

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: Westchester Homes Ltd.
348 Sunningdale Road East

Public Participation Meeting on: October 19, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Westchester Homes Ltd. relating to the property located at 348 Sunningdale Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 27, 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 (UR1) Zone, **TO** a Holding Residential R5 Special Provision (h-17*R5-3(_)) Zone and an Open Space Special Provision (OS5(_)) Zone;
- (b) **IT BEING NOTED** that the following site plan matters were raised during the application review process:
- i) Orientation of the southerly townhouse building to the Open Space area to the south and to Sunningdale Road East;
 - ii) The provision of appropriately located and adequately protected outdoor amenity area to meet Ministry of the Environment, Conservation and Parks requirements;
 - iii) Extension of sidewalks to Sunningdale Road East along driveway; and
 - iv) Ensure naturalization with feature restoration and compensation is required to be completed by the landowner in accordance with the mitigation measures in the recommendations and Table 2 of the Environmental Impact Assessment (MTE, March 30, 2020), and an approved Restoration and Monitoring Plan.

Executive Summary

Summary of Request

The requested amendment is to allow two townhouse buildings, each three storeys (up to 12 metres) in height for a total of 17 units (35 units per hectare). The request also includes a natural area compensation and renaturalization area along the property frontage.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit the development of the subject lands for a 3-storey, 17 unit townhouse development at a density of 35 units per hectare. With the exception of the driveway access, the front portion of the property is protected from development through the use of an Open Space zone. New tree plantings and renaturalization of this area will occur as compensation for natural feature removal from other parts of the site. At the site plan stage consideration should be given to: the orientation of the southerly townhouse row toward the Open Space Zone and Sunningdale Road East; the provision of adequate

outdoor protected amenity areas; the provision of a sidewalk from the development to Sunningdale Road East; implementation of the recommendations of the EIS (MTE, March 30, 2020) and approval of and implementation of a restoration and monitoring plan.

Rationale of Recommended Action

1. The recommended Zoning By-law amendment is consistent with the PPS, 2020 which encourages settlement areas to be the main focus of growth and development to provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future.
2. The proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the policies of the Neighbourhoods Place Type.
3. The proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation which contemplates townhouse development up to a maximum density of 75 units per hectare.
4. The subject lands represent an appropriate location for intensification in the form of townhouses, along a high-order street adjacent to existing development at an intensity that is appropriate for the site and surrounding neighbourhood.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the north side of Sunningdale Road East between Richmond Street and Adelaide Street North, more specifically just to the north-east of the T-intersection of Lindisfarne Road with the south side of Sunningdale Road East. The land generally slopes gently away in all directions from a high point near the north-west corner of the site, with steeper slopes to the northwest and southwest corners and adjacent to the Sunningdale Road right-of-way. The middle of the site is flat where there was a single detached dwelling until its demolition in 2015. Portions of the site are heavily treed, with concentrations of trees at the front of the property including on the City's existing and future road allowance, and close to the west, north and east property boundaries. The Powell Drain Wetland, a unit of the Arva Moraine Wetland Complex lies to the north and west of the subject property, and the Uplands North Wetland lies to the east. An Imperial Oil pipeline is located along the frontage of the subject lands and has an associated easement over the front portion of the lands.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Urban Reserve (UR1) Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 68.5 metres (224.7 feet)
- Depth – 92 m (301.8 feet)
- Area – 0.635ha (1.57 ac)
- Shape – rectangular



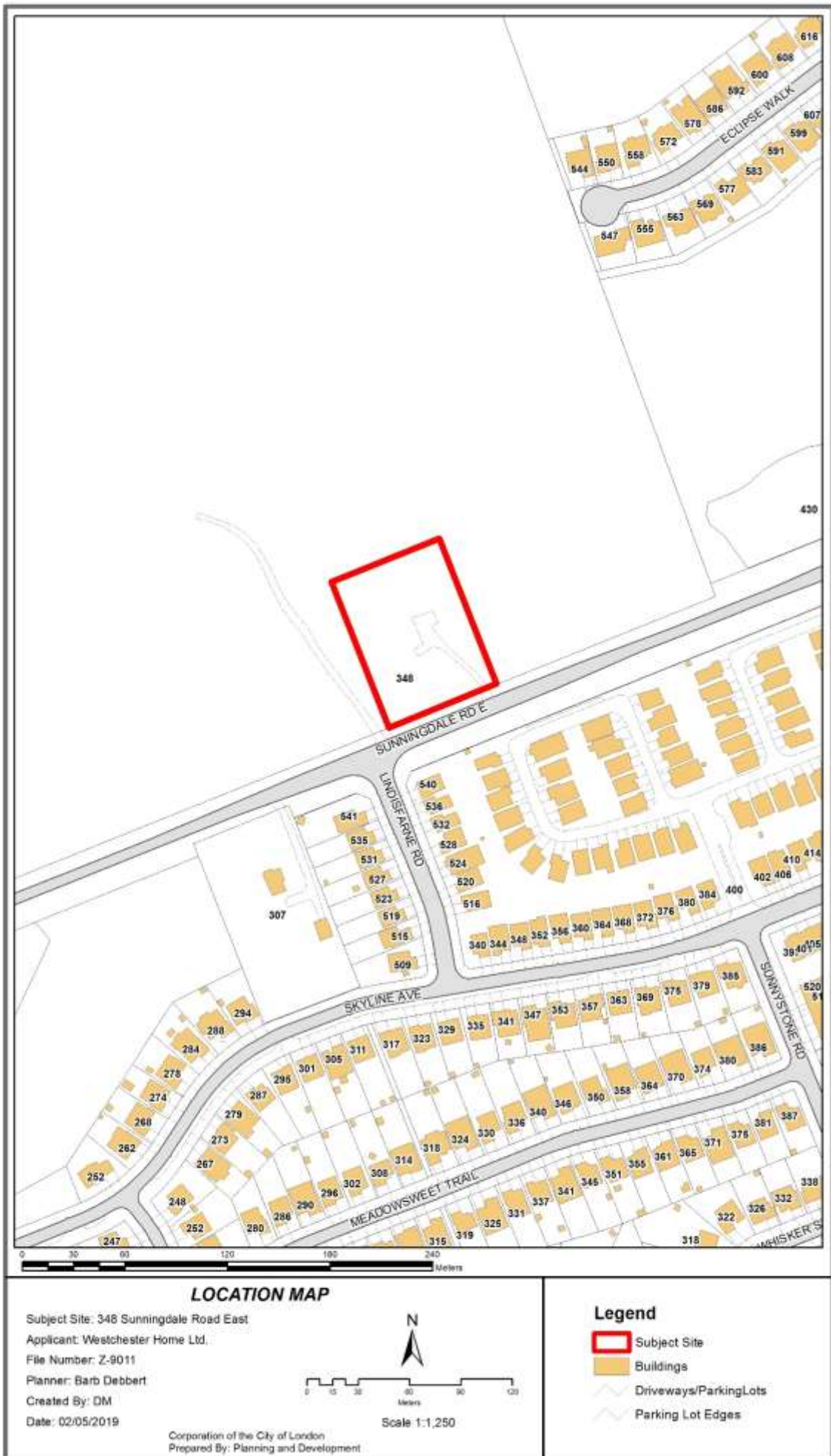
1.4 Surrounding Land Uses

- North – Powell Drain Wetland (part of Arva Moraine Wetland Complex)
- East – Uplands North Wetland and lands designated for possible future residential development
- South – Low Density Residential
- West – Wooded area and lands designated for possible future residential development

1.5 Intensification (17 residential units)

- The requested residential units do not represent intensification within the Built-area Boundary
- The requested residential units are located outside of the Primary Transit Area.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment is intended to permit the development of a 3-storey, 17 unit townhouse development.

Original Site Concept (December, 2018)

The conceptual site plan submitted in 2018 in support of the requested amendment includes two, 3-storey townhouse buildings containing 8 and 9 units respectively for a total of 17 units. The buildings are situated parallel to Sunningdale Road East, one behind the other. Driveway access to the site is located close to the east property line.

The proposed building elevations provide for direct outdoor access from the functional fronts of the buildings to the drive aisle and private driveways between the two buildings. Third floor balconies are provided at the functional backs of the buildings. Private outdoor amenity space is situated at the functional backs of the buildings, north of the northerly structure and between the southerly structure and Sunningdale Road East.

The south face of the southerly building is situated 18.2 metres from the ultimate road widening and 20 metres from the centreline of the Imperial Oil pipeline.

Figure 1 – Original Site Concept (submitted December, 2018)

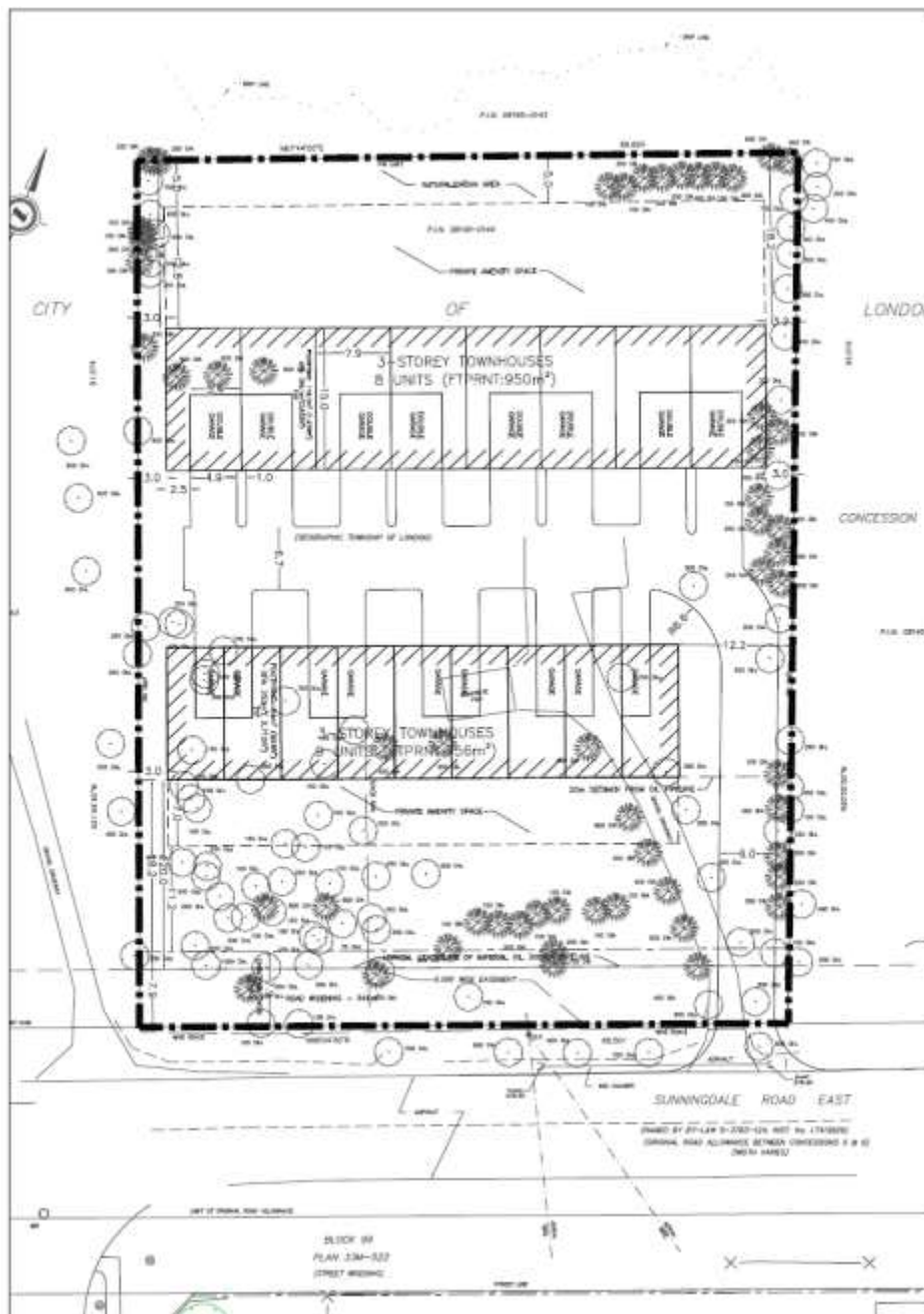
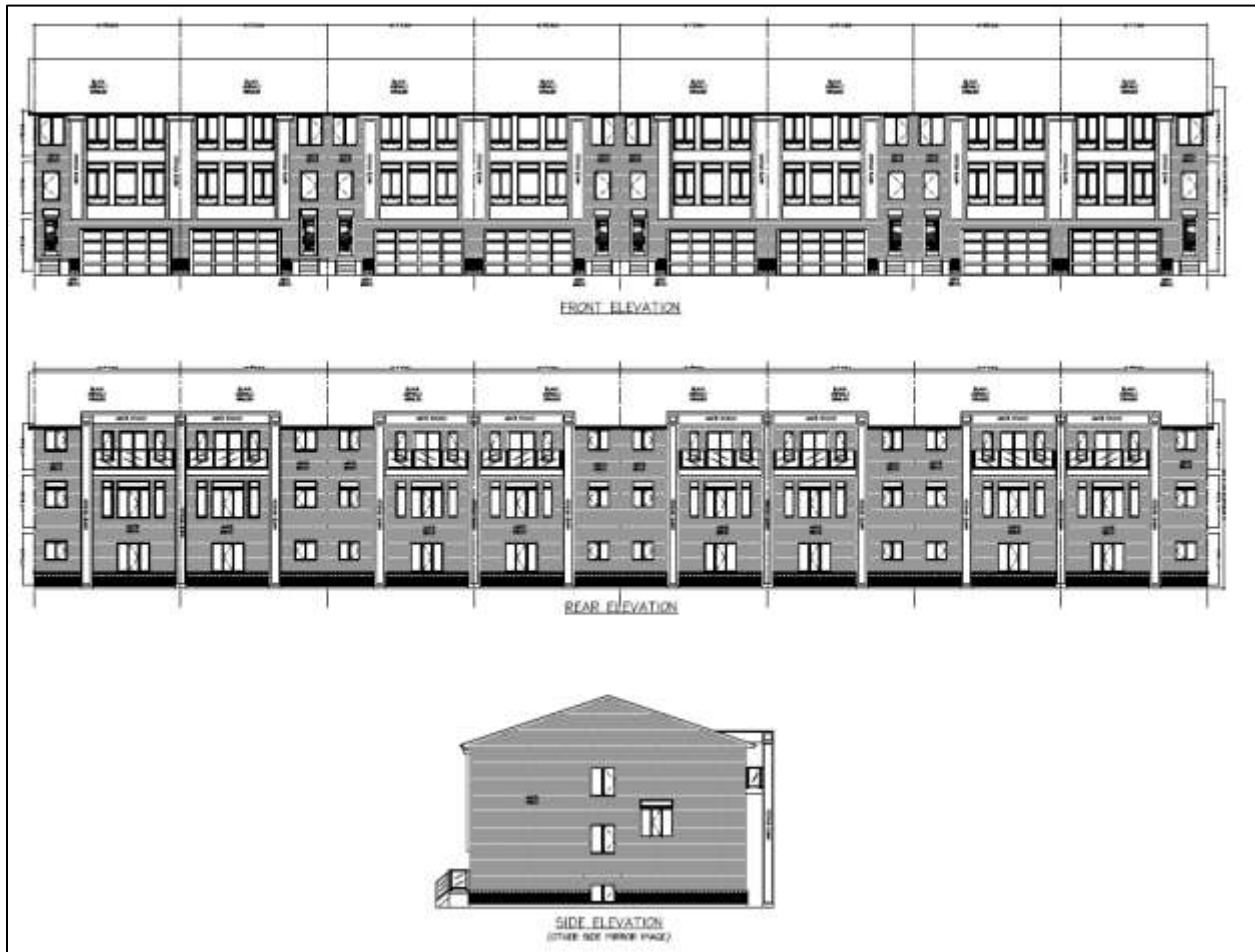


Figure 2 – Original Elevations (submitted December, 2018)



Revised Site Concept (July, 2020)

The applicant submitted the revised site concept and building elevations in May and July, 2020 following numerous discussions between City staff and the applicant to address building orientation toward Sunningdale Road East and related impacts on site design and noise attenuation for outdoor amenity space, the appropriate protection of natural heritage features, and tree preservation, compensation and renaturalization. These revisions were informed by Slope Stability and Water Balance studies, a revised Environmental Impact Study, and an updated Tree Assessment Report and Tree Preservation Plan.

The basic proposal description remains the same. The plans and elevations were modified to:

- provide ground level exterior doors on what previously appeared to be the rear building elevations with no main level access;
- include a new sidewalk along the south face of the southerly building to improve pedestrian connectivity and encourage the use of the south building exposure as a front yard;
- shift the buildings further north on the site to provide for a single consolidated compensation/restoration/naturalization area between the buildings and Sunningdale Road East;
 - The south face of the southerly building is now situated about 23.0 metres from the ultimate road widening and 25.6 metres from the centreline of the Imperial Oil pipeline;
 - The compensation/restoration/renaturalization area between the ultimate road widening and the new sidewalk along the south face of the southerly building is 20.6 metres wide. This area will be available for new tree plantings, except for the approximate 5 metre width that lies within the Imperial Oil pipeline easement. Other forms of renaturalization can occur within the pipeline easement that does not include new trees.

Figure 3 – Revised Site Concept (Submitted July, 2020)

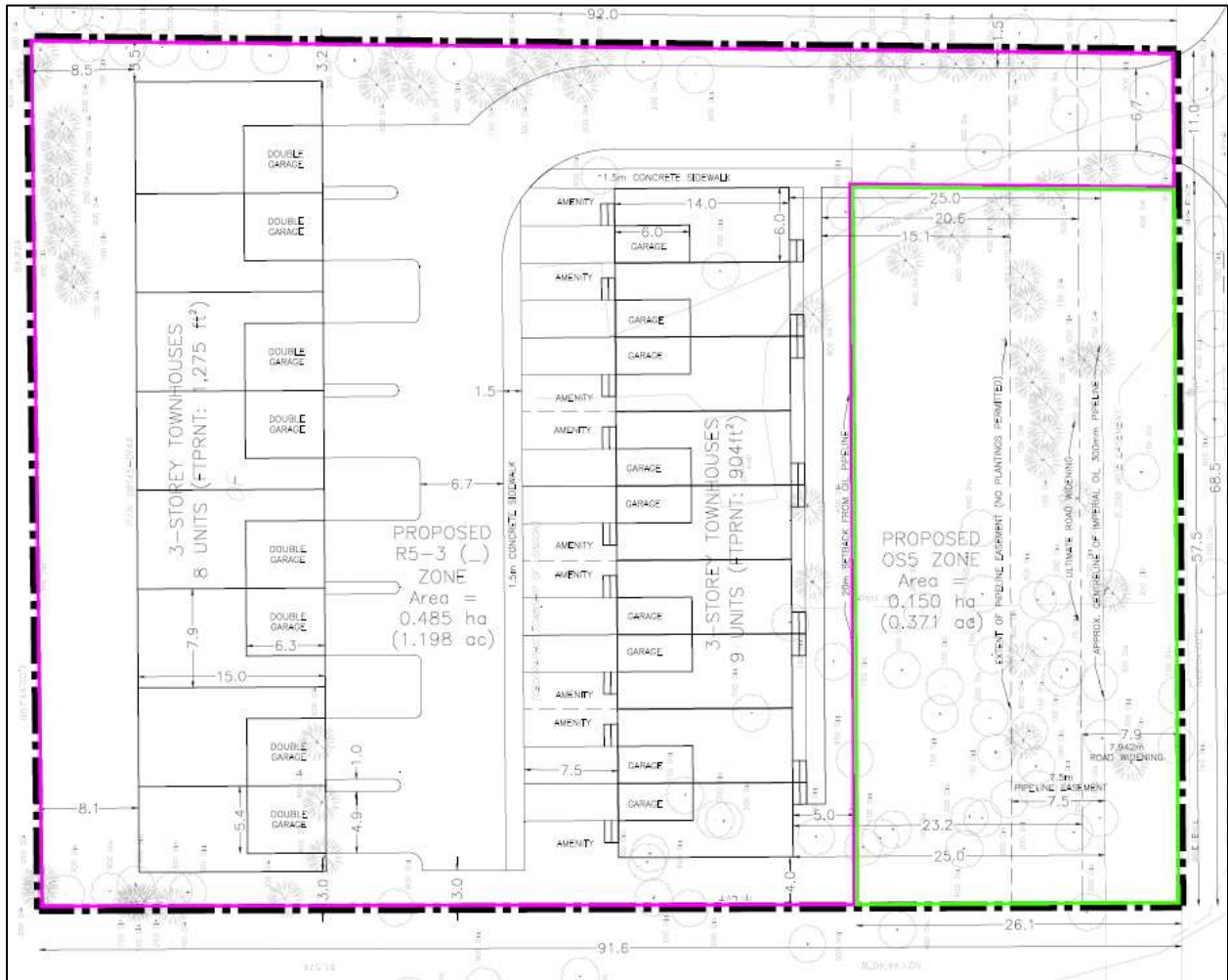
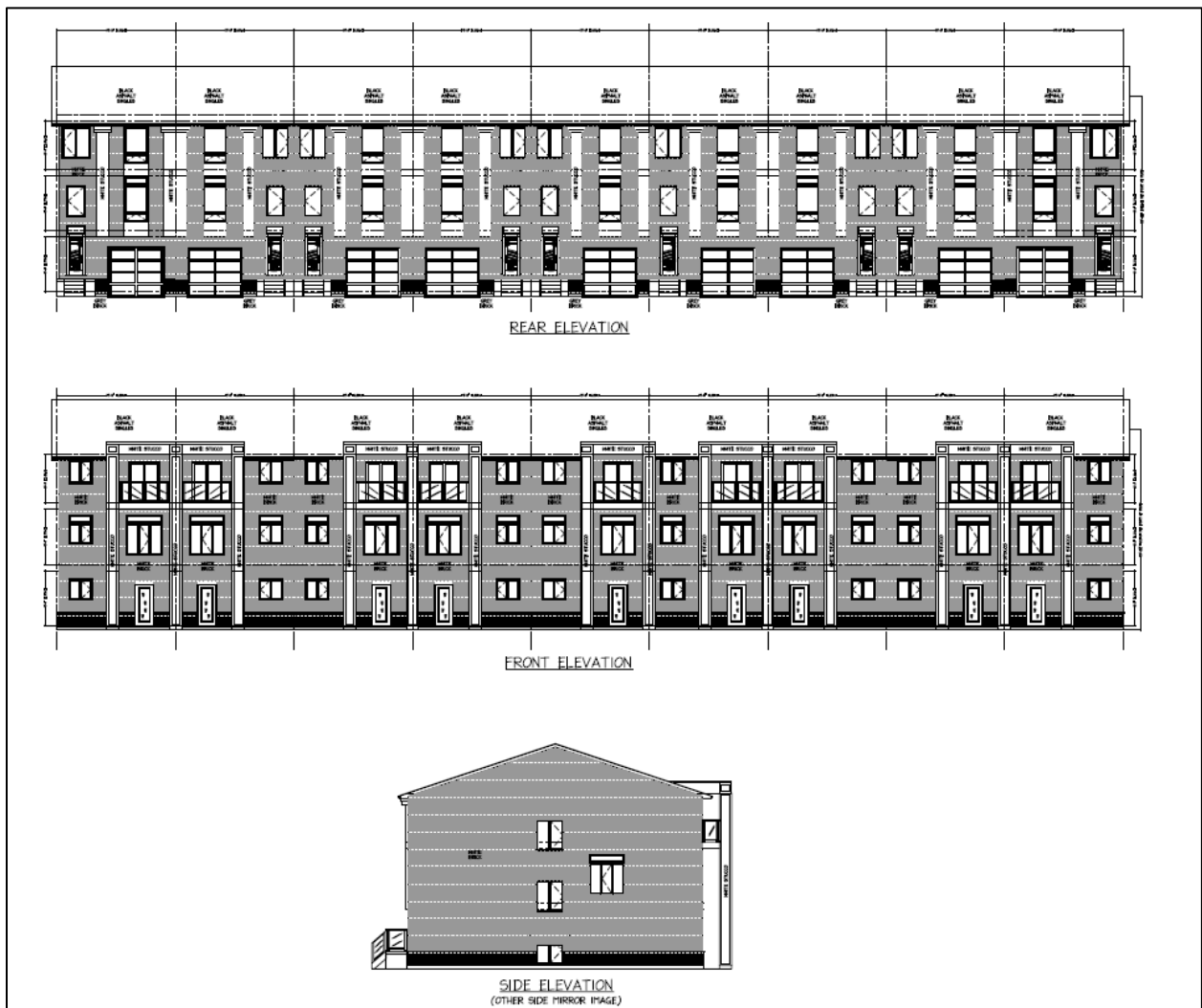


Figure 4 – Revised Elevations (Submitted May, 2020)



3.0 Relevant Background

3.1 Requested Amendment

Original Zoning Request (December, 2018)

The requested amendment is for a Zoning By-law amendment from an Urban Reserve (UR1) Zone to a Residential R5 Special Provision (R5-2(_)) Zone to permit cluster/stacked townhouse dwellings at a maximum density of 30 units per hectare and a height of 12 metres.

Relief from the standard zoning requirements was requested, including interior sideyard setbacks on both sides of 3.0 metres in place of 6.0 metres for units with windows on the side elevations.

Revised Zoning Request (July, 2020)

The amended application is to change the zoning from an Urban Reserve (UR1) Zone to a Residential R5 Special Provision (R5-3(_)) Zone to permit cluster/stacked townhouse dwellings at a maximum density of 35 units per hectare and a height of 12 metres, and to an Open Space Special Provision (OS5(_)) Zone to permit conservation lands, conservation works, passive recreation uses and managed woodlots.

Relief from the standard zoning requirements for the residential use were requested, including a minimum lot frontage of 11.0 metres in place of 30.0 metres; minimum east, south and west interior side yard setbacks of 3.2 metres, 5.0 metres and 3.0 metres, respectively in place of 6.0 metres; minimum landscaped open space of 35% in place of 45%; and maximum lot coverage of 33.4% in place of 30%. Other than the east and west interior side yard reductions, the increased residential density and all of the other requested special provisions result from the treatment of the proposed new Open Space (OS5) as a separate property for zoning interpretation purposes and do not result in any additional intensification on the site.

Relief from the standard zoning requirements for the Open Space (OS5) Zone were requested, consisting of a reduction of the minimum lot area from 0.4 hectares to 0.15 hectares.

3.2 Community Engagement (see more detail in Appendix B)

Opportunities were provided to the public to provide comments on this application in response to the original notice of application given February 4, 2019 and the revised notice of application given on July 29, 2020. Responses were received from eight individuals during the community consultation periods.

The public concerns generally included:

- The proposed built form/density are not in keeping with the area
- Colour/architectural design
- Environmental impacts – flora, fauna and ecological buffer to wetland features
- Loss of trees on the site
- Increase in traffic
- Hazardous turning movements/location of driveway
- Not a transit friendly location
- Road noise impacts on occupants of new development
- Ownership tenure of new units
- Site maintenance after construction and occupancy
- Decrease in property value
- General concerns about the City's approach to tree preservation and controlling road noise and speed, not related specifically to this application

3.3 Policy Context (see more detail in Appendix C)

The Provincial Policy Statement (PPS) 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Within the Settlement Areas appropriate land use patterns are established by providing appropriate densities and a mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The policies of the PPS state that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities. (1.1.3.6).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing toward locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant wetlands or significant woodlands. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. (2.1 Natural Heritage – 2.1.1, 2.1.4, 2.1.5, 2.1.7 and 2.1.8).

The PPS directs that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. (2.6 Cultural Heritage and Archaeology).

In accordance with section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

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 subject site is located in the Neighbourhoods Place Type along a Civic Boulevard which would permit a range of residential uses including single detached, semi-detached, duplex, converted dwellings, townhouses, stacked townhouses, fourplexes and low-rise apartments (Policy *921_).

Neighbourhoods Place Types along a Civic Boulevard also require a minimum height of 2-storeys and permit a maximum height of 4-storeys, while 6-storeys can be achieved through Type 2 bonusing. Zoning is applied to ensure the intensity of development is

appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (Policy *935_).

All planning and development applications will conform with the City Design policies of The London Plan. New developments should be designed to avoid the need for noise walls that are required to protect amenity areas as defined by provincial guidelines (Policy *936_). All planning applications are to be evaluated with consideration of the use, intensity and form that is being proposed, subject to specific criteria set out in the Plan (Policy *1578_).

Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize the vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability (Policy *937_).

In addition to The City Design policies of this Plan, residential intensification projects are subject to additional urban design considerations (Policy *953_). New proposals must clearly demonstrate that the proposed intensification project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood. The Plan evaluates compatibility and fit from a form perspective on a specific list of criteria to help ensure it is in keeping with the character of the surrounding neighbourhood. Compatibility and fit will be evaluated on matters such as, but not limited to, site layout, building and main entrance orientation, building line and setback from the street, character and features of the neighbourhood, height and massing. The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas (Policy *953_).

The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. They will confirm or refine the boundaries of components of the Natural Heritage System, and will include conditions to ensure that development does not negatively impact the natural features and ecological functions for which the area is identified. (Policy 1431_). The City will require that an environmental impact study be completed to its satisfaction, and in accordance with provincial policy, in consultation with the relevant public agencies prior to the approval of a planning and development application, where development or site alteration is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in *Table 13 – Areas Requiring Environmental Study (Policy 1432_). Development or site alteration on lands adjacent to features of the Natural Heritage System shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (Policy 1433_).

The Cultural Heritage policies of this Plan are intended to ensure that new development enhances and is sensitive to our cultural heritage resources (Policy 554_). Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved (Policy 611_).

1989 Official Plan

The 1989 Official Plan designates the site as Multi-Family, Medium Density Residential 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 (Section 3.3.1.).

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Height will be limited to four storeys however, in some instances may be permitted to exceed this limit, if determined through a compatibility report. Generally developments will not exceed 75 uph (Section 3.3.2).

Proposals for development within the Multi-family, Medium Density Residential designation are subject to a Planning Impact Analysis as set out in Section 3.7 of the Official Plan.

The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. They will confirm or refine the boundaries of components of the Natural Heritage System, and will include conditions to ensure that development does not negatively impact the natural features and ecological functions for which the area is identified. The City will require that an environmental impact study be completed to its satisfaction, and in accordance with provincial policy, in consultation with the relevant public agencies prior to the approval of an Official Plan amendment, Zoning By-Law amendment, subdivision application, consent application or site plan application, where development is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in Table 15-1. (Section 15.5.1)

The Cultural Heritage Policies of this Plan state that Council will facilitate, in accordance with Provincial Policy efforts to preserve and excavate historic and pre-historic archaeological resources. (Section 13.4.1). Zoning By-law amendments are to be reviewed for their potential impacts to archaeological resources, and archaeological assessment requirements may be imposed where the subject area possesses archaeological resource potential or known archaeological resources, and involved some form of ground disturbance. (Section 13.4.3).

Uplands North Area Plan (2003)

The Uplands North Area Plan orients the Medium Density Residential areas to the arterial road system along Sunningdale Road as well as the southern areas along Adelaide Street North and Richmond Street, including the subject property. It is stated that these areas will mirror and be compatible with other medium density residential uses on the south side of Sunningdale Road. The Uplands North Area Plan identified approximately 25% of the developable lands in the planning area for medium density development, in keeping with the Provincial Policy Statement which sought to allow for a full range of housing types and densities.

3.4 Additional Background (Archaeological)

The subject lands were identified as having archaeological potential. The complete application submission in 2018 included Stage 1 – 4 Archaeological reports and a Ministry of Tourism, Culture and Sport letter confirming that the pre-contact Indigenous component of the site meets provincial criteria for cultural heritage value or interest and requires Stage 4 mitigation. On February 27, 2020, the Ministry of Heritage, Sport, Tourism, Culture Industries provided additional correspondence acknowledging the reported full excavation and documentation of the pre-Indigenous component to the Ministry's guidelines, and confirmed there was no further cultural heritage value or interest and that no further archaeological assessments are required.

4.0 Key Issues and Considerations

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

4.1 Use

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement directs growth and development to settlement areas and encourages their regeneration (Policy 1.1.3.1). Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2 b)). The PPS directs that planning authorities consider the housing needs of all residents (Policy 1.4.3 a) and b)).

The London Plan

The subject lands are located within the Neighbourhoods Place Type with frontage on a Civic Boulevard in The London Plan. The range of uses permitted within the Neighbourhoods Place Type is directly related to the classification of street onto which a property has frontage (*Table 10- Range of Permitted Uses in Neighbourhoods Place Type). Townhouses are a permitted use on Civic Boulevards within the Neighbourhoods Place Type throughout the City.

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (Section 3.1.1 ii)). The subject lands are designated Multi-family, Medium Density Residential in the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-family, High Density Residential designation (Preamble Section 3.3 – Multi-family, Medium Density Residential). The primary permitted uses for the Multi-family, Medium Density Residential designation include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. (Section 3.3.1). The requested townhouse development is contemplated in the Multi-family, Medium Density Residential designation in the 1989 Official Plan as a permitted use.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended townhouse development will contribute to the existing range and mix of housing types on the south side of Sunningdale Road East, consisting of primarily cluster and freehold single detached dwellings with townhouses in the interior of the neighbourhood. The recommended townhouse development has the potential to assist in providing a diverse range of housing needs within the community consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan.

The recommended townhouse use is contemplated in the Multi-family, Medium Density Residential designation in the 1989 Official Plan as a permitted form of residential intensification, and is included in the range of primary permitted uses within the Neighbourhoods Place Type on Civic Boulevards. The Multi-family, Medium Density Residential designation was established at the time of approval of the Uplands North Area Plan in 2003 in anticipation of the future provision of access to public open space and recreational facilities, community facilities and transit services through the build-out of the planning areas on the north and south sides of Sunningdale Road East.

The property has suitable access to shopping facilities in the Masonville area at Richmond Street and Fanshawe Park Road, the Stoney Creek Community Centre, and numerous parks. The planned future construction of Sunningdale Road East to an urban cross section, planned for 2025, will provide a safer environment for pedestrian activity. Although the proposed townhouse development has a different intensity, height and built form than the single and two-storey dwellings to the immediate south, the analysis of intensity and form below demonstrates that townhouses can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

4.2 Intensity

Provincial Policy Statement, 2020 (PPS)

The PPS directs growth to settlement areas and encourages their regeneration (Policy 1.1.3.1). The PPS states that land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2). Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated considering matters such as existing building stock, brownfield sites, and suitable existing or planned infrastructure and public service facilities. (Policy 1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4).

The London Plan

The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*Policy 83_, *Policy 937_, *Policy 939_ 2. and 5., and *Policy 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (Policy 84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (*Policy 953_3.).

1989 Official Plan

The scale of development in the Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. (Section 3.3.3). Residential intensification in the Multi-family, Medium Density Residential designation is subject to a Planning Impact Analysis (PIA) on the basis of criteria relevant to the proposed change (Section 3.7.2). Relevant criteria related to the intensity of development include:

- Compatibility with surrounding land uses
- Ability of the site to accommodate the use
- The height, location and spacing of any buildings and any potential impacts on the surrounding land uses.

Analysis:

The subject lands have frontage on a Civic Boulevard (Sunningdale Road East) which is a higher-order street, to which medium and high density uses are directed. The subject property is of a size and configuration capable of accommodating a more intensive redevelopment than the former single detached dwelling which was more suitable to a rural area. In terms of the policy framework of both the 1989 Official Plan and The London Plan, the property was significantly underutilized by the previous use. Consistent with the PPS, the subject lands are located where the City's Official Plans direct and support residential intensification and redevelopment.

The proposed development of 17 new townhouse units equates to 35 units per hectare, significantly less than the maximum density of 75 uph that can be considered under the 1989 Official Plan policies. In addition, the proposed 3 storey height is less than the maximum, without bonusing, permitted by The London Plan.

The available building envelope on the site is somewhat constrained by natural heritage features that are part of or support the Powell Drain Wetland (part of Arva Moraine Wetland Complex) on lands to the north and west and the Uplands North Wetland to the east. It is also constrained by the required minimum 20 metre setback from the Imperial

Oil pipeline that runs along the north part of the Sunningdale Road East road allowance. The intensity of development within the remaining developable area is suitable for the site. It is noted that the only special provisions of substance are the interior side yard reductions from 6.0 metres to 3.0 and 3.2 metres. These setbacks are considered suitable for the site and anticipated surrounding future land uses. The remaining special provisions relate to the recommended zoning of the front portion of the lands for open space uses (see Section 4.4 – Natural Heritage Features and Tree Preservation below).

While the proposed development is considered entirely appropriate in its context from both a compatibility and intensity perspective, it is worth noting that the visual experience of intensity by nearby property owners will be significantly reduced by the recommended tree retention and renaturalization of the lands between the front face of the southerly building and the widened road right-of-way.

The addition of traffic volume from a 17 unit development on a higher order road that currently experiences high traffic volumes is negligible and is not considered to be an impediment to the proposed development. The Transportation Division did not request a Traffic Impact Assessment and has expressed no concerns regarding the impact of this development on the carrying capacity of Sunningdale Road East.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and the City's Official Plans.

4.3 Form

Provincial Policy Statement, 2020 (PPS)

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

The London Plan

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

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (*Policy 953_ 2. a. –f.).

Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (*Policy 1578_).

1989 Official Plan

The scale of development in the Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development (Section 3.3.3). The 1989 Official Plan recognizes residential intensification as a means of providing for the efficient use of land and achieving a compact urban form (Section 3.2.3). The Planning Impact Analysis criteria in the 1989 Official Plan are to be used to evaluate the appropriateness of a proposed change in land use and identify ways to reduce any adverse impacts on surrounding land uses (Section 3.7). The relevant PIA criteria related to form include:

- The exterior design in terms of bulk, scale and layout of buildings, and the integration of these uses with present and future land uses in the area;

- The location of vehicular access points and the likely impact of traffic generated by the proposal on City streets, pedestrian and vehicular safety and surrounding properties;
- Compliance of the proposed development with the provisions of the City's Site Plan Control By-law.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject lands would optimize the use of land and the planned future public investment in infrastructure in the area. Located on the periphery of the City in an area characterized by low density single detached and cluster single developments, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed townhouse development represents a more compact form of development than the former single detached dwelling on the site.

With regard to whether the recommended amendment would result in a form of development that is compatible and a good fit with the surrounding neighbourhood, concerns regarding building orientation (urban design and noise), scale and height, pedestrian access, driveway location, light, and Imperial Oil Pipeline requirements are analyzed below:

Building Orientation

From a design aesthetic and function perspective, the City Design policies of The London Plan state that principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access (policy *291_).

Building orientation for residential development can also impact the implementation of suitable noise attenuation measures. The Urban Design policies of the 1989 Official Plan encourages design features such as building orientation, location of outdoor open space relative to the noise sources, and noise attenuation measures (Section 11.1.1 xviii)) where residential development is affected by adverse noise conditions. Policy 241_ in the City Design chapter of The London Plan, references the Noise wall policies in the Our Tools part of the Plan to govern proposals for noise walls in association with new development. Accordingly, Policy 1768_ provides further direction. Firstly, it encourages high and medium density residential uses to abut arterial roads as these forms provide greater flexibility in building orientation thereby allowing front facing buildings with amenity in the rear. Failing the availability of a front-facing design, other design solutions are encouraged to eliminate the need for noise walls. If noise walls or other noise attenuation barriers are required, then a noise impact study is required.

The original proposal provided no primary access or building orientation toward Sunningdale Road East, and accommodated outdoor amenity area on the road side of the building, providing no protection from road noise. In an effort to address policy direction, the applicant proposed the use of a berm instead of a noise wall to address protection of the outdoor amenity area. This was not a preferred solution. Firstly, a berm would have the same effect as a noise wall in the sense of creating a road "tunnel" and isolating the proposed development from its surroundings. Secondly, the Imperial Oil guidelines prevent obstructions on its easement, including the piling of dirt. Moving a berm far enough north on the site to remain outside the Imperial Oil pipeline easement and providing the required height and design slopes would have a significant impact on the available building envelope. Thirdly, a berm is not the ideal condition for renaturalization of the environmental feature (see Section 4.4 below).

As a result, the applicant submitted new drawings that provided for front doors facing Sunningdale Road East and the proposed open space area, along with a new sidewalk running parallel to the front face of the building to provide pedestrian access to the driveway. Protected outdoor amenity space is to be provided to the rear (north) of the

southerly building. Additional and continued attention to building orientation to address urban design and noise policies will need to be addressed at the site plan stage.

Scale and Height

The scale or height of the proposed 3-storey townhouse buildings conforms to the height requirements contemplated within the Neighbourhoods Place Type where the property has frontage on a Civic Boulevard. These policies require a minimum height of two storeys and maximum height of four storeys, with a provision for up to six storeys with Type 2 bonusing. It also conforms to the low-rise form of development, generally not exceeding four storeys contemplated in the Multi-family, Medium Density Residential designation of the 1989 Official Plan and would be compatible with the scale of buildings on the south side of Sunningdale Road East, which include one and two-storey single detached dwellings.

Pedestrian Access

The City Design policies of The London Plan state that site layout will promote connectivity and safe movement between, and within, site for pedestrians, cyclists and motorists (Policy *255_). Providing sidewalk connections from the buildings to the public street is also a standard requirement for site plan approval. The proposed site concept does not currently provide appropriate pedestrian access to the street. Pedestrian connectivity will need to be addressed at the site plan approval stage.

Driveway Location and Design

The public expressed a preference for the driveway access to be located directly across from the T-intersection of Lindisfarne Road with Sunningdale Road. This would normally be the City's design preference where it can be achieved. In this case the property limit does not extend to Lindisfarne Road and therefore the best solution from an access management perspective is to offset the driveway as far away from the Lindisfarne intersection as possible, near the east property line of the subject site. Detailed driveway design will be addressed at the site plan stage.

Light

A general concern was raised regarding lighting impacts on the adjacent development. Through the site plan stage a photometric plan will be required to ensure spillover lighting impacts on adjacent properties are minimized. It is not anticipated that there will be lighting impacts on properties to the south due to the setback of the proposed buildings from the street and the recommended renaturalization of the area to be zoned Open Space (OS5).

Imperial Oil Pipeline Delineation

The Imperial Oil Pipeline Guidelines require that limits of the easement parallel to the pipeline shall be identified with fencing or equivalent markings to prevent gradual encroachment by landowners. This requirement should be addressed at the site plan approval stage.

4.4 Natural Heritage Features, Hazards, and Tree Preservation

Provincial Policy Statement, 2020 (PPS)

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant wetlands or significant woodlands. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. (2.1 Natural Heritage – 2.1.1, 2.1.4, 2.1.5, 2.1.7 and 2.1.8).

The London Plan

Map 5* – Natural Heritage of The London Plan does not identify any natural heritage resources on the site itself, but identifies Provincially Significant Wetlands, Significant Valleylands and Unevaluated Vegetation Patches on the land surrounding the subject site.

Map 6* – Hazards and Natural Resources, of The London Plan shows the surrounding lands as being within Conservation Authority Regulated Areas and indicates a Riverine Erosion Hazard affecting the northwest corner of the site. The Upper Thames River Conservation Authority has indicated that the subject property, while not mapped, is also within the Conservation Authority Regulation Limit and subject to the required permits under Section 28 of the Conservation Authorities Act. The Regulation Limit is comprised of a riverine erosion hazard and the area of interference associated with the Arva Moraine Provincially Significant Wetland.

The Natural Heritage policies are intended to protect the natural heritage features and areas over the long term by establishing requirements for the identification and protection of the Natural Heritage System by a number of means including, but not limited to, environmental impact studies (Policy 1309_). The Natural Heritage Policies indicate that not all components of the Natural Heritage System are necessarily mapped on Map 5 and that in the review of any planning and development application, an initial review of the lands shall be undertaken to confirm the presence or absence of any natural features and areas that may be present that have not been mapped to determine if further evaluation of the feature is required (Policy *1316_).

Among other features, The London Plan identifies the habitat of endangered and threatened species, provincially significant wetlands and wetlands, and significant woodlands and woodlands as natural heritage features and areas that should ultimately be included in the Green Space Place Type on Map 1 – Place Types* of The London Plan.

The London Plan indicates that secondary plans, subject lands status reports and/or environmental impact studies will delineate the extent of the habitat of endangered, threatened and special concern species (Policy 1326_). Policy *1340_ indicates that a woodland will be considered significant if it achieves a minimum of one High or five Medium criteria scores as determined by application of the City Council approved Guidelines for the Evaluation of Ecologically Significant Woodlands.

1989 Official Plan

Schedule B-1 – Natural Heritage Features of the 1989 Official Plan does not identify any natural heritage resources on the site itself, but identifies Provincially Significant Wetlands, Unevaluated Vegetation Patches and a Maximum Hazard line on the land surrounding the subject site.

Schedule B-2 - Natural Resources and Natural Hazards of the 1989 Official Plan shows the surrounding lands as being within Conservation Authority Regulated Areas and indicates a Riverine Erosion Hazard affecting the northwest corner of the site. The Upper Thames River Conservation Authority has indicated that the subject property, while not mapped, is also within the Conservation Authority Regulation Limit and subject to the required permits under Section 28 of the Conservation Authorities Act. The Regulation Limit is comprised of a riverine erosion hazard and the area of interference associated with the Arva Moraine Provincially Significant Wetland.

The subject site met the requirements for the preparation of an Environmental Impact Study as per Table 15.1 of the 1989 Official Plan and therefore the applicant was required to prepare one as part of a complete application for the requested Zoning By-law amendment.

The Planning Impact Analysis review set out in Section 3.7 of the Official Plan also requires consideration of:

- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area.
- the potential impact of the development on surrounding natural features.

Analysis:

Results of the Environmental Impact Assessment

An Environmental Impact Study (EIS) was submitted with the original application and later revised to address comments provided by the City's Ecologist, the Upper Thames River Conservation Authority and the Environmental and Ecological Planning Advisory Committee. At this point, City staff have not approved the revised EIS, as the EIS was not undertaken as prescribed by policy and the Environmental Management Guidelines. Despite not approving the EIS as a whole, City staff support the implementation of the recommendations of the EIS, as the outcome is generally the same as if the EIS was approved. These recommendations generally include:

- Managing post-development runoff in the north-west corner of the site and using Low Impact Development strategies to maintain surface flows and infiltration levels for surrounding wetland habitat;
- Managing stormwater during the construction and revegetation process;
- The development of a tree preservation plan to be developed in conjunction with the grading plan and the preparation of a landscape plan at detailed design for the naturalization/restoration area utilizing native species at a replacement rate of 2:1;
- Identification in future condominium documentation of the adjacent PSW and protection and management of the naturalization area on site as a common element through a condominium declaration specific to natural heritage protection;
- Restricting the time frames for vegetation clearing to avoid disturbance of the migratory bird breeding season;
- Restricting the time frames for removal of candidate bat roosting trees and installation of bat boxes as necessary to meet Ministry of Natural Resources and Forestry and City of London requirements;
- Installation of sediment and erosion control fencing along the development limit and regular inspections to keep construction equipment and spoil away from the slope in the north-west corner of the property, vegetation to be protected and prevent erosion and sedimentation;
- Reseeding of disturbed areas as soon as possible to maximize erosion protection and discourage natural seeding of invasive species;
- Permanent fencing post-construction to prevent indiscriminate trails in the adjacent lands; and,
- Homeowner education.

The Upper Thames River Conservation Authority also reviewed and approved Water Balance and Slope Assessment reports submitted in September 2019, the results of which were co-ordinated with the revised EIS. The UTRCA requested that the mitigation measures provided in Table 2 of the EIS also be included in the recommendations to be implemented at the site plan stage.

The recommended zoning of the front portion of the property for open space purposes, and the proposed 20.6 metre wide area between the ultimate road widening and the proposed sidewalk along the south face of the building, provide for a suitable naturalization/restoration area to compensate for feature removal on the site. The requested east and west yard setback reductions establish development limits that are acceptable from an environmental perspective to protect the provincially significant

wetlands and related natural heritage features including significant woodlands. A minimum rear yard setback of 7.5 metres is also recommended to establish a building envelope that prevents building encroachment at the site plan stage into areas discussed with the applicant as providing a preferred separation between building activities and the natural heritage features on the adjacent lands.

At the site plan stage, the recommendations and mitigation measures detailed in the EIS will be implemented, including detailed restoration and monitoring plans for the naturalization/restoration area of the lands to be zoned as Open Space on the private lands. In addition the recommendations of the Slope Stability Assessment are to be incorporated into the final site design. The Upper Thames River Conservation Authority will continue to be involved in the City's site plan approval process. The UTRCA stated that its previous technical review comments shall be included for review, and that the stormwater management report to be submitted shall ensure quality control of runoff to the adjacent wetlands under the proposed conditions, and consider compensation for the slight deficit in infiltration through the use of Low Impact Development.

The implementation of all of the above noted zoning regulations, the recommendations and mitigation measures in Table 2 of the EIS, addressing the UTRCA's technical comments and detailed recommendations of a future stormwater management report at the site plan stage, will appropriately address and mitigate potential impacts on the natural heritage features.

Tree Preservation for Private and Public Construction Projects

A Tree Assessment Report and Tree Preservation Plan were submitted with the original application and later revised to address matters raised by City of London staff. There was extensive neighbourhood concern about the visual and environmental impact of tree removal resulting from construction on private property and future road widening activities, as well as questions about the anticipated timing of tree removal related to these activities. While the focus of tree preservation reports and tree preservation plans is on the removal and preservation of existing trees, replantings for tree removal compensation and renaturalization were an important part of the discussion from both natural heritage and aesthetic perspectives. As a result, staff requested that the revised Tree Preservation Plan include a restoration planting plan and a plan showing the area on the property within the Imperial Oil Pipeline easement, where new tree plantings will not be permitted but which will still be renaturalized.

A revised Tree Assessment Report and Tree Preservation Plan (Ron Koudys Landscape Architects, April 2020) were submitted which provided a detailed breakdown of tree species, their size, condition, and proposed actions. No rare, endangered or unusual tree species were reported to have been observed. One specimen tree, a mature Tulip Tree, is to be preserved, along with 55 others of the 136 trees included in the inventory. An overview of proposed tree removal includes:

- 3 of 5 existing trees from the pre-road widening right of way to accommodate the driveway, 2 of which are also in poor condition;
- 4 of 13 existing trees from the area subject to future road widening to accommodate the driveway or due to anticipated construction impacts, 3 of which are in poor condition;
- 65 of 113 existing trees from the subject property, 6 of which require removal due to poor condition and the remainder for the construction of the driveway, buildings or the parking lot.
- 8 trees that are boundary trees or located on private property adjacent to the subject site.

Construction and impact mitigation recommendations contain suitable measures to protect the trees to be preserved, their root systems and branches, moisture conditions and nesting migratory birds prior to and during construction activities.

City staff have reviewed the submitted Tree Assessment Report and Tree Preservation Plan from the perspective of the Zoning By-law amendment application. Updates to the plan will be required during the site plan approval process. In addition, a detailed

restoration planting and renaturalization and monitoring plan will be required at the site plan stage.

While at staff's request the consultants provided information on anticipated tree removals within the City's existing and future road right-of-way, the City will complete its own tree assessment and tree preservation plan based on existing conditions closer to the time of the actual works in coordination with the final grading plan. Tree removals will not occur within the City's existing and future road right-of-way until the commencement of road reconstruction activities, unless it is necessary for worker safety or due to the poor condition of the tree.

4.5 Holding Provision for Servicing

Currently there are no municipal sanitary sewers available to service the site. As a result staff recommend a holding provision (h-17) be placed on the site.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The requested amendment to permit a 17 unit townhouse development is consistent with the 2020 Provincial Policy Statement that encourages a range and mix of land uses to support intensification and achieve compact forms of growth and directs municipalities to identify appropriate locations for intensification and plan for all forms of housing required to meet the needs of current and future residents.

The recommended amendment to Zoning By-law Z.-1 conforms to the in-force 1989 Official Plan and to the in-force policies of The London Plan, and the Neighbourhoods Place Type which contemplates townhouses with a maximum height of 4 storeys without bonusing where the property has frontage on a Civic Boulevard. The subject lands represent an appropriate location for residential intensification, along a higher-order street adjacent to an existing neighbourhood, and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. Appropriate measures are put in place through zoning special provisions, the zoning of the front of the property for open space use, and matters to be dealt with at the site plan stage to establish a suitable development envelope and site design, and provide for renaturalization and compensation for the removal of natural heritage features. The recommended amendment would help to achieve the vision of neighbourhoods providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities and protect natural heritage features.

Prepared by:	Barb Debbert Senior 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.	

October 9, 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 348
Sunningdale Road East.

WHEREAS Westchester Homes Ltd. has applied to rezone an area of land located at 348 Sunningdale Road East, 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 348 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A102, from an Urban Reserve (UR1) Zone to a Holding Residential R5 Special Provision (h-17*R5-3(_)) Zone and an Open Space Special Provision (OS5(_)) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-3) Zone is amended by adding the following Special Provision:

)	R5-3()	348 Sunningdale Road East	
	a)	Regulations	
		i) Lot Frontage (Minimum)	11.0 metres (36.1 feet)
		ii) Interior Side Yard Depth (East) (Minimum)	3.2 metres (10.5 feet)
		iii) Interior Side Yard Depth (South) (Minimum)	5.0 metres (16.4 feet)
		iv) Interior Side Yard Depth (West) (Minimum)	3.0 metres (9.84 feet)
		v) Rear Yard Depth (Minimum)	7.5 metres (24.6 feet)
		vi) Landscaped Open Space (Minimum)	35 percent
		vii) Lot Coverage (Maximum)	33.5 percent

3) Section Number 36.4 of the Open Space (OS5) Zone is amended by adding the following Special Provision:

- | | | |
|----|--------------------------|--|
| a) | Regulations | |
| | i) Lot Area
(Minimum) | 1500 square metres
(16,145 square feet) |

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 October 27, 2020.

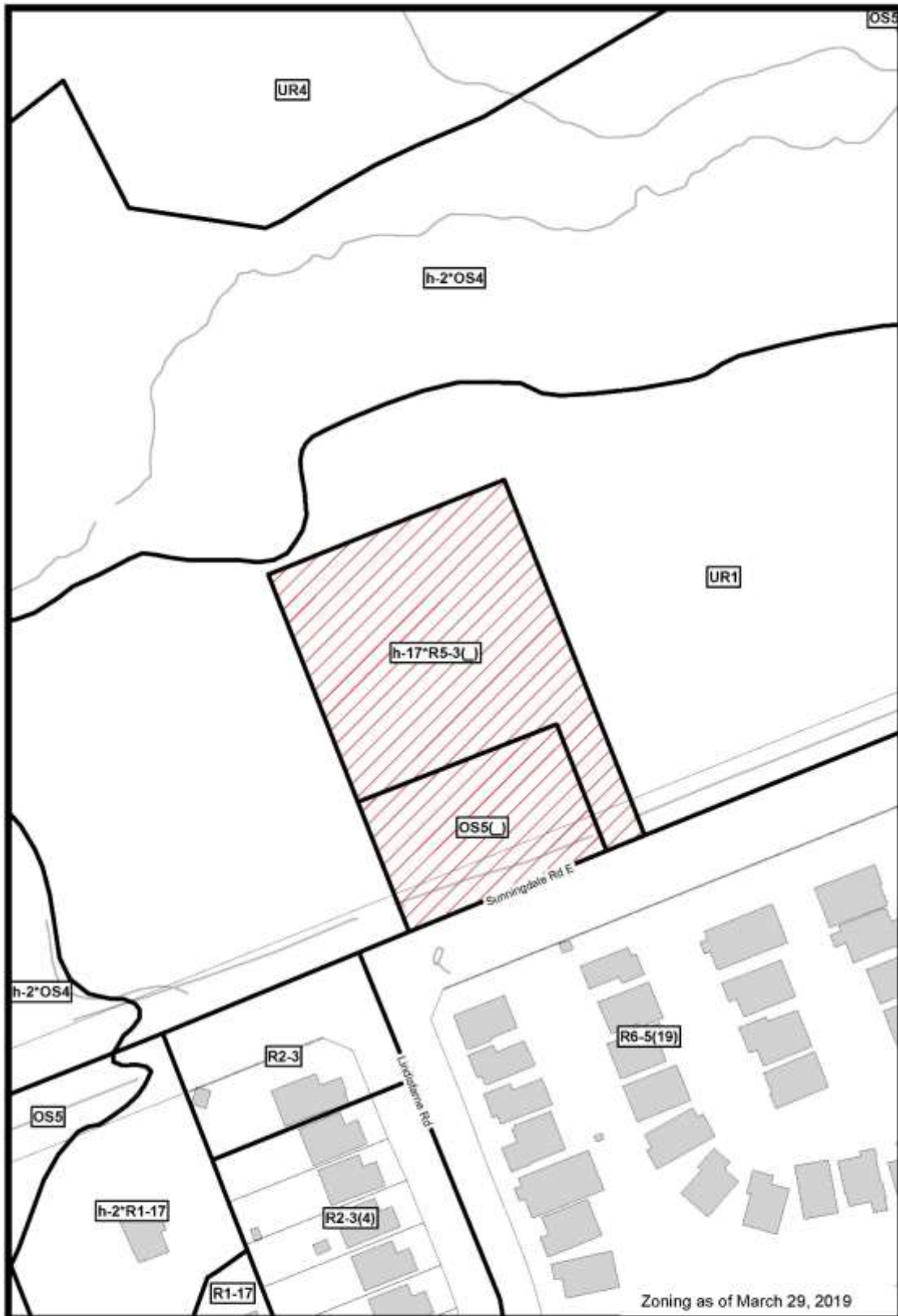
Ed Holder
Mayor

Catharine Saunders


City Clerk

First Reading – October 27, 2020
Second Reading – October 27, 2020
Third Reading – October 27, 2020

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



File Number: Z-9011
Planner: BD
Date Prepared: 2020/09/23
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On February 4, 2019, Notice of Application was sent to 111 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 31, 2019. A “Planning Application” sign was also posted on the site. Following a review of comments from surrounding property owners and staff discussions with the applicant, the applicant revised the application to move the buildings farther back on the property and introduce an Open Space Zone along the property frontage to set aside these lands for natural feature consolidation, restoration and renaturalization. Notice of the revised application was given by mailing a revised notice on July 29, 2020 and publication in *The Londoner* on July 30, 2020.

Original January 31, 2019 Notice of Application

7 replies were received

Nature of Liaison:

The purpose and effect of this zoning change is to permit two, 3-storey townhouse buildings with a total of 17 units.

The notice advised of a possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR1) Zone **TO** a Residential R5 Special Provision (R5-2(_)) Zone to permit cluster/stacked townhouse dwellings with a maximum density of 30 units per hectare and maximum height of 12.0 metres. Special provisions are requested to permit side yard setbacks of 3.0 metres in place of 6.0 metres for units with windows on the side elevations.

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

Concern for:

- The proposed built form/density are not in keeping with the area
- Colour/architectural design
- Environmental impacts – flora, fauna and ecological buffer to wetland features
- Loss of trees on the site
- Increase in traffic
- Hazardous turning movements/location of driveway
- Not a transit friendly location
- Road noise impacts on occupants of new development
- Ownership tenure of new units
- Site maintenance after construction and occupancy
- Decrease in property value

Revised July 29, 2020 Notice of Application

Replies were received from 2 individuals who had responded to the original circulation and one person representing the Northcrest Neighbourhood.

Nature of Liaison:

The purpose and effect of this zoning change is to permit two, 3 storey townhouse buildings with a total of 17 units. The notice advised of a possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR1) Zone **TO** a Residential R5 Special Provision (R5-3(__)) Zone to permit townhouses and stacked townhouses with a maximum density of 35 units per hectare and maximum height of 12.0m, with special provisions to permit a minimum lot frontage of 11.0m in place of 22.0m; east, south and west interior side yard setbacks of 3.2m, 5.0m, and 3.0m, respectively, in place of 6.0m; minimum landscaped open space of 35% in place of 45%; maximum lot coverage of 33.4% in

place of 30%; and an Open Space Special Provision (OS5(_)) Zone to permit conservation lands, conservation works, passive recreation uses and managed woodlots, with a special provision to permit a minimum lot area of 0.15ha in place of 0.4ha. The City may also consider a modified location for the requested Open Space (OS5(_)) Zone boundary and, as a result, a different residential zone classification and/or modified special provisions related to the proposed concept plan. The revised application results from discussions between City Staff and the applicant to better protect and provide for natural area compensation and rehabilitation on the front portion of the property. File: Z-9011 Planner: B. Debbert

Additional concern was raised for:

- Lighting
- Co-ordination of new driveway design with widening of Sunningdale Road East
- Timing of removal of trees for both construction of the development and for the Sunningdale Road East widening
- General concerns about the City's approach to tree preservation and controlling road noise and speed, not related specifically to this application

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

Telephone	Written
	Patti Ann Reynolds 400 Skyline Avenue East Unit 44 London ON N5X 0B3
	Frank Li 536 Lindisfarne Road London ON N5X 0B4
	Margrit Johnson 307 Sunningdale Road East London ON N5X 4B3
	Yong Cai 535 Lindisfarne Road London ON N5X 0A5
	Jiaren Zhang 59-400 Skyline Avenue London ON N5X 0B3
	Solomon Wang 540 Lindisfarne Road London ON N5X 0B4
	Brian Fones 1883 Canvas Way London ON N5X 0J8

Public Replies to Original Proposal

From: Li, Frank
Sent: Sunday, February 17, 2019 7:59 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: feedbacks on file: Z-9011

Dear Barb,

I am writing to you to express my strong objection to the the application file: Z-9011 re: 348 Sunningdale Rd East. My family own the house at 536 Lindisfarne rd. Our community has consensus on it (I just talked to my neighbours).

Here are our concerns:

Exclusively in our community, we have separate two-storey houses only. This two, three storey townhouse does not fit at all. The construction of this scale will inevitably damage our environment and the natural habitat of wildlife. We currently have lots of

and many kinds of birds in this mature forest, which is very scarce in London, the forest city. The trees are very tall, and beautiful especially in the fall, a view enjoyed by the whole community.

More importantly, the traffic at the Sunningdale road / Lindisfarne rd turn is already very congested. That's why the city planned to add two lanes to Sunningdale road, which will take many years to finish. Adding another cross road because of this townhouse will make the situation worse and more dangerous for the drivers in our community.

I hope you can seriously consider our concerns and disapprove the proposal. Please feel free to contact me if any questions. Thanks.

Frank

Zhichuan (Frank)

Hello Mr. Drexler,

I was given your contact details by Barb Debbert of Development Services, City of London.

As a home owner close to the subject address I was informed of the zoning by-law amendment applied for by Westchester Homes Ltd.

Would you please direct me to projects already completed by the company so I can gather a sense of type and quality of buildings planned for 348 Sunningdale Road East. I am unable to find a website - something I am hoping you can assist me in finding, or indeed a parent company.

Looking forward to finding out more about the company which will be building in our neighbourhood.

Regards,

Margrit Johnson

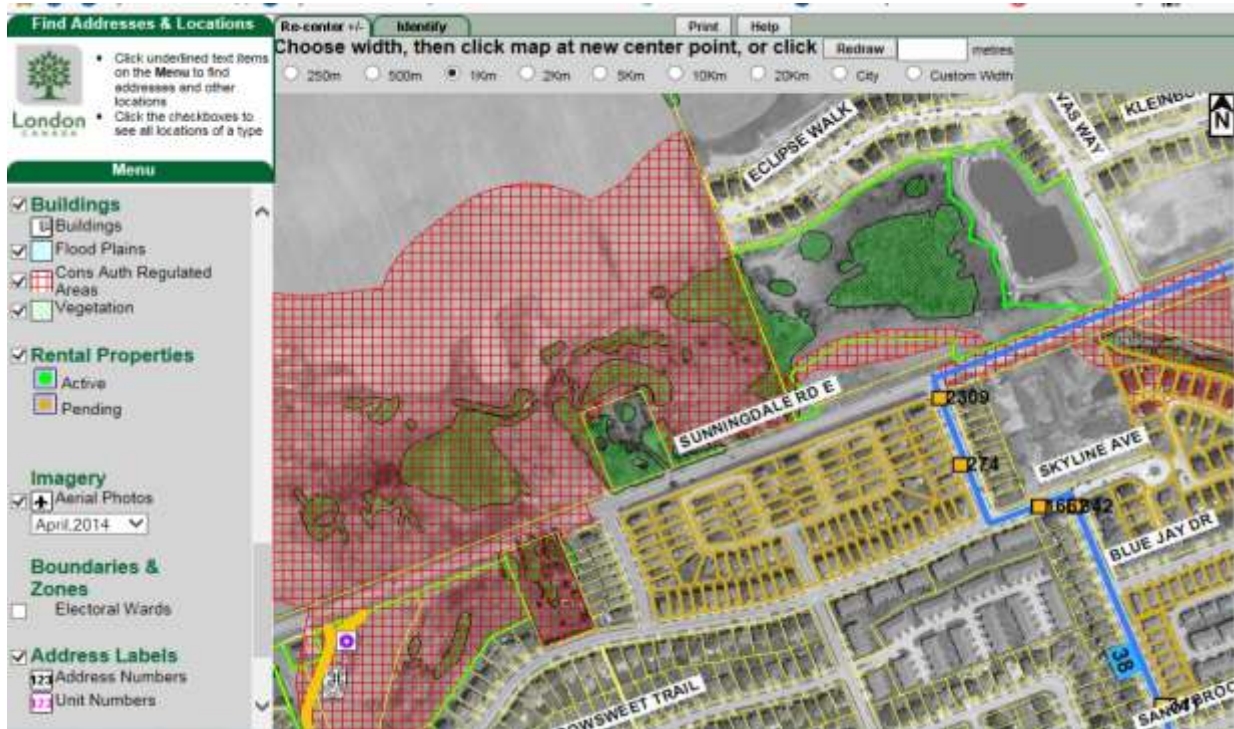
Dear Ms. Debbert:

The points below are concerns and questions for the proposed Zoning By-Law Amendment for 348 Sunningdale Road East that must be raised by the Development Services.

1. Two, three-storey, seventeen unit townhouses on this once single-family property will be out of character and will diminish the setting of the single-family one and two storey homes surrounding this property.
2. Although Westchester Homes has provided the Tree Study, there will be inevitable damage to trees when digging for sewers and the entire infrastructure, the impact of heavy machinery for such an enormous project on the size of this property, which to this date, still have healthy large trees. The surrounding vegetation provides habitat for birds, butterflies and bees, which the Applicant deems to be cleared. Will the Landlord of #348 Sunningdale Road guarantee that the residents of 17 unit 3 storey townhomes be respectful of the Protected Lands that surround them?
3. That the Upper Thames River Conservation Authority be kept informed of any future encroachment into the protected areas as the builder had tried to do prior to submission of this application.

4. Should these tall and overbearing townhouses be built, who is to oversee the continued maintenance of the property and buildings so that they do not fall into decline and become an eyesore?
5. The proposed one shared driveway from the 17-townhouse development leading onto Sunningdale Road will cause increased traffic onto Sunningdale and cause more concerns for vehicles turning from Lindisfarne onto Sunningdale Road both West and East directions, and vehicles turning left from Sunningdale onto Lindisfarne.
6. In the Report, mention is made about bus connection for proposed residents but does not disclose the closest stop is Bluebell, which is a 5-minute walk, crossing Sunningdale Road to sidewalk on the south side without a Pedestrian crosswalk or light. Monday to Friday the bus system runs only every 30 minutes and the last bus is at 9:53 pm and on Saturday; the last bus to the Bluebell stop is at 5:45pm. On Sundays and Holidays the bus runs only every hour and the last bus is at 5:53 pm.
7. When Sunningdale Road is widened in the future, which no one anticipates will be the correct means of solving transportation problems in London, the frontage of property #348 will be cut back for widening of the roadway. The road widening will inevitably destroy some of the frontage trees leaving the rear of the first set of townhouses facing the neighbours of Sunningdale Road to the South.
8. The Applicant has mentioned that seventeen-unit townhouse development will have garbage collected privately. What type of assurance will Upland Residents have that the system will be efficient and not overflowing bins causing refuse to be blown onto surrounding properties?
9. On page 11 of the Planning Justification Report, the mention of "bat boxes to ensure bat habitat is preserved"... the issue will be the trees and disruption of the surrounding natural habitat by such a massive structure to the site where the trees have provided excellent habitat for a variety year round and migrating bird species. Bat populations are not the concern in this neighbourhood.
10. The natural flow of wildlife and birds, which inhabit the area, will be disrupted.
11. Does the City of London need the cramming of seventeen three-storey townhomes on a once single-family dwelling? Does the London Plan need to include demolition of more large trees and filling the green space with cement and chip rock? Does the City of London want to increase the amount of vehicle and pedestrian traffic in an area that is not supported by mass transit?

The two maps following are to demonstrate that the Plan of 2014 showed the area of #348 to be surrounded by regulated area by the Upper Thames River Conservation.



Unfortunately, the City of London has forgotten where this property began and only in four years, how thinking has changed.

2015-06-02

RE: REQUEST FOR DEMOLITION – 348 Sunningdale Road East

NOTICE OF PUBLIC PARTICIPATION MEETING - June 15, 2015

A request has been submitted by the owners of the property at 348 Sunningdale Road East for the demolition of the residential building on that property. The purpose of the demolition is to allow for the possible construction of a single family residence. In accordance with municipal Council policy, where a building is listed on the *Register of Heritage Resources*, and is proposed to be demolished, the matter of the demolition shall be considered at a public participation meeting before the Planning and Environment Committee.

The existing residential building on this property has been identified as a Priority 1 structure on the *Inventory of Heritage Resources*. As an area property owner, this letter is to advise that the Planning and Environment Committee will consider the request to demolish the residential structure at its meeting on Monday, June 15, 2015, on the second floor, City Hall, 300 Dufferin Avenue (northeast corner of Wellington and Dufferin) not before 5:45 p.m.

You may wish to attend and speak to this matter. Comments may be submitted to the agenda through the Committee secretary. (bwestlak@london.ca). Your Ward Councillor, Maureen Cassidy, (mcassidy@london.ca) has been advised of this matter.

Yours truly,

J. Yanchula
Planning Division -Urban Regeneration Manager
519-661-2500 ext. 7544
jyanchul@london.ca

Y:\Shared\policy\HERITAGE\Demolition\348 Sunningdale Road East\Area notification letter June 2, 2015.docx

Sincerely,

Patti Ann and Harry Reynolds

From: Yong Cai
Sent: Sunday, February 24, 2019 10:38 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: Planning Application for Zoning By-Law Amendment for the Property of 348 Sunningdale Road East File:Z-9011

Dear Barb Debbert,

My name is Yong Cai, a resident at 535 Lindisfarne Rd. Recently I received the Notice of Planning Application for Zoning By-Law Amendment for the Property of 348 Sunningdale Road East File:Z-9011. After reviewing planning, I provided my concerns as follows,

1. The traffic congestion must be considered, which has already been much and much heavier than before when I moved in 2008.
2. The height of townhouses should be as low as possible.
3. **Surrounding trees must be kept original.** These maple trees are very attractive in fall. Lots of people come and take photos during this period, enjoying the colorful trees. Please refer to the attached pictures.

4. Garbage should be always maintained in good and clean conditions, not stink smell, avoiding rats, racons, etc.

5. For the **security issue**, I hope the residents will be good credit residents instead of supervised correctional residents. I heard these townhouses would be for rent instead of for sale, which is not a good idea. This means the residents here are changeable or mixed all the time and it is not good for the security. I know, for this specific reason, quite a few current residents opposed this townhouse planning.

Thank you for the consideration.

Sincerely,
Yong Cai

Dear Barb Debert,

This letter responses to the Proposed 348 Sunningdale Road East, File: Z-9011. I have the following concerns.

- Those beautiful maple trees along with the sunningdale Ave. will be destroyed. I hope those trees can stand there to contribute the beauty of Sunningdale Ave..





- Sunningdale Ave. is becoming traffic unsafe road because road narrow, not enough shoulder, Lindisfarne turn will be more difficult reaching out to Sunningdale and make Richmond intersection jam.
- Three storeys building destroy good views of narrow Sunningdale Ave. Development should not make city view ugly.
- The 17 units townhome too close to major traffic Sunningdale may makes children playing unsafe.
- Townhouse back face the major traffic road not nice looking and the townhouse bedroom will be too noise to sleep not health for the future residents.

Best regards,

Jiaren Zhang
59-400 Skyline Avenue

From: So W
Sent: Sunday, February 24, 2019 10:35 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>
Subject: Concerns about re-zoning application for 348 Sunningdale Road East

Hello,

Thanks for the notice of the planning application with file number Z-9011.

I live on the Lindisfarne Rd. I'm deeply concerned about the consequences of re-zoning on environment, safety and society.

The related area is covered with mature forest where wild animals are inhabiting. Building the townhouses will bring devastating environmental damage to the area and will never be recovered. The natural sanctuary will no longer exist and more man-made pollution will be around the area.

The condition of Sunningdale road has been deteriorating for years. The government has done nothing to improve or repair the road condition to maintain the road safety. It was said to re-pave and expand the Sunningdale road, but nothing has happened yet. To build a multiple family project will definitely bring more traffic to the area and reduce the safety for both existing residents and visitors.

My house is only 20 meters away from the mentioned area, this applied project will destroy the natural environment we have been enjoying, bring more safety hazard to my child and society, and ultimately bring down the value of my house. So I clearly oppose the approval of the re-zoning application.

Regards

Solomon Wang

From: Brian Fones
Sent: Tuesday, March 05, 2019 10:38 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>
Subject: Public Input on Z-9011 - 348 Sunningdale Road East Zoning By-Law Amendment

Hello Barbara,

Having just noticed a request to change a zoning designation at 348 Sunningdale Road and from a request for comments on City of London "Planapps "by February 25 (without a stated public meeting and with a property invitation board just having been erected recently,) I would like to add my initial comments as a resident in the area for future consideration in this regard.

While this application seems reasonable given the City and London Planning Guidelines for a medium density housing mix, I do have some reservations with the proposed builders offerings, from their report "Planning Justification" of December 4, 2018 and support documents, noting:

1) On the issue of trees; the .653ha site report includes;

"A number of trees are present on the lands, consisting primarily of planted ornamental trees associated with the former residential use" (page 4, Planning Justification.)

The former house mentioned here (now removed) was old so it is assumed that many of these more significant, mature trees could be considered heritage or indigenous trees. Many may be closer the end of their life cycle (assumed; no ageing reported by RKLA .) However, they significantly add to the greenery and natural setting of greater Sunningdale Road and Stoneybrook/Uplands North subdivisions and the northern city boundary.

The developer has made an excellent effort to preserve, as best as possible, healthy trees while allowing for pruning for a reasonable development to proceed. This seems to be a fit for the London Plan for maintaining green space through arbitrary preservation whenever possible. The inventory tree report and guidelines for preservation throughout construction is quite admirable (as compared to common clear-cutting site preparation practices, even when legally permitted.)

My concern on the tree report is over the resulting larger, regional landscape change and greater impact on the north side of Sunningdale. Most of the trees along the eastern boundary side of this project have been marked to be removed. This is where many of the larger, more mature boundary evergreens exist.

As a result, the visual and ecological buffer between a finished site and the Uplands North Wetlands and residential subdivision will be impacted. Possibly with even compounded issues as the proposed site is on a higher grade than most of the residences and ponds in Uplands North. No further natural tree growths of significance will exist between this site all the way to Canvas Way and beyond. Permanent loss of tree vegetation is an issue in this area as nearby flooding of the current wetlands and the subsequent destruction of non-aqueous trees has significantly reduced the number mature trees in the larger ecosystem on the Sunningdale northern boundary (east of the proposed site.)

Suggestion: A full row of new coniferous trees of substance, on the eastern border of the project where trees have been removed, may limit this further urbanization effect coming from this new medium density project, with its higher storied buildings, in a largely single family area of premium homes and significantly preserve more of the greenspace that this region initially offered the city residents, without hindering the project.

2) The proposed architectural renderings of this medium density site do not fit very well in any description of like residences in the current Uplands North (single family or newer medium density housing projects further east on Sunningdale.) Repetitive, row housing of undifferentiated stock like what is proposed, do not add much value to potential residents, immediate neighbours, or assessments for City of London. While perhaps suitable for major metropolitan centres in Canada or the USA, avant-garde designs like this tend to date themselves quickly and depreciate even faster. I see minimal long term architectural value in such design plans and I would strongly encourage a re-work of the blueprints to what could easily and economically be a better, more architectural attractive fit, for the residents and greater neighbourhood.

3) A personal concern, but perhaps the most controllable change that I would like to recommend, would be that the City should seriously limit construction designs like this, when there is radical differences in effectual building colours when compared to immediate surroundings. The brick colour proposed is white and perhaps most noticeable in the largely feature-less east and westerly unit walls. This does not fit in with any buildings between Adelaide and Richmond Streets, in Stoneybrook or Uplands subdivisions. Such esthetics must be waved in favour of more neutral and coordinated neighbourhood and regional colours. A possible, subsequent "white castle effect", arguably in the middle of "nowhere," is not going to be acceptable by any residents who value their property.

White brick facades are vogue at best. Attempts to include such architectural experiments, such as the newer commercial building at Richmond and Hillview, have not been successful or well accepted and have degraded their immediate areas. White

brick (even with grey accents) cannot be considered as a suitable fit for these three story buildings.

4) Finally, please consult with your senior urban planners and traffic/road planning colleagues, but a better ingress and egress road to the site would probably be via a more westerly and coordinated connection off Sunningdale. A single intersection closer to facing the existing Lindisfarne Road on the south side, would reduce potential traffic issues on Sunningdale as a result. It should be simple for the developer to reverse their site plans accordingly and at minimal costs.

Thank you for your consideration to these concerns. I would be happy to discuss them with you, your colleagues or principals at Westchester Homes at any point in the future,

Regards,

Brian Fones
1883 Canvas Way

Public Replies to New Proposal

From: MARGRIT JOHNSON
Sent: Saturday, August 08, 2020 1:46 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment Z-9011, 348 Sunningdale Road East, Westchester Homes Ltd. - Public Input

From: Rob and Margrit Johnson
307 Sunningdale Road East
London, Ontario
N5X 4B3
To: Debbert, Barb <bdebbert@london.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>

Subject: Zoning By-Law Amendment Z-9011, 348 Sunningdale Road East
Westchester Homes Ltd. - Public Input

Hello Barbara,

As a long time resident of Sunningdale Road, diagonally across from the subject land, I'd like to bring a different perspective to this public forum. Since birth, I visited what was my grandparents' property, then my own parents' property on the 6th Concession, London Township before my wife and I purchased the same property, now known as 307 Sunningdale Road East in January, 1995.

We are the third generation of the family living on this site since 1947, the same year the Upper Thames River Conservation Authority was created. There was only one family before my grandparents who occupied the property, again through several generations, since the mid-1800's.

I remember the development of the original Uplands area in the early 1960's. I remember Old Man Powell (for whom the Powell Drain Wetland was named), his farm and in particular the shotgun he wielded if ever he found us on his property.

I remember the family purchasing the property, now known as 348 Sunningdale Road East.

I remember the north side of the road having large deciduous trees removed when the Imperial Oil pipeline was constructed. The road was well over a meter lower than it is now, having been raised three times since then. There might have been a dozen cars using Sunningdale daily, kicking up a lot of dust, which the Township would oil down but not often enough to suit my mother.

Approaching our teen years I worked the hay and straw bales collected from the farm fields, now known as the new Uplands North, while my brothers worked the orchard and stable nearby.

I remember when the nearest grocery store was either the Dominion on Oxford by Richmond (now the Value-mart) or Steinberg's on Adelaide, south of Huron, a FreshCo these days. With the city's progress over decades, I rarely have to go south of Fanshawe Park Road for anything I need.

It was a rural setting with only four houses along this stretch of road from my earliest memories. In the meantime the area was amalgamated with London, the road paved, and several neighbourhoods built. Development has been an ongoing fact of life for us, some of it disappointing.

We witnessed weekend night time landscaping which eliminated woodland on the west side of Adelaide at Sunningdale. The pond west of us in Heron Haven Park (which our children named) was drained when the City constructed the sidewalk through it. The smell of rotting fish persisted for weeks. Herons no longer have a reason to visit their namesake haven. The pond refilled quickly enough, has remained so, and at least there are red-winged blackbirds.

Mail delivery is a challenge for us, as is keeping our country mailbox in good repair with ongoing vandalism. What used to be a quiet postal rural route #5 now requires timing, outside of rush hour, to collect our mail on the other side of the road.

Litter and refuse along Sunningdale have outstripped our gathering efforts even with the City collecting the green garbage bags our family used to fill and leave roadside. Our hedge has blue box matter blown into it whenever it's windy on collection day. The mail super box pad is the dumping ground for unwanted fliers.

We knew development was coming, in fact, we were expecting a ring road when we first moved here. That plan was discarded in favour of Sunningdale being widened to four lanes by 2025. There have been several positives along the way though, including the lighting up of Sunningdale Road by night and traffic lights at Richmond and Adelaide. There is now a public transit stop within walking distance which my family and I have used. We have a sidewalk running for a large portion on one side, much safer than when I was a child.

We do not stand in the way of development but we do want it to be done responsibly.

We were concerned to see only four revised submissions with this new application:

- 1) **Building Elevations** - less windows, balconies switched from rear to front and more white stucco columns.
- 2) **Conceptual Site Plan** - sidewalks added north and south of the south block and along its eastern perimeter. The two blocks have been moved further north with the south block losing private amenity space while the north block's common back area was decreased from a depth of 18.2 m to 8.1 - 8.5m. Building orientations remain unchanged as does the application to reduce all surrounding buffers.
- 3) **Tree Assessment Report** - expands on recommendations and adds future recommendations, specifically future tree removal due to street widening.
- 4) **Tree Preservation Plan** - more detailed than the original.

Thank you for confirming the City's receipt of all submissions requested from the applicant following the May 2019 planning report. We are pleased to hear the UTRCA has reviewed and accepted water balance and slope assessments received in September 2019. Moreover the UTRCA and City Ecologist's current review of a revised Environmental Impact Assessment (EIS) is encouraging. The City's policy of not releasing EIS's to the public in an effort to protect the location of endangered flora and fauna is understandable. At least we now know a revised EIS was conducted in response to deficiencies noted with the original assessment.

In support of this development, we have no problem with the newer architectural style or brick colour. Sunningdale now has many styles, not all to our liking but not our call. The building elevations look on par with the surrounding community, if on a larger scale. We have seen other buildings by Westchester Homes and they are decent. Neither do we have a problem with the proposed density or height of the townhouses. London needs more housing and of higher density in line with the Provincial Policy Statement 2014, the London Plan and 1989 Official Plan. Neighbourhoods Place Type along a Civic Boulevard include townhouses, fourplexes and low-rise apartments in addition to the coveted single detached and semi-detached. The City needs to house its growing population making maximum use of land designated as such, including infills. Large lots are becoming an unsustainable model. Many homeowners don't want to maintain lawns or gardens, have pools or shovel snow. Smaller lots and no personal green space suit many. Higher densities also mean delays to further amalgamations of outlying agricultural lands and natural environments.

Many trees will have to come down but several will be kept, notably the mature tulip tree along the frontage, and only significant tree on the subject land (#762 of the RCLA Tree Report, Appendix D of the EIS conducted by BioLogic). Trees are important, that is understood. Originally the same owner owned both 348 and 307 Sunningdale Road East and planted most of the trees. They are not original forest. Ensuing generations planted more. There is always resistance from neighbouring residents to felling trees. The truth is, some need to come down to make way for construction and time given to allow replacement trees to grow. Westchester Homes is not responsible for providing the beauty of fall colours to the neighbourhood. They were wonderful while they lasted but maybe it's time to travel further afield to take in the same bounties of nature. The Provincially Significant Wetlands surrounding the subject land will be preserved, the UTRCA will see to that. Flora and fauna will have habitat.

Snobbery over ownership tenure is just that. Some of the energy of complaining about anticipated garbage issues could perhaps go into addressing the escaped garbage problem in the established community.

Sunningdale Road will be widened from the overburdened country road it is and together with the traffic light coming at Bluebell will accommodate burgeoning traffic.

We would like to point out that our esteemed and recent neighbours participating in the Zoning By-Law Amendment process were only able to move into their present homes as a result of previous Zoning By-Law Amendments and the ensuing development. Nearby expansive green space is not destined for perpetuity. Opposing continued development will not stop the next generation from taking up residence in time.

We were impressed on May 27, 2019, sitting in the public gallery at City Hall and witnessing the dressing down of the urban planner working for the applicant. That firm had yet again failed to submit a fully substantiated application - at best wasting the time of everyone involved, at worst trying to circumvent the process. Development Services and the Planning and Environment Committee are doing their jobs.

As long as the development process continues while factoring in adequate infrastructure, keeping reasonable green space, maximizing on the available space, providing mixed densities and uses, traffic flow and availability of public transport, we will consider the City to be managing new development satisfactorily. We also appreciate the opportunity the public has of being heard.

Regards,

Rob and Margrit Johnson

From: Patti Ann Reynolds
Sent: Friday, July 31, 2020 1:54 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Re: 348 Sunningdale

Dear Barb,

I hope you are well. It is unfortunate to be here again as I wished all throughout the year, the Developer would have a change of heart and redesign this project to a minimal one low rise building.

Thought should be given to encouraging the Developer to build a low rise Retirement housing Unit. The amount of new housing developments along Sunningdale Road has gone overboard.

I do not know if I have mentioned that when I lived in Saskatchewan, the city of Saskatoon that is so like London in that it is a University, Health Care city along a river but much more of a river. The City Plan allowed new developments only to start once 75% of the new housing was sold and that the infrastructure for mass transportation and neighbourhood roadways were complete.

On the blueprints and in text, it is difficult to read what the overall height will be of the two, three storey-17 unit townhouses.

What type of lighting are they planning for the property?

On the plan, road widening is shown but their entrance will be altered when this happens. This should be reflected in the drawings.

The Notice sent out and received just yesterday and what is available online are very difficult to read and I had a very hard time deciphering which trees will stay and which to cut down. The Tree Assessment Report by Ron Koudy landscape Architects has questionable issues to be raised.

The fact that out of 136 trees that are in good standing now, 69 trees will be removed. Remember the motto, London the Forest City?

The destruction the digging for connections to London City sewer and other utilities will harm the sturdiest of the trees. Although there is mention of putting fencing etc. to avoid damage but I would like to have an independent Arborist do an assessment with the information of what type of vehicles, heavy equipment, depth of digging and frequency of disruption of the soil will do to the area and vegetation. This property is adjacent to Wet Lands.

Mention of Sunningdale's future road widening deems many trees to be cut. Does this mean that the Developer can cut them down now as he plans to cut the other 69 healthy and thriving trees?

As the author mentions, "no guarantees are offered or implied that these trees or any part of them will remain standing."

The wildlife migratory birds as mentioned in the report, once their habitat has been destroyed and the amount of human activity will cause harmful depletions of species. Who will be doing a study about this issue?

According to my last City Hall connection about Sunningdale widening the start date is back to 2025, so much could happen in the meantime, and should the Developer get approval, does this mean trees will be cut down as soon as they start?

The City has not given a great deal of time to respond and with little opportunity to view the actual plans and yes, we would appreciate notice of when this will be available. Thanks Barb and I look forward to your response.

Patti Ann Reynolds

From: Patti Ann Reynolds
Sent: Monday, September 07, 2020 6:24 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Re: Not directly but

Dear Barb,
I realize this matter does not include your Department but I thought you might want to share this with the Developers.
Maybe they have an idea.
Thanks,
Patti Ann

Dear Michelle et al,
Michelle I appreciate your response but I am sorry that your answers did not fulfill what I needed to know when I sent my email to Mr. MacRae and Mr. Ridley.
When I spoke with Mr. MacRae and Councillor Maureen Cassidy, I believed that change for the Speed Limit was already on the books along Sunningdale from Richmond to Adelaide Streets and the Limit was to be 50 km. The reasoning behind the signs not being changed immediately was due to backlog caused by delays from the effects of Covid-19.
Below is an excerpt from email dated Mon 6/22/2020 11:17 AM from Councillor Maureen Cassidy's Office.
We are glad to know that you and Doug have been able to connect and to discuss these concerns directly with him.

We would like to inform you that we have sent a follow up note to Staff to inquire about when the speed limit revisions will be taking place, and when the PEEP boards will be installed. When we receive an update from staff, we will be sure to inform you accordingly.

For the last ten years, I have been lobbying City Hall for change on Sunningdale Road to reduce noise inside homes caused by Traffic noise. I have had support from the London Police Department because of the excessive speed with Officers coming out to monitor Traffic, which resulted in Speeding Fines being given out.

When I asked for help to control traffic on Sunningdale Road in the early days of my campaign, City Hall's response was to lay responsibility on the Police Department to monitor and control traffic. When asking the Police Department what measures could be taken not just by temporally controlling traffic by Officers handing out speeding fines but long-term solutions, their answer was it is City Hall's responsibility to address speed limits throughout the City. Lay blame game began.

Sunningdale Rd. is a straight line, without any restraints such as Stop Signs or Traffic Lights between Adelaide and Richmond Streets, if you are going west from the top of the hill at Blackwater at certain times of the day, you can see the Red Light Stop at

Richmond Street and Sunningdale. I believe drivers think they can go as fast as they can to make it to the next green light.

When the Road is widened to four lanes fear struck worse-we will be just as noisy as Fanshawe Road and we do not even have the advantage of stoplights to prevent the drivers from racing from Richmond to Adelaide Streets!

When the PEEP boards were installed at Lindisfarne and across from Bluebell, drivers of all vehicles seemed to notice and there was an awareness of the 60 km Speed Limit, not by all but majority of drivers. Over time of this past summer, of course drivers became complacent and speeding again, mostly doing 80 +km.

We have speeders trying out their maximum speeds especially during the evening hours when there is less traffic. One night, just after Christmas, I witnessed two cars side by side going East and they were headed just at the crest of the hill at Bluebell. This is only one example of what goes on.

You responded that it is up to Developers to provide the means to limit excessive noise in building plans, however the Developers in the area of concern, agreed with City Hall to build their projects in accordance with the "Open Neighbourhood Concept" which unfortunately did not include noise reduction.

When the original notice for widening Sunningdale Road several years ago, my neighbours and me met with Tony Fediw and I am sorry not to remember but I think, it might have been Josh Ackworth but I may be wrong. Regardless, our meeting was to discuss what could be done to protect our neighbourhood from excessive noise already at that time caused by speeding traffic.

This is taken from the study Tony was working on in 2013:

Link: [Sunningdale Road Environmental Study Report](#)

Municipally owned noise barriers are not recommended adjacent to Sunningdale Road. However, some noise walls and window streets at certain locations are a condition of current approved subdivision plans and are to be constructed by the developer; □ Utility relocations will be required, including Imperial Oil...

Sunningdale Road Improvements Wonderland Road North to Adelaide Street North Environmental Study Report

In 2013, that was the Plan but in reality, look how many Residential neighbourhoods have sprung up along Sunningdale?

Tony did agree that adding a tree or hedge barrier alongside the boulevard of Sunningdale between the road and houses might alleviate some noise and assured us that in his design of the widening it would not turn out to be another Fanshawe Road. However, he did not have the authority to do implement any changes to the roadway at the time of a tree or hedge barrier.

When we speak about tree planting we would like to believe that what your intentions of providing a few plants and vegetation which unfortunately if other areas such as Hyde Park Rd, Fanshawe Rd and Highbury Road are examples of are not representative to the architectural presentations in "Smart Moves 2013 Transportation Master Plan."

Unfortunately, when Sunningdale is widened, 100 year old trees near or on the property across from Lindisfarne, will be cut down for the sake of building the four lane, plus two turning lanes, equalling six lanes of traffic with no plan for Pedestrian Crossings or Stop Lights to permit safe left turning from the streets joining Sunningdale Road.

What will it take City Hall to step up to the plate for your responsibility to Residents? When I lived in West Vancouver, BC, we had a similar traffic speed and design problem along Marine Drive. It took the death of child to put in Speed and Safety measures. Is that what London is waiting for?

How are future Residents supposed to cope with the increased traffic and noise especially when the Road is widened to four lanes? No means of slowing traffic such as Stop Lights or 3-4 position Stop Signs, which will be necessary for the pedestrian traffic growing as new developments open.

The intent is to provide an appropriate level of service to address safety, traffic congestion, **comfort and convenience**, speed and travel time, while ensuring a reliable transportation network with long term sustainability. The Class EA process for this study included public and review agency consultation, an evaluation of alternatives for road improvements, and assessment of potential impacts of alternatives, identification of a preferred design and identification of measures to mitigate any potential adverse impacts.

In Smart Moves 2030 Transportation Plan, it is interesting that Developers and Designers neglect to include what affects their designs and plans will have on existing Residents. Their plans neglect human realities. Whose comfort and convenience are they concerned about?

People will move themselves about at their convenience without concern of what their vehicle does to a neighbourhood because they do not live there. How would everyone like to have 80-100 km noisy vehicles passing alongside their homes 24/7?

This all goes back to why I wish City Hall Departments Planning and Design would allow information provided by Citizens be read and shared with each other and by Councillors who will be voting on issues.

Any Representatives from City Hall I invite to come to my home and witness for themselves the experience of continuous Traffic noise. I would not want to blame entirely Doug Wastell for not building a more soundproof house and not planning a way to prevent noise pollution in his Developments but that is history now. We need to find a solution, so that homes along Sunningdale Road can have some peace and quiet from Traffic continuous noise.

The easiest and cheapest solution for the present is to lower the Speed Limit and work on plans to install Traffic Lights at the corners of Lindisfarne and Sunningdale, Bluebell and Sunningdale, Blackwater and Sunningdale and or Canvass Way and Sunningdale.

Now that the culvert at Canvas Way will be worked on over the next two months, here is an idea. Install a Traffic Light at Canvass Way and when the Road re-opens, drivers will meet a new Traffic Light, no fuss no muss.

I am asking for help from City Hall because you are the ones, that make the changes, reduce the noise on Sunningdale Road caused by traffic by lowering the Speed Limit to 50 km or less.

Many big projects are on today, some with moral and existential significance. Please Reduce the Speed Limit and install Traffic Stops, Lights or Signs and steps to promote safety for pedestrians.

Help us reduce traffic speed and noise and create a more livable, comfortable and calmer neighbourhood of Sunningdale Road East.

Thank you,
Patti Ann Reynolds
44-400 Skyline Ave,
London, ON

From: Patti Ann Reynolds
Sent: Monday, September 21, 2020 1:55 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Re: 348 Sunningdale

Dear Barb,

I have attached a little video for my input into the Planning Application for #348 Sunningdale Road.
This video has sound.
Hope it opens properly for you.
Thanks,
Patti Ann

Planning Note: The video was a slide show of photos of the trees in the Summer and Fall along Sunningdale Road East

From: Patti Ann Reynolds
Sent: Tuesday, September 22, 2020 11:50 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: RE: [EXTERNAL] Re: 348 Sunningdale

Thanks Barb and I do have still photos if that will help.

I am not techy enough to send the movies I took those healthy and vibrant trees on the property of #348 strong and impressive holding their own in the wild winds of the past summer.

If everyone appreciated that trees are essential providing oxygen that we humans need to live and by our disregard and greediness to chop and kill them, we are digging our own graves.

Certainly, the reality of global warming and the outcomes of how we are destroying our nest, our home must strike a wakeup call to Planners, Developers and all of us.

We cannot take back the destruction we have done already but we can take action to stop continuing our ravage of Nature just for the sake of the almighty Dollar!

Hopefully by collective consciousness, The Planning and Environment Committee will prevent these majestic trees, what is left of them on the property of 348 Sunningdale Road, come to their death because the Developer wanted to make room for the needless and excessive two, three story townhouses on a beautiful single family home property.

Please Barb will you share this message.

Thank you,
Patti Ann

From: Northcrest Neighbourhood
Sent: Thursday, July 30, 2020 11:03 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] 348 Sunningdale Road East

Dear City of London,

I am delighted to hear that the front portion of 348 Sunningdale Road East will be designated as an OS5 zone. This is something that should be done for ALL new planning applications where mature trees are present. Many applicants include lengthy

tree preservation studies in their projects, but it seems like trees are still usually torn down before development begins.

I also wanted to comment on the future development that is supposed to occur to the north of Sunningdale Road. I believe that it would be a good idea to designate a green space or open area along the North of the street to provide a barrier to the houses located along the south side of the (in the Northcrest neighbourhood). These homes have large lots and were primarily built in the 1970s. Any new homes or townhouses built across the street would be in stark contrast with these.

Currently, the homes of Northcrest are surrounded by farmland. Construction of the Northcrest subdivision began in 1950. It was intended to be a semi-rural escape, just north of the City of London. As the city has grown, the old estates and farmland have fallen to developers. In their place have risen suburbs, where the lots are small, the houses are big, and there is not a tree in sight. To the north of Sunningdale Road is still largely undeveloped. City Council can stop the precedent set by the Fox Field, Sunningdale, and Uplands neighbourhoods to the south of Sunningdale, and start fresh on the north side. Mature trees could be kept whenever possible, plenty of natural open areas would be offered, and lots would be large enough for children to play in their own backyards.

London's remaining forests in the north end of the city are rapidly disappearing. One example of this is the recent application by UWO to rezone the Gibbons Lodge property at 1836 Richmond to allow for development. Although they deny that any building will occur, I am sure that it will at some point in the future. Another example is the parcel of land at 34-35 Debbie Lane, also located in the Gibbons wetland. Despite an application by Sifton many years ago to build two houses on the property being denied, the land is still designated to allow for development. This should be changed immediately, before a developer decides to build on the property.

Thank you so much for listening to my concerns.

Agency/Departmental Comments

Urban Design (April 15, 2019)

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

- Ensure the south row of townhouses is oriented towards the Sunningdale Road frontage, with principle entrances facing the street.
- Include a common walkway parallel to the south of townhouses with individual walkways to the fronts of the units, ensure this common walkway leads to a north-south walkway through the site to the street.
- Include the amenity areas for the townhouses internal to the site in order to avoid a noise wall along the Sunningdale Road frontage.

If you have any questions or concerns please do not hesitate to get in touch with me.

Urban Design (September 8, 2020)

Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: providing for the majority of the trees and green space along the Sunningdale Road frontage to remain in place by zoning it OS5, locating built form adjacent to the proposed OS5 lands and orienting the townhouses to the space and ultimately the Sunningdale Road frontage, and providing for an enhanced setback at the rear of the property.

In order to ensure that the ultimate development incorporates the key design aspects of

the conceptual plan, provide for provision in the Zone that will ensure the following:

- Enhanced setback at the rear of the property;
- Orientation of the southern row of townhouses to the OS5 lands;
- A min and max setback for the southern row of townhouses to the OS5 (side yard setback) to ensure they are located in a similar configuration to the concept plan.

Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised. Staff will continue to work with the applicant through a subsequent Site Plan Application to ensure past concerns regarding location of the private amenity area, visitor parking and pedestrian connectivity are implemented in the final design.

If you have any questions or concerns please do not hesitate to get in touch with me.

Site Plan (March 29, 2019)

Based on the conceptual drawings provided at rezoning the applicant should anticipate the following comments at Site Plan:

- A noise study requirement to address traffic impacts from Sunningdale Road East
- An enhanced elevation requirement for the street-facing units
- A more comprehensive approach to pedestrian circulation on-site

The full expectations will need to be defined through an official request for site plan consultation but the above appear to be particularly pertinent.

Site Plan (July 21, 2020)

The sidewalk should connect to Sunningdale at the site plan stage.

Ecologist (April 4, 2019)

Here are a couple high level comments on the EIS submitted by BioLogic. Please note there are some additional technical comments and concerns with the report, however there is one primary issue that needs to be addressed before proceeding to the rest of the report. If this issue is not addressed, then Development Services cannot move towards a resolution to this project. Currently, the EIS is not compliant with Provincial Policy Statement (PPS 2014), City of London Official Plan (OP) policies, and the City's Environmental Management Guidelines (EMG).

- 1) The EIS was to assess the Woodland for significance, the resulting evaluation chart located in the Appendix of the EIS did identify the Woodland as a Significant Woodland based on the assessment criteria, however the text of the report ignores the results of the analysis and does not designate the woodland as a Significant Woodland. The EIS cannot be supported based on this position being taken by the proponent's ecologist.
 - a. It is unclear why the proponent's ecologist took this direction after discussions with City staff where it was expected this would be identified as a Significant Woodland and that in this case the City would work with the proponent to identify compensation/restoration of the portion of the feature impacted by the proposed development to allow the development to proceed.
 - b. Furthermore, based on the configuration of the proposed development (Figure 7: Development Proposal), it is clear that a number of trees that are part of the Significant Woodland would be retained (along the pipeline easement), and with a further expansion of the identified Naturalization Area (buffer) along the north end of the site (Figure 7), the removal of this portion of the Significant Woodland could be compensated for in this area, along with the required bat boxes. A reduction in the rear yards of the

townhomes at the north end of the site to match the rear yard depths of the townhomes backing onto Sunningdale Road would accomplish the task of providing additional buffer to the PSW and the compensation area for the removal of the portion of Significant Woodland impacted by the proposed development. An approved restoration plan would also be required for this updated buffer/compensation area and could then be supported by Development Services.

- 2) The wetland habitats identified offsite and during the site visit conducted with the proponent and the UTRCA have not been properly identified on the figures or discussed, and the water balance/quality going to this intermittent stream (and the PSW) has not been fully identified.
- 3) The City defers additional comments regarding Water Balance and Hydrogeological issues to the UTRCA.

If these main issues can be resolved, it is anticipated that the other technical comments regarding the draft EIS report can also be resolved to support this development application.

Ecologist (May 22, 2019)

Development Services (DS) has reviewed the EIS for the proposed subdivision located at 348 Sunningdale Road completed by BioLogic. Overall, DS finds that there are multiple concerns regarding the analysis and conclusions of the report, including issues that were previously identified by DS in the scoping meeting and a joint site walk. DS cannot accept the report in its current form. The following comments must be addressed in order to be compliant with the City's Environmental Management Guidelines (EMG), The London Plan and Official Plan policies, and the Provincial Policy Statement (PPS 2014). Detailed comments on the EIS are presented below. In order to more quickly review the updated EIS, please provide a draft Word document that shows track changes, and an accompanying separate table that briefly identifies how DS comments were addressed.

Detailed Comments on the EIS

1. Section 1.0 Introduction – The City has been consistent in its requirement to apply the Official Plan Policies and EMGs to this site. DS identified the Significant Woodland component issue at the scoping meeting held at the UTRCA office on January 11, 2018, along with pointing out the additional wetland located offsite to the east and the intermittent stream shown on Schedule A of the Official Plan. DS does not accept the proposed reasoning for disregarding the evaluation and identification of the Woodland and larger patch as a Significant Woodland. Features are to be fully evaluated for significance and then results, implications, and solutions are discussed with DS. BioLogic did complete the evaluation sheet as required for the Woodland Patch and included this in the EIS report. This evaluation shows the Woodland Patch meets one 'High' criteria, which requires the designation of the feature as a Significant Woodland. DS had already identified to the proponent and to BioLogic that this feature would likely be significant and was ready to work with the proponent to address compensation mitigation to accommodate the proposed development footprint as to not delay the project from moving forward in a timely manner. Based on a meeting held with the proponent and the consulting teams on April 25, 2019, where the DS email (attached for reference) and previous discussions of this issue were further explored, it is expected that this main issue will now be fully rectified in the updated EIS. **Action: Revise EIS and all relevant sections accordingly.**
2. Section 1.2 Format – The London Plan represents Council's direction and is required to be considered part of this application. Identify The London Plan (2016) policies applicable to this feature and include review of relevant policies throughout the EIS. A recent OMB resolution recognized the City's ability to have new developments conform to London Plan policies even when some portions of the document remain under appeal (London Plan v. Aug 2018). **Action: Update**

this section and any other relevant section in the EIS accordingly to include reference to both the Official Plan and The London Plan.

3. Section 2.4 UTRCA Regulations – The text of the regulation, not the mapping is what takes precedence for determining if the lands are regulated by the UTRCA. Furthermore, DS does not recall the UTRCA agreeing that there were no regulatory issues for the subject lands. The site is within adjacent lands to a PSW and other wetland and overland flow features. DS identified at the scoping meeting additional wetland habitat not previously mapped located just beyond the property boundary that needed to be given consideration and that an identified PSW is located within approximately 32 meters of the property. **Action: Update this section accordingly.**
4. Section 3.0 Trigger for EIS – No reference to The London Plan is identified in this section. Review The London Plan Environmental policies and update this section accordingly. Significant Stream Corridor and unevaluated features that trigger the requirement for additional study are also identified. **Action: Update section accordingly and other relevant section regarding The London Plan policies.**
5. Section 4.2.1 Vegetation – It was noted during the joint site walk that there was a fair bit of red-osier dogwood abutting the east property boundary in the thicket community; BioLogic was requested to take a closer look at this community (from the property line), but no ELC sheet has been provided documenting the species that were noted in addition to red-osier. The composition of this community is not identified or discussed aside from identifying red-osier dogwood, yet this may be relevant to the site as a community largely dominated by red-osier dogwood may constitute wetland habitat. **Action: Review section, provide further detail from multiple field site visit conducted by the proponent's ecologist and update the Appendix with all data sheets.**
6. Section 4.2.2. Wildlife Habitat – While there is no candidate habitat located on the subject site, there is candidate habitat located on the adjacent lands. Please note that biological process do not stop at the property line; property lines do not represent ecological barriers to habitat, wildlife, and functions. If SWH is found on adjacent lands, the EIS must demonstrate that there are no negative impacts on those features and functions. If studies cannot collect sufficient data to identify SWH on adjacent property, then the feature/site must be treated as Significant for the purposes of the EIS. **Action: Review and update section accordingly to identify all candidate SWH that may be present on or adjacent to the subject site as is required under the PPS (2014) and The London Plan policies.**
7. Section 5.2 sub. 5.4.13 & 14.4.14 – This was previously identified to the proponent as a feature to be evaluated for significance using the City's EMG document to determine if the woodland patch met the criteria for significance. These policies apply as do the matching policies in The London Plan. Residential lawn underneath a woodland community does not exclude it from consideration as a significant woodland. While this type of feature is recognized to typically have overall less diversity and ecological value that does not eliminate them from consideration as a Natural Heritage Feature as proposed by the proponent's ecologist. The entire patch is to be evaluated, recognizing that features and functions do not terminate at property boundaries. See previous comments in this memo. **Action: Revise section accordingly.**
8. Section 5.4 Summary of Identified Features and Functions – Update this section to identify the Significant Woodland on the subject site and the larger overall significant patch that extends beyond the property boundary. Identify the wetland community located offsite to the east, consistent with The London Plan policy, and address the intermittent stream that conveys overland flow from a portion of the property to this wetland feature and its connection subsequently to the Powell Drain PSW. Under the UTRCA component, the additional wetland area located to

the east, this would also have an area of interference that would extend onto the subject site. **Action: Update this Section accordingly.**

9. Section 6.0/7.0 – There is no Environmental Management and Monitoring Plan section in the EIS Report, this is a required section. Buffers to the Powel Wetland are to be clearly identified as well with the buffer to the identified wetland to the east of the property. Identify that the development would be located within a portion of the Significant Woodland previously discussed. This section is also to detail the proposed compensation mitigation for the removal of a portion of the Significant Woodland. Identify the amount of Significant Woodland proposed for removal in (ha) and identify how it will be compensated for in the buffer/naturalization area behind the lots along the north property line. Identify (as per the April 25th, 2019 meeting) how the rear yards will be reduced to provide additional area to restore the removed significant feature and the bat boxes that will be installed. While some of these items are discussed in the recommendations, they should be clearly described under the relevant section and then carried forward to the recommendations section. While it was discussed at the April 25th, 2019 meeting that the restoration area could be manicured (as the portion of the feature proposed to be removed was manicured), identify how the restoration plan will provide an overall improvement (i.e. species diversity of plantings and shrubs etc.) that can be incorporated into this area, and that will reduce the overall amount of manicured lawn that would be required to be actively maintained. Identify the monitoring plan for the restoration area, which will be focused on the restoration plantings. **Action: Provide additional required sections in the report, Update these other sections accordingly.**
10. Section 8.0 Summary and Conclusions & Table 7 Net Effects – **Action: Revise these sections accordingly based on the required changes for the EIS Report.**

Ecologist (September 25, 2020)

The updated EIS and site plan have been reviewed and the following comments are provided so that this project can move forward.

1. We are pleased to see that the EIS acknowledges the proponent is treating the woodland as significant, which is a positive change from the original EIS submitted with the application. Notwithstanding this and our acceptance of the proposed OS5 Zone and development limits, the EIS does not fully acknowledge and show conformity with Official Plan policies/ in-force London Plan policies and Environmental Management Guidelines. The EIS has not been completed to the City's satisfaction and therefore the EIS cannot be accepted in its current form.
2. However, the area proposed to be zoned OS5, and the proposed 20.6 metres between the ultimate road widening and the proposed sidewalk along the south face of the building are acceptable to provide for a suitable naturalization/ restoration area to compensate for feature removal on the site. In addition, the requested east and west yard setback reductions establishing additional development limits are acceptable from an environmental perspective. We have no objection to the Zoning By-law amendment moving forward and request that the recommendations of the Environmental Impact Study be implemented at the site plan stage, along with required detailed restoration and monitoring plans.

Upper Thames River Conservation Authority (March 5, 2019)

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area*

Assessment Report has also been reviewed in order to confirm whether 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 proposed Zoning By-law Amendment application would rezone the lands from Urban Reserve (UR1) to Residential R5 Special Provision (R5-2(_)) to allow for the construction of a two (2) townhouse dwelling blocks consisting of 17 units.

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 erosion hazard and the area of interference associated with the Arva Moraine Provincially Significant Wetland. 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.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL

The UTRCA's Environmental Planning Policy Manual is available online at: <http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>
The policy which is applicable to the subject lands includes:

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.

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

3.2.6 & 3.3.2 Wetland Policies

New development and site alteration is not permitted in wetlands. Furthermore, new development and site alteration may only be permitted in the area of interference and /or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and ecological function of the feature.

The UTRCA completed a Site Visit on May 2, 2018 and determined that additional pockets of wetland were identified to the east of the subject lands which will likely increase the regulation limit shown on the enclosed mapping.

An EIS was prepared by BioLogic Incorporated, dated November 20, 2018. The UTRCA's comments on this report are provided below.

SIGNIFICANT WOODLAND

The woodland that is located on the subject lands and adjacent lands has been identified as Significant in the Middlesex Natural Heritage Study (2003) and the Middlesex Natural Heritage Systems Study (2014). New development and site alteration is not permitted in woodlands considered to be significant. Furthermore, new development and site alteration is not permitted on adjacent lands to significant woodlands (within 50 metres* see note below) unless an EIS has been completed to the satisfaction of the UTRCA which demonstrates that there will be no negative impact on the feature or its ecological function.

Note: *Natural Heritage Reference Manual, Second Edition (OMNR, 2010)

We note that Table 4-2 of the *Natural Heritage Reference Manual Second Edition* (OMNR, 2010) identifies adjacent lands from significant natural heritage features as being 120m from the feature for considering potential negative impacts. The *Natural Heritage Reference Manual* provides technical guidance for implementing the natural heritage policies of the *Provincial Policy Statement*, 2005. The UTRCA Environmental Planning Policy Manual (2006) predates the NHRM (2010) and the UTRCA considers the policies of the contemporary implantation manual in its review. This EIS should demonstrate no negative impacts on the ecological form and function of the features. These natural heritage areas should be located and avoided as inappropriate places for development.

An EIS was prepared by BioLogic Incorporated, dated November 20, 2018. The UTRCA's comments on this report are provided below.

DRINKING WATER SOURCE PROTECTION

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 not** 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: http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

PEER REVIEW OF TECHNICAL REPORTS

The UTRCA has completed a review of the *Environmental Impact Study Report* prepared by BioLogic Incorporated, dated November 20, 2018, and offer the following comments:

1. As per UTRCA comments dated June 11, 2018, the subject lands contain a Provincially Significant Wetland (PSW) known as the Arva Moraine Wetland Complex. In addition to the mapped PSW, a Site Visit was conducted on May 2, 2018 which identified additional pockets of wetland to the east of the subject lands that are also regulated by the UTRCA. Therefore, the adjacent wetland pockets to the east, the PSW to the north, and the erosion feature at the northwest corner, are within our regulation limit. Recognizing this, the following comments are provided:
 - a) Section 2.4 states "As agreed in the Scoping meeting of January 11, 2018, there were no regulatory issues for the Subject Lands". Please remove this statement from the EIS.
 - b) Section 5.3 only discusses the regulation limit in the northwest corner. The EIS will also need to consider wetland interference to the additional pocket(s) of wetland identified to the east.
2. Please provide rationale supporting the amount of buffer needed to the west and east limits of the development envelope, including all proposed roads. Include discussion about the impact of road salt on adjacent natural features and how it will be mitigated.
3. Please show the breeding bird survey locations on a map. Breeding bird surveys should occur three (3) times: early May, late May to early June, and late June to early July. Please discuss why only two (2) surveys were conducted and what implications this may have.
4. Recognizing the adjacent lands contain CUT, CUW, PSW and wetland pockets, please determine candidate Significant Wildlife Habitat for those habitats and discuss appropriate mitigation measures for those candidate habitats given that they cannot be accessed to confirm. Please include the following in this discussion:
 - a) Appendix E states that there is no shrub and early successional breeding bird habitat, yet the subject lands are surrounded by cultural thicket and cultural woodlands.

- b) Whether the small wetland pocket may be candidate wetland amphibian breeding habitat.
5. Section 4 of the report mentions that the site contributes runoff to the wetland to the north. The UTRCA will require maintaining the base flow requirements to the wetland under the proposed condition through a water balance analysis.
 6. Section 4.1.2 and 4.1.4 refer to the water well record on site: "*The water well record for the domestic well on site indicate there is a thin gravel (approx. 1m) of gravel beneath 42m of clay (with streaks of sand).*" The statements provided are an interpretation of geology with depth, not soils. The rationale is unclear. The information provided in the text leads one to interpret that there is no shallow aquifer material, however this is not the case. A professional engineer or geoscientist designation is required to interpret this information, study available information of the area, and highlight deficiencies in the logs.
 7. Please show the amphibian survey locations on a map. Section 4.2.5 only discusses two (2) frog species, yet three (3) species were recorded in Appendix 1. Please discuss all three (3) frog species in terms of Significant Wildlife Habitat.
 8. Section 6.0 states "*water supply will be from the watermain on Sunningdale Rd. Service depths of between 2 to 4 metres will not interfere with the groundwater on the property*". This statement is an interpretation of hydrogeology with depth. Rationale was not provided. A professional engineer or geoscientist designation is required to make this statement.
 9. Section 7.0 states "*Considering the lack of drainage features, clay soils and relatively steep slopes to the north at the northwest corner, there is likely minor surface flow contributions to the Powell Drain Wetland from the Subject lands*". As there has been no installation of equipment and no elements of water budget, the consultant is not qualified to make these statements. Further, the wetland located to the north of the site is the Arva Moraine Provincially Significant Wetland.
 10. Section 7.0, Recommendation 1 states "*the post development runoff should be managed so that flows do not scour a flow channel down the slope at the northwest corner*". In addition, Recommendation 14 states "*roof leaders from the northerly townhouse building should be directed to the rear*". Please provide additional details about how scouring will be managed/prevented in this area.
 11. Section 7.0, Recommendation 4 speaks to when vegetation clearing should be avoided. Please change the dates so that vegetation is not removed from April 1 to August 31. Note that is nesting birds are identified on site, the works within the nesting area should not proceed until August 31.
 12. Table 7, Decreased Infiltration and Increased Run-off states "*Avoidance; setback distance of 50m is large enough to support sufficient surface flows to the wetland, clay soils are not conducive to infiltration*". The consultant is not qualified to make these statements.
 13. Section 8.0 states "*when there is confirmation on the development plan, the water balance and storm water management requirements will come forward at the Site Plan approval stage*". Given the presence of wetland features on the adjacent lands, the UTRCA comments provided June 11, 2018 state that a water balance is required prior to site approval. The water should:
 - a) Determine the importance of the sheet flow from the (mid) east property line to the Powell Drain and whether the quality or quantity of the flow will change post development.
 - b) Provide support for the statement in Section 7.0 that "*the development footprint will retain any sheet flow that is generated at or near the east*

boundary in the northern third of the property with a setback of 3.2m to the east property line”.

- c) Determine whether flow quality or quantity to the wetlands (both PSW and the unevaluated pockets of wetland to the east) will be affected post development.
 - d) Determine whether Recommendation 2 in Section 7.0 will provide adequate quality and quantity to the wetland features.
14. The UTRCA requires the site to maintain stormwater quality under the proposed conditions to avoid negative impact of the development on the adjacent wetlands.
 15. The UTRCA requires a cross section of the slope on the north side to ascertain if the development limit should be established at the northern boundary of the site by considering stable slope analysis (toe of slope, top of existing slope, top of stable slope, factor of safety, and 6 metre erosion access allowance). The development limit should be compared with the setback requirements considered for the wetland and the erosion hazard. The greater of the two setbacks shall be applied to the development limit.
 16. Overall, the consultant has made statements that are outside of their professional designation and further professionals should be retained to accurately study the site.

RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA. As per comments provided on June 11, 2018 as part of the Site Plan Consultation application (SPC18-101), the UTRCA requested both an EIS and Water Balance Analysis be completed for the subject lands to form a complete application. The UTRCA has not received a Water Balance Analysis and therefore is of the opinion that this application is premature at this time. The UTRCA recommends this application be deferred until the requested studies have been completed.

Upon re-submission, please address the comments provided herein and provide a Water Balance Analysis to be prepared by a professional engineer to the satisfaction of the UTRCA.

In addition, a Section 28 Permit will be required. Please contact Mark Snowsell or Brent Verscheure, UTRCA Land Use Regulations Officer, for information relating to the Section 28 permit requirements.

Upper Thames River Conservation Authority (October 2, 2019)

BACKGROUND

Following our letter dated March 5, 2019, the UTRCA attended a meeting on April 25, 2019 with staff from the City of London, Zelinka Priamo Ltd., BioLogic Inc., the owner and other representatives to discuss findings from the Environmental Impact Study and determine other report requirements prior to the application moving forward. As per the UTRCA's recommendations, it was determined that a Slope Stability Assessment and Water Balance Analysis would be required to help determine the development limit and applicable zoning prior to moving forward prior to the detailed design during the Site Plan stage.

PEER REVIEW OF TECHNICAL REPORTS

On May 2, 2019, the UTRCA provided Zelinka Priamo Ltd. with the scoping requirements for the two reports which were submitted to the UTRCA on September 18, 2019. The UTRCA has completed a review of the Slope Stability Assessment prepared by EXP, dated August 14, 2019, and the Water Balance Analysis prepared by EXP, dated September 16, 2019, and offers the following comments:

1. The UTRCA accepts the findings of the Slope Stability Assessment and recommends the applicant ensures the implementation of the recommendations into the final site design.

2. Please maintain the quality of the runoff to the wetland under proposed conditions to ensure no negative impacts to the wetland.
3. The Water Balance identifies a slight deficit in annual infiltration on site during proposed conditions. The UTRCA recommends considering compensation for the infiltration under the proposed conditions through Low Impact Development (LIDs). Please consider this through the detailed design stage.

Upper Thames River Conservation Authority (September 29, 2020)

The Upper Thames River Conservation Authority's (UTRCA) history on this file began in 2018 with pre-consultation, followed by formal comments on the original application dated March 5, 2019, and subsequent meetings and technical review comments provided up to October 2, 2019. The applicant has submitted this revised application accompanied by revised technical reports and comment responses prepared by the applicants consulting team, including:

- Revised Tree Assessment Report;
- Revised Site Plan with Open Space zone included;
- Revised Tree Preservation Plan;
- Revised Environmental Impact Study (EIS); and,
- EIS agency comment response table.

The UTRCA has had an opportunity to review this information and offers the following comments:

1. Mitigation measures are included in Table 2 of the EIS. Please ensure these measures are included in the recommendations provided in Section 7 with details on implementation provided through detailed design.

Additionally, the UTRCA's technical review comments from October 2, 2019, shall also be included for review at detailed design:

2. Implement the recommendations of the Slope Stability Assessment into final site design.
3. Ensure quality control of runoff to the adjacent wetlands under proposed conditions. This information shall be included in a Stormwater Management Report submitted through Site Plan.
4. Consider compensation for the slight deficit in infiltration through the use of Low Impact Development. This information shall be included in a Stormwater Management Report submitted through Site Plan.

RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA and a Section 28 permit application will be required. The permit requirements shall be provided by UTRCA staff through the Site Plan Application. Please ensure the aforementioned is included in the Site Plan submission.

The UTRCA has no objections to this application.

Thank you for the opportunity to comment.

Environmental and Ecological Planning Advisory Committee

Council Resolution (April 24, 2019)

That, the following actions be taken with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee from its meetn held on March 21, 2019:

- b) the revised Working Group comment appended to the 4th Report of the Environmental and Ecological Planning Advisory Committee, relating to the property located at 348 Sunningdale Road East BE FORWARDED to the Civic Administration for consideration;

Working Group Comments (Feb 2019)

Theme 1 – Characterization of the Provincially Significant Wetland present to the east, north, and west of the site.

The EIS highlights that the proposed development will be located within a pocket of land bordering the Powell Drain wetland (a unit of the Arva Moraine PSW Complex); the wetland boundary is 32m from the properties northwest corner, 95m from the west property line, and 60m from the northeast corner. As this PSW is located outside of the Subject Lands, a formal evaluation of the wetland's ecological function was not included in this report.

Additionally:

- Figure 3 of the report provides future land uses of the adjacent properties. Land surrounding the PSW has been designated either Low Density Residential or Multi-Family, Medium Density Residential.
- The PSW is likely fed via surface water flow predominately from regions to its north and south. The EIS notes that groundwater was found 41m bgs (pg. 7) and that there were no seeps or springs observed on the subject lands; given the groundwater depth, it is unlikely that groundwater would constitute a water source to the PSW.
- The EIS states that there are no species at risk or species of provincial interest listed by NHIC within 1 km of the site. However, this assertion was not based on field work in or around the PSW and a more thorough evaluation may find otherwise.
- Lastly, the EIS indicates that the PSW has not been evaluated (e.g. pg. 13 the report notes that the "functions of the wetland will require further consideration").

Our concern is that future developments in the area will also exclude any evaluation of the PSW as the wetland will be, of course, outside any area being developed. This piecemeal, site-by-site approach could result in degradation of the wetland as the individual impact of any one development may be minor, but the cumulative impact may indeed be consequential. Given the lands adjacent to the development will likely be developed in the future, EEPAC agrees with the EIS and considers it important to characterize the existing ecological functions of the wetland now, before these potential developments occur, in order to develop an overall strategy to protect the wetland's ecological integrity.

Recommendations:

1. Characterize the ecological functions PSW before any of the lands zoned for future development have been developed, including the parcel under consideration.
2. Conduct a water balance assessment in order to understand water flow into and out of the wetland.
3. Develop an area strategy for future developments that protects water flow into and out of wetland from both a quantity and quality perspective, as well as any additional measures necessary to protect the ecological health of the PSW.

Theme 2 – Site water balance assessment

The report discussed that the northwest corner of the site slopes to the north and that the northeast quadrant of the site is flat with evidence of sheet flow to the east of the

site, which in turn presumably drains to the PSW. Sheet flow to the east may also feed the unevaluated wetland patch identified 35m east of the site through air photo interpretation. (N.b. the size of the wetland is estimated at less than 100 m².) Furthermore, Figure 3 of the report appears to show a water channel from the northeast corner of the property, which the report seems to describe as “not a defined channel” but rather a “broad swale” dominated by terrestrial grasses (bottom of page 13). Regardless of whether it is a “swale” or a “channel”, it is possible that this channel/swale provides flow to the PSW, especially during periods of higher precipitation.

The EIS does identify the importance of considering adjacent features and functions of the PSW; however, it does not quantify how the proposed site development will preserve the wetland’s ecological health.

Recommendations:

4. Conduct a water balance assessment to determine water flows pre and post development with a specific focus on water flows to the PSW. Based on this evaluation, propose specific mitigation measures (if needed) to ensure that water quantity and quality objectives are met that ensure the PSW’s existing functions are not impaired.
5. Reconsider whether the channel/swale from the east of the site should be included under section 15.4.15 “Other Drainage Features”.

Theme 3 – Tree preservation/ replacement

The report states that investigations for Ecological Land Classification (ELC) were conducted on October 18, 2017, June 5, 2018 and June 20, 2018. These surveys found that the most densely treed section of the Subject Lands, classified as a Mineral Cultural Woodland Ecosite (CUW1), is concentrated in the southwest corner of the property. This community is dominated by Red Pine (*Pinus resinosa*), Norway Spruce (*Picea abies*) and Sugar Maple (*Acer saccharum*); however, near the south-central edge of the Subject Lands, a mature Tulip Tree (*Liriodendron tulipifera*) was found.

Following a site investigation for potential bat maternity roost habitat (April 25, 2018), 10 trees were identified as potential Species At Risk bat maternity roost habitat. Seven trees located on the Subject Lands have been deemed hazardous and marked for removal. It was recognized in the EIS that three of these trees are candidate bat roosting trees. To mitigate the removal of these trees, the report states that six bat boxes will be installed. In Table 7 (Net Effects Table), however, the report mentions that 17 residential yard lights will also be installed. Although the presence of light fixtures can result in increased foraging opportunities for some bats, these fixtures can negatively impact bats that are emerging, roosting and breeding. Specifically, artificial light can result in delayed emergence from roosts, roost abandonment or avoidance, reduced reproductive success and increased arousal from hibernation (Stone et al., 2015). Thus, light fixtures should be positioned in such a way that light is directed towards the townhouses and away from the surrounding trees.

Although seven trees have been explicitly marked for removal in the RKLA Tree Report, drawing T-1 (Drawing Preservation Plan) shows that several additional trees will be removed. Information about the total number of trees marked for removal should be provided so that the impact of their removal can be adequately assessed. In addition, the ecosystem services being provided by the trees, such as refuge to wildlife, will be lost due to the removal of some trees and the disturbance occurring around the remaining ones; thus, compensation for such loss should be provided.

Recommendations:

6. Light fixtures are positioned in such a way that light is directed towards the townhouse dwelling units and away from the surrounding trees and bat boxes. Alternatively, bat boxes could be positioned in areas where light pollution is minimized, and/or light intensity could be minimized.

7. Considering that the trees marked for removal are broad-leaf deciduous species, at least double as many trees of the same Functional Type should be planted in the surround of the construction area.

Theme 4 – Survey periods for amphibians and breeding birds

The EIS notes that a breeding bird study was conducted on June 5, 2018 (6:45 am or pm?) and June 20, 2018 (7:30- 8:30 am or pm?), and that amphibian monitoring was conducted on April 23, 2018 (9:30- 9:45 am), May 22, 2018 (11:30- 11:45 am) and June 18, 2018 (9:40- 9:50 am) for the Subject Lands. The report states that amphibian monitoring was conducted using the Great Lakes Marsh Monitoring Protocols. These surveys concluded that there is no significant habitat for breeding birds and amphibian species on the Subject Lands.

Regarding the breeding bird study, our concern is that two site visits within the span of 15 days are insufficient for observing the presence of breeding birds, as breeding and nesting time varies throughout spring and summer depending on the bird species.

In regards to amphibian monitoring, our concern is that monitoring was conducted during the day rather than one half-hour after sunset, as stipulated in the Great Lakes Marsh Monitoring Protocols. Since amphibian calling is strongly associated with time of day (Great Lakes Marsh Monitoring Protocols), it is possible that the amphibian surveys conducted in 2018 did not observe all species present in and around the Subject Lands.

Recommendations:

8. As all bird species have varied seasonal and within day activity patterns, more bird surveys need to take place encompassing a larger span of the breeding season (e.g. May, June and July) and at different times of the day. It is also recommended that breeding evidence be evaluated as the guidelines present in the Ontario Breeding Bird Atlas, 2001, so that possible and probable breeding observations be also recorded.
9. Conduct amphibian monitoring prior to construction at the Subject Lands. Monitoring should take place one half-hour after sunset and end by midnight as stipulated in the Great Lakes Marsh Monitoring Protocols.

Tree Preservation (March 27, 2019)

Parks Planning & Design has reviewed the submitted Tree Assessment Report for the above noted application, and provide the following comments. Please note that review of the submitted EIS and comments pertaining to ecological matters are to be provided separately by the Development Services Ecologist.

- The report is written in the context of a site plan development. It should be framed within the context of a Zoning By-law Amendment application, and note that proposed tree removals and preservation will be subject to further review through detailed design and Site Plan Approval. The report should also reference the submitted EIS and speak to any key overlap.
- Similarly, the Tree Preservation Plan (T-1) should be labelled as preliminary and subject to future grading, or something to that effect.
- It is appreciated that the inventory and assessment has included boundary trees, trees on adjacent private properties within 3m, and trees in the ROW for review. This is also consistent with the requirements of Section 12 of the City's Design Specifications and Requirements Manual. Any removals of these trees would require the land owner's consent as well as City approval, which the report has indicated.
- Matters pertaining to the EIS and ultimate Sunningdale Road profile could substantially alter tree preservation and removals from what is currently

proposed. The report and plan should be updated and recirculated for review once these matters have been resolved.

As added information, boundary trees and trees on adjacent private properties would not require a separate tree permit for removal if ultimately included as part of the accepted Tree Preservation Report and EIS. The landowner's consent and Site Plan Agreement would satisfy the City's requirements.

Tree Preservation (September 15, 2020)

Development Services has reviewed the Tree Assessment Report Issued for ZBA and its accompanying Tree Protection Plan prepared by Ron Koudys Landscape Architects [April 2020, July 2020 respectively] for 348 Sunningdale Rd, City of London.

One hundred and thirty-six trees were assessed and included within site, off site, boundary trees, trees on an Imperial Oil Easement and those within the Sunningdale Road ROW.

The report was written in the context of a site plan development. The proposed tree removals and retentions will be subject to further review through detailed design and Site Plan Approval. During the site plan application process, the following actions identified in the report will need to be executed:

1. All offsite trees identified for removal [E, F, G, H, I, J] due to associated risks to workers in their proximity would require a letter of consent from the owner/neighbour. As these trees are identified as distinctive and therefore protected by the City's Tree Protection Bylaw, a permit will be required for their removal. Urban Forestry can be contacted to determine if these trees are exempt for the Tree Preservation Bylaw by calling 519-661-5783 Option 2 or sending an email to treeprotection@london.ca
2. The development proposes the removal of three CoL boulevard trees to provide access into the site. As noted in the Tree Assessment Report, all trees located on City of London Boulevards are protected from any activities which may cause damage to them or cause them to be removed by the Boulevard Tree Protection Bylaw. To remove the three trees, the applicant will need to contact Forestry Dispatcher at trees@london.ca with details of their request. Consent must be obtained from Forestry Operations.
3. City of London trees located in the **future** Sunningdale ROW and proposed for removal will not be removed during any stage of site development. Their removal will be coordinated by the CoL Roadside Operations at the time of road widening. **However, securities will be taken during Site Plan Approval Process for the replanting of the ROW following road widening.**
4. Boundary trees [810, 811] proposed for removal will require letters of consent from co-owner/neighbour. The letters must be submitted with the Site Plan Application.
5. A controlled area access agreement from Imperial Oil must be obtained for tree planting and tree removals within 5-30m of their easement. Work within 5m of easement will require an onsite supervision by an Imperial Oil Inspector. Currently, the Landscape Plan does not include tree planting in the easement.

Engineering (February 26, 2019)

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

Comments for the re-zoning application:

The applicant has submitted a servicing feasibility report in order to demonstrate the serviceability of the subject site. Based on the report, the site remains a challenging development and minimum City Standards are not being achieved. We have completed a review and offer the following comments that will need to be further explored prior to any development application;

1. Servicing Feasibility Report

- a) Based on the EA for Sunningdale Road, it appears the centreline grade is proposed to be lower than existing. Considering this, please contact the Transportation Division and obtain the necessary information and provide the ultimate Sunningdale Road urban cross section and ensure this works with the proposed site grading and private service crossings. Also, ensure there is no conflicts with the private services and any proposed sewers that will be installed as part of the Sunningdale project.
- b) Verify as-built information for the 1200mm municipal transmission watermain.
- c) Provide a minimum of 0.6m above the sanitary PDC as per City Standard W-CS-68.
- d) Show approximate location and elevation of Imperial Pipeline (in cross section).
- e) San PDC to be min. 200mm dia at 1%.
- f) Confirm the proposed re-grading of the north ditch will not impact existing capacity and flows within the ditch.

DS and Wastewater would be in support of a holding provision to be placed on the site until the applicant can satisfy the City's concerns and prove that this site is serviceable.

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

Sanitary

- The 230l/cap/day should be applied to new proposed areas only and not the existing areas.
- Design sheet is missing areas.
- It should be noted that the proposed sanitary servicing is a temporary connection at no cost to City and if as a result of a future Rd widening EA or if this sewer conflicts with any future project, the Condo Owners shall be required to redirect and connect, all at their cost to their intended ultimate outlet on Sunningdale Rd.

Transportation

- Road widening dedication of 18.0m from centre line required on Sunningdale Road.
- Detailed comments regarding access design and location will be provided through the site plan.

Water

- The Servicing Feasibility study also indicates a fire flow of 9032 l/min would be required for the development and they are proposing a 150mm water service to the site. A 150mm water service would be very undersized for this fire flow demand and would not meet our Standards. (velocities would be over 8 m/s).

Stormwater

- There is no storm sewer on Sunningdale Road East to service the proposed development. As Per as-con 25712, storm flows from this site will outlet directly to wetland with on-site controls for both quality and quantity.
- The site is also identified in the minor flow catchment area of the existing Uplands North SWM facility B2 and therefore the SWM design of the site is also to comply with SWM criteria and environmental targets of the Uplands North Subdivision Functional SWM Report by AECOM – May 2011.
- The subject lands are located in the Stoney Creek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stoney Creek Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.

Engineering (August 21, 2020)

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

Comments for the Re-Zoning;

1. **Currently there are no municipal sanitary sewers available to service the site. Due to this, we are recommending a holding provision (h-17) be placed on the site.**

The following items are to be considered prior to and/or during a future site plan application stage:

Wastewater:

1. There is no municipal sanitary sewer fronting the subject lands on Sunningdale Road East.
2. The intended sanitary outlet is a future extension of a sanitary sewer on Sunningdale Rd East ultimately connecting to the 375 mm diameter sewer at Sunningdale and Canvas Way. An acceptable alternative servicing strategy has not been provided to date and further discussions with the Sewer Engineering Division (SED) will be required. Comments provided in 2019 for the proposed temporary sanitary connection were not addressed as part of this submission. We highly recommend the applicant address and discuss the sanitary servicing strategy with SED prior to a development application.

Stormwater:

1. There is no storm sewer on Sunningdale Road East to service the proposed development. As Per City as-con 25712, storm flows from this site will outlet directly to wetland with on-site controls for both quality and quantity.
2. The site is also identified in the minor flow catchment area of the existing Uplands North SWM facility B2 and therefore the SWM design of the site is also to comply with SWM criteria and environmental targets of the Uplands North Subdivision Functional SWM Report by AECOM – May 2011.
3. The subject lands are located in the Stoney Creek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stoney Creek Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.
4. 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 shall include water balance.
5. 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.

6. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
7. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
8. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MOECC standards and requirements, all to the specification and satisfaction of the City Engineer. 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.

Water:

1. Water servicing for any future development shall be taken from the 400mm high level watermain on the south side of Sunningdale RD.

Transportation:

1. Road widening dedication of 18.0m from centre line required along Sunningdale Road East

Detailed comments regarding access design and location will be provided through the site plan

Imperial Oil (November 7, 2019)

Guidelines for Development in the Vicinity of Pipelines

Pipeline Easement

Imperial Oil owns and operates a high-pressure refined products pipeline system. The pipeline is normally contained within a 15m (50ft) wide easement.

Safety is our main priority. We live and work in the communities where our pipelines are located. Moving product through pipelines is our business, and protecting the people, environment and communities along these pipelines is our commitment. Imperial Oil is guided by strict safety standards and operates under comprehensive provincial regulations that govern all aspects of our pipeline operation, including design, construction, materials, testing, operations and maintenance of all our pipelines. The level of concern and the resultant precautions both increase greatly in areas of urban development.

Imperial Oil carries out regular aerial patrols, inspections and maintenance of its pipeline and easement to better meet our safety priority. This requires unimpeded access to the pipeline; therefore it is important to maintain an easement free from obstructions/encroachments.

Pipeline right-of-way must be kept clear of obstructions and encroachments such as:

- Buildings/structures, either temporary or permanent;
- Fencing, retaining walls;
- Parking lots;
- Patios, concrete slabs or decks;
- Swimming pools;
- Trees and berms;
- Paved parking lots, large equipment;

Imperial Oil, Sarnia Products Pipeline are regulated under The Technical Standards and Safety Act 2000 for Oil and Gas Pipeline Systems. The following regulations apply to our operation and must be abided by:

10.5.5 Right of Way Encroachment.

10.5.5.1 It shall be prohibited to install patios or concrete slabs on the pipeline right-of-way or fences across the pipeline right-of-way unless permission is first obtained from the operating company.

10.5.5.2 It shall be prohibited to erect buildings including garden sheds or to install swimming pools on the pipeline right-of-way. Storage of flammable material and dumping of solid or liquid spoil, refuse, water, or effluent, shall be also forbidden.

10.5.5.3 Operating companies shall be allowed to erect structures required for pipeline system operation purposes on the pipeline right-of-way.

10.5.5.4 No person shall operate a vehicle or mobile equipment except for farm machinery and personal recreation vehicles across or along a pipeline right-of-way unless written permission is first obtained from the operating company or the vehicle or mobile equipment is operated within the travelled portion of a highway or public road.

Safety Precautions around High Pressure Pipelines

Home owners with a high pressure pipeline easement in their backyard are severely restricted in the use of their property. Any maintenance of the pipeline in a restricted area, such as a backyard, poses significant hardships and safety concerns both to the home owner and the pipeline company. Overall a pipeline easement incorporated into several individual suburban lots creates hazards and headaches for the home owners, the pipeline company, other utilities, and the municipality.

Imperial Oil appreciates the opportunity to review and comment on plans for urban developments around the Imperial Oil easement. It is imperative that any developments affecting the easement incorporate measures to protect the pipeline, the public and the environment.

Technical Safety and Standards Authority (TSSA) Minimum Setbacks

The Technical Safety and Standards Authority (TSSA) have a guideline for a recommended setback from the pipeline to a building intended for human occupancy, see below. Imperial Oil, in the interest of safety, urges developers and municipalities to consider the setback when planning housing sites around the Sarnia Products Pipeline.

TSSA Setback Guideline

For oil and gas pipelines operating at a stress level in excess of 40% SMYS, a minimum setback of 20 meters shall be maintained from the centerline of the pipeline to dwellings intended for human occupancy. A minimum setback of 200 meters shall be maintained from the centerline of pipelines to institutions where rapid evacuation may be difficult, such as hospitals, nursing homes, penal institutions, and institutions for the disabled.

When Imperial Oil receives a site drawing from the Municipalities Planning & Development department we will notify the department and request that the TSSA's 20-metre setback guideline is considered. At this point it will be up to the Municipality and/or the developer to implement the recommended setback guideline.

Use of Easement (TSSA Guideline)

For pipelines located on easements, the entire width of the oil and gas pipeline easement shall be kept clear of all structures. The easements may be incorporated into subdivision plans as green space, walkways, or bicycle paths but shall not be incorporated into individual lots. The piling up of garbage, dirt or industrial waste shall not be permitted at any time. Limits of the easement parallel to the pipeline shall be identified with fencing or equivalent markings to prevent gradual encroachment by

adjacent landowners. Suitable barriers shall be installed at all road accesses to prevent unauthorized motor vehicles from entering.

Limits of the easement parallel to the pipeline shall be identified with fencing or equivalent markings to prevent gradual encroachment by landowners. Suitable barriers shall be installed at all road accesses to prevent unauthorized motor vehicles from entering.

Imperial Oil looks forward to co-operating with you as partners in public and environmental safety. Please help us ensure the utmost safety of those in the community and near the Sarnia Products Pipeline easement.

London Hydro (March 5, 2019)

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

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

London Hydro (July 30, 2020)

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe 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 and 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.

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 (PPS)

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

1.1.1 b), c), d), e), g)

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

1.1.3.6

Section 1.4 - Housing

1.4.3

Section 1.5 – Public Spaces, recreation, parks, trails and open space

1.5.1 d)

Section 1.6 – Infrastructure and Public Service Facilities

1.6.6.2

1.6.8.3

Section 2.1 – Natural Heritage

2.1.1

2.1.2

2.1.3

2.1.4

2.1.5

2.1.7

2.1.8

Section 2.2 – Water

Section 2.6 - Cultural Heritage and Archaeology

2.6.2

Section 3.1 – Natural Hazards

3.1.1 b)

1989 Official Plan

3. Residential Land Use Designation

3.1.1 v) - General Objectives for All Residential Designations

3.1.3 – Multi-family, Medium Density Residential Objectives

3.3 Multi-family, Medium Density Residential

3.3.1 Permitted Uses

3.3.3 Scale of Development

3.7 Planning Impact Analysis

11. Urban Design Principles

11.1.1 i), ii), xi), xv), xviii)
13. Heritage Resource Policies
13.4 Archaeological Resources
15. Environmental Policies
15.1.1 Natural Heritage Objectives
15.3.6 Ecological Buffers
15.3.7 Management and Rehabilitation Priorities
15.4.2 Wetlands
15.4.5 Significant Woodlands and Woodlands
15.4.7 Wildlife Habitat
15.4.14 Other Woodland Patches larger than 0.5 ha.
15.5.1 Purpose of Environmental Studies
15.7 Erosion and Wetland Hazards
19 Implementation
19.9.5 Noise, Vibration and Safety
i) Noise Attenuation
iv) Setback from High Pressure Pipelines
19.9.6 Additional Noise Attenuation Policies for Residential Land Uses Adjacent to Arterial Roads

The London Plan

Policy 58_ 4. and 9. Our Strategy, Key Directions, Direction #4 Become one of the greenest Cities in Canada
Policy 59_ 4. and 5. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London
Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification
*Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification
Policy 118. Our City, Natural Heritage, Hazards, and Natural Resources
*Policy 193_ City Design, What are we trying to achieve?
Policies 229_, 235_, 237_, 241_, City Design, Streetscapes
Policies *255_, *258_, 268_, City Design, Site Layout
Policy *291_, City Design, Buildings
Policy 388_ , Forest City, Why is the Forest City Important to Our Future?
Policy *391_, Forest City, Urban Forest Strategy
Policies *399_, 400_, *401_ – Forest City, Strategic Approach
Policy 554_2. City Building Policies, Cultural Heritage, What Are We Trying To Achieve
Policy 611_, City Building Policies, Cultural Heritage, Archaeological Resources
Policy *921, Neighbourhoods, Permitted Uses
Policy *919_, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form
*Table 10 Range of Permitted Uses in Neighbourhoods Place Type
*Table 11 Range of Permitted Heights in Neighbourhood Place Type
Policy *935_, Neighbourhoods, Intensity
Policy *936_, Neighbourhoods, Form
Policy *937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods
Policy *939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

Policy *953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

Policies 1309_, Natural Heritage, How are We Going To Achieve This?

Policies *1316_- *1318_, *1321_, *1322_, Natural Heritage, Components of the Natural Heritage System

Policies 1325_ - 1328_, Natural Heritage, Habitat of Endangered Species and Threatened Species

Policies 1332_, 1335_, Natural Heritage, Provincially Significant Wetlands, Wetlands and Unevaluated Wetlands

Policies *1340_, *1341_, Natural Heritage, Significant Woodlands and Woodlands

Policies 1361_, 1364_, Natural Heritage, Water Resource Systems

Policy 1382_, Natural Heritage, Adjacent Lands

Policies 1385_, 1386_, Natural Heritage, Other Vegetation Patches larger Than 0.5 Hectares

Policies 1391_, 1392_, 1393_, Natural Heritage, Development and Site Alteration

Policy 1408_, Natural Heritage, How Will We Protect the Natural Heritage System? Stewardship

Policies 1417_, Natural Heritage, How Will We Protect the Natural Heritage System? Management, Restoration and Rehabilitation Priorities

Policy 1423_, Natural Heritage, How Will We Protect the Natural Heritage System? Environmental Management Guidelines

Policies 1425_, 1430_, Natural Heritage, How Will We Protect the Natural Heritage System? Subject Land Status Reports

*Table 13 – Areas Requiring Environmental Study

Policies 1431_, 1436_, Natural Heritage, How Will We Protect the Natural Heritage System? Environmental Impact Studies

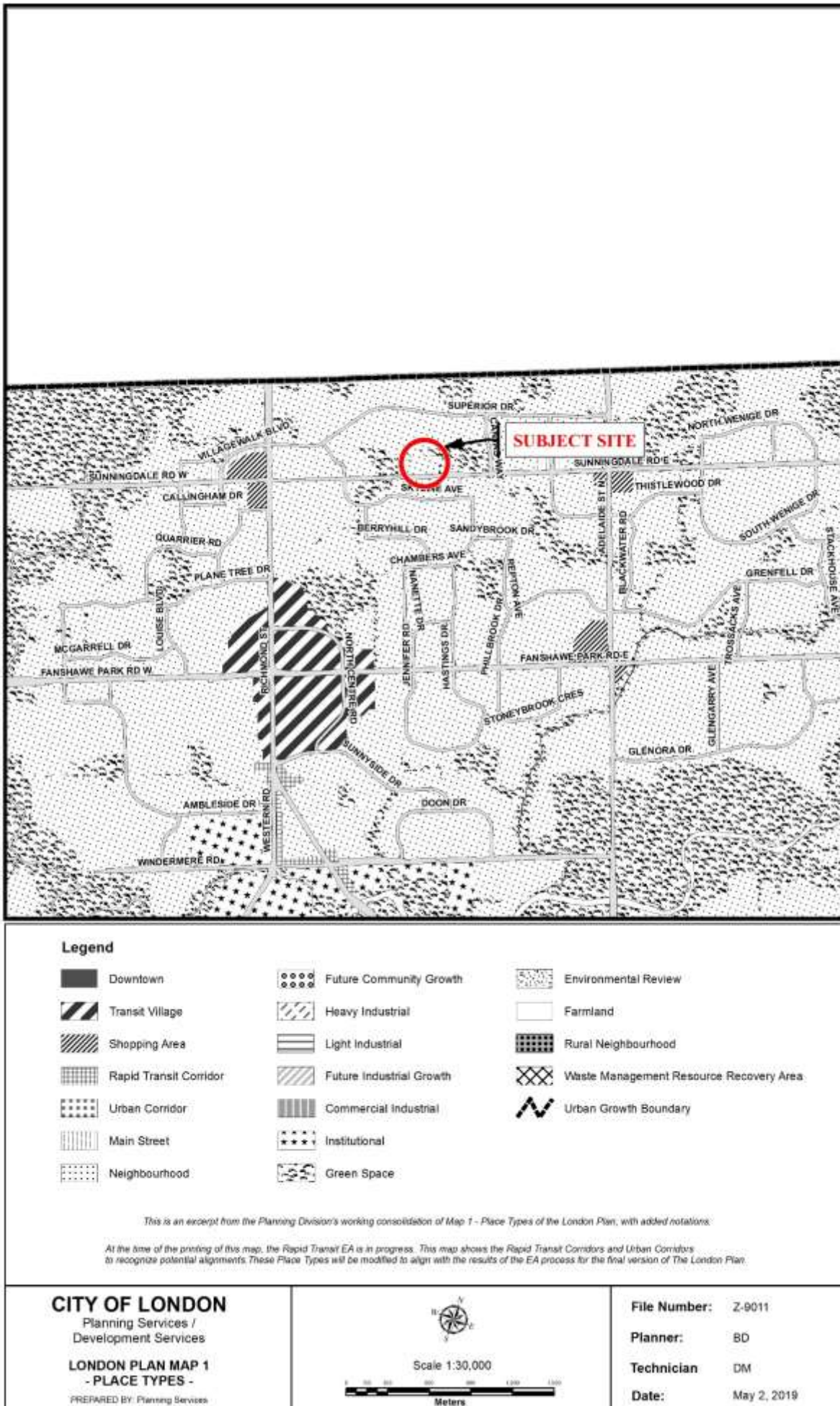
*Policy 1578_ Our Tools Planning and Development Applications, Evaluation Criteria for Planning and Development Applications

Policies 1712 and 1719_, Our Tools, Guideline Documents

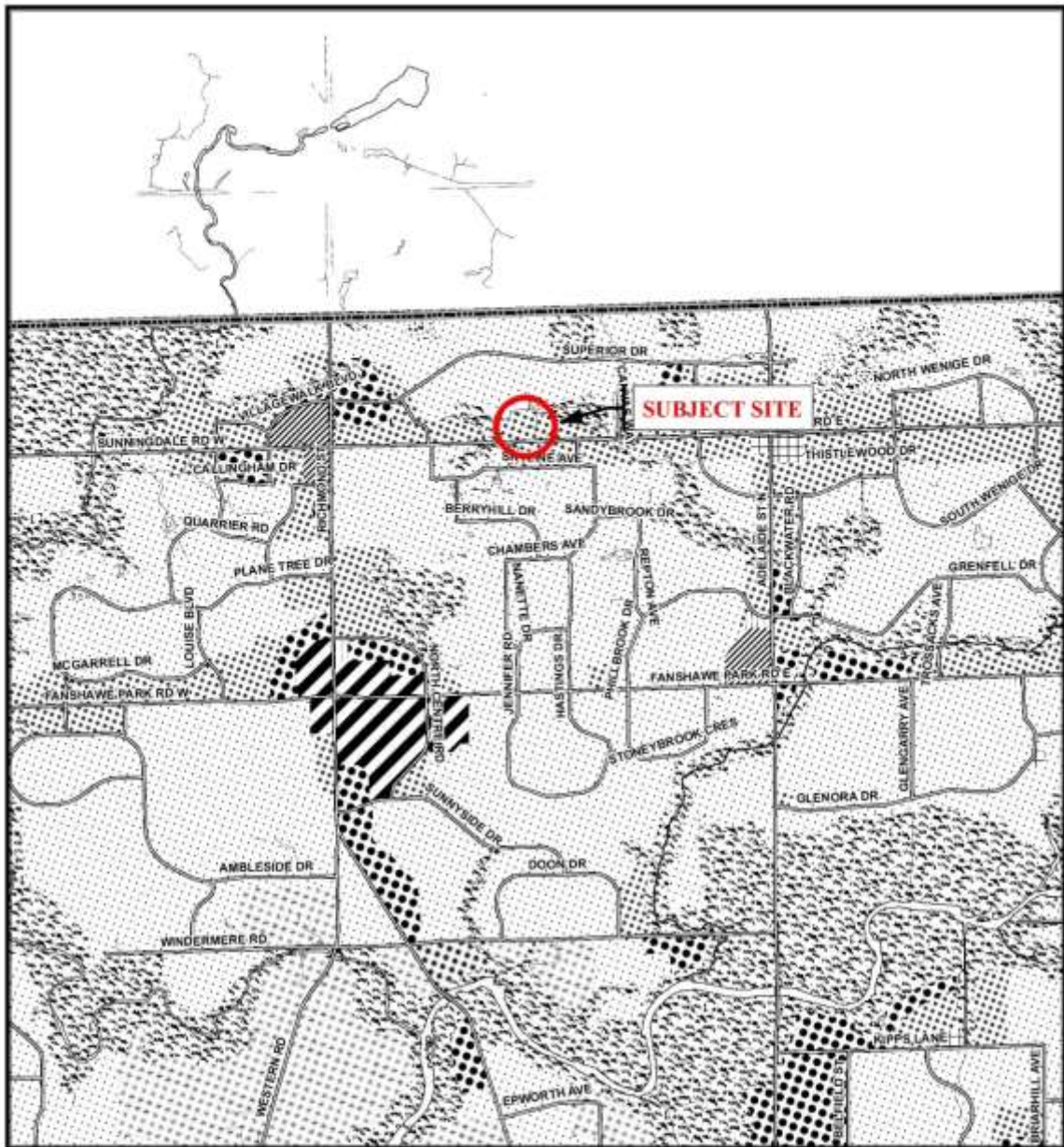
Policies 1766_ , 1770_, 1772_, Our Tools, Noise, Vibration and Safety

Appendix D – Relevant Background

The London Plan – Map 1 – Place Types



1989 Official Plan – Map 1 – Land Use



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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE - PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: Z-9011 PLANNER: BD TECHNICIAN: DM DATE: 2019/05/02</p>
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Zoning By-law Z.-1



Zoning as of March 29, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 Z-9011 BD

MAP PREPARED:
 2019/05/02 DM

1:4,000
 0 20 40 80 120 160
 Meters

Additional Reports

May 27, 2019 - Z-9011 – 348 Sunningdale Road East

Information report to the Planning and Environment Committee, PEC May 13, 2019 recommending the public comments be received and that staff continue to process the application and consider public, agency, and other feedback as part of the staff evaluation to be presented at a future public participation meeting.