

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: G. Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Humane Society London & Middlesex
1414 Dundas Street

Public Participation Meeting on: March 29, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Humane Society London & Middlesex relating to the property located at 1414 Dundas Street:

- (a) the request to amend Zoning-By-law No. Z.-1 to change the zoning of the subject property **FROM** a Commercial Recreation (CR) Zone and a Regional Facility (RF) Zone **TO** a Restricted Service Commercial (RSC2) Zone, **BE REFUSED** for the following reasons:
 - i) The site layout depicting a surface parking lot between the proposed building and the treed allée, does not conform to the form and urban design policies found within the Council approved London Psychiatric Hospital Secondary Plan (LPHSP).
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 6, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), the London Psychiatric Hospital Secondary Plan and The London Plan to change the zoning of the subject property **FROM** a Commercial Recreation (CR) Zone and a Regional Facility (RF) Zone **TO** a Restricted Service Commercial Special Provision (RSC2(_)) Zone.
- (c) **IT BEING NOTED** that the following heritage mitigation measures and recommendations were raised during the application review process:
 - i) Landscaping treatments be implemented for areas between the treed allée and the building to minimize impacts;
 - ii) Further consideration to enhance the gateway function of the treed allée where it intersects with Dundas Street by the Humane Society London & Middlesex;
 - iii) Vehicular access routes to the new Humane Society London & Middlesex facility should be sensitively planned to protect the treed allée; and
 - iv) Staging and construction activities should be planned to ensure protection of all trees which form the treed allée and appropriate tree preservation measures are in place to that the root systems are fully avoided within the tree protection area.

Executive Summary

Summary of Request

The requested amendments would permit a 1-storey building to house the Humane Society Headquarters, kennels, accessory office space, and associated outdoor areas for animals located on the developable portion of the subject lands.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment will allow the development of the 1-storey building to house the Humane Society Headquarters, kennels, accessory office space, and associated outdoor areas all while adhering to the policies of the London Psychiatric Hospital Lands Secondary Plan relating to the heritage feature of the treed allée and urban design policies. The recommended by-law adds special provisions to reflect this.

Rationale of Recommended Action

1. The recommended amendment is consistent with the 2020 Provincial Policy Statement (PPS) which direct municipalities to ensure development provides healthy, liveable and safe communities, and 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.
2. The recommended amendment conforms to the in-force policies of the London Psychiatric Hospital Lands Secondary Plan that promotes the evolution of the area incorporating elements of sustainability, mixed-use development, heritage conservation, walkability and high quality urban design.
3. The recommended amendment conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City.
4. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the objectives of the London Psychiatric Hospital Lands Secondary Plan policies which encourages redevelopment in this specific Transit Oriented Corridor.
5. The recommended amendment will facilitate an enhanced form of development in accordance with the London Psychiatric Hospital Lands Secondary Plan Urban Design policies.
6. The recommended amendment is appropriate for the site and surrounding context and will assist with the revitalization of a portion of the London Psychiatric Hospital Lands.
7. The recommended amendment to the Zoning By-law with special provisions will provide for an appropriate development of the site.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Property Description

The subject site is located on the north side of Dundas Street, east of Highbury Ave North, west of a CN Rail corridor and are part of the London Psychiatric Hospital Lands. The lands are irregular in shape and currently have a few buildings on site that were used for the Lawn Bowling Club with a lot frontage of approximately 75.0m and lot area of approximately 4.23 ha. To the west is the treed allée, a designated heritage feature, once a former internal driveway for the London Psychiatric Hospital. On the east portion of the property along the CN rail corridor there is a small unevaluated wetland noted in the 1989 Official Plan.



Figure 1: Looking North from Dundas Street

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

- Official Plan Designation – Multi-Family, Medium Density Residential and Open Space
- London Psychiatric Hospital Secondary Plan – Transit Oriented Corridor and Open Space
- The London Plan Place Type – Urban Corridor and Green Space Place Types
- Existing Zoning – Commercial Recreation (CR) and Regional Facility (RF) Zones

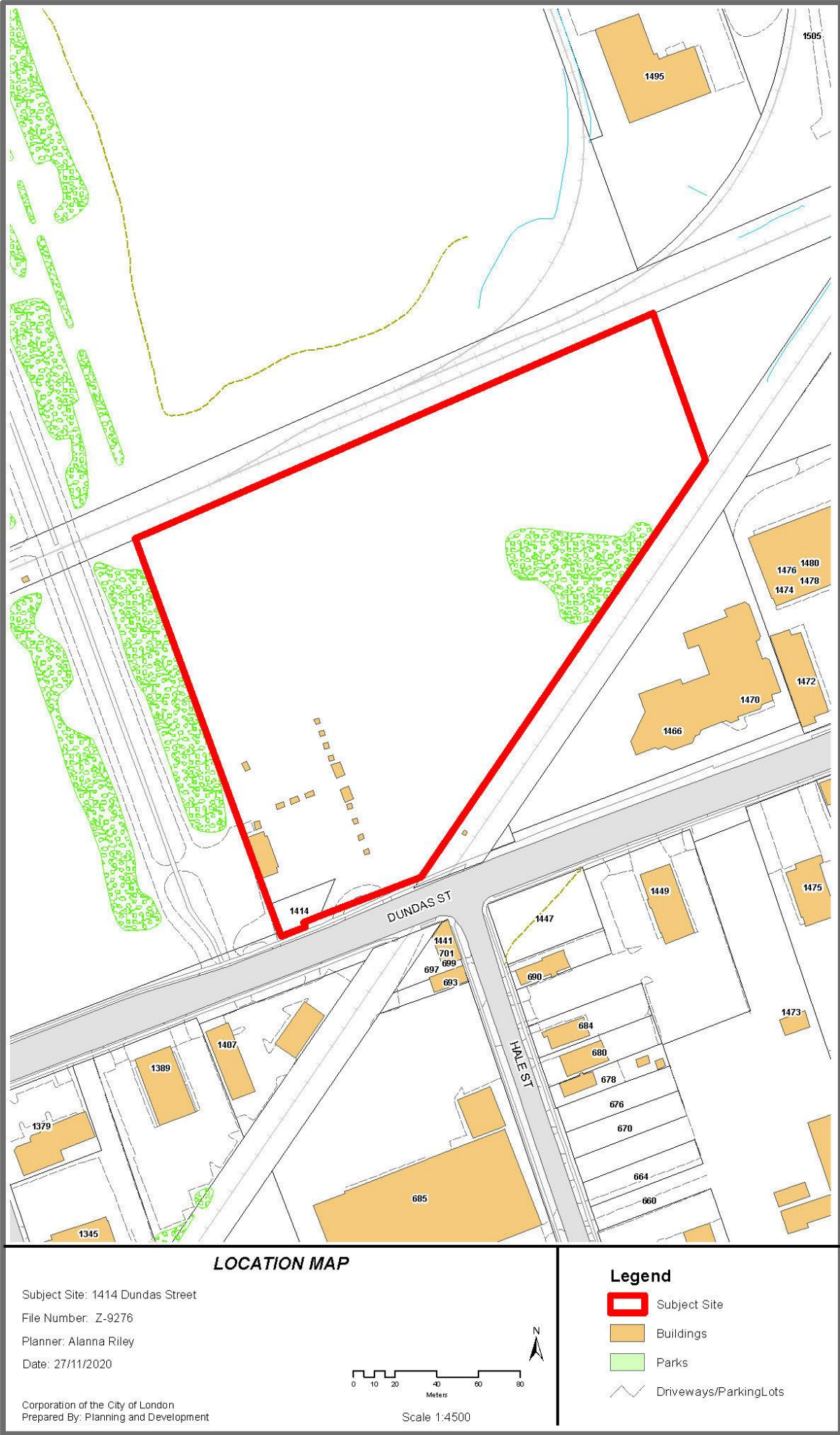
1.3 Site Characteristics

- Current Land Use – Lawn Bowling Company and Vacant
- Frontage – approximately 75m
- Depth – N/A
- Area – approximately 4.23 ha
- Shape – Irregular

1.4 Surrounding Land Uses

- North – CP Rail and London Psychiatric Lands
- East – CN Rail and Commercial
- South – Commercial
- West – London Psychiatric Treed Allee

1.5 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The proposal is for a 1-storey building for the Humane Society administration offices, kennels for housing and caring for animals with open space for outdoor animal activity, and areas of the building/site that are open to the public. Access is proposed off Dundas Street.

In order to facilitate this request the application proposes to amend the Zoning By-law to allow the requested uses with special regulations.

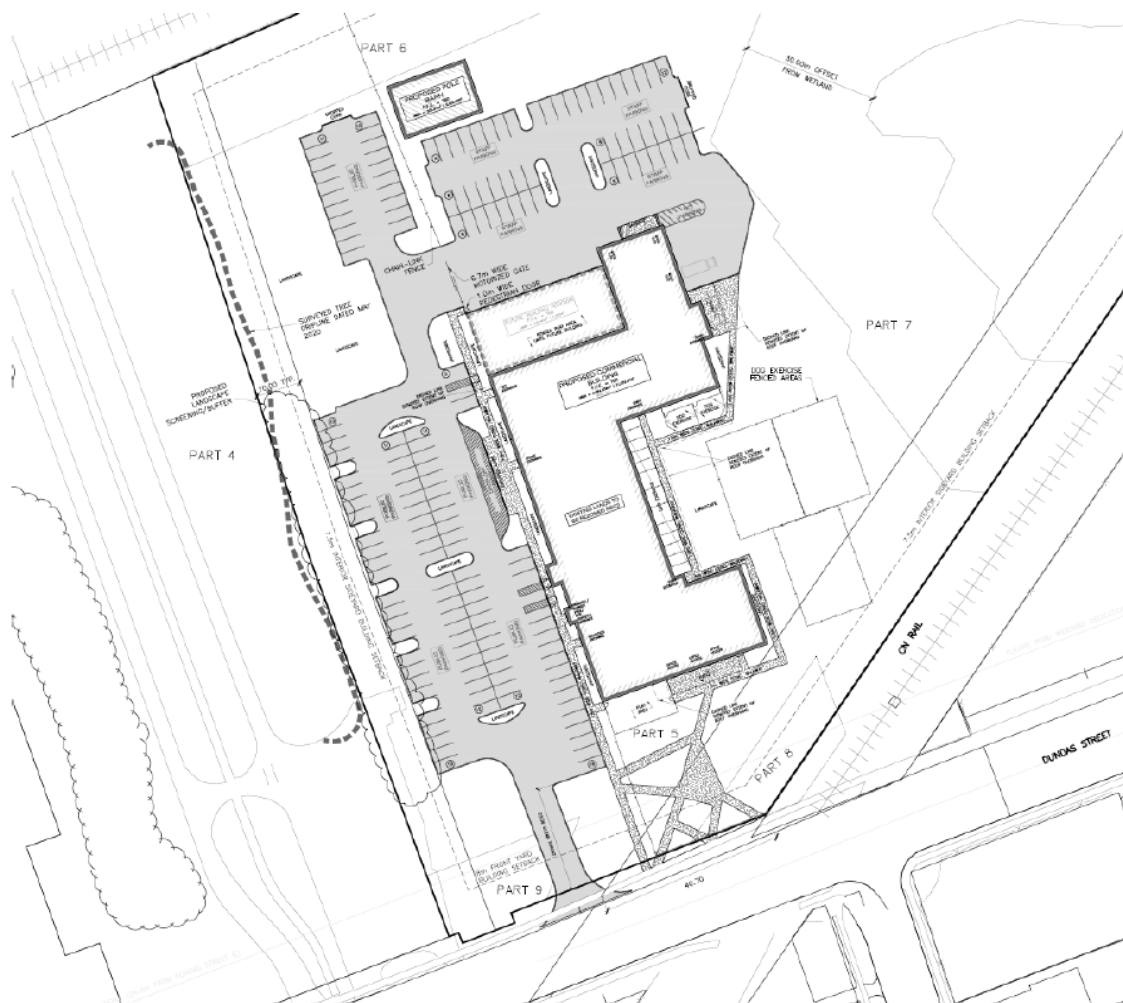


Figure 2: Site concept plan



Figure 3: Rendering – Looking North from Dundas Street



Figure 4: Rendering – Looking Northeast from Dundas Street

3.0 Relevant Background

3.1 Planning History

London Psychiatric Hospital Secondary Plan

In 2011, the London Psychiatric Hospital Secondary Plan was created as an initiative to establishing a vision, principles and policies for the evolution of these lands. It was developed to provide a greater level of policy basis than the Official Plan for the review of planning applications. This plan was further updated in May 2016.

A majority of the area was recognized as a cultural landscape of Provincial significance, and one of the heritage landmarks relevant to this application is the 'Central Treed Allée' as the subject site is directly adjacent to the east. Through this Secondary Plan, the Treed Allée will be closed to traffic and only serve as a pedestrian corridor.

Central Treed Allée: *an entry avenue consisting of two one-way roads and a wide median containing a pedestrian walk is lined with several parallel rows of trees. While originally planted with elms, the allée today consists of a variety of tree species, both coniferous and deciduous. The allée forms a magnificent vista north from Dundas Street into the lands and terminating at the Infirmary building.*

The subject lands were designated Transit Oriented Corridor and Open Space in Policy Area 3 through this process to support the transit functions along Dundas Street.

2.2 Requested Amendment

The requested amendment is for a Zoning By-law amendment to change to Zoning By-law Z.-1 from a Commercial Recreation (CR) Zone and a Regional Facility (RF) Zone to a Restricted Service Commercial (RSC2) Zone.

2.3 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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

Section 1.1 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 healthy, liveable and safe communities (1.1.1) sustained by accommodating employment and by promoting the integration of land use

planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs. The PPS also encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Appropriate land use patterns within settlement areas are established by providing appropriate densities and 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 PPS also promotes economic development and competitiveness (1.3.1) by providing for an appropriate mix and range of employment, institutional uses and broader mixed uses to meet long-term needs and by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

The PPS indicates long-term economic prosperity (1.7.1) should be supported by promoting opportunities for economic development and community investment-readiness; and encouraging a sense of place, by promoting well-designed built form and cultural planning and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

The PPS directs that all natural features and areas shall be protected for the long term (2.1.1). It continues to direct 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).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

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

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

- Revitalize our urban neighbourhoods and business areas (s. 55_, Direction 1.4);

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

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;

Lastly, The London Plan provides direction to make wise planning decisions by:

- Ensuring health and safety is achieved in all planning processes (Key Direction #8, Direction 10).

The site is in the Urban Corridor Place Type and Green Space Place Type, as identified on *Map 1 – Place Types. Permitted uses within the Urban Corridor Place Type include a range of residential, retail, service, office, cultural, recreational, and institutional uses along Urban Corridors. (Policy *837_). The maximum permitted height is 2 storeys or 4 storeys with bonusing.

All planning and development applications will conform with the City Design policies of

The London Plan. 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_).

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_).

Similarly to the above analysis of the 1989 City of London Official Plan, the policies of the LPH Secondary Plan prevail over the policies of *The London Plan*. Analysis of the applicable policies of *The London Plan* are for informative purposes only. *1989 Official Plan*

The City's *Official Plan (1989)* contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

A portion of the subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule 'A' of 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 and limited non-residential uses (3.3).

Although this designation permits some commercial uses including small-scale offices, the policies require these uses be implemented through specific Zoning By-law amendments subject to provisions including location along arterial or primary transit roads, appropriate buffering, sensitivity to the surrounding area, and a planning impact analysis (3.6).

The remainder of the subject site is designated Open Space which is applied to lands which are to be maintained as park space or in a natural state. Uses permitted are limited to non-intensive uses. District, city-wide and regional parks are included in this designation (8.A2).

Within this open space designation, along the east rail corridor there is a small unevaluated wetland that is identified on Schedule B1 – Natural Heritage Features in the 1989 Official Plan. The policies provide for the recognition and protection of natural features and ecological processes that are important to the sustainability of healthy urban and rural environments (15.2).

It should be noted that the proposed development is entirely within the Multi-Family Medium Density designation with a proposed setback of 30.0m to the unevaluated wetland.

As the London Psychiatric Hospital (LPH) Secondary Plan is the secondary plan that applies to this subject site and constitutes Section 20.4 of this Official Plan, these policies prevail for the purpose of reviewing this application.

London Psychiatric Hospital Lands (LPH) Secondary Plan

Both The London Plan and the 1989 Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies.

The Purpose of the LPH Secondary Plan was to establish a vision, principles and policies for a large-scale comprehensive mixed-use development including residential, commercial, institutional, open space and heritage conservation land uses.

The LPH Secondary Plan indicates that as development occurs on these lands, the goal is to retain as much of the identified cultural and heritage resources of the area as possible (20.4.1.4). Through the creation of a distinct community, one main objective is to provide for a range of land uses including residential, open space, public uses, local commercial uses, office uses, mixed-use and regional educational uses. Another main objective is to ensure the Treed Allée remains a focal point for the community (20.4.1.5.ii, a, f).

The majority of the London Psychiatric Hospital Lands have been recognized as a cultural heritage landscape of Provincial significance. Further, several features on the lands, including the Central Treed Allée, the Infirmary Building, the Recreation Hall, the Chapel of Hope, and the Horse Stable, are all designated by the City of London under Part IV of the *Ontario Heritage Act*. These cultural heritage resources shall be conserved. Specific policies relating to development within and adjacent to the cultural heritage landscape and its associated significant features are outlined throughout the Secondary Plan. One of the significant cultural heritage resources to be conserved within the landscape includes the Central Treed Allee (20.4.2.3).

Central Treed Allée: *an entry avenue consisting of two one-way roads and a wide median containing a pedestrian walk is lined with several parallel rows of trees. While originally planted with elms, the Allée today consists of a variety of tree species, both coniferous and deciduous. The Allée forms a magnificent vista north from Dundas Street into the lands and terminating at the Infirmary building.*

As mentioned earlier in this report, the “Transit-Oriented Corridor” and “Open Space” land use designations within the LPH Secondary Plan were applied to these lands. The purpose of the Transit-Oriented Corridor designation is to focus residential and commercial uses along transit routes consistent with the Province of Ontario’s “Transit Supportive Guidelines”. It is also consistent with the emphasis on walking and bicycling for this Community. Transit-Oriented Corridors are intended to allow for the creation of a band of residential and mixed use development at medium and high densities to support transit along Highbury Avenue North, Oxford Street East and Dundas Street (20.4.3.3).

L Figure 5 – Excerpt of designations from LPH Secondary Plan

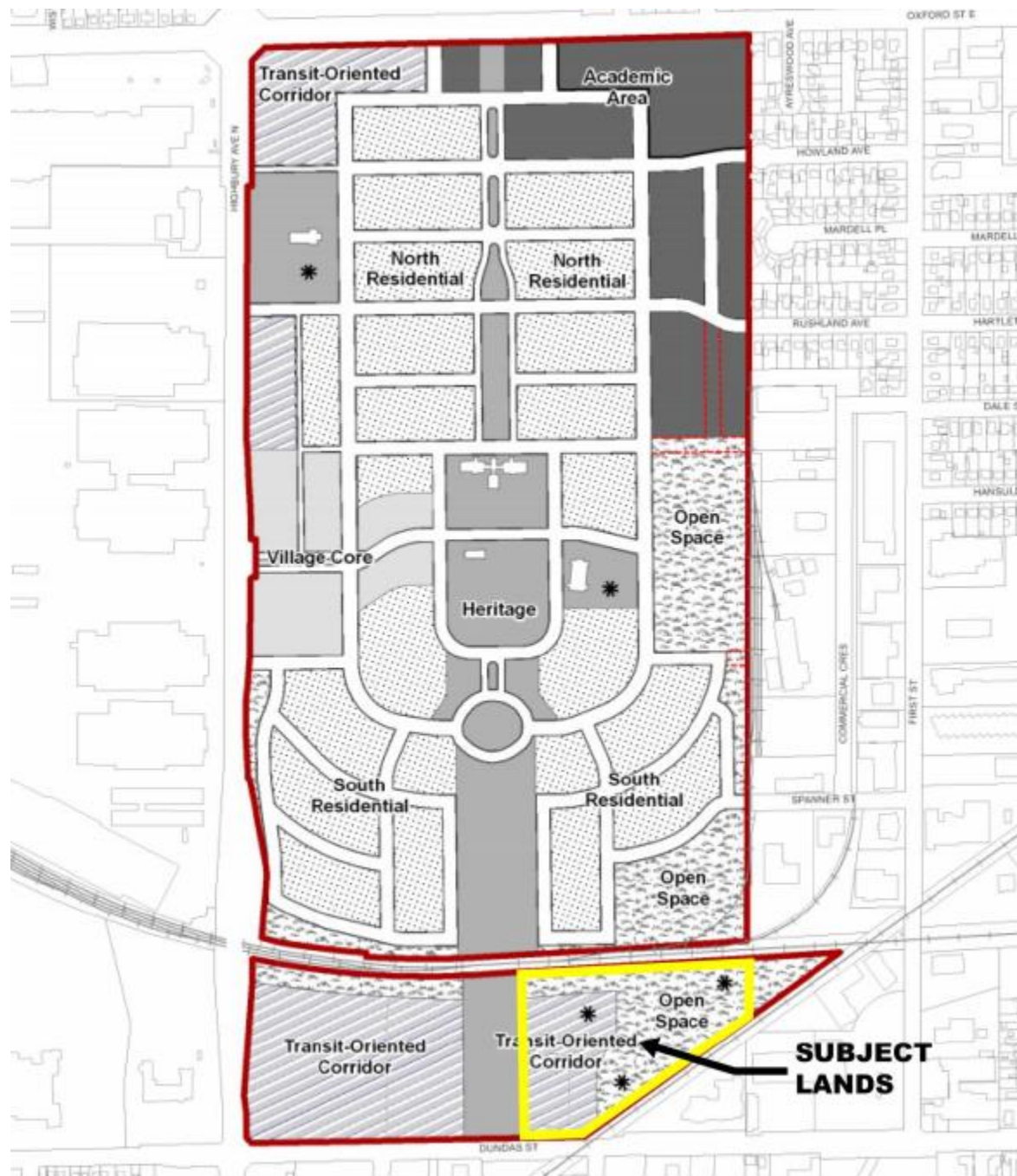


Figure 5 – Excerpt of designations from LPH Secondary Plan

Further, the subject site is specifically located within the “Policy Area 3” sub area of the “Transit Oriented Corridor” designation which is applied to the north side of Dundas Street. The policy indicates that adjacency to the Treed Allée is a primary consideration in the review of all planning applications. This policy area is divided by the Treed Allée with specific policies for each side. The subject site is located on the east side of the Treed Allée. A stand-alone commercial building is permitted by policy within this area (20.4.3.3.ii). Office uses are permitted with a maximum total gross floor area of 2,000m². A maximum building height of 2 storeys is permitted within this designation (20.4.4.3.3 iii).

Within this policy area certain criteria for built form and intensity are outlined. The relevant criteria for this application include: that any development adjacent to the Treed Allée shall be oriented to the Allée; that the frontage of buildings located on Dundas Street shall be designed to be oriented to Dundas Street; buildings should be designed with defined spaces to accommodate signage that respects the building’s scale, architectural features and the established streetscape design objectives; include a corner treatment for the buildings located on either side of the Treed Allée along the Dundas Street Corridor as this location is identified as a gateway location; and, ensure proposed buildings are appropriately scaled and located on the site to provide visual

interest and enclose the street and help frame the identified view corridor along the treed Allée and Dundas Street (20.4.3.3.3,c,e, f and g) and (20.4.4.10.i.n).

It is very important to note that in the Heritage Policies of the LPH Secondary Plan it indicates that the Treed Allée be conserved, and specifically notes that all development adjacent to the Heritage Area designation will be developed with sensitivity to the cultural heritage landscape (20.4.3.6 ii). Further, these policies speak about a 5 metre setback from the limit of the root zone (drip line) and that a detailed tree preservation plan with tree protection measures will be required.

A portion of the site is located as noted in the Open Space designation in the LPH Secondary Plan. More specifically, the lands are located in Policy Area 2 – Natural Heritage/Environmental to protect the existing wetland and provide adequate buffers between this environmental feature and development. No development shall occur within a 30 metre buffer around the wetland (20.4.3.7.2).

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS 2020 states that “*Healthy, liveable and safe communities are sustained by... “accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial),...and other uses to meet long-term needs” (1.1.1.b).* With regard to the requirement for the provision of employment uses including commercial, the proposed development adds this to the mix of existing and planned uses within the LPH Lands and surrounding area.

The PPS directs that “*Settlement areas shall be the focus of growth and development... Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed” (1.1.3.2).* The proposal adds a new commercial use that is compatible with the surrounding area within a settlement area, efficiently uses existing municipal services and is transit supportive along a major corridor in the City.

Additionally, the PPS requires planning authorities to “*...promote economic development and competitiveness by...providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs [and]... providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.” (1.3.1.a) & 1.3.1b)).* The existing land use designation promotes the mix of uses envisioned by the PPS while providing opportunities for a diversified economic base. The requested uses to effectively facilitate a new commercial use promote employment opportunities that this site was intended to accommodate.

The London Plan

Similarly to the above analysis of the 1989 City of London Official Plan, the policies of the LPH Secondary Plan prevail over the policies of The London Plan. Analysis of the

applicable policies of *The London Plan* are for informative purposes only, and as such, also provide supplementary justification to the policies of the LPH Secondary Plan.

The subject lands are located within the “*Urban Corridor*” Place Type and the “*Green Space*” Place Type in *The London Plan*. Although the range of permitted uses for the subject lands is specifically set out in the LPH Secondary Plan, the broader intent of *The London Plan* is to permit a range of residential, retail, service, office, cultural, recreational, and institutional uses along Urban Corridors (837). The requested uses including the kennel would be considered to be a permitted use in conjunction with the proposed accessory uses. It should be noted that the proposed development is wholly located within the “*Urban Corridor*” Place Type portion of the subject lands while dog walking and activity will occur within the “*Green Space*” Place Type.

These policies are informative but are not determinative and cannot be relied on for the review of the requested amendment.

1989 Official Plan

The Multi-Family, Medium Density Residential designation contemplates 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 (3.3). Permitted uses include a range of medium density residential uses, including low-rise apartment buildings (3.3.1). Limited non-residential uses are also permitted in this designation subject to certain criteria and a planning impact analysis. As indicated the LPH Secondary Plan permits the proposed development and therefore, staff are satisfied the proposed development is in conformity with the 1989 Official Plan.

London Psychiatric Hospital Lands (LPH) Secondary Plan

The subject lands are within the “*Transit-Oriented Corridor*” and “*Open Space*” land use designations within the LPH Secondary Plan. The proposed development is solely within the “*Transit-Oriented Corridor*”, setback 30.0 metres from the unevaluated wetland within the Open Space designation. Further to this overall designation, the developable portion is also within the “*Policy Area 3*” sub area designation. The intent of this designation is to provide for transit-oriented, mid-rise residential development that is mixed use in nature, although a stand-alone building is permitted at this location.

The following uses may be permitted in a stand-alone commercial building: personal services, food stores, retail stores, financial institutions, convenience stores, day care centres, pharmacies, studios and galleries, specialty food stores, fitness and wellness establishments, and small-scale office uses with a maximum total floor area of 2,000 m². There is not a maximum commercial gross floor area stipulated for this designation which allows for the proposed development. The proposed development does not exceed this maximum permission. Although not specifically listed above, the proposed kennel with accessory uses will generate a similar level of intensity and activity compared to the above-noted permitted uses. It should be noted there is a 2,000m² maximum for small-scale offices. The proposed accessory office does not exceed this.

The proposed development is generally in keeping with the contemplated uses. As such, the proposed development conforms to the intent and permitted use policies of the LPH Secondary Plan

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The PPS states that *land use patterns within settlement areas are to provide for appropriate densities and opportunities for intensification and redevelopment (1.1.3.2)*. Also, the PPS 2020 requires municipalities to *identify appropriate locations and promote opportunities for transit-supportive development...and redevelopment, taking into*

account existing building stock or areas...and the availability of suitable existing or planned infrastructure and public service facilities.... (s.1.1.3.3), is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4), and supports the use of active transportation and transit in areas where it existing or is to be developed (s. 1.4.3d).

The City of London has promoted opportunities for redevelopment for this area through the LPH Secondary Plan policies. This facilitates the redevelopment of this underutilized site within a settlement area. The site is located in an area serviced by existing transit and developing this site previously used for lawn bowling supports the PPS to achieve a higher intensity form of development.

The London Plan

The London Plan uses height as a measure of intensity. The standard minimum height within the “Urban Corridor” Place Type is 2-storeys and maximum height is 4-storeys (or 6-storeys with Type II Bonusing). Policies within The London Plan, place a strong emphasis on higher intensity development along higher order roads pertaining to height. The intensity of development must be appropriate for the size of the lot. Also, objectives are listed to direct more intense development along major transit routes. Further to this the vision of the “Urban Corridor” Place Type the policies call for the careful management of the interface between the subject lands and any adjacent lands within less intense neighbourhoods. There are no existing residential uses on abutting lands, and any planned/future residential uses on the LPH lands will be of a greater intensity than proposed on the subject lands, and physically separated by the abutting railway corridors and/or Treed Allée.

The height and scale of the one-storey building is generally consistent with the existing one-storey commercial and institutional buildings along this portion of Dundas Street, and is also specifically permitted in the London Psychiatric Hospital Lands Secondary Plan. Therefore, the recommended amendments will permit an intensity of development contemplated under The London Plan.

1989 Official Plan

Development in the Multi-Family, Medium Density Residential designation is intended to have a maximum height of 4-storeys and a maximum density of 75 units per hectare (3.3.3 i) and ii)). Limited commercial uses are permitted subject to certain criteria and a Planning Impact Analysis (3.7.2). Relevant criteria related to the intensity of development include:

- Office developments shall be located on an arterial or primary collector road.
- 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.

The subject property is of a size and configuration capable of accommodating a more intensive redevelopment than the former Lawn Bowling Club which was a seasonal and part-time recreational use. In terms of the policy framework of the 1989 Official 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.

Also, the available building envelope accommodates the 30.0 m setback from the unevaluated wetland. The intensity of the development within the remaining developable area is suitable. Although no special provisions were requested, staff are recommending one which recognizes the existing lot frontage and two additional regulations to implement the LPH Secondary Plan design and cultural heritage policies.

This does not affect the proposed development's appropriateness in its context from a compatibility and intensity perspective. The proposed development is of a suitable intensity for the site and is consistent with the 1989 Official Plan.

London Psychiatric Hospital Lands (LPH) Secondary Plan

This secondary plan strives to provide an overall comprehensive mixed-use development including residential, commercial, institutional, open space and heritage conservation land uses. The Secondary Plan area is currently highly accessible by transit which informs the intensification and built form policies to encourage transit-oriented development.

Also, in the "*Transit-Oriented Corridor*" designation, the maximum allowable height is 2 storeys. The proposed development is only one storey with a height element on the front which conforms to this policy for height.

The site is appropriately located along the Transit Oriented Corridor to support the proposed development with its proposed intensity, where there is good connectivity, accessibility and convenient transit services nearby.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS "*...is supportive of development standards which facilitate intensification, redevelopment and compact form*" (Policy 1.1.3.4)... "and supports the use of active transportation and transit in areas where it existing or is to be developed" (s. 1.4.3d).

Furthermore, the PPS also "*identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form*" (1.7.1e)).

Consistent with the PPS, the recommended amendment of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment of the subject lands would support long-term economic prosperity while providing a high quality design along this major corridor within the City.

The London Plan

The London Plan provides direction to sustain, enhance and revitalize our downtown, main streets, and urban neighbourhoods to build a mixed-use, compact City (59_3). The subject site is an under-utilized parcel within a prominent location on a main street and in proximity to future rapid transit services. This objective is consistently echoed in the various policy and guideline documents to provide and support opportunities for the redevelopment of vacant or underutilized properties, and to strengthen the existing corridor. Buildings along this area of the Dundas corridor are contemplated at greater heights and intensities to foster the revitalization and continuing improvement of the existing corridor.

The "*Urban Corridor*" policies intend that buildings be sited close to the front lot line. Given the irregular shaped lot along with the functional and operational requirements of the Humane Society, the proposed building is located at a distance of 35.0m to the Dundas Street.

Compatibility and fit were evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding area; 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

The proposed development relates well with the public realm. The primary building entrance is connected from a clearly marked pedestrian pathway to the public sidewalk along Dundas Street, promoting clear pedestrian circulation and safety. Access is provided from a driveway on the west side of the subject lands, leading to a surface parking area in the interior side yard.

Notwithstanding the recommendation which incorporates special provisions to address the policies of the London Psychiatric Hospital Lands Secondary Plan, the development conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City.

1989 Official Plan

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 (3.3.3). 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.

The built form of the proposed development consists of a 1-storey building with a commercial and institutional character. The face of the proposed building addresses the front of the site with active frontage along Dundas Street. Direct pedestrian connections to the street, enhanced with a range of hardscaping and landscaping, are provided along Dundas Street. A primary building entrance is located parallel to Dundas Street, and a secondary entrance is located from the surface parking area on the west side of the subject lands.

The proposal includes a variety and unique rhythm of at-grade openings along all elevations, including a mix of doorways/entryways with the occasional use of canopies, as well as the extensive use of glazing across a range of windows and other openings.

An effective transition in scale will occur as a result of the proposed development. The scale and height steps-down moving east. The highest feature being the trees within the Treed Allée to the west and the lowest feature being the open space to the east of the proposed building. The building contains a proposed parapet wall featuring the Humane Society London & Middlesex signage.

The public realm in the vicinity of this portion of Dundas Street is dominated by auto-oriented commercial uses with limited activation of the streetscape and an underwhelming pedestrian experience. In addition, the intent of the proposed recommendation is to enhance the public realm with a contemporary, modern building with a strong relationship to the public realm, as well as with direct connections from the property to the public realm. As such, the proposed development enhances the streetscape and provides a more comfortable and diverse pedestrian experience.

As noted above in the Secondary Plan section, special provisions have been recommended to ensure the cultural heritage and urban design policies of the plan have been addressed.

The recommended amendment would result in a form of development that is compatible and a good fit with the surrounding area.

London Psychiatric Hospital Lands (LPH) Secondary Plan

The proposed development as submitted does not conform to the form and urban design policies found within the Council approved London Psychiatric Hospital Lands (LPH) Secondary Plan.

Within the “*Transit-Oriented Corridor*” policy area, along with the urban design policies certain criteria for built form are outlined. The relevant criteria for this application includes that any development adjacent to the Treed Allée shall be oriented to the Allée; that the frontage of buildings located on Dundas Street shall be designed to be oriented toward Dundas Street; buildings should be designed with defined spaces to accommodate signage that respects the building’s scale, architectural features and the established streetscape design objectives; include a corner treatment for the buildings located on either side of the Treed Allée along the Dundas Street Corridor as this location is identified as a gateway location; and ensure proposed buildings are appropriately scaled and located on the site to provide visual interest and enclose the street and help frame the identified view corridor along the Treed Allée and Dundas Street (20.4.3.3,c,e, f and g) and (20.4.4.10.i.n)

The proposed development provides design practices and materials that enhance the streetscape along Dundas Street, along with a corner treatment to visually enhance the building. The applicant has also indicated the building has been positioned to maximize functional and operational characteristics of the development, including an appropriate setback from the street that balances urban design characteristics and the well-being of the animals (i.e. road noise etc.). Parking and access is located on the west side of the building, screened from view. The proposed development has incorporated a building entrance oriented towards Dundas Street with a 35.0m setback and oriented towards the Treed Allée, however with a parking lot between. To compensate, the applicant has provided a 10m landscape buffer between the Treed Allée and the edge of the parking lot.

Staff have taken the above information into consideration. However, as outlined below, the policies explicitly state that any proposed development should be oriented towards Dundas Street and the Treed Allée, and that no parking is permitted between the Treed Allée and any building face.

Given the irregular shape of the subject site which tapers toward Dundas Street, the existing CN Rail setback requirements and the small frontage along Dundas Street, staff are satisfied the policy that speaks to orientation towards Dundas Street has been addressed. The intent to locate a building towards Dundas Street with a strong street edge at a setback of 35.0m is appropriate and will allow the building to be parallel along this corridor. A special provision for a maximum lot frontage of 35.0m has been recommended to ensure this setback is adhered to.

Looking at the proposal, which places a parking area between the Treed Allée and the building face, Staff are not able to interpret this form of development as being consistent with policy which states that, “*On-site surface or structured parking is not permitted between the building line and the property line adjacent to the cultural heritage landscape area*”. The policies are clear the building is to oriented to the Treed Allée with no parking between. Therefore, to implement the policies of the LPH Secondary Plan, staff are recommending a special provision that no parking be permitted between the Treed Allée and any building.

The recommended amendments would facilitate the development of the lands within the Secondary Plan area that would ensure the vision of the Secondary Plan can be achieved.

4.4 Issue and Consideration #4: Urban Design Peer Review Panel

As part of a complete application the applicant provided an Urban Design Brief and attended the Urban Design Peer Review Panel to identify how the above-mentioned policies have been achieved through the building design and form. There was a

concern with regards to the proposed site design, building orientation, parking area and entrance facades. Through the planning process, some of these concerns have been dealt with, however staff are recommending special provisions in the regulations of the amendments to the Zoning By-law to further address these issues. Further refinements regarding these matters will continue to be dealt with during the Site Plan Approval process.

4.5 Issue and Consideration #5: Natural Heritage

As mentioned in this report an “*Unevaluated Wetland*” has been identified to the east along the CN Rail corridor of the proposed development on the subject lands (as per Schedule ‘B1’ – Natural Heritage Features in the 1989 City of London Official Plan). The proposed development indicates a 30m buffer between the proposed development and the edge of the feature to ensure there are no environmental impacts, and therefore no additional ecological study is required. Furthermore, the UTRCA has also confirmed that the feature is not a regulated feature. To ensure surface and groundwater flows are maintained to the feature, it is anticipated that a water balance report will be provided through the Site Plan Approval process. Also, it should be noted that there are ongoing discussions with Parks Planning staff to discuss opportunities for access to the City-owned lands abutting to the east. It is anticipated that a resolution to this matter will be determined through the Site Plan Approval process.

4.6 Issue and Consideration #6: Cultural Heritage

The proposed development is located adjacent to the treed allée, a heritage designated feature to the west. A Heritage Impact Assessment was prepared to assess the impact of the development on the adjacent heritage feature. The study and the proposed development was also considered by Heritage staff. Heritage staff concluded that the HIA is sufficient to fulfill the heritage component and that mitigative measures outlined in the HIA should be followed. These have been incorporated into the recommendation.

A tree retention report was also submitted as part of the Zoning By-law amendment application. Staff have no concerns with regards to the completeness and accuracy of the tree inventory and assessment. Appropriate setbacks have been proposed along the east side of the Grand Allée to protect trees in the form of a parallel line ten metres east of the surveyed dripline. However, that being said, there is a policy in the LPH Secondary Plan that specifically speaks to development adjacent to the treed allée as follows:

New development on the west and east sides of the Allée shall be set back a minimum of 5 metres from the limit of the root zone (drip line). The design for new infrastructure on the site including new streets and utilities shall be planned to minimize excavation or filling within the root zones of the major vegetation features. This may require the adoption of alternative road design standards along streets to be lined by existing trees.

Although the proposed development provides a ten metre landscaped area adjacent to the treed allée, staff are recommending a special provision of no parking between any building and the treed allée. This in turn, could alter this proposed 10 metre landscaped area. Therefore, staff are also recommending a special provision of a five metre landscaped buffer along the west interior side yard, parallel to the treed allée to ensure protection of all trees which form the treed allée and appropriate tree preservation measures are in place to that the root systems are fully avoided within the tree protection area.

4.7 Issue and Consideration #7: Transportation

A transportation impact study was conducted. Transportation has accepted this study and has no concerns with this application. Any outstanding issues will be dealt with through the Site Plan Approval process. Rapid Transit service is anticipated to run along King Street from the downtown to Ontario Street, then proceed along Dundas Street eastward toward the subject site. The London Bus Rapid Transit (BRT) system includes

new infrastructure and service design improvements that will transform how public transit service is delivered. BRT will improve travel time performance, increase passenger capacity of the transit network and improve the quality of service for passengers. This will be achieved by: higher service frequency along the BRT corridors, higher operating speeds, limited stops along the BRT corridors, transit priority measures, high capacity buses, enhanced passenger stations and enhanced local feeder services. The proposed development supports the efficient use of land with proximity to the planned infrastructure and will benefit from the enhanced services and frequency along the corridor.

4.8 Issue and Consideration #8: Zoning

The subject lands are currently zoned Regional Facility (RF) and Commercial Recreation (CR) in the City of London Z.-1 Zoning By-Law. The proposed development is not currently permitted on the subject lands under the existing zoning. The proposed application is the lands be re-zoned to a Restricted Service Commercial (RSC2) Zone.

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal. For this application, the criteria has been reviewed and the proposal is appropriate for the subject site with the exception of form (as outlined above regarding the location of the parking area). Special provisions have been recommended to address the policy issues related to form.

It should be noted that if the proposed form of development, which features a surface parking lot between the treed allée and the building face, a benchmark could be established which creates a level of expectation for the lands on the west side of the treed allée for future applications, making it difficult to compel these applications to conform to the London Psychiatric Hospital Lands (LPH) Secondary Plan policies.

As noted throughout this report, the “*Transit-Oriented Corridor*” and “*Open Space*” land use designations and policies of the LPH prevail over the schedules and policies of the 1989 City of London Official Plan. Given that the proposed stand-alone commercial building is permitted within the LPH Secondary Plan, and that the RSC2 zone typically regulates built form similar to the proposed development, the RSC2 zone is appropriate to implement the LPH Secondary Plan. As such, the recommended Zoning By-Law Amendment conforms to the intent and regulations of the City of London Z.-1 Zoning By-Law.

Conclusion

The purpose of the LPH Secondary Plan was to establish a vision, principles and policies for a large-scale comprehensive mixed-use development including residential, commercial, institutional, open space and heritage conservation land uses. The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the LPH Secondary Plan, The London Plan, and the 1989 Official Plan policies. The proposal facilitates the development of an underutilized site and provides an appropriate form and scale of development. As such, the recommended Zoning By-Law Amendment and proposed development are appropriate and desirable for the subject lands, and represents sound land use planning.

Prepared by:

Alanna Riley, MCIP RPP
Senior Planner, Planning Policy

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

CC: Michael Tomazincic, MCIP RPP, Manager Current Planning
AR/ar

Y:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2020 Applications 9165
to\9276Z - 1414 Dundas Street\Draft PEC.docx

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21 _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1414
Dundas Street.

WHEREAS Humane Society London & Middlesex have applied to rezone
an area of land located at 1414 Dundas Street, 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 1414 Dundas Street, as shown on the attached map comprising
part of Key Map No. A108, from a Commercial Recreation (CR) Zone and a
Regional Facility (RF) Zone to a Restricted Service Commercial Special Provision
(RSC2()) Zone.
- 2) Section Number 28.4 of the Restricted Service Commercial Zone is amended by
adding the following Special Provision:
 -) RSC2() 1414 Dundas Street
 - a) Regulations
 - i) Lot Frontage 35.0 metres (114.8 feet)
(Maximum)
 - ii) No parking area permitted between the treed allée
and any building
 - iii) 5.0 metre landscaped buffer area adjacent to the west
interior side yard setback parallel to the treed allée

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.

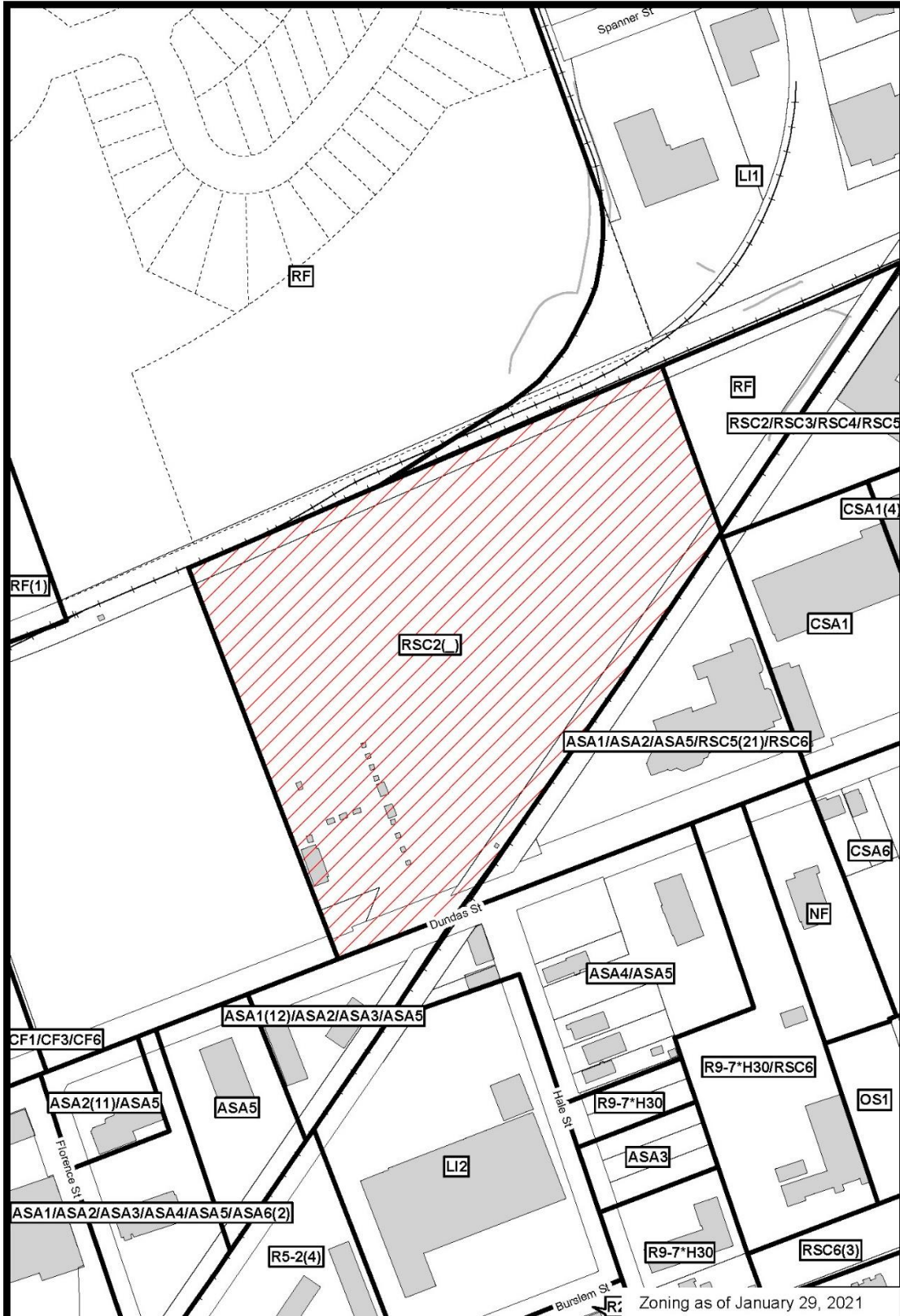
PASSED in Open Council on April 6, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – April 6, 2021
Second Reading – April 6, 2021
Third Reading – April 6, 2021

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




File Number: Z-9276
Planner: AR
Date Prepared: 2021/03/09
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On November 28, 2020, Notice of Application was sent to 57 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 28, 2020. A “Planning Application” sign was also posted on the site.

Responses: Two responses for support

Nature of Liaison:

The purpose and effect of this zoning change is to permit a 1-storey building to house the Humane Society Headquarters, kennels, accessory office space, and associated outdoor areas for animals.. Possible change to Zoning By-law Z.-1 **FROM** a Commercial Recreation (CR) Zone and a Regional Facility (RF) Zone **TO** a Restricted Service Commercial (RSC2) Zone.

Agency/Departmental Comments

Urban Design

Staff have reviewed the proposal summary for the above noted pre-application and provide the following urban design related comments consistent with the Official Plan and applicable by-laws and guidelines:

- The proposed development, in its current form, does not conform to the form and urban design policies found within the Council approved London Psychiatric Hospital Secondary Plan (LPHSP).
- Consistent with the applicant’s analysis of the LPHSP, the following built form and site layout policies apply:
 - For Area 2, west of the Allée, ensure proposed buildings are between 3-6 storeys in height with residential above any of the ground floor commercial. [Schedule 4]
 - Locate buildings parallel to Dundas Street and the Treed Allée. Orient any proposed buildings adjacent to the Dundas Street corridor to the street, similarly orient any proposed buildings adjacent to the treed allée to the open space. Provide for a ground floor design that includes large windows, canopies and entrances facing the street and the open space. [20.4.4.10.ii) b), and 20.4.3.3.3.iii c), e), f)]
 - Include a corner treatment for the buildings located on either side of the Treed allée along the Dundas Street corridor as this location is identified as a gateway location. [20.4.4.10.i)]
 - Ensure proposed buildings are appropriately scaled and located on the site to provide visual interest and enclose the street and help frame the identified view corridor along the treed allée. [20.4.3.3.3.iii g) and 20.4.4.10.i n)],

This application is to be reviewed by the Urban Design Peer Review Panel (UDPRP), and as such, an Urban Design Brief will be required. UDPRP meetings take place on the third Wednesday of every month, once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant’s agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs please contact Wyatt Rotteau at 519.661.2500 x7545 or by email at wrotteau@london.ca.

Urban Design Peer Review Panel

Comment:
A more transparent analysis of various design options and trade-offs, considering the project team's and City's objectives for the site, is warranted. The submitted brief focuses on rationalizing a specific outcome and does not provide sufficient transparent design analysis to understand the benefits and trade-offs to various site design configurations.
Applicant Response:
The submitted PDR was intended to provide design details for a specific development proposal and address applicable land use policies in order to justify a proposed Zoning By-Law Amendment to permit the use. If a different viewpoint is required perhaps it is more appropriately arrived at through the City's review of the Zoning By-Law Amendment application. It is also noted that the proposed development is highly unique and will not function with another layout.
Comment:
Shift the building placement southwest to the intersection of Dundas Street and the Treed Allee to deliver the urban edge/gateway conditions envisioned by the secondary plan. This design shift will result in the parking being appropriately positioned and screened to minimize negative impacts (e.g., noise, fumes, light spillover, visual impact) on the cultural heritage landscape.
Applicant Response:
It may be possible to shift the building south, but not to the west, due to the required site configuration. The 10m landscaped buffer is an appropriate interface with the Treed Allee. The parking can be completely screened by the use of landscaping and will not have a detrimental effect on the cultural heritage landscape. Furthermore, a parking lot has existed in the same general area as is proposed for many years. A gateway feature can be provided at the corner location, but does not need to include a functional building.
Comment:
The Panel recognizes the access constraints and the limited opportunities for positioning of the driveway location. In this regard, some flexibility to the "gateway" design policy may be appropriate to allow for a drive aisle parallel to Dundas Street to access the parking area east of the building.
Applicant Response:
Acknowledged.
Comment:
Orient the principal building entrance toward the southwest corner of the site, adjacent to the Treed Allee and the Dundas Street frontage.
Applicant Response:
Due to the function of the proposed use, the principal building entrance is best located as proposed, facing the Treed Allee. Ample pedestrian connections are provided to Dundas Street, should pedestrians choose to make use of the site.
Comment:
Explore the reconfiguration of internal public/common spaces to allow for elements of transparency and openings adjacent to the Treed Allee which could help foster public interest in Humane Society programming and better leverage the adjacency with the public open space for employees, volunteers, visitors, etc.
Applicant Response:

We have reviewed opportunities for the reconfiguration of the site. There are no other configuration options available that function sufficiently for the proposed use. There is no intent to foster public interest through public proximity to animal handling areas; such a relationship would cause security concerns.

Comment:

The proposed building should strive to further introduce low slung elements such as canopies, varying rooflines and intimately scaled fenestration to break down the large bulk of the building mass and avoid the “big-boxed” approach.

Applicant Response:

Acknowledged.

Comment:

The proposed 10 metre landscape strip does not contribute to the urban edge conditions planned along the Treed Allee in the manner contended by the Applicant. However, a tree protection plan should be prepared and submitted to, partially, inform appropriate building setbacks from the Treed Allee.

Applicant Response:

It is not intended that the proposed use provide an urban edge along the Treed Allee. Rather, the 10m landscaped area offers an opportunity to screen parking with landscape features.

Comment:

Maximum building setback provisions from the west and south property lines.

Applicant Response:

It is unclear what this comment is intending to achieve. Implementation of a maximum setback may be regarded as appropriate if it is sufficiently large to permit the development proposal.

Comment:

A minimum width/proportion for the ground floor façades facing the front and west lot lines to ensure a continuous building face along the Dundas Street and the Treed Allee.

Applicant Response:

It is unclear what this comment is suggesting. The proposed building, while set back from Dundas Street for functional and practical reasons, will be a positive addition to the streetscape.

Comment:

Regulations prohibiting parking, stacking lanes, or aisles between the required building façade and the shared lot line with the Treed Allee.

Applicant Response:

This comment is uninformed and takes an overly restrictive interpretation of the policy. The actual policy only addresses surface or structured parking, not a drive aisle or stacking lane, located adjacent to the Allee. We have provided an interpretation to this policy in our submissions that the 10m landscape buffer is sufficiently wide to meet the intent of the policy (see page 23 in the Planning and Design Report).

Comment:
A requirement for a minimum of one principal entrance to be provided along the ground floor façade facing the Treed Allee and/or Dundas Street with the entry being accessible by direct pedestrian connections to a public sidewalk or pathway.
Applicant Response:
The front of the building clearly addresses Dundas Street with a significant landscaped area and architectural feature. There is a direct pedestrian connection from Dundas Street to the main entry.
Comment:
Provision(s) requiring a minimum of proportion of the ground floor façade facing the Treed Allee and Dundas Street be comprised of openings (doors and windows) and transparent materials to allow for views into and out of the building and activation/passive surveillance of the adjacent public space.
Applicant Response:
It is unclear if this comment is referring to an established policy or is a suggestion for an implementing zoning regulation. Regardless, it is important to note that there is a specific and desirable function that the building is housing, and that, while as large a proportion of building openings facing south and west will be provided, there is a practical limit as to what can be achieved.
Comment:
Reduction to the overall proportion of hardscape and surface parking. A Transportation Demand Management study should be carried out with a view to optimizing the provision of parking (i.e., reducing the potential for surplus and/or underutilized surface parking areas).
Applicant Response:
Acknowledged. Parking may be reduced. A Transportation Demand Management study is not required when meeting the requirements of the Zoning By-Law.
Comment:
Exploration of further greening of the extensive hardscaped areas with potential inclusion of LID features such as bioswales and rain gardens.
Applicant Response:
This will be explored through the Site Plan Approval Process.
Comment:
Provide further details on potential naturalization efforts or enhancements to the 30 metre wetland buffer lands.
Applicant Response:
This will be explored through the Site Plan Approval Process.

Parks

Parks Planning and Design staff have reviewed the proposal summary for the above noted pre-application and provide the following comments:

- Parkland dedication has not been provided for these lands and is required for this proposed development.
- The proposed development does not conform to the parks and pathway plan approved in the London Psychiatric Hospital Secondary Plan.
 - An east-west multi-use pathway corridor is to be located along the north boundary of this site connecting to lands north, south and west. Please see attached plan.
 - The Treed Allée is to be protected and used as a north-south pedestrian corridor along the existing driveways. Lands within the Treed Allée may be dedicated to the City or may be retained by the owner with a public easement placed over the pathway lands. It is of note, the trees within the Allée are to be maintained and protected.
 - There is to be no vehicular access to the Treed Allée.
 - The City of London owns a parcel of land east of the site is to be accessed from the public pathway network.
 - A connectivity plan, including the above comments will be required as part of a complete application.
 - The LPH Secondary Plan delineated an open space and park plan based on cumulative parkland dedication requirement for the entire secondary plan area. Staff would like to discuss how to resolve the balance of parkland dedication required for this site and the entire LPH lands.

Heritage

Archaeological

This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment for complete application requirements (Z-9276):

- Archaeological Services Inc. *Stage 1 & 2 Archaeological Assessment London Psychiatric Hospital, 850 Highbury Avenue North, City of London [...] Part 2: Lands to be Severed.* (MCL CIF # P061- 022 & P117-029), January 2005.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: “[t]he balance of the subject property may be considered free of any further archaeological concern.” (p8) Note that the ‘balance’ includes the proposal/application site (Z-9276). For additional clarification of assessment area and clearance of potential, reference text and mapping attached to this memo. An archaeological assessment compliance letter was issued, April 23, 2010, by the then Ontario Ministry of Tourism and Culture. The letter was issued for compliance of the required Stage 3 archaeological assessment for site AfHh-363 which was registered as an outcome of the above Stage 1 & 2 archaeological assessment. The Ministry indicated in this letter that “satisfaction of concerns for archaeological sites have been met for the area of this development project as depicted by Figure 2 of the above titled report.” [See attached]. This area of development includes and corresponds to the property for this application

Heritage Impact Study

Development Services heritage planning staff has reviewed the following heritage impact assessment (HIA) and finds the report's (analysis, conclusions and recommendations) to be sufficient to fulfill the heritage impact assessment condition for (Z-9276):

- ASI (2020, August 13rev). *Heritage Impact Assessment, Humane Society London and Middlesex, 850 Highbury Avenue and 1414 Dundas Street.*

Staff appreciates the completeness and thoroughness with which the HIA has been prepared, as well as the analysis undertaken that directly addresses impacts and proposes mitigative measures. Staff particularly notes and supports the following assessment summary points:

- The proposed development is not anticipated to have any negative impacts on the adjacent listed property at 1340 Dundas Street. (p48)
- The development proposal responds to many of the site's conservation requirements. (p47)
 - o The proposal avoids use of the treed allée for vehicular traffic
 - o The proposed building is designed with an orientation towards the treed allée
 - o Development on the east side of the treed allée is set back a minimum of 5m from the limit of the root zone (drip line).
 - o The site plan has provided for a 10m landscape screening/buffer between the treed allée and the proposed parking area.
 - o The building is sited parallel to the cultural heritage landscape area with the main entrance addressing the Heritage Area.
- Mitigative measures and recommendations (pp48-49)
 - o Landscaping treatments for areas between the treed allée and the building to minimize impacts.
 - o Further consideration of the gateway function of the treed allée where it intersects with Dundas Street by the H.S.L.M.
 - o Vehicular access routes to the new H.S.L.M. facility should be sensitively planned.
 - o Staging and construction activities should be planned to ensure protection of all trees which form the Treed Allée and appropriate tree preservation measures are in place to that the root systems are fully avoided within the tree protection area.

Based on the review of the HIA and **implementation of mitigative measures and recommendations outlined in the HIA** (pp48-49), heritage staff is satisfied that it has been sufficiently demonstrated that significant heritage attributes will be conserved, and the HIA can be accepted to meet the ZBA complete application requirements for (Z-9276). Finally, implementation of mitigation measures outlined in the HIA should be addressed through site plan approval. The applicant will be required to obtain heritage alteration permit approval.

Upper Thames River Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

CONSERVATION AUTHORITIES ACT

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. It is our understanding that there is a wetland feature located on the eastern portion of the lands that does not meet the definition under the *Conservation Authorities Act*; we recommend that the City undertake the necessary review of any development within or adjacent to this feature.

DRINKING WATER SOURCE PROTECTION: *Clean Water Act*

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are 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: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

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

Tree Preservation

DS has reviewed the Tree Preservation Plan and Tree Preservation Report, August 2020, prepared by Dan Weagant for the 1414 Dundas St. We have no concerns with regards to the completeness and accuracy of the tree inventory and assessment. The report was prepared in accordance with Section 20.4.4.7 ii) of the London Psychiatric Hospital Secondary Plan (LPHSP) 2016.

Appropriate setbacks have been proposed along the east side of the Grand Allee to protect trees: a parallel line three metres east of the surveyed dripline.

The construction mitigation recommendations in the Tree Preservation Report need to include the following as it pertains to excavating near the retained trees in the Grand Allee:

1. During installation of all tree protection and silt fencing, roots shall be located by hand digging or low pressure hydro-vac/compressed air.

The 5 tree removals as proposed are acceptable.

Engineering

- As part of a complete application a Transportation Impact Assessment (TIA) will be required, the TIA will need to be scoped with City staff prior to undertaking and be carried out in general conformance with the City's [TIA guidelines](#)
- As part of a complete application, the Applicant it to demonstrate how these proposed commercial buildings are intended to be serviced (water, storm, sanitary, access) and confirm the capacity in the receiving sewers (sanitary and storm).
- Area 1, the eastern portion of the site contains a wetland feature, therefore the applicant is to engage as early as possible with UTRCA and City staff to confirm any requirements/approvals for this site, including confirmation as to required setbacks.

Water

- Due to the proposed zoning and multiple buildings pads, premise isolation (DCVA) will be required at property line.
- The Owner is to confirm the ownership of the site. Is this all one site or will there be separate ownerships/properties? Each property will be required to have its own water service connection to a municipal watermain to avoid the creation of a non-municipal regulated drinking water system.

Sewers

- The subject lands are located just to the north of Dundas Street. There is a 600 mm diameter municipal sanitary sewer on Dundas Street.

Stormwater

1. Area 1, proposed Humane Society would be tributary to the 450mm storm sewer on Dundas Street. The original design of the sewers on Dundas Street, did not

- account for this proposed development. The consultant will be required as part of the servicing brief to include a sewer capacity analysis (design sheet) to demonstrate available capacity. This analysis shall include the delineation of upstream catchments areas and associated runoff coefficients, etc.
2. Area 2, proposed commercial block would be tributary to the 375mm storm sewer on Dundas Street. The original design of the sewers on Dundas Street, did not account for this proposed development. The consultant will be required as part of the servicing brief to include a sewer capacity analysis (design sheet) to demonstrate available capacity. This analysis shall include the delineation of upstream catchments areas and associated runoff coefficients, etc.
 3. Areas 1 & 2; as per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
 - shall comply with riparian right (common) law.

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

4. Areas 1 & 2; the number of proposed/existing parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 70% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devices.
5. To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
6. Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
7. These site plans may be eligible to qualify for a Stormwater Rate Reduction (up to 50% reduction) as outlined in Section 6.5.2.1 of the Design Specifications and Requirements manual. Interested applicants can request more information and an application form by emailing stormwater@london.ca.
8. The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.

Transportation

As the Rapid Transit project will drive all development down this corridor in the coming years I find that the few recommendations outlined in the TIA to be covered through this redevelopment.

Transportations one recommendation would be a right-turn taper into the site, this will be a small turn taper to avoid any conflict within the Rail line ROW. Likely a short taper

with storage for one vehicle. This is recommended to be implemented into the design for this site.

No further recommendations or comments from Transportations perspective.

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.

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

London Psychiatric Hospital Secondary Plan

20.4.1 Introduction

Vision Principles

20.4.2 Community Structure Plan

Cultural Heritage

Landscape Heritage

Landmarks Edges and Interfaces

Nodes Linkages and Transportation System

Building Height Plan

Urban Design Priorities

20.4.3 Area Land Use Designations

Village Core Area Designation

Transit Oriented Corridor Area Designation

Academic Area Designation

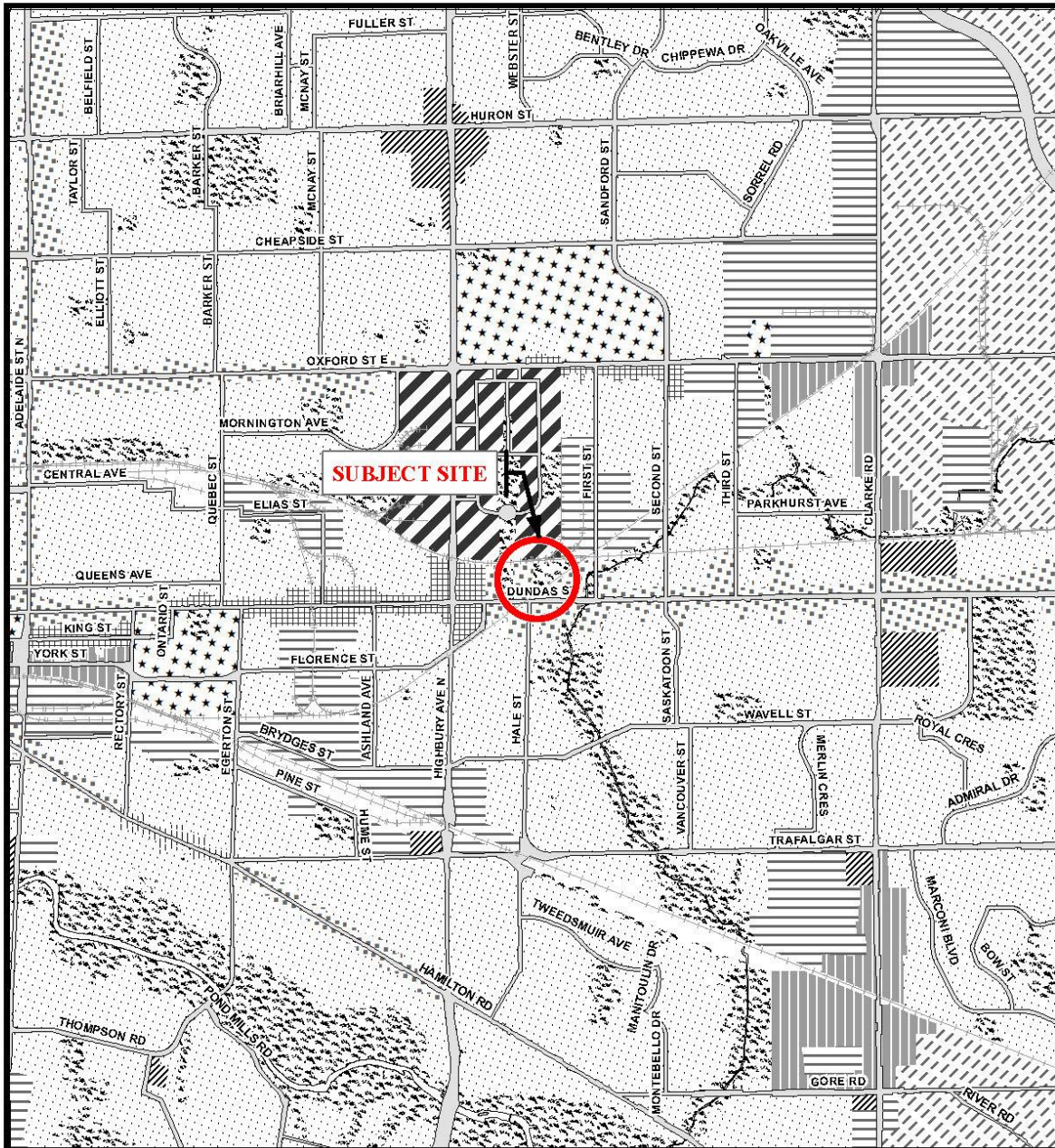
Residential Area Designation
Heritage Area Designation
Open Space Area Designation

20.4.4 General Policies

Heritage and Archaeology
Housing
Noise/Land Use Compatibility
Sustainable/"Green" Development
Community Parkland
Parkland Dedication
Natural Heritage
Stormwater Management
Transportation
Urban Design

Appendix D – Relevant Background

The London Plan – Map 1 – Place Types



Legend

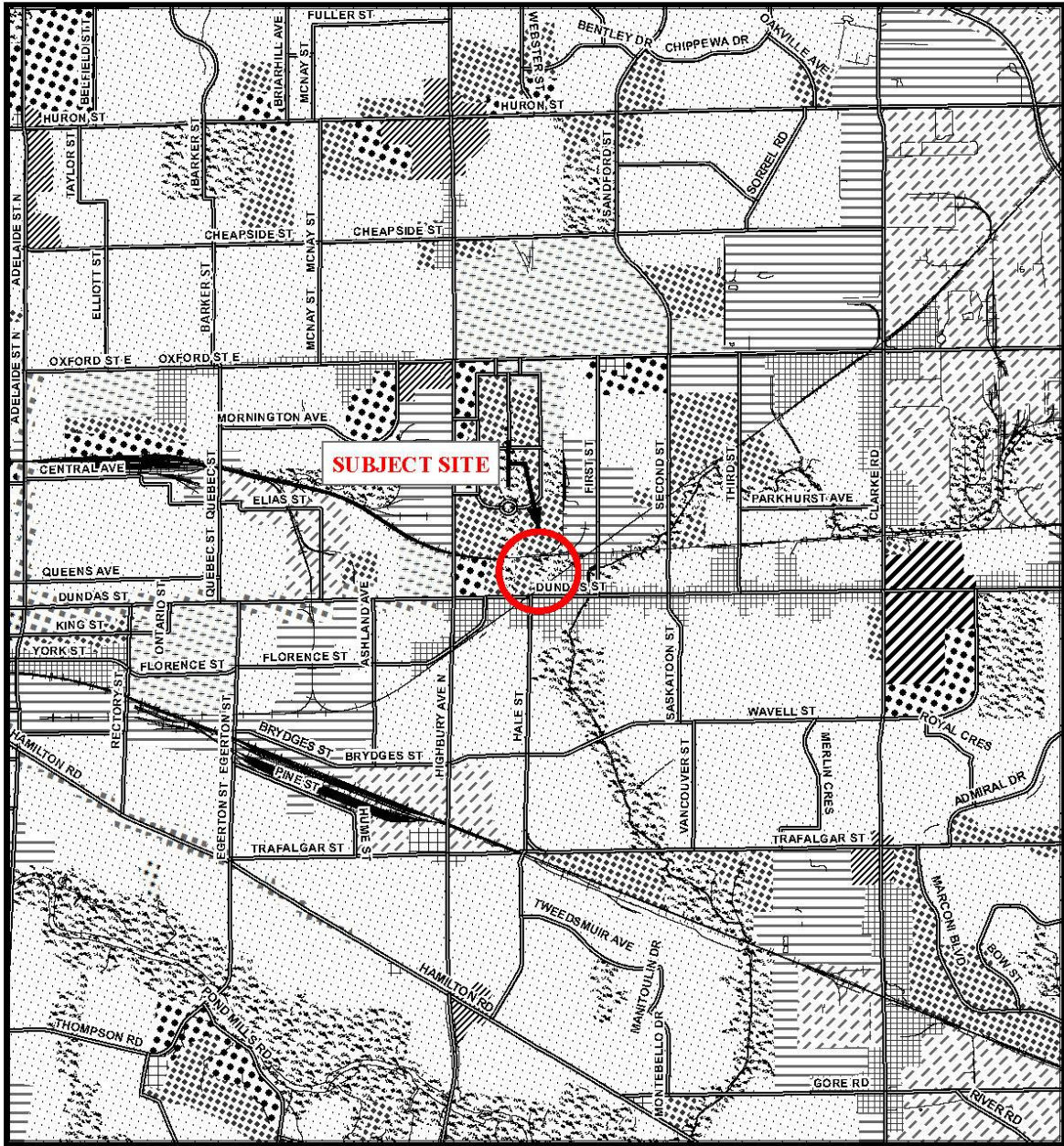
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street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

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

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

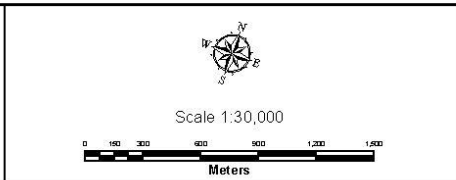
<p>CITY OF LONDON Planning Services / Development Services</p> <p>LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>0 100 200 300 400 500 600 700 800 900 1,000 1,200 1,400</p> <p>Meters</p>	<p>File Number: Z-9276</p> <p>Planner: AR</p> <p>Technician: RC</p> <p>Date: November 27, 2020</p>
---	--	--

1989 Official Plan – Map 1 – Land Use



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

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



FILE NUMBER: Z-9276
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2020/11/27