

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: 1423197 Ontario Inc. (Royal Premier Homes)
3557 Colonel Talbot Road

Public Participation Meeting on: September 8, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of 1423197 Ontario Inc. (Royal Premier Homes) relating to the property located at 3557 Colonel Talbot Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting September 15, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone and Open Space (OS4) Zone **TO** a Residential R5 Special Provision (R5-6(_)) Zone, Open Space Special Provision (OS4(_)) Zone and an Open Space Special Provision (OS5(_)) Zone.

IT BEING NOTED that the provision of enhanced screening/privacy along the northern property line, including boundary landscaping along the north and west property boundaries, was raised during the application review process as a matter to be addressed at the Site Plan Approval Stage

Executive Summary

Summary of Request

The owner has requested to rezone the subject lands to permit a cluster townhouse development, consisting of 21 units at 2.5-storeys in height.

A portion of the lands will be rezoned to permit a common amenity space within the proposed Open Space (OS4) Zone. The remaining lands will be rezoned to Open Space Special Provision (OS5(_)) and dedicated to the City through parkland dedication.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of two townhouse blocks, 2.5-storeys in height with a density of 51 units per hectare for a total of 21 units. The following special provisions will ensure the site is developed generally in accordance with the site concept plan contemplated through the Zoning By-law Amendment process: a minimum front yard depth of 2.0 metres; a minimum south interior side yard depth of 3.10 metres; a maximum density of 51 units per hectare; a minimum rear yard depth of 0.7 metres from the OS4(_)) Zone Boundary; and a deck projection of 0.0 metres from the south property line, abutting the OS4 Zone.

The purpose and effect of the recommended action is to rezone a portion of the lands to allow for the proposed Open Space Special Provision (OS4(_)) Zone to provide for a common amenity area, including the use of one accessory structure as well as recognize a minimum lot frontage and lot area.

The purpose and effect of the recommended action is to rezone the remaining lands to Open Space Special Provision (OS5(_)) which is to be dedicated to the City as parkland dedication.

Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS, 2020 because it encourages the development of an underutilized parcel within the settlement area and provides for an appropriate range of uses and opportunities for development;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type and the Open Space Place Type;
3. The recommended amendment confirms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation;
4. The recommended amendment is consistent with the Southwest Area Secondary Plan, including the Lambeth Neighbourhood policies;
5. The recommended amendment facilitates the development of an underutilized site within the Urban Growth Boundary with an appropriate form of infill development.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject property is located north of Lambeth on the west side of Colonel Talbot Road between Pack Road and Kilbourne Road. A new subdivision surrounds the site to the north and west with a large estate lot to the south of the subject property. Currently, the lands to the east are utilized for agricultural purposes but is currently part of a Plan of Subdivision (39T-17503) under review. Located on the southern portion of the site is a small pond and the Dingman Creek which is subject to UTRCA regulations and is also part of an ongoing review of the extent of the floodplain and how it relates to updated flooding projections of the Dingman Creek.



Figure 1: Subject lands looking west.

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

- Official Plan Designation – Multi-Family Medium Density Residential/Open Space
- The London Plan Place Type – Neighbourhoods Place Type/Green Space Place Type
- Existing Zoning – Urban Reserve (UR4) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 107 metres (351 feet)
- Depth – 76 metres average (250 feet)
- Area – 0.808 hectares (2.0 acres)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Low Density Residential
- East –Used for Agricultural Purposes, currently part of a Plan of Subdivision application
- South – Low Density Residential
- West – Low Density Residential

1.5 Intensification (identify proposed number of units)

The proposed 21 residential units represent intensification on lands located outside of the Built-Area Boundary. The proposed residential units are located outside of the Primary Transit Area.1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

Original Site Concept Plan

The initial site concept plan submitted in support of the requested amendment showed three townhouse blocks, 2.5-storeys in height with a total of 28 units. The original submitted proposal located the southern townhouse buildings approximately 8.0 metres away from the former floodplain limit. However, at the time of the application, the UTRCA were re-evaluating the extent of that floodplain limit and it was believed that the limit was larger than defined by the current mapping. After further discussions between the applicant and the UTRCA, and the subsequent review of revised studies, the two parties agreed to apply a new development limit which effectively represents the zone boundary depicted between the residential and open space zones and recommended in this report as shown in the updated concept site plan in Figure 5 below.



Figure 2: Original Site Concept Plan



Figure 3: Provided elevations (Original Site Concept Plan).



Figure 4: Elevations (Original Site Concept Plan)

Revised Concept Plan (July 2020)

In response to concerns raised by City staff and the UTRCA regarding the proposed development limit, the applicant submitted a revised concept site plan with the following changes:

- Two townhouse blocks, maintaining 2.5-storeys in height with a total of 21 units. This was a direct result of further consultation with the UTRCA and determining an appropriate development limit in relation to the existing OS4 lands;

- A portion of the lands proposed to be zoned Open Space Special Provision (OS4(_)) to accommodate a common amenity area, including the use of one accessory structure at the western portion of the zone and to recognize a minimum lot area and lot frontage for an Open Space Zone;
- Through further conversations and recommendations of the EIS, a 20 metre buffer between the existing Open Space (OS4) Zone and the proposed Open Space Special Provision (OS4(_)) Zone is recommended. Further, this buffer area is recommended to be rezoned to an Open Space Special Provision (OS5(_)) Zone, to recognize a reduced lot area, and be dedicated to the City for parkland dedication. A clear delineation of the proposed zoning boundary lines can be found in Figure 6.

It is noted that through the revised site concept plan, the proposed building elevations remain unchanged.

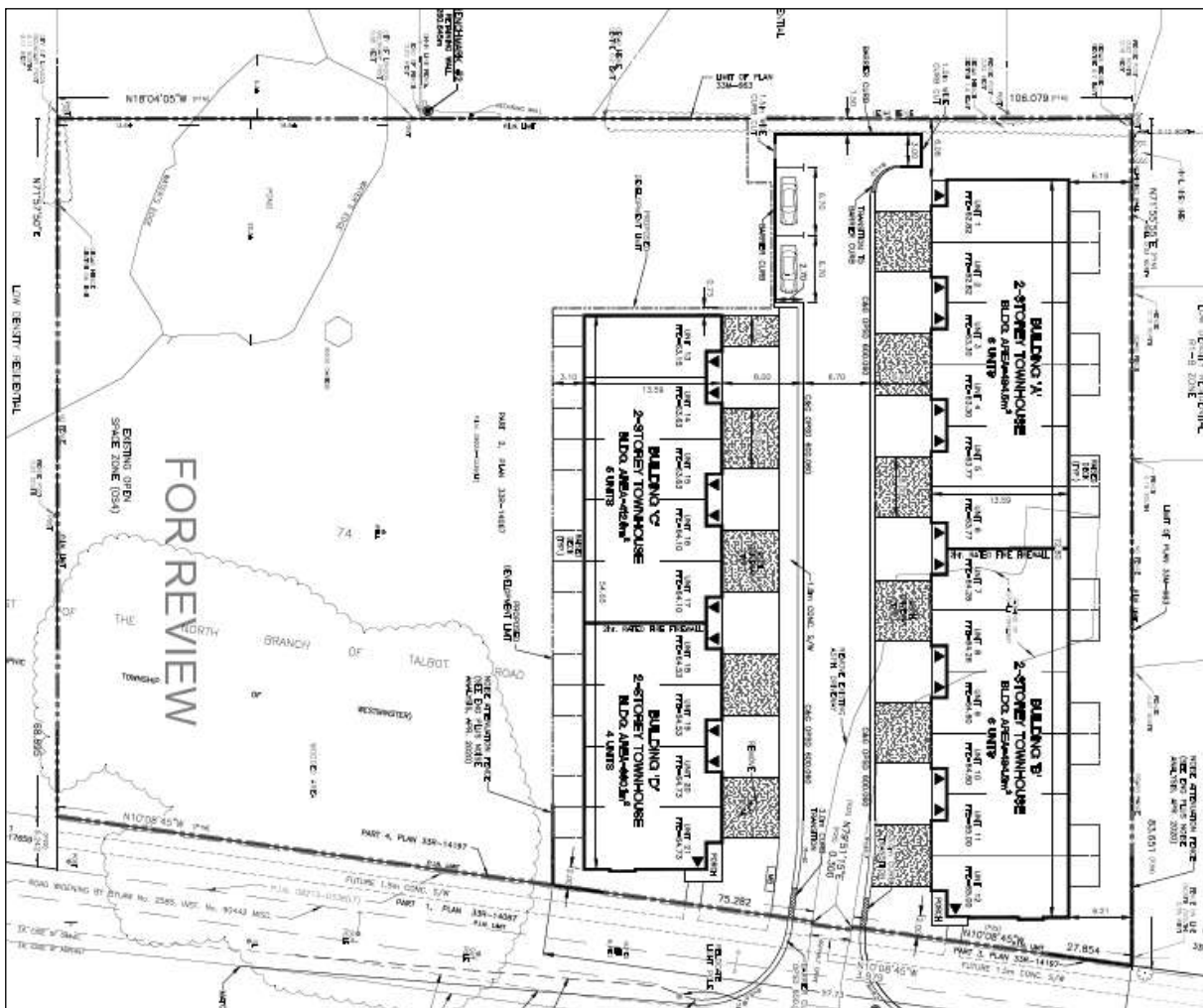


Figure 5: Revised Concept Site Plan (July 2020)

3.0 Relevant Background

3.1 Planning History

The subject lands were historically utilized for the purpose of a single detached dwelling until 2016 when the existing dwelling was structurally damaged due to a fire. As a result of the fire, the dwelling was demolished. In 2017, the subject lands were the subject of a Minor Variance Application (A.103/17) for the purpose of constructing a single detached dwelling with a reduced side yard setback. The proposed single detached dwelling was not constructed and the parcel has been vacant since the fire and demolition of the former single detached dwelling.

3.2 Requested Amendment

The Owner has requested to amend the Zoning By-law Z.-1 to change the zoning of the subject lands from an Urban Reserve (UR4) Zone to a Residential R5 Special Provision (R5-6(_)) Zone at the northern portion of the site. The requested change would permit the use of the subject lands for cluster townhouse dwellings and cluster stacked townhouse dwellings within the proposed development limit. The requested amendment facilitates the rezoning of a portion of the Urban Reserve (UR4) Zone lands to Open Space Special Provision (OS4(_)) Zone at the middle portion of the site to allow for one accessory structure to be constructed at the western portion of the zone to provide for common amenity area as well as recognize a reduced lot area and lot frontage. The requested amendment also facilitates the rezoning of the existing Open Space (OS4) Zone and the remaining Urban Reserve (UR4) Zone to be rezoned to Open Space Special Provision (OS5(_)) Zone at the southern portion of the site to allow for a reduced lot area which is to be dedicated to the City for Parkland Dedication.

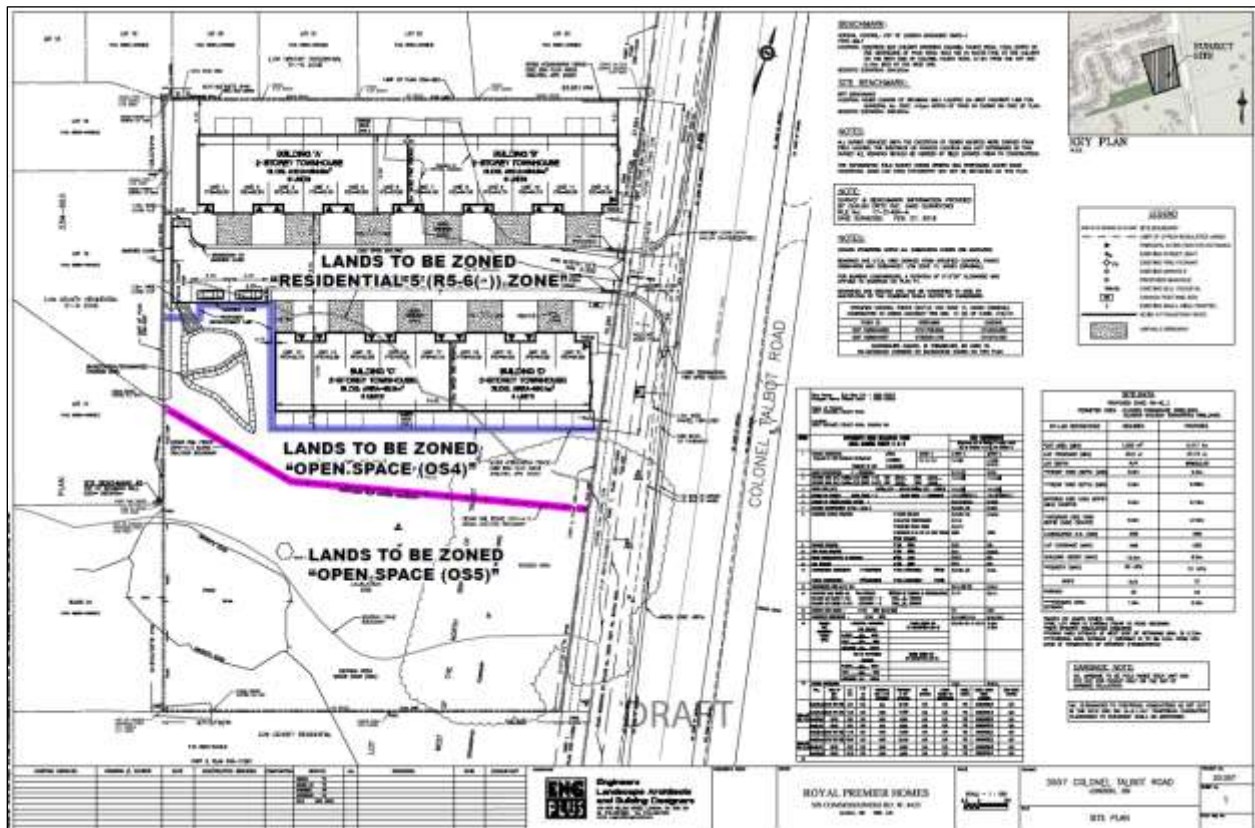


Figure 6: Draft Zoning Lines

3.3 Community Engagement (see more detail in Appendix B)

In the initial Notice of Application, five (5) responses were received from the public addressing concerns for loss of privacy, loss of trees, proposed built form/density, and increase in traffic and a decrease in property values.

A revised Notice of Application was sent to surrounding community members and seven (7) responses were received, which will be addressed later in this report. The primary concerns identified were related to:

- Increase in traffic;
- Loss of trees on site;
- Impacts to the existing wildlife;
- Loss of privacy for the properties to the north due to proposed height of decks;
- Proposed density/built form and its compatibility with the existing area;
- Decrease in property values.

3.4 Policy Context (see more detail in Appendix C)

The subject site is currently located in a Multi Family, Medium Density Residential (“MFMDR”) designation in the 1989 Official Plan and is also subject to the Medium

Density Residential policies of the Southwest Area Secondary Plan. The London Plan identifies the subject site and surrounding area as a Neighbourhoods Place Type which provides a broad range of uses and heights.

Provincial Policy Statement, 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, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, encourages healthy, liveable and safe communities which are sustained by accommodating an appropriate range and mix of residential types, employment, institutional and open space to meet long-term needs (1.1.1.b)). The PPS directs settlement areas to be the focus of growth and development where land use patterns within settlement areas shall be based on densities and a mix of land uses, further identifying that the regeneration of settlement areas is critical to the long-term economic prosperity for communities (1.1.3). Furthermore, the PPS provides policy direction to provide for an appropriate range and mix of housing options and densities (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 for Key Directions (54_) to assist in achieving the overall vision of the City. The London Plan provides direction to build a mixed-use compact city by planning to achieve a compact, contiguous pattern of growth, looking “inward and upward” as well as planning for infill and intensification of various types and forms to take advantage of existing services and facilities as well as reducing the need to grow outward as well as ensuring a mix of housing types within neighbourhoods so that they are complete and support aging in place (59_2, 59_4 and 59_5). Furthermore, The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by integrating affordable forms of housing in all neighbourhoods (61_10).

The subject lands are located in the Neighbourhoods Place Type along a Civic Boulevard, as identified on *Map 1- Place Types and *Map 3 – Street Classifications. Uses contemplated includes a range of residential uses including single detached, semi-detached, duplex, converted dwellings, townhouses, stacked townhouses, fourplexes and low-rise apartments, in accordance with *Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type (*921_).

A portion of the subject lands to the south are located within the Green Space Place Type, as identified on *Map 1 – Place Types, due to the Dingman Creek running through the site, creating a potential flooding hazard. As previously noted, lands currently located within the Green Space Place Type will be dedicated to the City as Parkland Dedication. No development is proposed within the Green Space Place Type.

1989 Official Plan

The subject lands are designated as Multi-Family, Medium Density Residential, in accordance with Schedule ‘A’ of the 1989 Official Plan which permits 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 (3.3.1.).

Southwest Area Secondary Plan

The subject lands are located within the Lambeth Residential Neighbourhood of the Southwest Area Secondary Plan (20.5.7). The Southwest Area Secondary Plan designates the subject lands as Medium Density Residential which is intended to provide for medium intensity residential uses that are consistent with existing and planned development (20.5.7.2). The primary permitted uses in the Multi-Family Medium Density Residential designation of the 1989 Official Plan, as outlined above, shall apply.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use

Provincial Policy Statement, 2020 (PPS)

The PPS encourages an appropriate affordable and market-based mix and range 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 cost-effective development patterns and standards to minimize land consumption and servicing costs through the integration of land use planning, growth management, transit-supportive development, and intensification and infrastructure planning (1.1.1.e)).

The PPS directs settlement areas to the focus of growth and development as the interest is to use land and resources wisely, to promote efficient development patterns, promote green spaces and ensure effective use of infrastructure and public service facilities (1.1.3). Land patterns within settlement areas shall be based on densities and a mix of land uses which are appropriate for, and efficiently use, the infrastructure & public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomic expansion (1.1.3.2.b)). Further, land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2.).

The recommended amendment facilitates the development of a vacant, underutilized site within the settlement area. The proposed 21 unit townhouse development contributes to a mix of housing types within the existing area and further provides choice and diversity in housing options. In order to facilitate the development, no new roads or infrastructure is required to service the site, therefore making efficient use of land and services.

The London Plan & 1989 Official Plan

The subject lands are within the Neighbourhoods Place Type in The London Plan with frontage on a Civic Boulevard with a portion of the lands within the Green Space Place Type, in accordance with *Map 1 – Place Types. Permitted uses within the Neighbourhoods Place Type along the Civic Boulevard include, but not limited to, townhouses (*Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). Along the Civic Boulevard within the Neighbourhoods Place Type, a minimum height of 2-storeys is required and permits a maximum height of 4-storeys.

The 1989 Official Plan designates the subject lands as Multi-Family, Medium Density Residential which permits multiple-attached dwellings, such as row houses or cluster houses (3.3.1.). Policies within the 1989 Official Plan direct that development of the site or area for medium density residential uses shall take into account surrounding uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area (3.3.2.i)).

Concern was expressed regarding the compatibility of the proposed use within the surrounding area and loss of privacy. The London Plan provides direction to make wise planning decisions to ensure that new development is a good fit within the context of an existing neighbourhood (62_9). The proposed townhouses are located adjacent to an

existing subdivision comprised of single detached dwellings ranging from 1 to 2-storeys in height. The townhouses are proposed to be 2.5-storeys in height, consistent with the existing neighbourhood. Decks are proposed along the backs of the townhouse units however, through the Site Plan Approval process, enhanced privacy and landscaping will be recommended. As such, the proposed use can be considered to be compatible with the surrounding neighbourhood and will not be out of character with the existing land uses.

The recommended amendment therefore facilitates the provision of a mix of housing types, is a permitted use within the Neighbourhoods Place Type and Medium Density Residential designation, provides a use for an underutilized vacant parcel and is consistent with the policies of The London Plan, the 1989 Official Plan and the PPS.

Southwest Area Secondary Plan

The subject lands are located within the Lambeth Neighbourhood of the Southwest Area Secondary Plan where uses within the Medium Density Residential area are subject to the permitted uses of the Multi-Family, Medium Density Residential designation of the 1989 Official Plan (20.5.7.2.ii)). The recommended amendment seeks to permit the use of cluster townhouse dwellings, keeping with the intent of the 1989 Official Plan and the Southwest Area Secondary Plan.

4.2 Issue and Consideration # 2: Intensity

Provincial Policy Statement, 2020 (PPS)

The PPS provides policies which directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodate a significant supply and range of housing options, through intensification and redevelopment and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS further directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. Planning authorities are directed to do this by permitting and facilitating all types of residential intensification, including additional residential units, redevelopment and all housing options required to meet the social, health, economic and well-being requirements of current and future residents (1.4.3.b)). Furthermore, the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation in areas where it exists or is to be developed (1.4.3.d)).

The recommended amendment facilitates the development of an underutilized site within a settlement area. As the site is presently vacant, the proposed development represents a form of residential intensification through infill development. As the lands were previously used for low density residential uses, the proposal supports the Province's goal to achieve a more compact, higher density form of development, consistent with the PPS.

The London Plan

The London Plan provides direction on growing "inward and upward" to achieve a compact form of development where residential intensification will play a large role in achieving goals associated with the "inward and upward" growth (79_ and 80_). The London Plan further permits intensification in appropriate locations and in a way that is sensitive to existing neighbourhoods, represents a good fit and undertaken well in order to add value to neighbourhoods rather than undermine their character, quality and sustainability (*82_ and *937_). Furthermore, The London Plan directs that intensification may occur in all place types that allow for residential uses (84_). Specifically, Residential Intensification within the Neighbourhoods Place Type can be achieved in a variety of forms including infill development (*939_5).

As a tool to measure intensity within the Neighbourhoods Place Type, The London Plan utilizes the street classification as well as height to assist in determining the appropriate intensity for a site. A minimum of 2-storeys and a maximum height of 4-storeys, with opportunities for up to 6-storeys with bonus zoning, is contemplated within the Neighbourhoods Place Type where the property's frontage is located on a Civic Boulevard (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). Notwithstanding the permitted heights, the intensity of the development must be appropriate for the size of the lot to ensure driveways, adequate parking, landscaped open space, adequate buffering and setbacks can be accommodated for (*953_3).

The recommended amendment would facilitate the development of two townhouse blocks at 2.5-storeys in height, within the maximum intensity permitted by The London Plan. A special provision is being requested to the base R5-6 zone for a modest increase in the overall units per hectare. As a result of the reduced development area, and in order to facilitate the development of 21-units, an increase of one (1) additional unit per hectare is required as the Residential R5 (R5-6) Zone, as of right, permits 50uph whereas 51uph is requested. The requested increase will result in the development of one (1) additional unit and would not facilitate any additional units at a later point.

The proposed site design is appropriate given the size of the lot, even after taking into consideration of the reduced development limit, as the site provides all required parking and a private amenity area is provided for each unit. Reductions in parking and landscaped open space along with an increase in height and lot coverage often serve as key indicators of possible over-intensification of a site. With the recommended amendment, it is important to recognize that no special provisions are required for parking, landscaped open space, an increase in height, and an increase in lot coverage, indicating that the subject lands are of appropriate size to accommodate the proposed development.

1989 Official Plan

The Multi-Family, Medium Density Residential designation of the 1989 Official Plan serves as a suitable transition between Low Density Residential areas and more intense forms of land use (3.3.). Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form, site coverage and density that, as previously noted, serve as a transition between low density residential areas and more intensive development (3.3.3.). Within the Multi-Family, Medium Density designation, density will not exceed an approximate net density of 75 units per hectare (3.3.3.ii)). Furthermore, development within the Multi-Family, Medium Density Residential designations shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood, typically not exceeding 4-storeys in height (3.3.3.i)).

The recommended amendment would facilitate the development of townhouses at a density of 51 units per hectare, well under the maximum net density of 75 units per hectare. In accordance with Section 3.3.2., development of the site or area for medium density residential uses shall take into account the surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area. Surrounding land areas within the immediate vicinity are predominately in the form of single detached dwellings ranging from one to two-storeys in height within existing subdivisions. The height of the townhouses are proposed to be 2.5-storeys which is considered to be compatible with the surrounding neighbourhood.

The subject lands are located in an area undergoing an increase in residential development, including the development of a new subdivision just north of the subject lands along Colonel Talbot Road and Pack Road. Section 3.3.2., also notes that the preferred location of Multi-Family, Medium Density Designations is in close proximity to designated Open Space areas and to lands abutting an arterial, primary collector or secondary collector street. In this situation, the subject lands contain an existing Open Space (OS4) Zone on the southern portion of the site. Through the process and determining an appropriate development limit, the proposed townhouses are adjacent to

a recommended Open Space Special Provision (OS4(_)) Zone as well as a larger Open Space Special Provision (OS5(_)) Zone which provides a large buffer between the proposed townhouses and the existing lands to the south. Furthermore, Colonel Talbot Road is classified as an arterial road. As such, the recommended amendment is consistent with the Multi-Family Medium Density Residential policies of the 1989 Official Plan.

Southwest Area Secondary Plan

Within the Medium Density Residential area of the Lambeth Neighbourhood, the Southwest Area Secondary Plan contemplates development at a minimum density of 30 units per hectare and a maximum density of 75 units per hectare with building heights deferring to the 1989 Official Plan (20.5.7.2.iii)). Development within residential areas of the Southwest Area Secondary Plan located along arterial road corridors will include street-oriented and higher-intensity forms of development such as stacked townhouses (20.5.4.1.iv)b)). As such, the proposed density of 51 units per hectare is consistent with the Southwest Area Secondary Plan.

4.3 Issue and Consideration # 3: Form

Provincial Policy Statement, 2020 (PPS)

The PPS directs planning authorities to encourage a sense of place by promoting well-designed built form (1.7.1.e)). Further, the PPS promotes appropriate development standards that facilitate intensification, redevelopment and a compact form, while avoiding or mitigating risks to public health and safety (1.1.3.4.). The PPS also directs planning authorities to establish development standards for residential intensification, redevelopment and new residential development which minimize cost of housing and facilitate a compact form (1.4.3.f)).

The recommended amendment facilitates a development representative of intensification and redevelopment of a vacant parcel in a compact form. The subject lands are located within a developing area of the City which would optimize the use of the land and existing infrastructure.

The London Plan & 1989 Official Plan

One of the Key Directions of The London Plan is to practice and promote sustainable forms of development as well as plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce the need to grow outward (58_7 and 59_4). The London Plan also supports and encourages infill and intensification in meaningful ways (58_8). Within the Neighbourhoods Place Type, in accordance with the urban design considerations for residential intensification, compatibility and fit, from a form perspective, will be evaluated based on the following matters: site layout within the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; character and features of the neighbourhood; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (*953_2 a. to f.).

The recommended amendment facilitates the development of a cluster townhouse development at a height of 2.5-storeys and 21 units which is considered to be a compatible fit within the existing neighbourhood context. Additionally, the proposed development is oriented off of Colonel Talbot Road with the main buildings having regard for the street frontage. Concerns were raised by the public regarding loss of privacy, loss of trees and an increase in traffic. The Multi-Family, Medium Density Residential designation of the 1989 Official Plan states that “traffic to and from the location should not have a significant impact on stable, low density residential areas” (3.3.2.iii)). Access for the site is located off of Colonel Talbot Road and will not cause significant impact on the abutting low density residential uses. Further, the 1989 Official Plan directs that the site be a suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low

density residential uses (3.3.2.iv)). Following further discussions between staff and the UTRCA, a development limit was established which limited the area available for development. As such, seven (7) units were removed from the original site concept plan to accommodate a smaller developable land area. The current developable area is of adequate size to accommodate the proposed 21 units. With respect to concerns raised over loss of privacy, the proposed townhouses along the north interior side yard of the site are setback slightly greater than the minimum requirement of 6.0 metres. Furthermore, through the Site Plan process, Staff are recommending consideration for enhanced buffering along the north interior property line.

Southwest Area Secondary Plan

Within the Lambeth Neighbourhood of the Southwest Area Secondary Plan, the direction of the urban design policies regarding the form of the development seek to promote development that is compact, pedestrian-oriented and transit-friendly (20.5.3.9.i)a)). The proposed development provides for a form of intensification that is compact yet compatible with surrounding uses.

4.4 Issue and Consideration # 4: Environmental Concerns

Provincial Policy Statement, 2020 (PPS)

The PPS directs planning authorities to avoid development and land use patterns which may cause environmental or public health and safety concerns (1.1.1.c)). The PPS further promotes healthy and active communities by planning and providing a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including open space areas, linkages and trails (1.5.1.). Furthermore, the PPS directs that natural heritage features shall be protected for the long-term (2.1.1.). The PPS ensures that development is directed to areas outside of natural hazard lands which includes lands which are impacted by flooding hazards (3.1.1. b)). Development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing standards and that no adverse environmental impacts will result (3.1.7.a) and 3.1.7.d)).

The London Plan

The southerly portion of the subject site is located within the Green Space Place Type due to the Dingman Creek running through the site, creating a potential flooding hazard. The Green Space Place Type intends to reduce the potential for loss of life and damage to property due to flooding by restricting the development of flood plain and hazard lands to an appropriate range of uses (761_6). City Council may acquire lands within the Green Space Place Type or add to the Green Space Place Type for the purposes of adding to the network of publicly-accessible open space, providing protection to lands identified as being susceptible to flooding or erosion; and providing protection to natural heritage areas within the Green Space Place Type (768_). It is noted that a portion of the proposed Open Space Special Provision (OS5(_)) Zoned lands will be located within the Neighbourhoods Place Type until *Map 6 – Hazards and Natural Resources is updated in the future as part of a broader review of this area to include the identified wetland feature. At that time, it is anticipated that the existing Neighbourhoods Place Type designation will be re-designated to Green Space Place Type.

1989 Official Plan

As previously noted, the subject site is affected by the Dingman Creek and is subject to flooding on the south portion of the site, which is also regulated by the UTRCA. The 1989 Official Plan provides the opportunity to use a one or two zone concept when dealing with Hazard lands which is in keeping with provincial policies. The City of London and the Upper Thames River Conservation Authority have adopted a one-zone concept for the City which means no flood fringe exists (15.6.2.). The zoning of flood plain lands will reflect the restricted use of these lands, and will prohibit any new development, with the exception of existing uses and minor additions and/or renovations to existing structures. Development within the Flood Plain will be restricted to: flood and/or erosion control structures; facilities which by their nature must locate

near watercourses; ancillary facilities of an adjacent land use which are of a passive, non-structural nature and do not adversely affect the ability of the flood plains to pass floodwaters; and essential public utilities and services. The development of flood plain lands shall also be subject to additional conditions outlined in the Official Plan.

Southwest Area Secondary Plan

A Draft comprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The Dingman Creek Significant River Corridor is a major component of the natural heritage system in the Southwest Area Secondary Plan. It is considered a significant river and ravine corridor which represents a continuous wildlife linkage and water resources system connecting significant core natural heritage features that extend beyond the limits of the city. The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. An ecological buffer was established based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with Section 15 of the 1989 Official Plan. Lands delineated as ecological buffers, pursuant to Subsection 20.5.3.6.i)b) and c) will be acquired by the City pursuant to Section 16 of the 1989 Official Plan as parkland dedication.

In order to enhance open space opportunities within the Southwest Area, the City will seek to locate open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trails, active and passive parkland and stewardship opportunities. (20.5.3.6).

Analysis

The original site concept plan included development of townhouses abutting the existing Open Space (OS4) Zone. Through the zoning amendment process, City staff and the UTRCA determined that the existing environmental feature extended onto a portion of the lands proposed for development in the original site concept plan. To ensure that the proposed development is not impacted by any flooding, a new reduced development limit was identified at the northern portion of the site and it is recommended that the lands located within the flood plain at the southern portion of the site be rezoned to an Open Space Special Provision (OS5(_)) Zone. This zone would permit conservation lands, conservation works, passive recreation uses which includes hiking trails and multi-use pathways and managed woodlots, and will be dedicated to the City for Parkland Dedication and the creation/extension of a pathway on the southern portion of the site.

More information and detail is available in Appendix B and C 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 Neighbourhoods Place Type and to the Key Directions. The recommended amendment is also in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation. The recommended amendment facilitates the development of a vacant, underutilized parcel within an existing residential area with a land use, intensity and form that is appropriate for the subject lands.

Prepared by:	Melanie Vivian, Site Development Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services 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 31, 2020

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

Appendix A

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 3557
Colonel Talbot Road.

WHEREAS 1423197 Ontario Inc. (Royal Premier Homes) has applied to
rezone an area of land located at 3557 Colonel Talbot Road, as shown on the map
attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to
lands located at 3557 Colonel Talbot Road, as shown on the attached map
comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone and
Open Space (OS4) Zone to a Residential R5 Special Provision (R5-6(_)) Zone,
Open Space Special Provision (OS4(_)) Zone and an Open Space Special Provision
(OS5(_)) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-6) Zone is amended by adding the
following Special Provision:
 -) R5-6() 3557 Colonel Talbot Road
 - a) Regulation[s]
 - i) Front Yard Depth (min) 2.0 metres
 - ii) Rear Yard Depth (min) 0.7 metres
(From OS4(_)) Zone
 - iii) South Interior Side 3.1m
Yard Depth (min)
 - iv) Density (max) 51 uph
 - v) Deck 0.0m
Encroachment (max)
(From OS4(_)) Zone
- 3) Section Number 36.4 of the Open Space (OS4) Zone is amended by adding the
following Special Provision:
 -) OS4() 3557 Colonel Talbot Road
 - a) Additional Permitted Uses:
 - i) One accessory structure
 - b) Regulation[s]
 - i) Lot Area (min) 1,056m²
 - ii) Lot Frontage (min) 14.0m

- 4) Section Number 36.4 of the Open Space (OS5) Zone is amended by adding the following Special Provision:
-) OS5() 3557 Colonel Talbot Road
 - a) Regulation[s]
 - i) Lot Area (min) 2,860m²

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 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)



Appendix B – Public Engagement

Community Engagement

Public liaison: On January 16, 2019 Notice of Application was sent to 46 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 17, 2019. A “Planning Application” sign was also posted on the site.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone and Open Space (OS4) Zone **TO** a Residential R5 Special Provision (R5-5(_)) Zone and Open Space (OS4) Zone to permit cluster/stacked townhouse dwellings.

Public liaison: On March 11, 2020 Notice of Revised Application was sent to 44 property owners in the surrounding area. Notice of Revised Application was also published in the *Public Notice and Bidding Opportunities* section of *The Londoner* on March 12, 2020.

Nature of Liaison: The purpose and effect of this zoning change is to permit a total of two townhouse blocks, each 3.0-storeys in height, for a total of 21 units (51 uph). Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone and Open Space (OS4) Zone **TO** a Residential R5 Special Provision (R5-6(_)) Zone and Open Space (OS4) Zone to permit cluster/stacked townhouse dwellings. Special provisions are requested to permit a front yard setback of 2.0 metres, an interior side yard setback of 3.0 metres, a rear yard setback of 0.6m from the OS4 Zone boundary and a density of 51 units per hectare

A total of 12 replies were received.

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

Concern for:

Loss of Privacy:

Concern of the proposed deck height and loss of trees on site.

Loss of trees and impacts on existing wildlife:

Concern for the loss of many on-site trees and the impacts this will have on the existing wildlife that currently exist on the lands.

Increase in traffic:

Concern for adding additional traffic along Colonel Talbot Road.

Responses to Public Liaison Letter and Publication in “The Londoner”

Written Mike Hall 7006 Clayton Walk London, ON	Written Heidi Smith
Wing Man Lau 6951 Clayton Walk London, ON	Adrian Formella
Ian Campbell 3637 Colonel Talbot Road London, ON	Andrew Floriancic 3604 Issac Court, London ON N6P 0B2
Timur Khamidbayev 3596 Isaac Court London, ON	IBRAHIM M. SEMHAT 6961 Clayton Walk, London ON, N6P 0B2
Aldina & Esmir Okanovic 6969 Clayton Walk London, ON	

Notice of Application Responses:

From: Ian Campbell
Sent: Monday, January 21, 2019 1:52 PM
To: Corby, Mike <mcorby@London.ca>; Hopkins, Anna <ahopkins@london.ca>
Subject: File: Z-9003

Mike/Anna:

My name is Ian Campbell. I own the 3+ acres of residential land to the south of 3557 Colonel Talbot Road. (3637 Colonel Talbot Rd., London, ON N6P 1H6)

In a word. "wow".

It was my understanding from general buzz and conversation that the owner of the property was going to re-build 1 (ONE) home on the property. This proposal is for 28. #big_difference.

So...I am **very OPPOSED** to the Application for any changes to zoning for that property.

A recent value of my home was estimated at \$2.8M...and 11 of my window face NORTH...the direction of the property. The addition of a townhouse complex with 28 units, a 2.5 story-one no less, will degrade my property value significantly.

Further, in my opinion, the traffic on Colonel Talbot Road, including the anticipate additional traffic from the York developments is already at capacity (I generally wait :30 seconds for a clearing to get out of my driveway currently) and the addition of 28+ cars in and out of a driveway will make for very dangerous traffic conditions for both owners and cars with a right of way.

Further, the plan indicates that the wooded area in the SE corner of the property would be eliminated, damaging a woodland area which currently acts as a privacy buffer between my property and the 3557 property.

Further, both lived in my house for 12 years and having worked in the past with Upper Thames Conservation Authority regarding the creek and the potential for flooding there should be significant concerns with flooding in the creek and the pond which could cause damage to land and property.

Again, I am OPPOSED to this application...and would like to continue to be informed of any updates to the application.

Can you please confirm receipt of this email.

Regards,
Ian

From: Andrew Floriancic
Sent: Thursday, January 24, 2019 7:33 PM
To: Corby, Mike <mcorby@London.ca>
Subject: File Z-9003 proposed development

Good evening Mr. Corby

My name is Andrew Floriancic. I am contacting you regarding file: Z-9003. A development that has been proposed by a developer for 3557 Colonel Talbot Road in London Ontario.

I am a resident of 3604 Isaac Court. The proposed development is suppose to back on to my back yard. The plan illustrates the my backyard and the road area will back onto each other.

My back yard along with 3 other homes have a line of large, mature cedars that are approximately 40+ feet high. These cedar trees currently lay on my property line with them slightly going on into the new development. It is my hopes that these mature cedar trees are not removed. It is beneficial for both the developer/ new homes and for my property. It creates privacy and separation.

I am looking for direction in which I can propose this to the developer and save the trees from being removed.

Any assistance would be greatly appreciated.

Thanks for your time

Andrew Floriancic

From: Ibrahim Semhat
Sent: Tuesday, January 29, 2019 9:07 AM
To: Corby, Mike <mcorby@London.ca>;
Subject: Z-9003 3557 Colonel Talbot Road Zoning By-Law Amendment

Good Morning Mike,

Hope you are well.

We are the resident of 6961 Clayton Walk home and I am writing to you to share my thoughts and feelings on this zoning by-law amendment Z-9003.

Royal Premier Home has an application to change the zoning by-law of 3557 Colonel Talbot property from Urban Reserve UR4 & Open Space OS4 to Residential R5 Special Provision R5-5, on an application to build 28 condo units, each 2.5 stories in height in 3 townhouse buildings.

As you may know, 3557 Colonel Talbot property used to house a farm house that was damaged by fire about 2 years ago. to the best of my knowledge, the lush trees on this property are reserve protected along with the little creek and pond.

Changing the zoning of this property located adjacent to my property line will be damaging to the privacy of my home and neighborhood. It will also affect the rest of my neighbors on Clayton Walk near the intersection with Colonel Talbot Street. our property value may plunge down if this application is approved to build condo in our upscale neighborhood.

When we purchased our home on Clayton Walk in summer 2017, we fell in love with the nature of the 3557 Colonel Talbot property including the lush trees, creek and pond. This was key factor in our purchasing decision to move to our 6961 Clayton home.

We are firmly against approving this application for zoning by-law amendment and reject Royal Premier Home proposal of building these condo. Considering all the construction taking place in close neighborhood on Pack road and the city in general, it would be essential to maintain properties like 3557 Colonel Talbot as farm house with its beautiful landscape and trees.

Please let me know your thoughts and if you have any questions. Hope to hear back from you soon.

Thank you in Advance.

Best Regards,

IBRAHIM M. SEMHAT

From: Wing Man Lau
Sent: Wednesday, February 6, 2019 3:46 PM
To: Corby, Mike <mcorby@London.ca>
Subject: Re: Concerns on Planning application for 3557 Colonel Talbot Road

Hi Mike,

Hope things are well.
I just wanted to follow up on this. Is there a date set for the meeting?

In addition to my previous email, I wanted to ask a few other questions.

- I was advised that the tree's behind my property were protected? Is this true and how can I find out if they are or not?
- Will the thames valley conservation authority be deciding on the status of the units going across the dingman conservation area?

Thank-you
Regards
Wing Man Lau

On Wed, Jan 30, 2019 at 2:13 PM Wing Man Lau wrote:

Hi Mike,

I am writing in regards to the zoning by-law amendment received for 3557 Colonel Talbot Road.

My wife and I received the planning application and after reviewing it we have a few questions.

1. What is the likelihood that this will go through?
2. Will our input have any leverage on how the applicant's plan will change.

We reside on Lot 23 Clayton walk and the trees behind our property were a huge reason we selected the lot we did. We even applied for a variance on our house plans due to the trees on that property. Their 2.5 storey units will significantly invade on the privacy of the homes on the south side of Clayton walk. There are a number of homes which already have installed pools. Even if a wooden fence was a requirement they would still be intruding on the privacy of those homes.

Suggestions for the planning applicant.

1. Would they be able to relocate the mature trees currently on the north side of their property closer to the property line to maintain the privacy for the residences on the south side of Clayton walk.
2. Would the applicant be willing to repropose to move their development a few meter south to extend the distance from the north side property line, in hopes to keeping some trees.
3. If they are to reduce the number of town house units can the whole development be moved closer to the south of their property.
4. Would it be possible to limit the high of the town homes?
5. If the mature trees are maintained on the north side of the lot then the concern for privacy for all residences on the south side of Clayton walk would help.

Thank-you for your consideration.

Regards
Wing Man Lau
Resident of Lot 23 Clayton Walk

Revised Notice of Application Responses:

From: Mike Hall
Sent: Friday, March 13, 2020 10:33 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] 3557 Colonel Talbot Road

Dear Melanie,

I reviewed the file Z-9003 zoning by-law amendment. I am concerned about these townhouses as it adds an unacceptable increase in traffic to the area and corresponding safety concerns. The amount and speed of traffic on Colonel Talbot is already high and it is getting more dangerous turning left from Clayton Walk onto Colonel Talbot. There is already a huge condo development that is going in behind Issac Dr off of Clayton Walk. Further developments are planned behind the housing at Clayton Walk and Colonel Talbot. Traffic is backing up along Clayton Walk causing delays and people being more aggressive making left turns. There are more people turning left from Colonel Talbot to Clayton Walk causing further delays to people trying to turn left.

Furthermore, the Silverleaf development by Pack Rd is adding more traffic as well. I have seen many near misses at the Pack Road/Colonel Talbot intersection and near misses at Clayton Walk/Colonel Talbot.

I feel development is being approved too quickly in this area without consideration to the safety of the residents who will be buying these homes. Maybe, lights at those intersections will make it safer or slowing the speed limit. However, this will cause slowdowns of a major roadway into the city. I am worried that we will see more severe accidents if this amendment is approved and there are no corresponding safety measures put in place.

Please feel free to give me a call for more feedback, Mike Hall
7006 Clayton Walk
London, Ontario

From: Wing Man Lau
Sent: Thursday, March 19, 2020 10:16 AM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] Re: applicant 1423197 Ontario Inc - 3557 Colonel Talbot Road

Hi Melanie,

I'm am writing regarding the application the develop proposal for 3557 Colonel Talbot Road. My property is 6951 Clayton Walk, Lot 23, the first property off colonel Talbot that faces this property. I'd like to understand the rear yard setback requirement for them. of .6m. Does that mean the townhouses built can be less then 1m away from the property line along my back yard? What is happening with all the mature trees on that land?

Please respond back at your earliest convenience.

Thank-you
Regards
Wing Man

and windows. Standard 6ft fence will be well under any sightline, especially if applicant intends to do a basement walkout based on grade.

- b. Significant setback and tree buffer to North and West must remain and units reduced and set back accordingly from property lines and existing homes.

4. FUTURE MASTER PLAN WALKING PATHWAY

- a. City plan suggests an extension of City walking paths in that area. Allowance for future requirements should be considered.

5. ROAD SETBACK

- a. Properties adjacent to this proposal have a setback (from road centre) Colonel Talbot Road of approx. 36M (including 2 houses built in the last 5 years)
- b. Snow-plows generally travel at 60-70 km/h and make a significant ice/snow/gravel throw onto properties causing a significant safety concern if units are too close.
- c. City Traffic Department is suggesting a turn taper (traffic speed limit is 60km/h in that area)
- d. This proposal indicates a minimum setback. Consideration should be made to consistency with adjoining properties.
- e. Any entrance drive location must take the existing Clayton Walk Turn taper and entrance into consideration.

6. DENSITY AND PROPOSED ZONING AMENDMENT

- a. With the proposed change in density from Urban Reserve (Ur4) and Open Space (OS4) Zone to Residential R5 Special Provision (R5-6(_)) Zone, applicant is asking for a maximum density which according to the Planning document is reserved for properties 'near major activity centres '.
- b. According to 'City of London, Section 9, Residential R5 Zone' R5 includes: Density provisions range from (a) 25 units per hectare (10 units per acre), designed to accommodate townhousing development adjacent to lower density areas, to (b) 60 units per hectare (24 units per acre) for inner city areas and locations near major activity centres. **APPLICANT IS REQUESTING '51 UNITS PER HECTARE (21 UNIT PER ACRE) NOTE THAT THIS PROPERTY IS NOT LOCATED NEAR A MAJOR ACTIVITY CENTRE THUS SHOULD NOT BE ALLOWED TO BUILD AT THE UPPER END OF THIS SCALE. IF THIS APPLICATION IS TO PROCEED AND ZONING MODIFICATIONS ACCEPTED, APPLICANT SHOULD BE RESTRICTED TO BUILDING IN THE LOWER RANGE OF THIS SCALE CONSISTANT WITH 'ADJACENT TO LOWER DENSITY AREAS' GUIDELINES.**

If you have any thoughts or additions, please don't hesitate to reach out.

Thanks,
Ian

3637 Colonel Talbot Road

From: Timur Khamidbayev

Sent: Sunday, March 29, 2020 11:58 PM

To: Vivian, Melanie <mvivian@london.ca>; Hopkins, Anna <ahopkins@london.ca>

Subject: [EXTERNAL] Zoning By-Law Amendment 3557 Colonel Talbot Road

File: Z-9003

Dear Ms Vivian and Ms Hopkins,

We are the new owners of 3596 Isaac Court and we are very concerned about proposed zoning by-law amendment by Royal Premier Homes at adjacent to us 3557 Colonel Talbot Road. The

concerns are multiple and include considerations for environment, privacy, compatibility with existing residential area and potential detrimental effect on value of surrounding properties.

Provincial Policy Statement under Planning Act requires that development and land use conserve biodiversity, consider the impacts of a changing climate and protect natural features and areas for the long term.

The property in question is home to many mature trees that host variety of birds including blues jays, cardinals, red-winged blackbirds, woodpeckers, hawks, ospreys and also bats in the summer. In addition, it contains a pond that harbours a pair of beavers and is frequented by ducks, geese and even a blue heron. Surrounding shrubs is home to rabbits and hunting ground for a fox. (We have pictures of many of the animals).

We are concerned that if the big construction project as one proposed goes ahead it will create an ecological disturbance resulting in reduction and even complete loss of the habitat and diversity of the species present. The construction company's plan does include provision for conservation of the bat habitat with placement of bat boxes. However, it does not specify what measures will be taken to preserve the rest of the wildlife in the area.

The builder's "tree protection plan" is to remove 90% of all trees on the property. Apart from the fact that cutting down trees can hardly be called a consideration for changing climate it also causes significant privacy concerns for all the adjacent homeowners.

The side of our house facing the subject land has 4 large full-height windows (including one in our bedroom); currently there is a Cedar hedge with tall trees behind it providing some privacy on northern side of the boundary between the two properties. According to applicant's Tree Protection Plan, a section of the hedge (Tree ID 66) and trees behind it (Tree IDs 54, 55, 56, 57, 58, 59) are to be removed.

In addition, a full view of our backyard can be enjoyed from the south end of the subject land as there is no upright partition there. As you can see, if the above plan is implemented in its current form it will leave us with no privacy screen at all.

The applicant asserts that the height, scale, architectural style and exterior materials of the proposed structures will be compatible with the surrounding single detached dwellings. In our opinion this is very subjective at best. One can argue that the townhouse complex will be as compatible to the neighbourhood as a passenger bus to a speedway (no matter the racing colours). The same goes for the purported improvement of the streetscape on Talbot road due to the new housing development. Would most people rather walk/drive by stately trees or a townhouse complex?

And last but not least - our property value. The main selling point for us when we were buying our house in 2019 was the view. The main selling point will be null were the construction to go ahead as planned.

Therefore we are strongly against the proposed zoning by-law amendment.

Thank you for your consideration in this matter.

Kindly, acknowledge receipt of this email.

Regards,

Timur Khamidbayev, Natalya Volkova
3596 Isaac Court, London ON

From: aldina okanovic

Sent: Monday, March 30, 2020 4:47 PM

To: Vivian, Melanie <mvivian@london.ca>; Hopkins, Anna <ahopkins@london.ca>

Subject: [EXTERNAL] Z-9003

Good Afternoon,

We are the owners of 6969 Clayton Walk Aldina and Esmir Okanovic. We have received the planning application letter, from what we can see now is that they eliminated one row of townhomes. Our concern is that the first row of townhomes is still

too close to our backyard fence and that they still have raised porches and are 3-story in height which will violate our privacy. The raised up deck of the townhomes will look directly into our backyard. As you know most of the houses have pools which will leave us with no privacy on our own property. 6m away from the fence is still too close. If they were to build single homes it would be totally different and acceptable. Another concern that we have is our joint ownership of the tree ID67 which we fell in love with when we bought this property; it gives us lots of greens, shade and natural beauty. We are not willing to let it go, overall we bought the house because of the beautiful landscape and view of the green space which provides us with lots of privacy in our backyard. Please reconsider this development and try to provide more privacy for all homeowners on Clayton Walk. We are also concerned that the townhomes development will only decrease the value of our property. It would be really sad to see all those beautiful trees of the 3557 Colonel Talbot Road property excavated. Please try to understand why this green space is so important to us while it provides natural beauty, peace and privacy to all of us.

Sincerely,
Aldina & Esmir Okanovic



From: Heidi Smith
Sent: Tuesday, March 31, 2020 3:29 PM
To: Vivian, Melanie <mvivian@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>; Darin Smith
Subject: [EXTERNAL] Revised planning application for 3557 colonel talbot road

Hello,
My husband and I have purchased a property backing onto this proposed development. We have reviewed the tree protection plan and report in full. We have reviewed the site plan amendment and do not see that there is any revision to the tree protection plan. Although we feel positive about some of the advantages to this new plan, there appears to be more of an impact on the cedar hedge (66) and trees previously indicated as remaining and protected (i.e. 60, 61, 62) Specifically from the dead end road turn around.

The original plan states that the north end of the cedar hedge was to be retained and the south end removed after discussion with adjacent land owners (who will now be us after May 6/20) We would like to have the cedar hedge stay in its entirety if it can be protected. We would also like to know what 'the viable long-term privacy screen option would be included in the future landscape plan for the site' would be.

Can you please update us on the plan for tree protections and notify us of any changes or planned future discussions.

Thank-you for your time,
Heidi Smith

Sent from my iPhone

From: Adrian Formella
Sent: Tuesday, March 31, 2020 9:40 PM
To: Vivian, Melanie <mvivian@london.ca>

Cc: Hopkins, Anna <ahopkins@london.ca>; Doc Services <DocServices@london.ca>
Subject: [EXTERNAL] Re: Z-9003 Zoning By-Law Amendment

Good Evening Melanie Vivian and Councillor Anna Hopkins

As a taxpayer in the City of London, whom purchased a home in the area that is rear facing to the property 3557 Colonel Talbot Road, I am writing to raise my concern and disappointment with the proposed zoning changes to allow 21 units of 3 storey townhouse blocks.

First and foremost, I wanted to acknowledge that I agree and share the same concerns addressed by Ian Campbell on March 29, 2020.

As one of the original owners who moved into our dream neighbourhood on Clayton Walk in 2015 when there was a single family dwelling on 3557 Colonel Talbot Road, we had the expectation that a single family dwelling would remain on the property. I was saddened when the home burnt down on 3557 Colonel Talbot Road and when I read of the proposed changes. The home owners in the surrounding area live near a very busy Colonel Talbot and on a busy stretch of Clayton Walk. We have invested in our backyards to provide our families privacy and a safe space to play and enjoy. Our children are not able to play in our front yard due to the fast traffic of people turning into our street. Our right to privacy is being taken away by the proposed plan. All the properties on the west side of the proposed plan have multiple young children in each home. By having multiple 3-storey units as proposed, us and our neighbours will have a minimum of 4 homes overlooking into our backyard. If the new townhomes are given any sort of deck with there only being a 6.4 meter space between out properly line and the new townhouse walls, the new homeowner will be almost touching our properly line. This proposed plan does not allow us or our new backyard neighbours any sort of privacy.

Additionally, this proposal does not take into consideration the area of Lambeth and the immediate neighbourhood. I am not aware of any new townhome complex in South West London ON that has a similar plan build with 3 storey townhome dwellings located in such close proximity to single dwelling homes with no major amenities nearby. Most townhouses in Lambeth and surrounding area are either one storey townhomes or two storey townhomes in higher density areas (i.e. Southdale and Bostwick) often in large townhome complexes. Townhome complexes similar to the proposed plan in London are located right next to existing townhome complexes or very near major amenities (i.e. North East London, Ontario) or near a major bus route to Western University (i.e Hyde Park) or Fanshawe College. It is very disappointing that the neighbourhood has not been taken into consideration when developing the proposed plan especially given our high property tax rate. I understand the land on the 3557 Colonel Talbot Road will need to be developed but I hope the City of London and Ward Councillor, Anna Hopkins, sincerely consider the neighbourhood, privacy and home owners in the adjacent area in addition to everything else that has been objected about the proposed plan when reviewing the application.

I would also like to formally request to be notified of any updates or changes on the proposed zoning-by-law amendments.

Thank you in advance for taking our concerns into consideration,

Warm Regards

Adrian and Barbara Formella

Agency/Departmental Comments

Notice of Application Responses:

London Hydro – January 29, 2019

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Parks Planning – March 15, 2019

The Parks Planning & Design Section has reviewed the Zoning By-law Amendment application for 3557 Colonel Talbot Road and offers the following comments to be considered in your decision:

- **3557 Colonel Talbot Road – Proposed Residential Developments**
 - Parkland dedication has not been collected for this development. Fulfilment of this requirement may come in the form of land dedication, payment of cash-in-lieu or a combination of the two. As indicated in the EIS, staff are interested in acquiring the open space lands as satisfaction of the parkland requirement for this proposal. These lands will be taken at the time of site plan approval. It is the intention of staff to construct a multi-use pathway from Colonel Talbot Road, south of the pond, to the pathway immediately west of the site that will be constructed in the summer of 2019. Further discussions with the applicant will be required.

- The EIS recommends an 8 meter setback from the existing Open Space OS4 zone or the floodplain boundary. It is noted the recommended setback encroaches into the conceptual development.
- Staff suggest all the recommendations of the December 18, 2018 and associated addendums, be reflected in the staff report, the by-law amendment and the site plan as appropriate.



If it assists you, Parks staff can provide a conceptual pathway alignment of the area

Development Services – April 9, 2019

Sanitary:

- Currently there is no municipal sanitary sewer fronting the subject lands. However as part of the Colonel Talbot Road pumping station project, a forcemain and sanitary sewer are currently being designed and are anticipated to be constructed late in 2019. **Until a sanitary outlet is constructed and operational there may need to be a holding provision.**
- As part of any development application the Applicant's Engineer must coordinate with Wastewater and Drainage Engineering Division (WADE), Sewer Operations and the City's Consulting Engineer for suitable location, size and grade of a sanitary outlet. A 200mm diameter sanitary PDC may be required and is to be connected at a sanitary manhole all to City Standards and to the satisfaction of the City Engineer.

Transportation:

- Road widening dedication of 18.0m from centre line.
- Construction of a right turn taper will be required in accordance with City Standards.
- Detailed comments regarding external works and access location and design will be made through the site plan process.

Stormwater

- **The site is located within the UTRCA regulated area and therefore UTRCA approval/permits will be required. Limits of proposed development will require a regulatory flood line buffer acceptable to UTRCA. It is recommended that the applicant engage with UTRCA as soon as possible to review the potential for development at this site.**
- The subject lands are located in the Dingman Creek Subwatershed subject to the ongoing Dingman Creek EA. The City is currently finalizing phases 3 and 4 of the Dingman Creek Municipal Class Environmental Assessment (EA) by Aquafor Beech (City's Dingman Creek EA Consultant) and therefore the SWM criteria and environmental targets applicable to this site are unknown at this time.
- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its 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.
- Currently there is no municipal storm sewer or storm outlet available to service the site.

- Additional SWM related comments will be provided upon future review of this site.

Upper Thames River Conservation Authority – April 9, 2019

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. The Regulation Limit is comprised of a riverine flooding hazard associated with a tributary of Dingman Creek. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland. In the event of a conflict with the mapping, the text description under the Conservation Authorities Act Ontario Regulation 157/06 prevails.

UTRCA and City staff participated in a site visit on May 15, 2018 along with the landowner's consulting team (Matt Campbell from Zelinka Priamo Ltd. and Dave Hayman from BioLogic Incorporated). The purpose of the meeting was to develop a Terms of Reference/Scope for an Environmental Impact Study for the subject lands. In addition to the scoping information provided for the EIS, the UTRCA advised that the floodline in the subwatershed was being updated and that new information was anticipated to be available in the fall of 2018 which could impact the limit of the riverine flooding hazard on the subject lands. A copy of the Terms of Reference/Site Visit notes prepared by BioLogic Incorporated, dated May 29, 2018, is attached.

Dingman Creek Stormwater Servicing Class Environmental Assessment (EA)
The subject lands are located within the Dingman Creek Subwatershed, forming part of the Dingman Creek EA. As shown on the attached Dingman Subwatershed Screening Area map, the subject lands are located within the Screening Area. Further to the advisory comments provided at the May 15, 2018 site visit, UTRCA staff met with Matt Campbell of Zelinka Priamo Ltd. on October 22, 2018 to review a draft version of the Dingman Subwatershed Screening Area map. During these discussions, the UTRCA reviewed the potential impacts of the Screening Area map for the subject lands and advised that the Conservation Authority was not in a position to support development within the flood plain area based on the preliminary information as the UTRCA's policies do not allow for new development in the flood plain.

UTRCA Transition Policy

On August 28, 2018, the UTRCA's Board of Directors approved the Transition Policy for implementing updated Regulation Limit mapping. The Transition Policy is in place to ensure that where there is a discrepancy between the mapping and the text of Ontario Regulation 157/06, the text of the Regulation prevails. The review of development proposals within an area with discrepancies or updated mapping shall consider:

1. The most recent and best available information for natural hazard lands including flood plain modelling, and watercourse and wetland mapping;
2. If available information is insufficient, the proponent may be required to undertake modelling to assess the hazard lands; and
3. The Principle of Development has been previously established under the Planning Act.

In regards to the subject lands:

1. The most recent and best available information identifies the southern portion of these lands as flood plain;
2. The Dingman Screening Area Mapping is currently being peer reviewed to confirm accuracy and no additional modelling is required at this time; and,

3. The Principle of Development has not been established for these lands under the Planning Act as they are not zoned to accommodate the proposed development and therefore this application to amend the Zoning By-law is required.

RECOMMENDATION

New modelling indicates that the current flood plain mapping depicted on the UTRCA's Regulation Limit mapping no longer accurately represents the regulated riverine flooding hazards in areas of the Dingman Creek subwatershed. The hazards are defined in text within regulations made pursuant to the Conservation Authorities Act (Ontario Regulation 157/06). As previously noted, in the event of a conflict with the maps, the text description prevails. The UTRCA must rely on the best available information to assess the risks due to flooding in applying the regulation and to be consistent with the natural hazards policies contained within the Provincial Policy Statement.

A review of the modelling and mapping has been initiated to: ensure that it is consistent with best practices; confirm the best available information is used appropriately in updating hazard mapping; and confirm that the modelling and mapping meets provincial standards. As part of the Dingman Creek EA, the City of London has retained a consultant to peer review the modelling work completed to date. It is anticipated that the peer review will be completed in the summer of 2019.

Updated mapping that accurately illustrates the hazard lands is required to properly plan servicing, review development proposals and issue building permits. While the mapping is being updated the Screening Area is an interim tool intended to assist the UTRCA, City of London and proponents to assess development proposals. The UTRCA considers the following when reviewing development proposals within the Screening Area:

- The use of the property, expanding existing uses versus new development proposals;
- Appropriate floodproofing measures;
- Ensure that the proposed development, including mitigation/floodproofing, does not impact upstream or downstream flood levels;
- The maintenance of channel capacity and channel conveyance functions; and,
- Changes in flood storage characteristics.

At this time during the review of the flood modelling and mapping, the UTRCA does not have sufficient information to confirm that the subject lands are not affected by the flooding hazard.

As previously noted, the UTRCA met with the agent in October 2018 to advise of the potential development restrictions due to the forthcoming Dingman Subwatershed Screening Area which was presented to the public in November 2018. Based on foregoing comments, the UTRCA does not have sufficient information to confirm the extent of the flooding hazard that impacts the subject lands. Accordingly, this application is considered to be premature and the UTRCA recommends that the Zoning By-law Amendment being sought for the lands known municipally as 3557 Colonel Talbot Road be refused, or alternatively deferred until the extent of the flooding hazard can be confirmed.

Revised Notice of Application Responses:

London Hydro – April 1, 2020

Servicing the above proposed should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining save clearances from L.H. infrastructure is mandatory. A blanket easement will be required.

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. However, London Hydro will require a blanket easement.

Upper Thames River Conservation Authority – April 8, 2020

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 to confirm whether the subject 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*.

PROPOSAL

The applicant has submitted a revised Zoning By-law Amendment application seeking to rezone the subject lands from Urban Reserve (UR4) and Open Space (OS4) to Residential R5 Special Provision (R5-6(_)) and Open Space (OS4) to accommodate a 21 unit townhouse development. The special provisions request reduced standards to all yard setbacks, along with an increase in permitted density. The re-submitted application included a revised Conceptual Site Plan, revised Environmental Impact Study, and Planning and Design Report letter.

BACKGROUND

The UTRCA received a pre-consultation request for these lands, dating back to early 2018. Based on this request, UTRCA staff conducted a site visit and EIS scoping meeting on May 15, 2018 with attendees from the City of London, Zelinka Priamo Ltd., and Biologic. On May 29, 2018, BioLogic provided a summary of this meeting highlighting discussions regarding the EIS requirements and the forthcoming availability of revised floodline information. A copy of this document is enclosed with this letter.

As a follow-up to the on-site meeting, the UTRCA scheduled a meeting with Matt Campbell, Zelinka Priamo Ltd., on October 22, 2018, to review the revised floodline information referred to as the Dingman Screening Area. It was noted that this revised and best available information resulted in a greater extent to the flooding hazard on these lands, and therefore a reduced area available for development.

In January 2019, the UTRCA was circulated a Zoning By-law Amendment application through the City of London with development proposed across the entirety of the site. This proposal exceeded what was acknowledged to be permitted at the October 22, 2018 meeting. After various meetings between the City of London staff, UTRCA staff and the applicant's consulting team, a formal response was provided from the UTRCA on April 9, 2019, requesting that the application be refused as currently proposed, or deferred to allow time for revisions.

Based on this recommendation and the requirements noted, the applicant retained IBI Group to undertake site specific flood plain modelling which then tied into the preparation of a balanced cut and fill analysis. This analysis was finalized on September 12, 2019, and the UTRCA provided sign-off on September 13, 2019. The Conceptual Site Plan, submitted March 2020, represents the development limit that was agreed to through the detailed analysis. Although not explicitly stated on the revised Concept Plan or Planning and Design letter, this development limit line shall represent the proposed zone boundary between residential and open space, contrary to what is shown in the revised EIS.

CONSERVATION AUTHORITIES ACT

The UTRCA is circulated *Planning Act* applications by its' watershed municipalities for review as an agency having the provincially delegated responsibility for the natural hazard policies of the PPS, as a municipal technical advisor, as a public body under various regulations made under the *Planning Act*, as a watershed-based resource management agency, and as a landowner. The delegated responsibility for natural hazards was established under the Provincial One Window Planning System for Natural Hazards to ensure that development applications are consistent with the natural hazard policies of the PPS.

Through the circulation of *Planning Act* applications, the UTRCA's level of involvement is determined in terms of planning and permitting review. While these reviews are typically coordinated, there are two distinct application processes: (1) *Planning Act* applications must meet tests under the *Planning Act*, PPS, and municipal planning documents; and (2) Section 28 permit applications must meet the requirements of the *Conservation Authorities Act* and UTRCA policies set out in the UTRCA Environmental Planning Policy Manual (2006).

The principle of development is first established through the *Planning Act* taking into account the same land use constraints that are regulated through the Section 28 permit application

process. UTRCA involvement in the planning process is comprehensive, intended to avoid instances where an application is approved under the *Planning Act* that cannot be approved under Section 28 of the *Conservation Authorities Act*.

Section 28 Regulations - Ontario Regulation 157/06

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of:

- A riverine flooding hazard associated with a tributary of Dingman Creek and on-line pond.

Please refer to the attached mapping for the location of the identified feature. It should be noted that where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape is regulated by the UTRCA.

The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

Dingman Creek Stormwater Servicing Class Environmental Assessment (EA)

The subject lands are located within the Dingman Creek Subwatershed, forming part of the Dingman Creek EA. As shown on the attached Dingman Subwatershed Screening Area map, the subject lands are located within the Screening Area. Based on site specific modeling, undertaken by IBI Group, the enclosed mapping does not accurately reflect the extent of the flood plain on these lands.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:

<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

NATURAL HAZARDS

The UTRCA has the delegated responsibility under the Provincial One Window Planning System for Natural Hazards, as established by the Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry, and the Ministry of Municipal Affairs and Housing. This delegated role allows the UTRCA to represent the provincial interest through development applications with respect to natural hazards.

The PPS directs new development to areas outside of hazardous lands adjacent to river, stream systems which are impacted by flooding hazards and/or erosion hazards. In Ontario, prevention approaches are the preferred approach for management of riverine hazards as they reduce or minimize the risk to life and property. Prevention is achieved through land use planning and Conservation Authority regulations of site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS. Policies that are applicable to the subject lands include:

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands which is consistent with the Provincial Policy Statement (PPS) and is intended to limit the number of owners of hazardous land and thereby reduce the risk of unregulated development etc.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements. New development is generally not permitted within the flood plain. Site specific modeling has been prepared for the subject lands to refine the extent of the flooding hazard. A balanced cut and fill analysis was prepared and reviewed to identify a portion of these lands suitable for development. The revised Conceptual Site Plan identifies the development limit as established through this review. Although not stated, the development limit represents the extent of the lands to be zoned Open Space (OS4), to accommodate the revised flood plain.

In addition to these works undertaken to address the flood plain, an EIS was also required to address the on-line pond and drainage corridor. As previously mentioned, this document was scoped with BioLogic, City of London staff, UTRCA staff, and a member of EEPAC. As the initial proposal was altered, a revised EIS was submitted based on the current proposal. Comments on this report are provided below.

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/>

COMMENTS

As indicated, the subject lands are regulated by the UTRCA and ongoing discussion/review has occurred since the initiation of this project. Through the preparation of site specific modeling and a balanced cut and fill analysis prepared by IBI Group, the UTRCA and applicant's consulting team have agreed to the development limit as shown on the revised Conceptual Site Plan submitted alongside this application. Although not explicitly stated, the development limit shown shall represent the zone boundary between the Open Space (OS4) and Residential R5 Special Provision (R5-6(_)) zones.

The UTRCA deferred detailed review of the EIS to the City of London ecologist, although a high level review was still undertaken to ensure consistency. We offer the following comments:

1. There are various references in the report, as well as delineated on Figure 7 and 8, that refer to the Open Space zone boundary in the existing location at the southern extent of the lands. As per discussions between the agent, City and UTRCA staff, the Open Space zone boundary shall coincide with the development limit as shown on the revised Conceptual Site Plan in order to capture the revised flood plain.

2. Section 7 (page 17) refers to a development footprint setback 24 metres from the UTRCA floodline and avoids direct impacts to the drainage swale and associated functions.

The 24 metre setback no longer corresponds to the UTRCA's floodline, as the flood plain has been revised through site specific modeling completed by IBI Group. Furthermore, the associated functions of the flood plain area will be altered as a result of the cut and fill works to be undertaken, however the impacts on flood storage are expected to be negated by the balancing of these works.

3. Recommendation 1 states that a water balance will be required. Please ensure this report is included in the site plan application package.

4. Recommendation 3 states that a landscape plan is required. These plans shall include a 20 metre wide naturalized area enhancing the drainage corridor, as per the City of London's recommendations. Please ensure these drawings are included in the site plan application package.

5. Recommendation 8 states that bat boxes will be installed near the on-line pond. Please ensure these locations are identified on detailed drawings submitted in the site plan application package.

6. Recommendation 10 states that the existing Open Space zone boundary will delineate the area to be dedicated to the City of London. As this Open Space zone boundary is not appropriately referenced, please confirm this location with City staff. Should any development, including accessory structures, be proposed within the common element area, a Section 28 permit application may be required.

7. Recommendations 11 through 14 state that sediment and erosion control fencing will be required. In addition to the fencing proposed, these plans shall also have regard for the cut and fill works, not just construction north of the development limit. Please ensure these drawings are included in the site plan application package.

RECOMMENDATION

Prior to providing sign-off on the Zoning By-law Amendment application, please forward a further revised copy of the EIS, Conceptual Site Plan, and Planning and Design letter to the

UTRCA for review incorporating the aforementioned comments. Most importantly, the zone boundary is misrepresented throughout the revised EIS and is not referenced on the Conceptual Site Plan or Planning and Design letter to the UTRCA for review incorporating the aforementioned comments. Most importantly, the zone boundary is misrepresented throughout the revised EIS and is not referenced on the Conceptual Site Plan or Planning and Design letter, and a consistent message on where the Open Space zone will be delineated is of the utmost importance.

We remind the application that a Section 28 permit application will be required prior to any site alteration works or development occurring on these lands. The requirements of this application will be provided to the applicant through the Site Plan Consultation process with the City of London, including the report/drawings identified above.

FEES

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications and associated technical peer reviews.

Our fee for the review of the Zoning By-law Amendment application is \$750.00, and our technical review fee for the balanced cut/fill analysis and flood plain modeling is \$1,050.00. These fees will be invoiced to the owner under separate cover.

An additional fee will also be charged for the review of the site plan application and Section 28 permit application upon submission.

Parks Planning – April 23, 2020

The Parks Planning & Design Section has reviewed the revised Zoning By-law Amendment application for 3557 Colonel Talbot Road and offers the following comments to be considered in your decision:

3557 Colonel Talbot Road – Proposed Residential Developments

Parkland dedication has not been collected for this development. Fulfilment of this requirement may come in the form of land dedication. As indicated in the EIS, staff are interested in acquiring the open space lands (OS5) as satisfaction of the parkland requirement for this proposal. These lands will be taken at the time of site plan approval. It is the intention of staff to construct a multi-use pathway from Colonel Talbot Road to the future pathway immediately west of the site.

Through a revised concept plan the applicant has divided the open space area into two (2) parcels each with a separate proposed zone; OS4() and OS5. It is our understanding, that the OS4() parcel will be remain with the development and function as the private amenity area for the development. The remaining parcel, OS5, will be dedicated to the City and permit the construction of a 3 meter wide multi-use pathway in conjunction with the flood plain and wildlife habitat.

Engineering – May 12, 2020

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

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

Transportation:

- Road widening dedication of 18.0m from centre line
- Construction of a right turn taper will be required in accordance with City Standards
- Detailed comments regarding external works and access location and design will be made through the site plan process

Sewers:

- The gravity sewer on Colonel Talbot is in but not cleared or accepted for use. In addition it has no outlet till Colonel Talbot PS is fully complete and operational.
- It is our understanding that a 200mm dia sanitary PDC was installed, located approximately where the existing driveway is, just short of property line. Applicant's engineer to confirm size, inverts and location of PDC.

Water:

- Water is available for the subject site via the municipal 600mm watermain on Colonel Talbot Road.
- Water service shall be serviced in a way that a regulated drinking water system will not be created.

Stormwater:

- The site is located within the UTRCA regulated area and therefore UTRCA approval/permits will be required. Limits of proposed development will require a regulatory flood line buffer acceptable to UTRCA. It is recommended that the applicant engage with UTRCA as soon as possible to review the potential for development at this site.
- The subject lands are located in the Dingman Creek Subwatershed subject to the ongoing Dingman Creek EA. The City is currently finalizing phases 3 and 4 of the Dingman Creek Municipal Class Environmental Assessment (EA) by Aquafor Beech (City's Dingman Creek EA Consultant) and therefore the SWM criteria and environmental targets applicable to this site are unknown at this time.
- Currently there is no municipal storm sewer or storm outlet available to service the site.
- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its 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.
- SWED has previously commented on pre-applications for this site (September 13, 2017; December 13, 2017 and June 7, 2018). Each application was showing different development layout.
- The subject lands are located in the Dingman Creek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the current SWM criteria and environmental targets identified in the Dingman Creek Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, water balance, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It may include water balance.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MOECC standards and requirements. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.
- Additional SWM related comments will be provided upon future review of this site.

Appendix C – 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, by-laws, 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

1.1.1.b), 1.1.1.c), 1.1.1.e), 1.1.3., 1.1.3.2., 1.1.3.3., 1.1.3.4.

Section 1.4 – Housing

1.4.1., 1.4.3.b), 1.4.3.d), 1.4.3.f)

Section 1.5 – Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1.

Section 1.7 – Long Term Economic Prosperity

1.7.1.c)

Section 2.1 – Natural Heritage

2.1.1.

Section 3.1 – Natural Hazards

3.1.1.b), 3.1.7.a), 3.1.7.d)

The London Plan

Policies:

54_, 58_7, 58_8, 59_2, 59_4, 59_5, 61_10, 62_9, 79_, 80_, *82_, 84_, 761_6, 768_, *921_, *937_, *939_5, *953_2 a to f, *953_3,

Maps:

- *Map 1 – Place Types
- *Map 3 – Street Classifications
- *Map 6 – Hazards and Natural Resources

Tables:

- *Table 10 – Range of Permitted Uses in Neighbourhoods Place Type
- *Table 11 – Range of Permitted Heights in Neighbourhoods Place Type

1989 Official Plan

3.3., 3.3.1., 3.3.2., 3.3.2.i), 3.3.2.iii), 3.3.2.iv), 3.3.3., 3.3.3.i), 3.3.3.ii), 15.6.2.

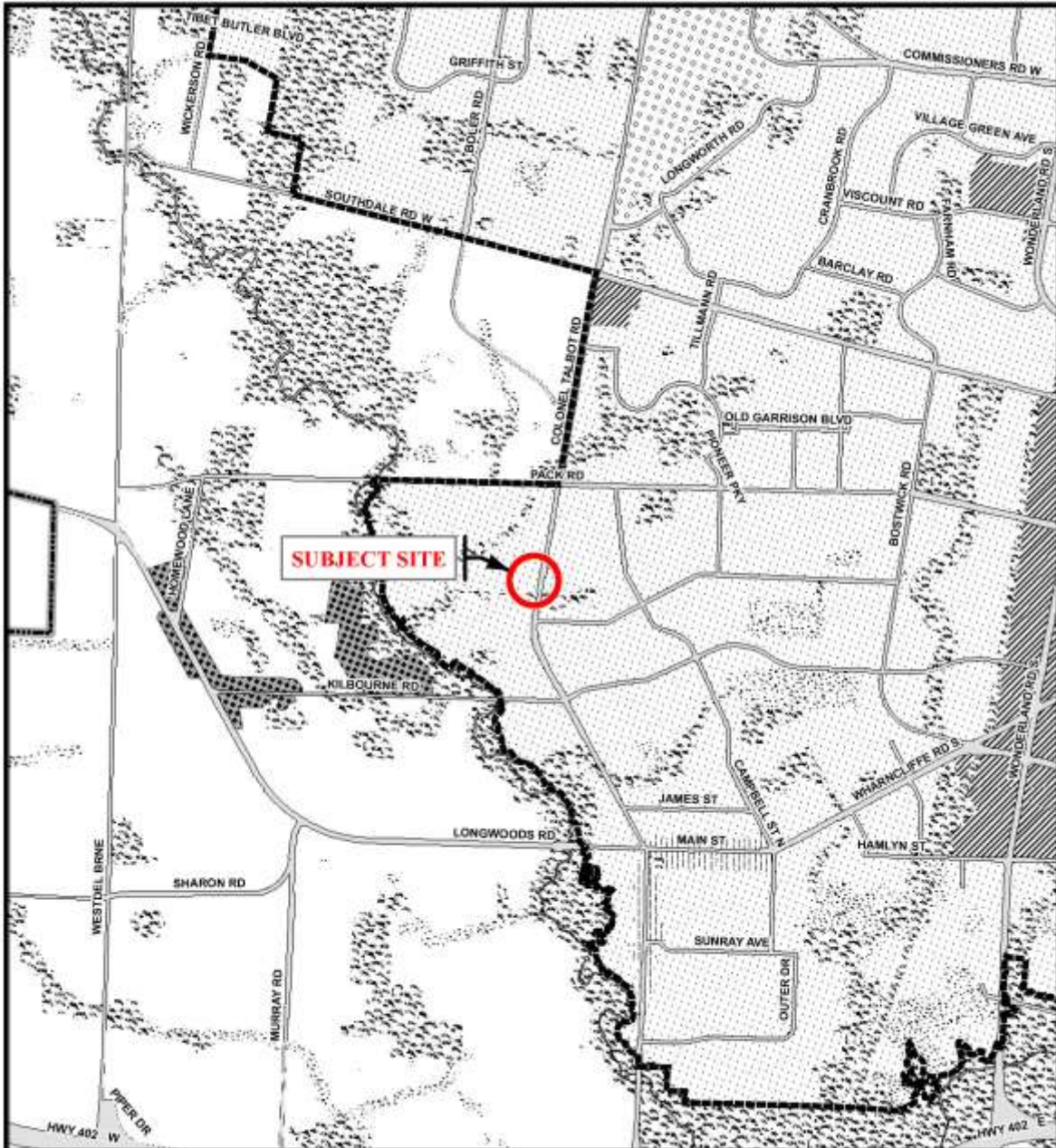
Schedule A – Land Use

Southwest Area Secondary Plan

20.5.3.6., 20.5.5.6.i)b), 20.5.3.9.i)a), 20.5.4.1.iv)b), 20.5.7., 20.5.7.2., 20.5.7.2.ii), 20.5.7.2.iii).

Appendix D – Relevant Background

Additional Maps



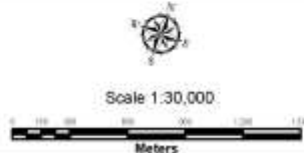
Legend

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

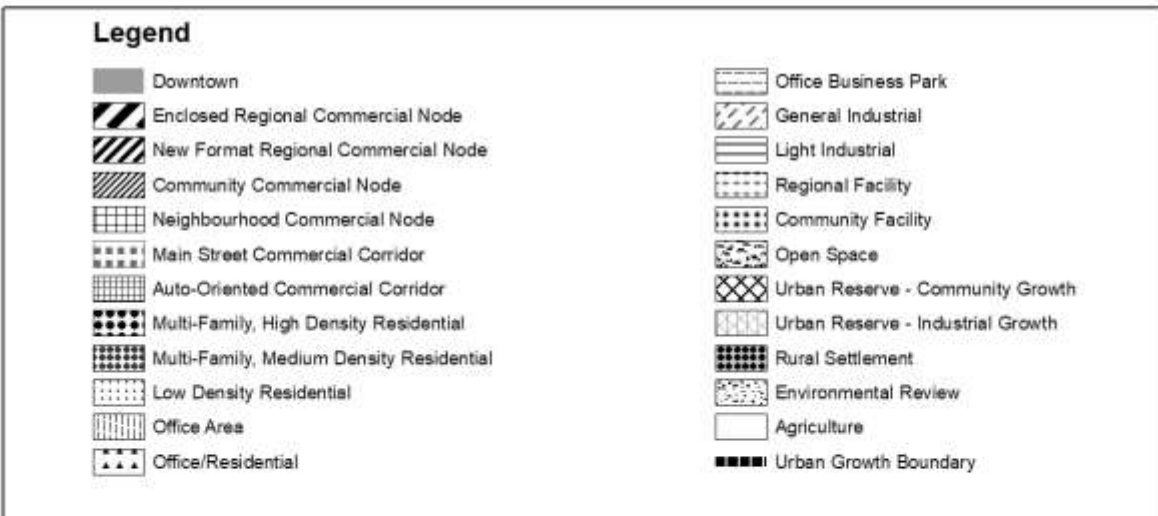
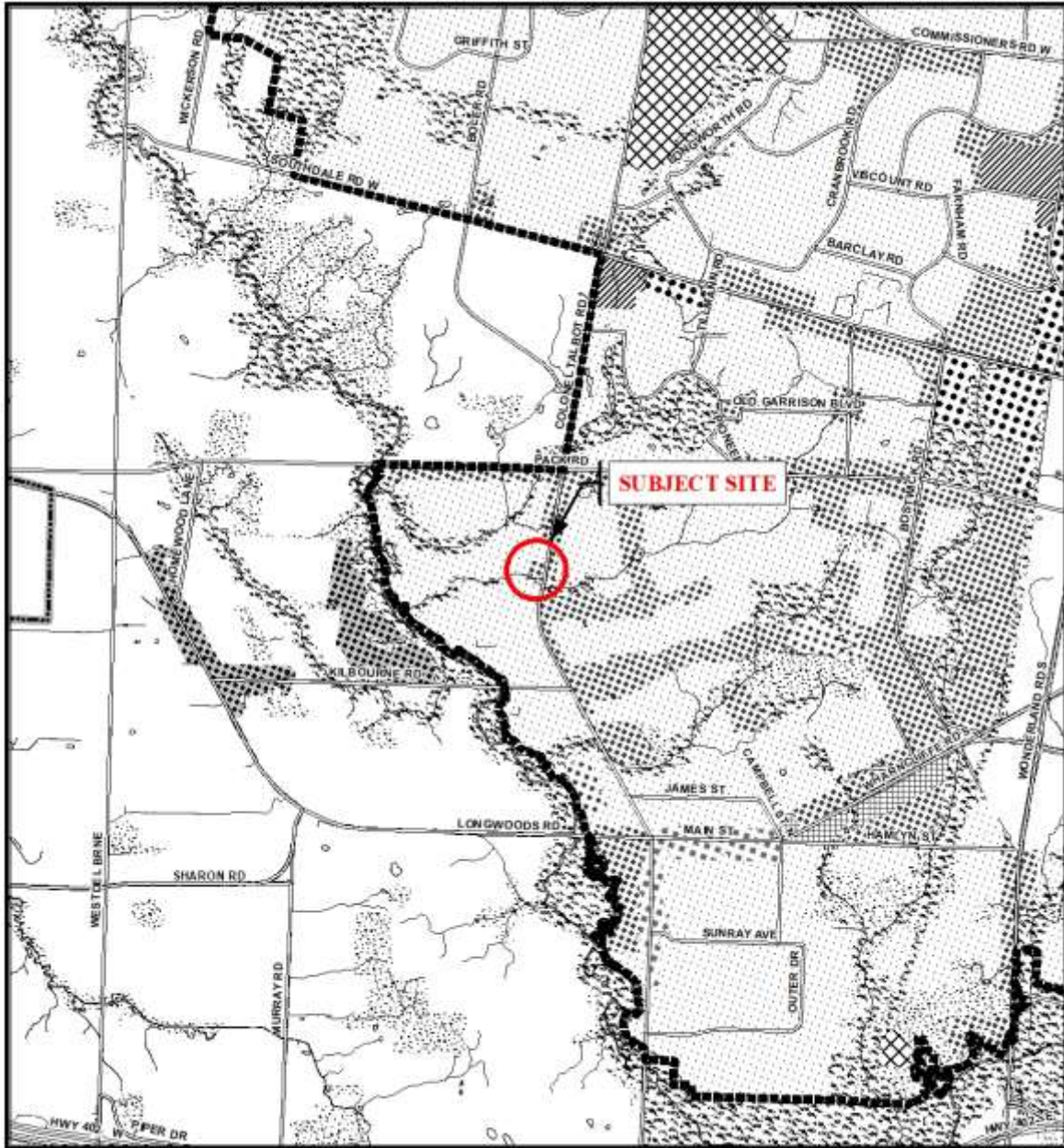
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

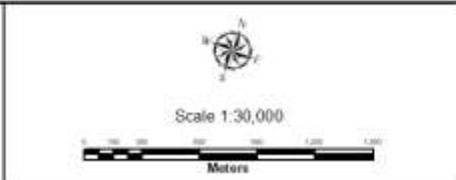
CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: Z-9003
 Planner: MV
 Technician: DM
 Date: August 8, 2020



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



FILE NUMBER: Z-9003
 PLANNER: MV
 TECHNICIAN: DM
 DATE: 2020/08/07



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-6

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "H" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 Z-9003 MV

MAP PREPARED:
 2020/08/06 DM

1:1,500
 0 5 10 20 30 40
 Meters

Additional Reports

A.103/17 – Minor Variance application to allow for the construction of a new single family dwelling. The variance sought was for a reduced north interior side yard setback. On August 1, 2017 the requested variance was granted conditionally.