South – Office/Commercial/Residential
- West – Residential/Commercial

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of a 15-storey apartment building at a maximum height of 56m (183.7ft.) which will include 222 residential units. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by the condo corporation. Vehicular access will be provided through a joint access at the easterly edge of the property along North Centre Road.

3.0 Relevant Background

3.1 Planning History

On September 23, 2016 a consent application was submitted to sever the subject site from the lands to the east which received conditional approval from the Consent Authority on January 25, 2017 and the conditions of consent were cleared on September 21, 2017.

On February 8, 2018 an application was accepted for a 22-storey apartment building at a maximum height of 73.2m (240ft), with a total of 230 residential units (199 uph) constructed on a 2-3 storey podium. The proposal provided 7 podium units fronting North Centre Road and Richmond Street.

On June 13, 2018 a revised development proposal was submitted for an 18-storey, L-shaped residential apartment building which included 215 residential units (186uph) with 7 podium units being provided along North Centre Road and 9 podium units along Richmond Street.

On August 15, 2018 a further revision to the design was submitted which proposed an 18-storey, L-shaped residential apartment building which included 230 residential units (199uph). This included 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site.

On September 24, 2018 Staff presented a recommendation for approval of the final design for the proposed 18-storey, L-shaped residential apartment building. The recommendation from the committee resulted in a referral back to Staff to ensure that an additional community consultation meeting occurred between Staff, the community and the applicant.

Subsequent to the community meeting on October 4, 2018 a final design was submitted which proposed a 15-storey, L-shaped residential apartment building which include 222 residential units (192 uph). This resubmission included an 8-storey, mid-rise portion and 7 townhouse units along Richmond Street, 7 townhouse units on North Centre Road, a 6-storey mid-rise portion parallel to the north property line, and 3 podium townhouse units at the north east-corner of the site.

On November 12, 2018 a revised development proposal was submitted to the Planning and Environment Committee (PEC) for a 15-storey apartment building at a maximum height of 56m (183.7ft) which will include 222 residential units. This revised submission includes 7 podium units along North Centre Road, 7 podium units along Richmond Street and 3 podium units along the north-east corner of the site. An 8-storey wing is located along Richmond Street and a 6-storey wing is located along the northerly property limit creating an L-shaped development. Municipal Council approved the Zoning to implement the current submission on November 20, 2018.

3.2 Requested Amendment

The applicant is requesting the removal of the "h-183" holding provision from the Zone on the subject lands, which ensures that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells.

3.3 Community Engagement (see more detail in Appendix B)

No comments were received in response to the Notice of Application.

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, Municipal Council must pass a zoning by-law with holding provisions (“h” symbol), an application must be made to Council for an amendment to the by-law to remove the holding symbol, and Council must make a decision on the application within 150 days to remove the holding provision(s).

The London Plan and the (1989) Official Plan contain policies with respect to holding provisions, the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the “h” holding provision and is appropriate to consider its removal?

The “h-183” holding provision states:

“To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior to the removal of the h-183 symbol. Any recommendations contained therein shall be incorporated into the development agreement to the satisfaction of the City of London..”

The Applicant has provided the required hydrogeological assessment which addresses the holding provision, specifically it indicates the proposed development will not have a negative impact on groundwater resources or impacts on existing wells in the area for the proposed 15 Storey apartment building. The applicant has also provided securities and has entered into a Development Agreement which contains all necessary preventative measures for monitoring post construction impacts and possible mitigation measures to protect groundwater in the area, this satisfies the requirement for the removal of the “h-183” holding provision.

5.0 Conclusion

The Applicant has provided the necessary hydrogeological assessment which indicates the lands are able to accommodate the proposed 15 Storey apartment building with no negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells is anticipated. The applicant has provided securities and has entered into a Development Agreement which contains all necessary preventative measures for monitoring post construction impacts and possible mitigation measures to protect groundwater in the area, Holding Provision “h-183” will be satisfied. Therefore, the required condition has been met to remove the “h-183” holding provision. The removal of the holding provision is recommended to Council for approval.

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

August 10, 2020

CC: Matt Feldberg, Manager, Development Services (Subdivisions)

Lou Pompili, Manager, Development Planning

Mike Pease, Manager, Development Planning

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Appendix A

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

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 230 North Centre Road.

WHEREAS Tricar Properties Limited has applied to remove the holding provisions from the zoning for the lands located at 230 North Centre Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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 the lands located at 230 North Centre Road, as shown on the attached map comprising part of Key Map No. 102, to remove the h-183 holding provision so that the zoning of the lands as a Residential R9 Special Provision Bonus (R9-7/B55) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

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



File Number: H-9234
Planner: SM
Date Prepared: 2020/07/06
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE



1:1,500

0 5 10 20 30 40
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on July 15, 2020

1 email was received.

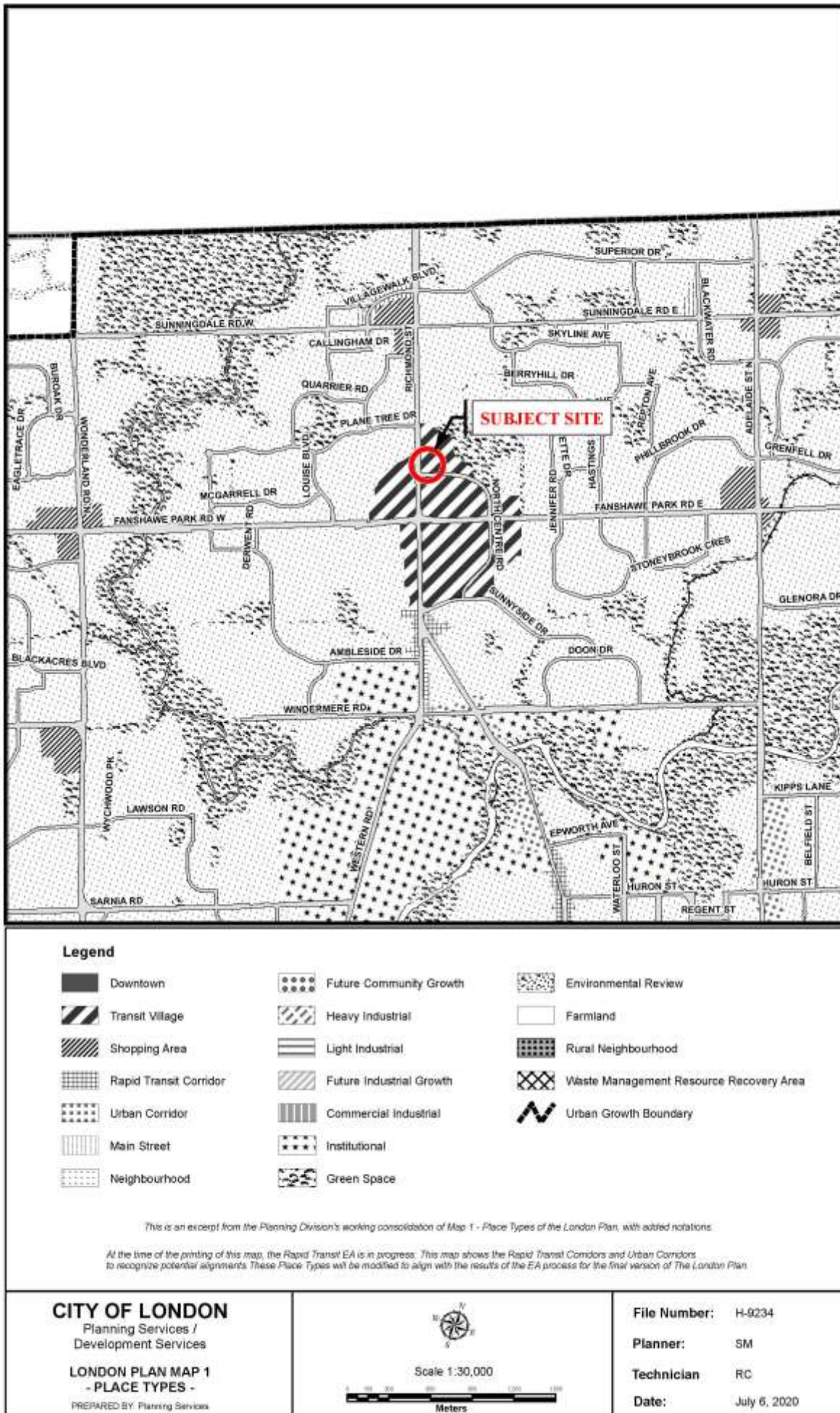
The individual wanted to know what events/developments regarding the negative impacts on the groundwater in the area (including existing wells) have occurred since the holding provision was enacted, if there is a study to indicate that these reasons had been addressed or solution has been suggested. Is this application only for a reconsideration of the current hold? And it is the passage of time that is the only change/evidence?

I replied to the email that a hydrological assessment had been done on the lands to address the requirements of the holding provision and the lands were currently going through the site plan process for the future development. I also explained that the holding provision removal was the only consideration at this time for this application.

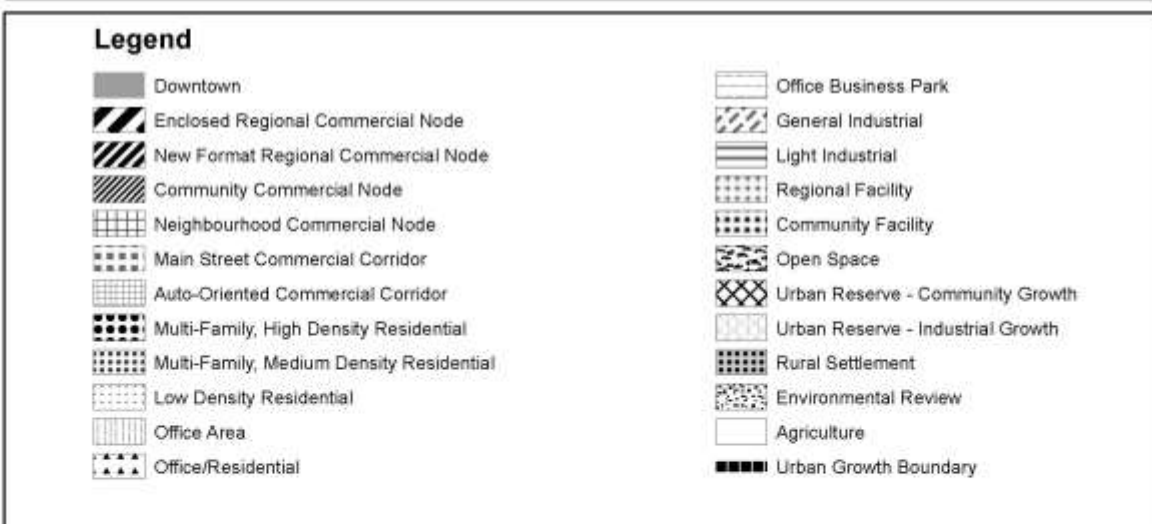
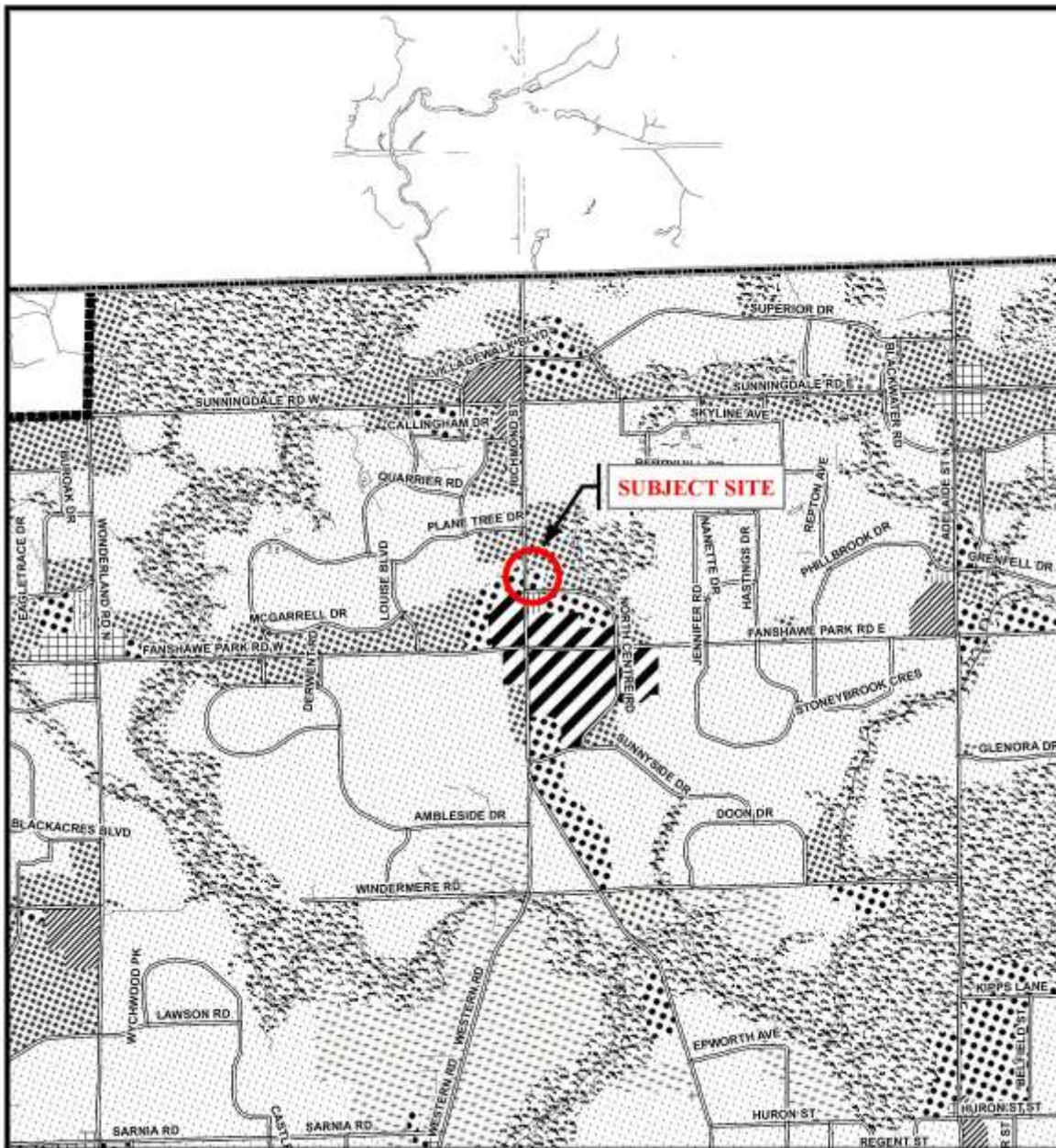
Nature of Liaison: City Council intends to consider removing the “h-183”, Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to permit the future residential development of the subject lands. The removal of the holding provision(s) is contingent on: ensuring that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior to the removal of the h-183 symbol. Any recommendations contained therein shall be incorporated into the development agreement to the satisfaction of the City of London. Council will consider removing the holding provisions as it applies to these lands no earlier than August 10, 2020.

Appendix C – Relevant Background

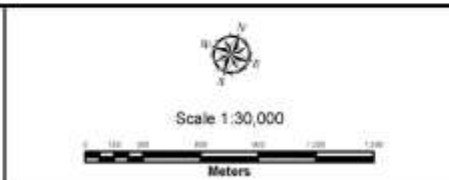
London Plan Excerpt



1989 Official Plan Excerpt



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



FILE NUMBER: H-9234
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/07/06

Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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
- RBA - 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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
H-9234 SM

MAP PREPARED:
2020/07/06 RC

1:2,500
0 12.5 25 50 75 100 Meters

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