

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: Prince Antony
611-615 Third Street
Public Participation Meeting

Date: March 29, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Prince Antony relating to the property located at 611-615 Third Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 13, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Neighbourhood Facility (NF) Zone, **TO** a Residential R8 Special Provision Bonus (R8-4()*B-) Zone;

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 4-storeys, 20 dwelling units and a maximum density of 96 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

1. Provision of Affordable Housing

The affordable housing shall consist of:

- i) A total of three (3), three-bedroom units and one (1), one-bedroom unit, including one (1) accessible three-bedroom unit and one (1) accessible one-bedroom unit;
- ii) Rents for the three (3), three-bedroom units and one (1), one bedroom unit be set at 80% of the CMHC Average Market Rent (AMR) for the London CMA at the time of occupancy;
- iii) That the period of affordability be identified as being thirty (30) years from the point of initial occupancy; and,
- iv) That the Proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the three (3), three-bedroom units and one (1), one-bedroom unit with priority populations.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the development of a 4-storey, 20-unit apartment building.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit a 4-storey, 20-unit apartment building. The following special provisions would facilitate the proposed

development: a minimum front yard depth of 2.2 metres; a minimum interior side yard depth of 4.57 metres; and a minimum parking rate of 1.05 spaces per unit, for a total of 21 spaces. The recommended action would also permit a maximum building height of 15.8 metres and a maximum density of 96 units per hectare, in return for four affordable housing units for a period of 30 years at 80% average market rate and that the Proponent be required to enter into a Tenant Placement Agreement with the City of London to align the four units with priority populations.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that 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 recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation and Near-Campus Neighbourhoods;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development.

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 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is located on the westerly side of Third Street. The subject site has an area of approximately 0.21 hectares and is comprised of two separate parcels. The subject site is developed with two single detached dwellings. The site has a frontage of approximately 46.49 metres and a depth of approximately 44.95 metres. The site is relatively flat in topography.



Figure 1: 611-615 Third Street (view from Third Street)

1.3 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 – Neighbourhood Facility (NF) Zone

1.4 Site Characteristics

- Current Land Use – Single detached dwellings
- Frontage – 46.49 metres
- Depth – 44.95 metres
- Area – 2,089.16 square metres
- Shape – Rectangular

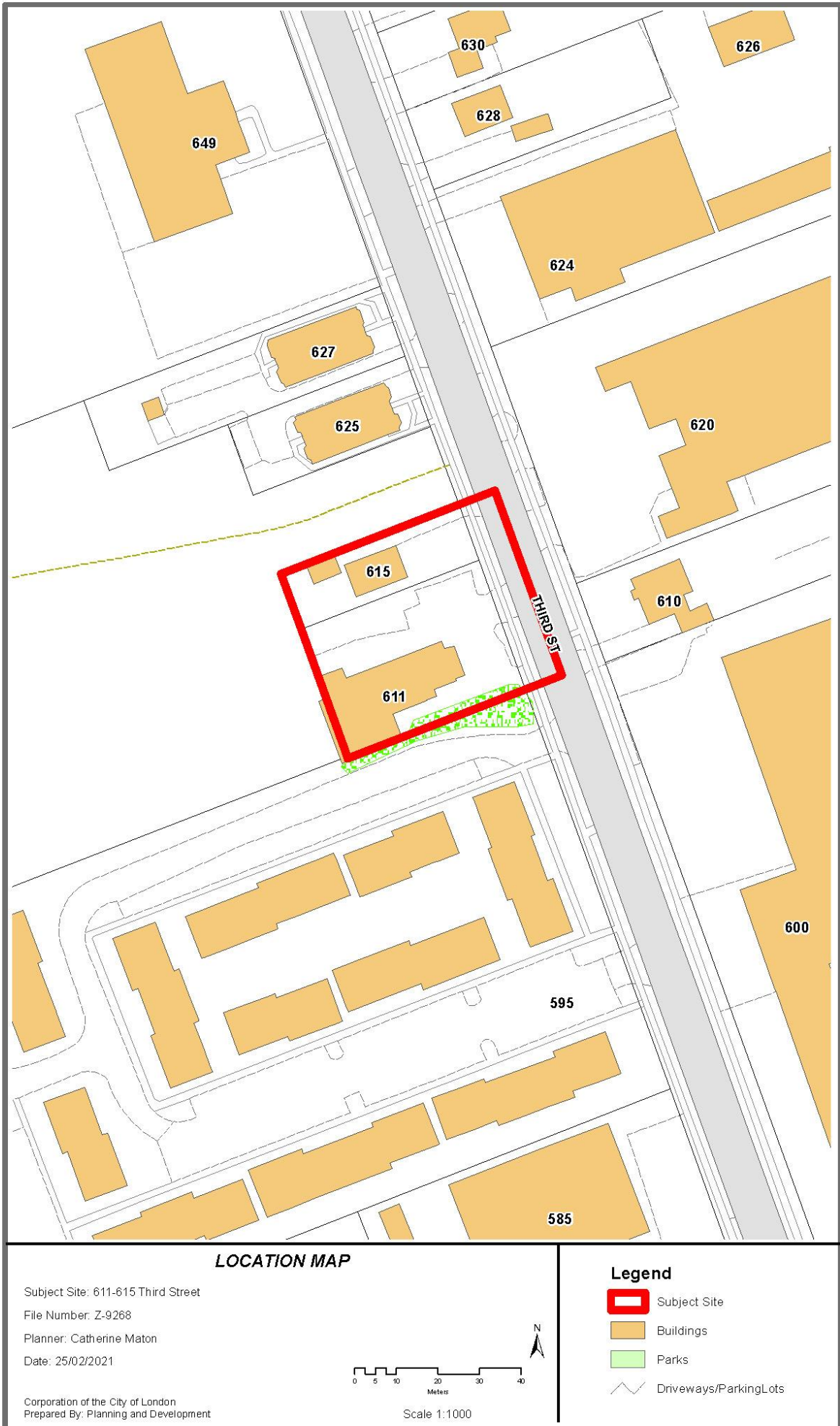
1.5 Surrounding Land Uses

- North – Residential (low rise apartment buildings)
- East – Light industrial (auto body)
- South – Residential (townhouses)
- West – Institutional (F.D. Roosevelt Public School)

1.6 Intensification

The proposed 20 residential units represent intensification within the Built-Area Boundary. The proposed residential units are located outside of the Primary Transit Area.

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The owner is proposing a 4-storey, 20-unit apartment buildings, as depicted in Figure 2 below. 16 units will be market-rate, while 4 units are proposed for affordable housing. Parking is proposed in a surface parking located in the rear yard behind the building. Front and rear renderings of the proposed apartment building are contained in Figures 3 and 4.

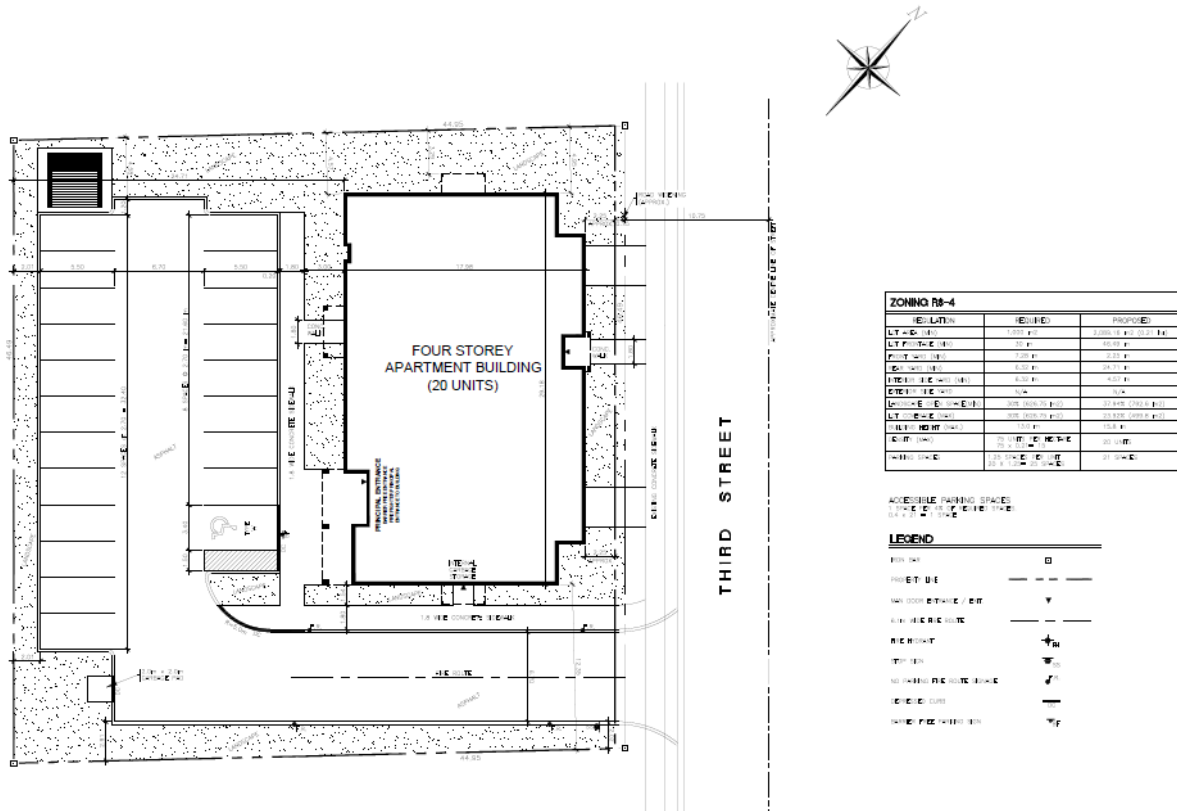


Figure 2: Site concept plan



Figure 3: Rendering – front view



Figure 4: Rendering – rear view

2.2 Requested Amendment

The applicant has requested to change the zoning on the subject site from a Neighbourhood Facility (NF) Zone, which permits a range of institutional uses, to a Residential R8 Special Provision Bonus (R8-4()*B-) Zone. Special provisions for reduced front yard depth, reduced interior side yard depth, and reduced parking are proposed. An increase in the maximum building height and density are proposed in return for affordable housing.

2.3 Community Engagement (see more detail in Appendix B)

Three written responses and one phone call were received from four neighbouring property owners, which will be addressed later in this report. The primary concerns were related to over-intensification, parking, and proximity to existing industrial uses.

2.4 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 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The London Plan

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

the purposes of this planning application.

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

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

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 Neighbourhoods Place Type on a Neighbourhood Connector, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as townhouses and triplexes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The maximum permitted height is 2.5-storeys (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The subject lands are located within a Near-Campus Neighbourhood in proximity to Fanshawe College, as identified on *Map 7 – Specific Policy Areas of The London Plan.

1989 Official Plan

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 (3.3).

The subject lands are located within a Near-Campus Neighbourhood in proximity to Fanshawe College, as identified on Figure 3-1 “Near-Campus Neighbourhoods Area” of the 1989 Official Plan.

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 encourages 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 to meet long-term needs

(1.1.1b)). The PPS also promotes 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 (1.1.1e)).

The PPS directs settlement areas to 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). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed 4-storey, 20-unit apartment building contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents. No new roads or infrastructure are required to service the site, making efficient use of land and existing services.

The London Plan

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed 4-storey, 20 unit apartment building would contribute to a mix of housing types, providing more intrinsically affordable housing options.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting on a Neighbourhood Connector. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921_). At this location, Table 10 would permit a range of low-rise residential uses including: single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, townhouses, and triplexes. However, low-rise apartment buildings are directed to either sites fronting on higher order streets or corner properties located, at minimum, at the intersection two Neighbourhood Connectors.

While the proposed low-rise apartment use does not conform to Table 10, *Map 1 – Place Types designating these lands in the Neighbourhoods Place Type is currently under appeal. Accordingly, these policies are informative but are not determinative and cannot be relied on for the review of the requested amendment as the policy framework for this site is in a period of transition between the 1989 Official Plan and The London Plan.

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). As such, staff is satisfied the proposed low-rise apartment building use is in conformity with the 1989 Official Plan.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed, is promoted by the PPS (1.4.3d)).

The recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. As the site is currently developed with two single detached dwellings, the proposed development represents a form of intensification through infill redevelopment. The site is located in an area serviced by existing transit and the consolidation of land previously developed as low density residential supports the Province's goal to achieve a more compact, higher density form of development, consistent with the PPS.

The London Plan

*Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted heights based on street classification (*935_1). At this location, *Table 11 would permit a maximum building height of 2.5-storeys. While the 4-storey building height does not conform to *Table 11, these policies are currently under appeal and are not in force and effect. Similar to the above analysis describing the appropriateness of the "use", the policy framework for this site related to "intensity" is in a period of transition between the 1989 Official Plan and The London Plan. Accordingly, The London Plan policies are informative but are not determinative and cannot be relied on for the review of the requested amendment.

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)). Exceptions to the density limit may be made without amendment to the Official Plan for developments which qualify for density bonusing under the provisions of Section 19.4.4 of this Plan (3.3.3 ii) b)). Where exceptions to the usual density limit of 75 units per hectare are made, the 4-storey height limitation will remain in effect. Developments which are permitted to exceed the density limit of 75 units per hectare shall be limited to a maximum density of 100 units per hectare (3.3.3 ii)).

The proposed 4-storey, 20-unit apartment building yields a density of 96 units per hectare. In return for the increase in density, the owner is proposing four affordable housing units for a period of 30 years at 80% average market rate. This conforms to Section 19.4.4, which identifies the provision of affordable housing as a bonusable objective (19.4.4 ii) a)). Staff is satisfied that the provision of affordable housing is commensurate for the requested increase in height and density. As such, staff is satisfied the proposed intensity and scale of development is in conformity with the 1989 Official Plan.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (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 (1.7.1e)).

Consistent with the PPS, the recommended intensification 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 and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed low rise apartment building represents a more compact form of development than the two single detached dwellings that currently occupy the site.

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (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 (953_ 2.a. to 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 (1578_).

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). Where exceptions to the usual density limit of 75 units per hectare are made, the application is to be evaluation on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii)). See Appendix C of this report for a complete Planning Impact Analysis addressing matters of both intensity and form.

Consideration has been given to the form of the proposed development and specific measures to mitigate compatibility concerns. The driveway has been positioned on the southerly portion of the site, abutting the driveway for the neighbouring townhouse dwellings. In addition to a 12.35 metre southerly interior side yard setback, the driveway and parking serving the site to the south provides a greater separation between the proposed low-rise apartment building and existing townhouse dwellings. To the north of the site is an existing fenced walkway leading to F.D. Roosevelt Public School, which provides additional separation between the site and the existing 3-storey apartments located north of the walkway.

The proposed building includes a street-oriented design by reducing the front yard setback, as well as including a principle building entrance and ground floor unit entrances facing Third Street. The building design provides for appropriate scale, rhythm, materials, fenestration on the Third Street frontage, helping to create a comfortable, human-scaled streetscape.

In addition to achieving a street-oriented design, the reduced front yard setback also enables the surface parking area to be located fully in the rear yard, with the majority of spaces screened by the building. No parking spaces are located between the building

and the street and adequate setbacks from interior lot lines have been provided to allow for buffering and landscaping to further screen the parking from adjacent properties.

The Urban Design Peer Review Panel (UDPRP) commended the applicant for the overall site organization, with the building being sited in proximity to the Third Street frontage and all vehicular parking located at the rear screened from view of the public realm. The UDPRP further commented that the building that has an appropriate scale relationship with the street and surrounding built form and the site provides for an appropriate balance of built form and open space.

4.4 Issue and Consideration #4: Near-Campus Neighbourhoods

Near-Campus Neighbourhoods are identified as extremely valuable city neighbourhoods that will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all (963_ and 964_; 3.5.19.3). The policies of The London Plan and 1989 Official Plan establish a number of planning goals in an effort to support this vision for these neighbourhoods (965_; 3.5.19.4.). These goals are intended to serve as an additional evaluative framework for all planning applications within Near-Campus Neighbourhoods, and include:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;
- Identifying strategic locations where residential intensification is appropriate within Near-Campus Neighbourhoods and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;
- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas and recognizing areas that have already absorbed significant amounts of intensification;
- Encourage appropriate forms of intensification that support the vision for Near-Campus Neighbourhoods and encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior of neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties.
- Encourage affordable housing opportunities; and,
- Ensure intensification is located and designed to respect the residential amenity of nearby properties.

In Near-Campus Neighbourhoods, residential intensification or an increase in residential intensity may be permitted in the Neighbourhoods Place Type and Multi-Family, Medium Density Residential designation where the following criteria is met (968_; 3.5.19.9):

- The proposed development is consistent with Tables 10 to 12 in the Neighbourhoods Place Type;
- The development provides for adequate amenity area;
- Mitigation measures are incorporated which ensure surrounding residential land uses are not negatively impacted;
- The proposal does not represent a site-specific amendment for a lot that is not unique within its context and does not have any special attributes;
- The proposal is appropriate in size and scale and does not represent over-intensification of the site; and
- The proposal establishes a positive and appropriate example for similar locations in the Near-Campus Neighbourhoods areas.

Policy 969_ of The London Plan and Policy 3.5.19.5 of the 1989 Official Plan further discourage forms of intensification within Near-Campus Neighbourhoods that:

- Are inconsistent with uses and intensity shown in Tables 10 to 12 of The London Plan;
- Are within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity;
- Require multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
- Are located on inadequately sized lots that do not reasonably accommodate the use, intensity or form of the proposed use;
- Contain built forms that are not consistent in scale and character with the neighbourhood;
- Continue an ad-hoc and incremental trend towards residential intensification within a given street, block or neighbourhood.

In general, Residential Intensification in the form of medium and large-scale apartment buildings situated at appropriate locations in the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations are preferred in Near-Campus Neighbourhoods (3.5.19.6). In areas designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential, planning applications to allow for Residential Intensification or Residential Intensity are directed to those areas located along arterial roads and designated accordingly (3.5.19.9). In areas designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential located in the interior of neighbourhoods, planning applications to allow for Residential Intensification shall only be permitted if the criteria identified above are met (3.5.19.9).

While Third Street is designated as a Secondary Collector on Schedule 'C' of the 1989 Official Plan, rather than an Arterial, staff is satisfied the context of the neighbourhood is unlike that of the interior of a typical neighbourhood. The subject site is located in an area characterized by a broad range of uses, including existing industrial and institutional uses, and a mix of residential uses in the form of single detached dwellings, townhouse dwellings, and low-rise apartments. In this location Third Street acts as the eastern boundary of the residential neighbourhood separating it from the industrial uses immediately to the east. As such, the site is not located in the interior of a typical stable residential neighbourhood and while located on a lower order street, the proposed redevelopment provides for an appropriate transition between the residential uses to the west and the industrial uses to the east.

The consolidation of two properties, previously developed as single detached dwellings, would result in a more coordinated and comprehensive approach to redevelopment. The use of a bonus zone would ensure the form, scale, mass, density, and intensity are appropriate, while also securing four affordable housing units. Staff is satisfied the proposed form, scale, mass, density, and intensity are appropriate for the context of the neighbourhood, as detailed in the Planning Impact Analysis contained in Appendix "C" of this report. The site is of a suitable size to accommodate the proposed apartment building, as well as an adequate supply of parking and common outdoor amenity space.

Notwithstanding the fact that the proposed low-rise apartment is not contemplated in Table 10 and *Table 11 of The London Plan, these policies rely on *Map 1 – Place Types for implementation and therefore are informative but not determinative.

4.5 Issue and Consideration #5: Zoning

In addition to the bonus zone to permit an increase in height and density, the requested amendment also seeks special provisions to permit a reduced front yard depth of 2.2 metres, whereas 7.8 metres is required; a reduced northerly interior side yard depth of 4.57 metres, whereas 6.32 metres is required; and a reduced parking rate of 1.05 spaces per unit (21 spaces), whereas 1.25 spaces per unit (25 spaces) is required.

In the Residential R8 Zone, minimum front/exterior side, interior side, and rear yard depths are established relative to building height resulting in larger setbacks for taller

buildings. However, larger front yard depths are generally less conducive to achieving a street-oriented and transit-oriented building design. The reduced front yard depth reflects current urban design standards in The London Plan, which encourage buildings to be positioned with minimal setbacks to public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (*Policy 259_).

Staff has no concerns with the requested reduction, as it would facilitate a development better oriented towards Third Street. Comments received from Urban Design staff and the Urban Design Peer Review Panel (UDPRP) were supportive of the building orientation towards Third Street, including the principle entrance, and the reduced setback.

The required interior side yard depth is intended to provide adequate separation between the proposed development and adjacent buildings, while also providing access to the rear yard. The northerly interior side yard abuts a fenced walkway leading to F.D. Roosevelt Public School. Staff is satisfied that the reduced northerly interior side yard depth would provide adequate separation between the fenced walkway, which provides further separation between the subject site and the existing 3-storey apartments to the north.

Section 4.19(10)(b) of Zoning By-law Z.-1 provides standard parking rates for specific residential uses based on the number of proposed dwelling units. The applicant is proposing to provide 21 parking spaces, including one barrier-free accessible parking space, whereas 25 parking spaces are required, resulting in a reduction of four spaces.

The subject lands are located within walking and cycling distance to the Fanshawe College main campus and is located along a bus route (#17), which may reduce demand for parking on-site. City Engineering staff have confirmed that the requested reduction of four spaces is minor and have no concerns. Further, planning staff acknowledges that the reduction in parking would facilitate a larger common outdoor amenity space on-site. As such, staff has no concerns with the requested parking reduction.

4.6 Issue and Consideration #6: Proximity to Industrial Uses (D-6 Analysis)

Through the circulation of the application, concerns were raised by the owner of CSN Jones' Auto Body located at 620 Third Street. The primary concerns were related to existing approvals from the Ministry of the Environment, Conservation, and Parks (MOECP) for paint spray booths, and that the intensification of a sensitive land use may impact these approvals.

As part of the complete application, the applicant was required to submit a report providing an analysis of the Province's D-6 Guideline, which guides compatibility between industrial facilities and sensitive land uses. The report concluded that there is no potential for adverse impacts from noise, vibration, dust, or odour and that the proposed residential development is consistent with the other residential developments located in the proximity to the site.

An addendum to this report was provided specifically to address the concerns regarding CSN Jones' Auto Body and their existing MOECP approvals. This addendum advised that there are existing residences adjacent to proposed development, located at equal or closer distances to CSN Jones' Auto Body. The addendum concluded that there are no anticipated any issues with the proposed development.

Staff is satisfied that the adjacent industrial uses will not result in adverse impacts on the proposed residential development, beyond those that already exist, as there are existing sensitive land uses in closer proximity than the subject site. On this basis, staff is further satisfied the proposed residential redevelopment will not impact continued operation of these industrial uses.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

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Senior Planner, Development Services

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services
and Chief Building Official

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 611-615 Third Street.

WHEREAS Prince Antony has applied to rezone an area of land located at 611-615 Third 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 611-615 Third Street, as shown on the attached map comprising part of Key Map No. A108, from a Neighbourhood Facility (NF) Zone to a Residential R8 Special Provision Bonus (R8-4()*B-) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B- 611-165 Third Street

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a residential apartment building, with a maximum height of 4-storeys and a maximum density of 96 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law, and provides for affordable housing. The affordable housing component shall consist of:

- A total of three (3), three-bedroom units and one (1), one-bedroom unit, including one (1) accessible three-bedroom unit and one (1) accessible one-bedroom unit;
- Rents for the three (3), three-bedroom units and one (1), one bedroom unit be set at 80% of the CMHC Average Market Rent (AMR) for the London CMA at the time of occupancy;
- That the period of affordability be identified as being thirty (30) years from the point of initial occupancy; and,
- That the Proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the three (3), three-bedroom units and one (1), one-bedroom unit with priority populations.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations

- | | |
|--------------------------|-------------------------|
| i) Height
(Maximum) | 15.8 metres (51.8 feet) |
| ii) Density
(Maximum) | 96 units per hectare |

3) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

) R8-4() 611-615 Third Street

a) Regulations

- | | |
|---|-------------------------|
| i) Front Yard Depth
(Minimum) | 2.2 metres (7.2 feet) |
| ii) Interior Side Yard Depth
(Minimum) | 4.57 metres (14.9 feet) |
| iii) Parking
(Minimum) | 1.05 spaces per unit |

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.

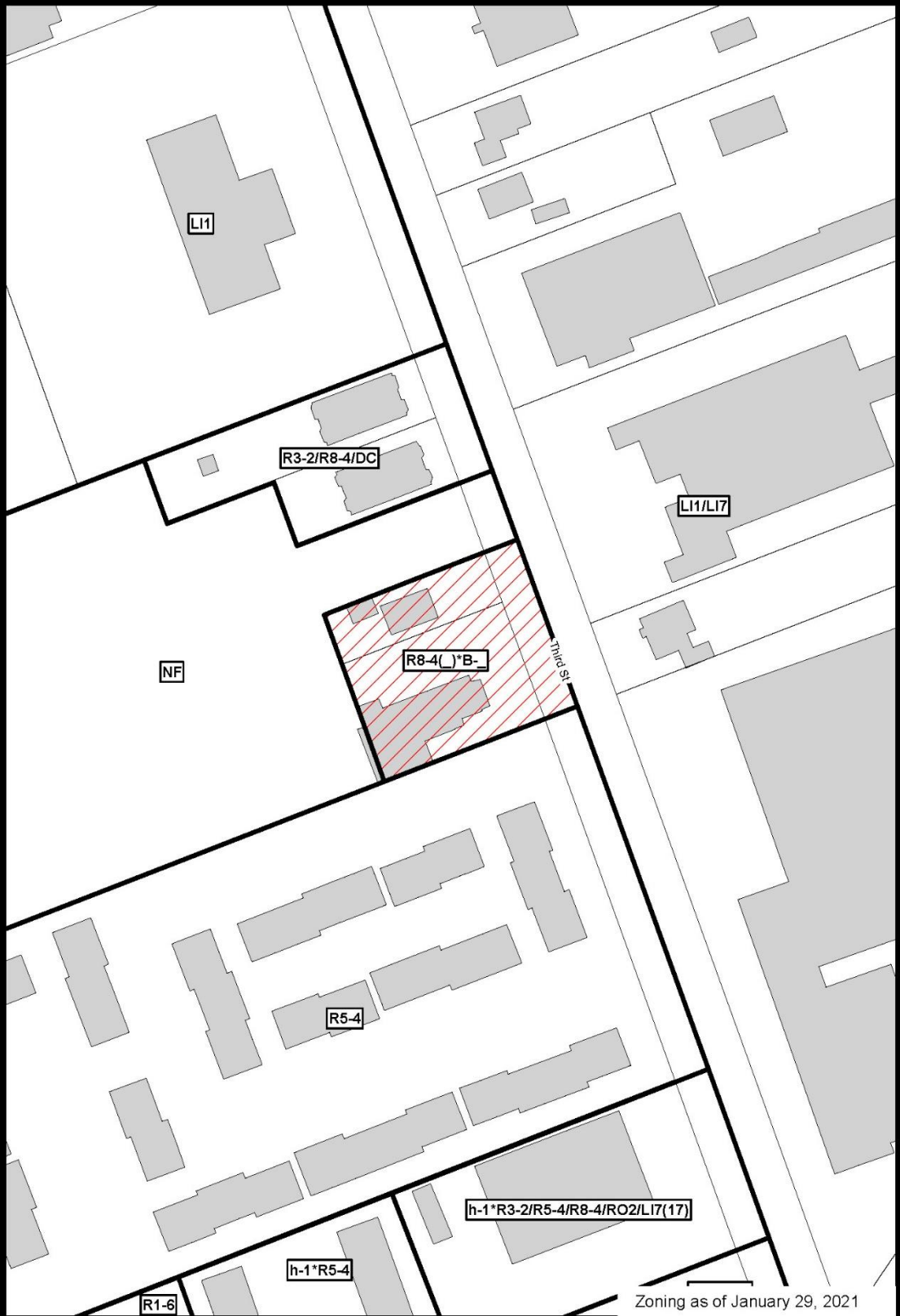
PASSED in Open Council on April 13, 2021.




Ed Holder
Mayor

Catharine Saunders
City Clerk

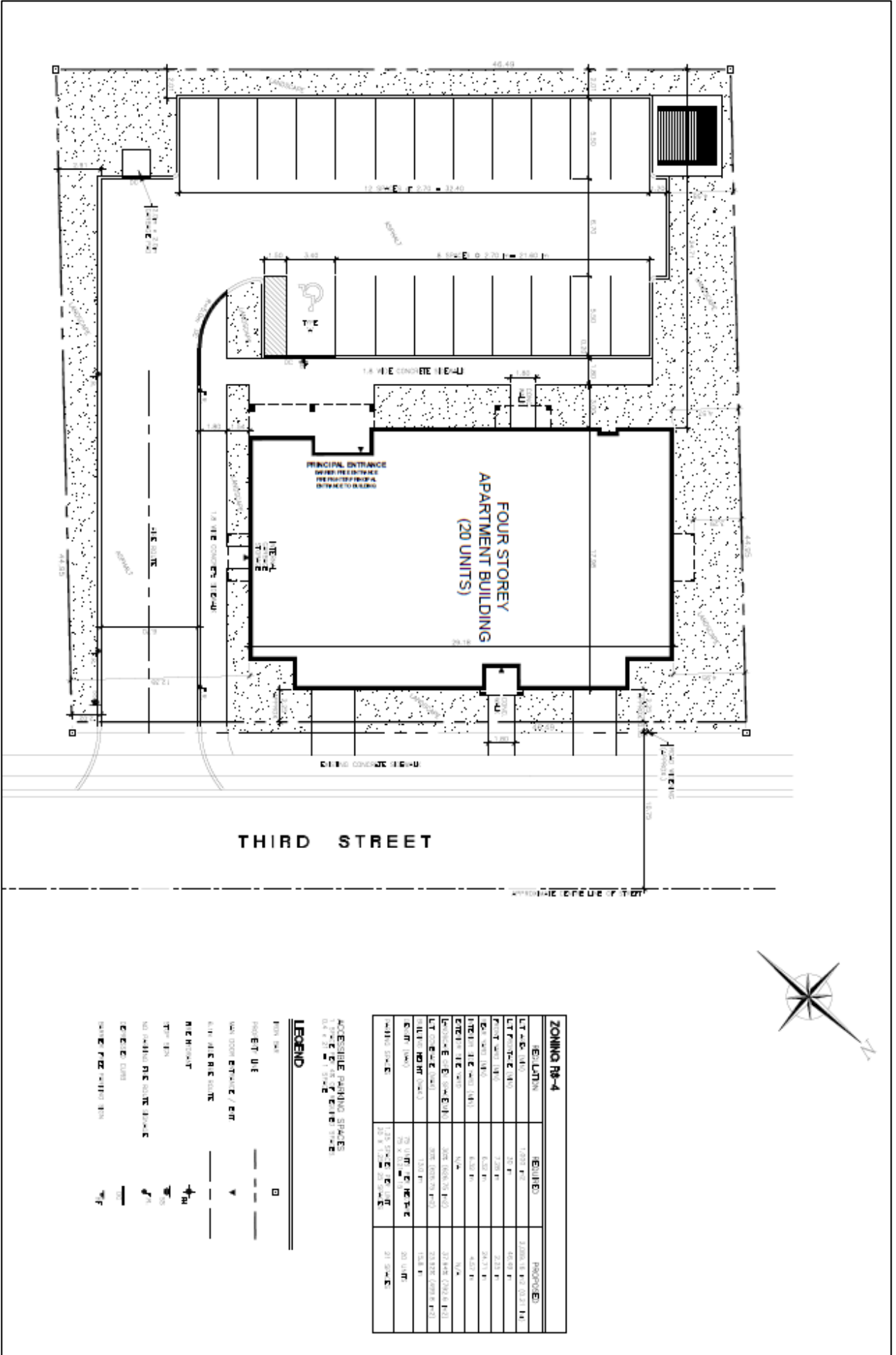
First Reading – April 13, 2021
Second Reading – April 13, 2021
Third Reading – April 13, 2021

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



<p>File Number: Z-9268 Planner: CM Date Prepared: 2021/02/25 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Schedule "1"



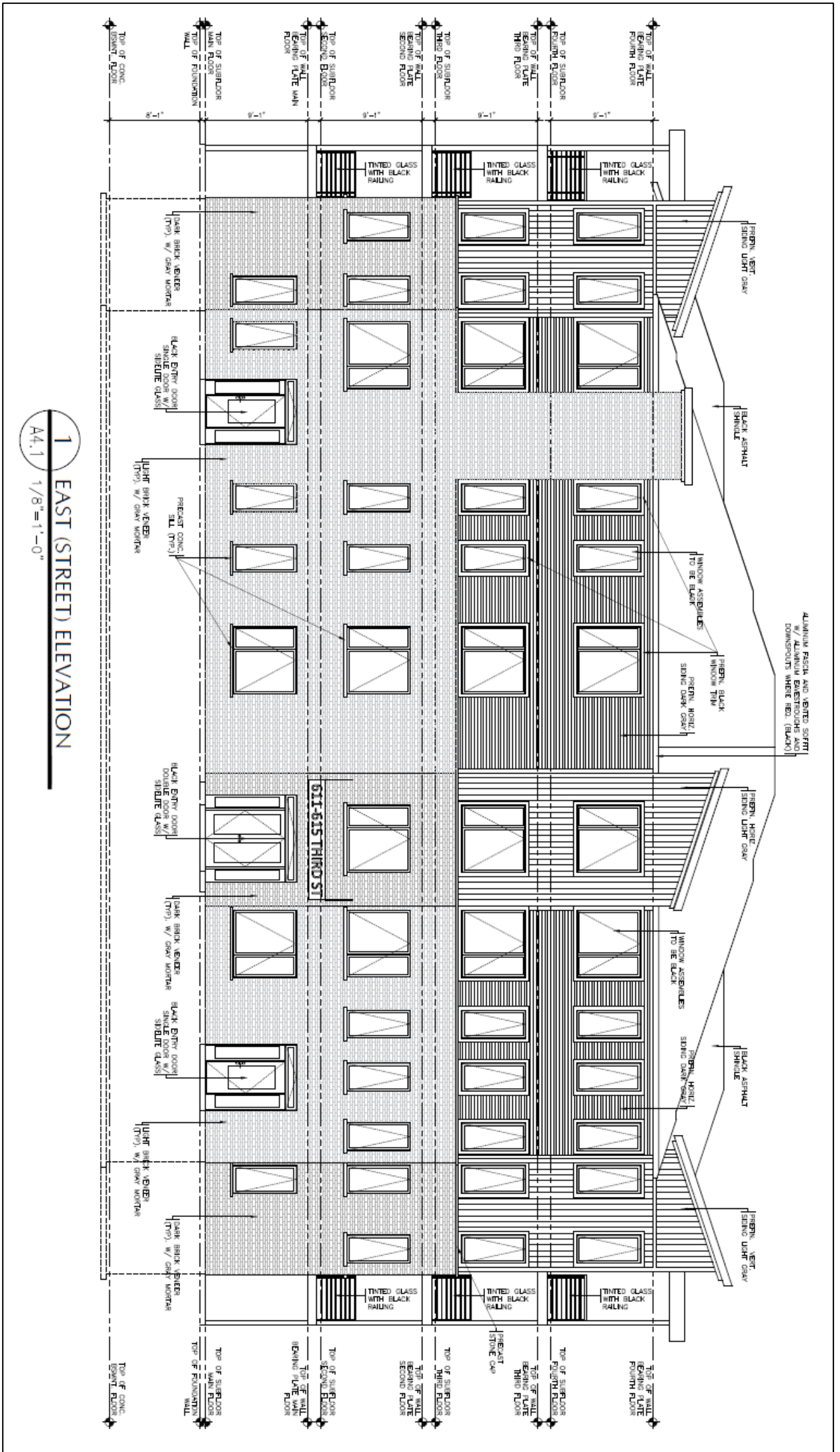
ZONING R8-4

EX-LTN	REQUIRED	PROPOSED
LT-A-C (10)	1500 SF	2,050 SF (1,000 SF)
LT-F-T-E (10)	20 FT	1000 FT
FRONT YARD (10)	7.25 FT	225 FT
STREET (10)	6.25 FT	24.75 FT
INTER. I.C. (10)	6.50 FT	4.50 FT
INTER. I.C. (10)	5.50 FT	5.50 FT
REAR YARD (10)	500 (1000 SF)	37,500 (2000 SF)
LT-C-E-E (10)	200 (1000 SF)	2,000 (1000 SF)
LT-F-T-E (10)	200 (1000 SF)	2,000 (1000 SF)
LT-I (10)	200 (1000 SF)	200 (1000 SF)
ST (10)	20 (1000 SF)	20 (1000 SF)
LT-C-E-E (10)	200 (1000 SF)	20 (1000 SF)

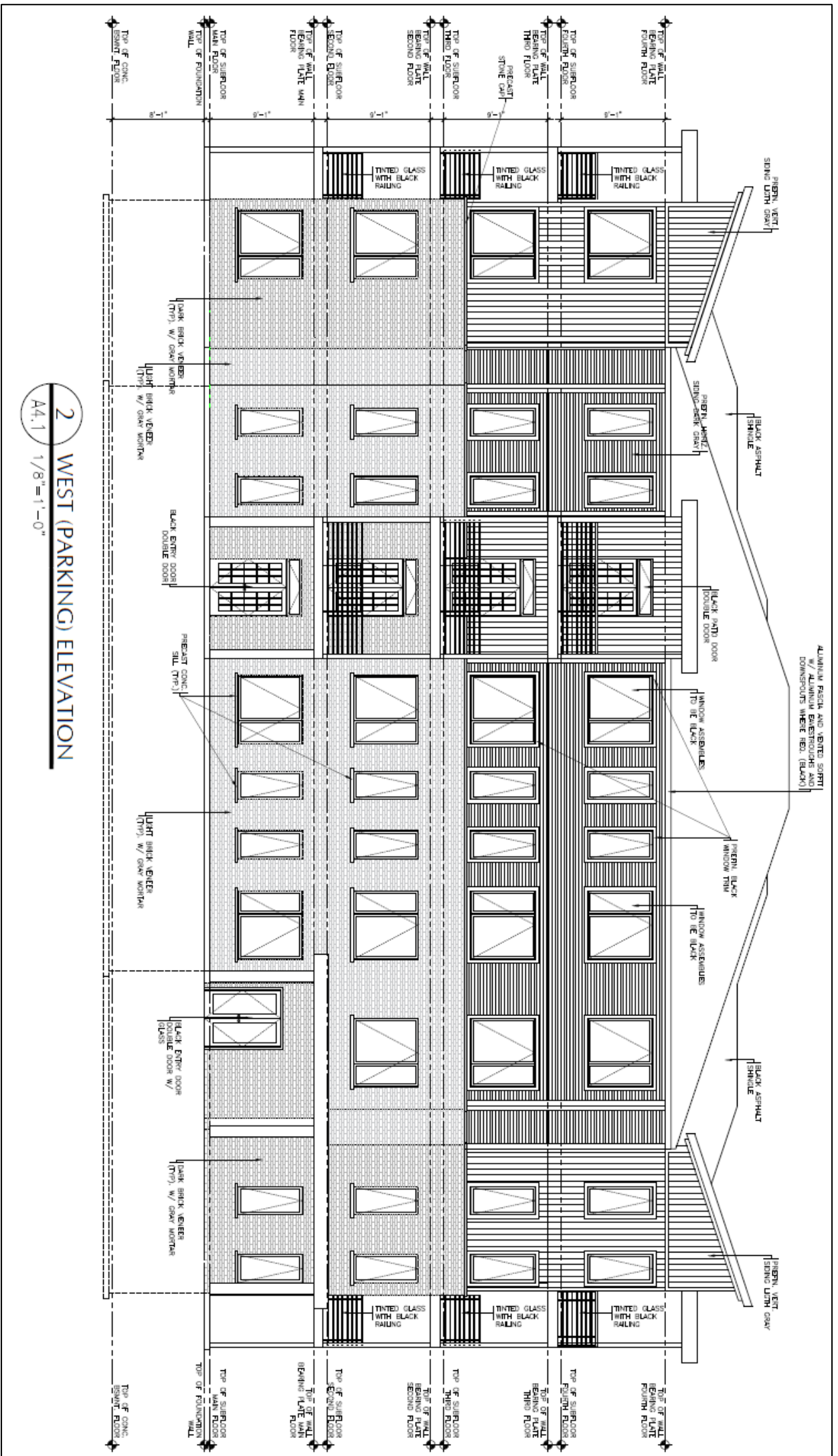
ACCESSIBLE PARKING SPACES
 OF 4.5% OF TOTAL PARKING SPACES
 OF 4.5% OF TOTAL PARKING SPACES

LEGEND

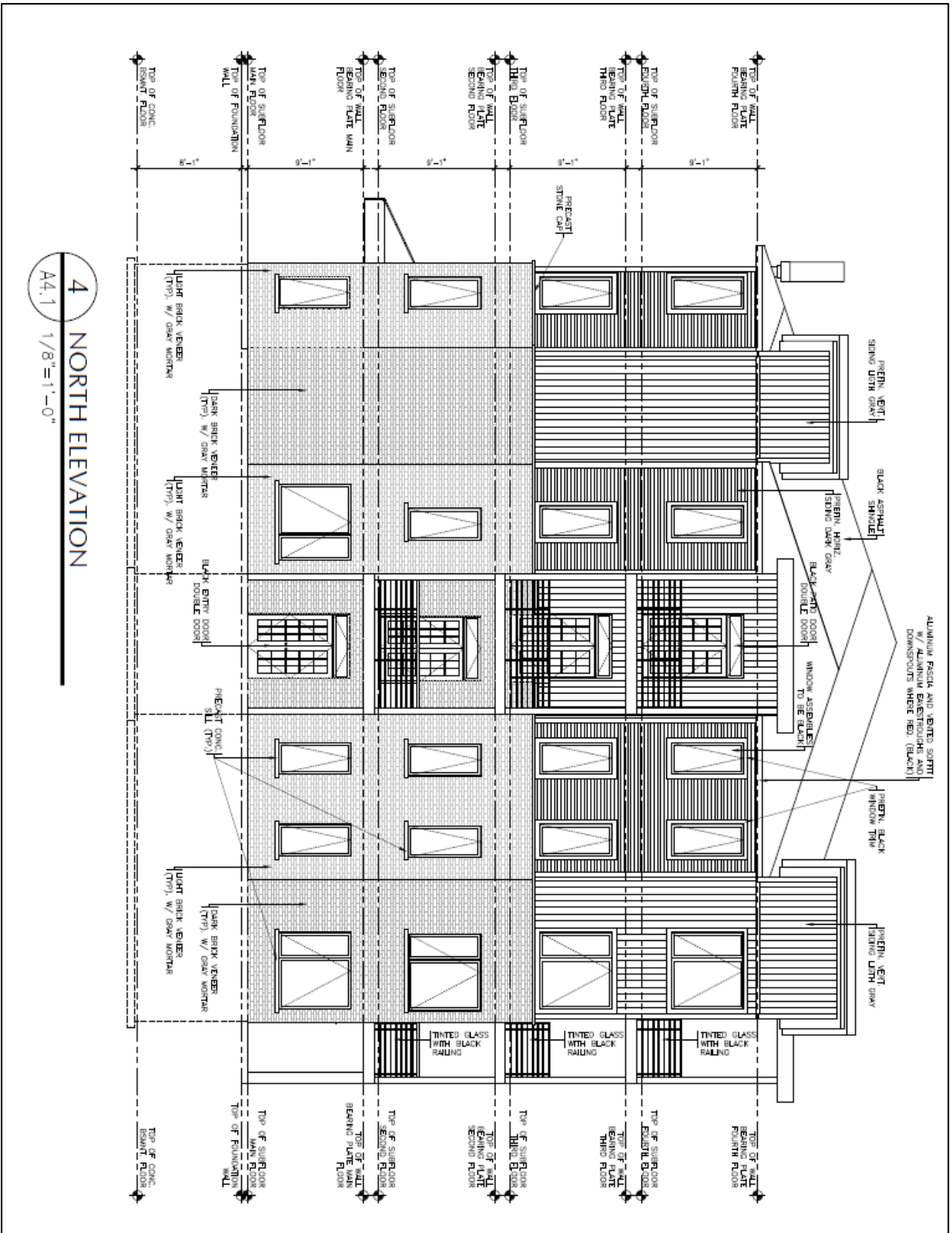
FROM SHS □
 PROJECT USE — — — — —
 WALL COVER EXTERIOR / ENT V
 CURB / ELECTRICAL — — — — —
 MECHANICAL — — — — —
 STAIR STAIR — — — — —
 NO. PARKING SPACES 10000 10000
 ELECTRICAL — — — — —
 WATER PUMP (10000 10000) — — — — —



1 EAST STREET ELEVATION
 A4.1 1/8"=1'-0"



2 WEST (PARKING) ELEVATION
 A4.1 1/8"=1'-0"



4 NORTH ELEVATION
 A4.1 1/8"=1'-0"



3 SOUTH ELEVATION

A4.1 1/8"=1'-0"

Appendix B – Public Engagement

Community Engagement

Public liaison: On October 14, 2020, Notice of Application was sent to 127 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 15, 2020. A “Planning Application” sign was also posted on the site.

4 replies from 3 property owners were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of a 4-storey, 20-unit apartment building. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Facility (NF) Zone **TO** a Residential R8 Special Provision Bonus (R8-4()*B-) Zone. Special provisions would permit: a reduced minimum front yard depth of 2.25 metres, whereas 7.28 metres is required; a reduced minimum interior side yard depth of 4.57 metres, whereas 6.32 metres is required; and a reduced minimum parking rate of 1.05 spaces per unit (20 spaces), whereas 1.25 spaces per unit is required (25 spaces). The proposed bonus zone would permit an increased maximum building height of 15.8 metres, whereas 13 metres is the maximum and an increased maximum density of 100 units per hectare, whereas 75 units per hectare is the maximum, in return for eligible facilities, services, or matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan. The facilities, services, or matters proposed in return for additional height and density include the provision of affordable housing.

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

Concern for:

Over Intensification:

Concern that the requested variances indicate the proposed development is too intense and that the developer should be required to comply with the regulations of the Zoning By-law.

Parking

Concern that the proposed parking reduction will further exacerbate existing parking issues in the area.

Proximity to Existing Industrial Uses:

Concern that the intensification of a sensitive land use will negatively impact the existing industrial uses in proximity to the site as well as existing Ministry of the Environment, Conservation, and Parks approvals for operation.

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

Telephone	Written
Jeff Jones 620 Third Street London, ON N5V 2C2	Bob Barker
	Chris Anderson 607 Queens Avenue London, ON N6B 1Y9
	Jeff Jones 620 Third Street London, ON N5V 2C2

From: Bob Barker
Sent: Friday, October 16, 2020 1:05 PM
To: Salih, Mo Mohamed <msalih@london.ca>
Subject: [EXTERNAL] 611/615 Third St

Hi. I have owned for approx 30 years two condo units next door at 595 Third St. I understand the property to the N is wanting to build a 4 storey apartment , that does not meet the established C of L bylaws. This proposed building will not meet the established bylaws , by being too tall, much too close to the street , have too few parking spaces and be much too dense for the land area. I have no problem with an apartment building , but they are trying to dominate a site that is too small for for their plans , and if allowed this Monster apartment building It would be interfering with the privacy and quiet enjoyment of the adjacent condos . I realize a small change is sometimes necessary but allowing fir a building to be at least 50 percent over built for its land foot print is not right . All other sites already developed in the area respected the Established bylaws , this site should Respect all bylaws too. I believe it is being proposed as 5 meters too close to the street , 2 meters too close to the neighbours , 5 parking spaces less then min. standard . If they stay as they should within the bylaw , is should likely only be a 10-12unit building.

By being too close to side yards , privacy and noise will be a problem. Not enough parking will result in Parking cheaters trying to park next door creating a Long term nuisance and expense Monitoring this problem for the neighbours. Being too close to the street for a residential use , will also create Environmental , social and privacy problems for the neighbourhood.

Basically the neighbourhood is low density suburbia , and the building being proposed is a downtown core density design.

The Existing property owners/developers are trying too hard to get rich by Proposing to overbuild this site at the neighbourhood expense. This is not right and council should respect the established bylaws standards and not give in to this request to break the rules and overbuild a site not capable of supporting the Design request. I look forward to your support to prevent this forever problem from being allowed...Thanks...Bob Barker Sent from my iPad

From: Chris Anderson
Sent: Tuesday, October 27, 2020 10:55 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] FW: Contact Info for Z-9268 - 611-615 Third Street

Good Morning Catherine,

I am just looking to obtain additional information concerning the re-zoning of file Z-9268 located at 611-516 third Street and how that zoning change may impact the surrounding properties as I manage the condo at 595 Third Street.

From: Jeff Jones
Sent: Friday, October 30, 2020 8:54 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] By-Law Amendment Z-9268

Catherine, thanks for calling me back earlier this week in regards to our concerns of the proposed amendment. Our business is located directly across the street from the applicant site. We run a large collision facility and see numerous vehicle throughout the week.

I have two concerns about the proposed site

1, Parking. We currently have two three storey walk up student rentals kiddy corner to us. We are constantly having to deal with the tenants in that building regarding parking. We find tenants are parking on our lot because there is reduced parking available at that site. The addition of this building with reduced parking will only increase our issues with illegally parked vehicles.

2, MOE. We currently have an ECA #5536-5V6SAY (Environmental Compliance Approval) in place for our spray booths. We have had to apply for this due to the location of the shop in relation to the residential properties across the street (611 – 615), the properties in the application. My concerns are these properties are single family at this point and if they are amended to have multi units, will this effect the MOE approval. If this change does affect the current approval, I would need to re-apply and possibly not be able to obtain the permit to continue operations or require us to have to move our equipment to allow for the proper set backs based on MOE guidelines.

Thanks for taking this information into account when going forward with the application process.

Jeff Jones
CSN Jones' Auto Body (London) Ltd.

Agency/Departmental Comments

October 16, 2020: Upper Thames River Conservation Authority

Dear Ms. Maton:

Re: Application to Amend the Zoning By-law - File No. Z-9268
Applicant: Prince Antony
611 to 615 Third Street, London, ON

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 (2020)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these 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*.

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*.

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.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY

October 16, 2020: London Hydro

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 & 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.

November 4, 2020: Transportation

Engineering has no comments related to the re-zoning. We have provided comments for the future site plan as part of the re-zoning and site plan consultations.

Note from the planner: Engineering staff also confirmed there are no concerns with the requested parking reduction and no Parking Study is required.

February 2, 2021: Heritage

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 requirements for (Z-9268):

- Lincoln Environmental Consulting Corp. *Stage 1-2 Archaeological Assessment of 611-615 Third Street* [...] London, Middlesex County, Ontario (PIF P344-0342-2019), September 2019.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that “[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such **no further archaeological assessment of the property is recommended.**” (p2)

An Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MSTCI) archaeological assessment compliance letter has also been received, dated Oct 3, 2019 (MTCS Project Information Form Number PIF P344-0342-2019, MTCS File Number 0011430).

Archaeological conditions can be considered satisfied for this application.

February 16, 2021: Housing Development Corporation

TO: City of London Development Services
Attention: Michael Tomazincic, Manager, Development Services,
Current Planning
Catherine Maton, Senior Planner, Development Services,
Current Planning

REGARDING: Bonusing for Affordable Housing at 611 Third Street and 615 Third Street
City of London Planning File: Z-9268
HDC File: 611 and 615 Third Street

Background:

Housing Development Corporation, London (HDC) was engaged to facilitate a S. 37 Bonusing negotiation and provide a fair recommendation to the Director, City of London Development Services in response to A. Prince's (the "Proponent") Zoning By-law Amendment application requesting permission for a 4 storey, 20 unit apartment building. **This application requests that 5 of the 20 units be provided as "lift" (additional units) through height and density bonusing.**

In accordance with Council direction, HDC's consideration of any proposed off-set associated with the requested 5 additional units would be through affordable housing and would consider site specific attributes, community and local housing affordability needs and measures, and the specific considerations within the development proposal – which includes the demolition of two existing single detached residential dwellings.

This letter reflects the recommendation of HDC and is provided with the concurrence of the Proponent.

RECOMMENDATION:

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

1. **A total of three (3) three-bedroom units and one (1) one-bedroom unit, including one (1) accessible three-bedroom unit and one (1) accessible one-bedroom unit, be considered for dedication to affordable rental housing in exchange for the granting of increased height and density.**
2. **“Affordability” for the purpose of an agreement shall be defined as rent not exceeding 80% of the three-bedroom CMHC Average Market Rent and 80% of the one-bedroom CMHC Average Market Rent (AMR), as defined at the time of occupancy, and where:**
 - i. **AMR be defined at the bedroom rate for the London Census Metropolitan Area by CMHC;**
 - ii. **the identified units may be, or constructed to, a more modest level but within the normal parameters of the City of London’s Property Standards By-law unit sizes and attributes;**
 - iii. **Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation but not to exceed 80% of the CMHC AMR; and**
 - iv. **The duration of the affordability period shall be set at 30 years from initial occupancy of the unit. Sitting tenants residing in the affordable rental housing units at the conclusion of the agreement shall retain security of tenure until the end of their tenancy. These rights shall not be assigned or sublet. Tenants shall not be allowed the rights to subletting.**
3. **The Proponent enter a Tenant Placement Agreement (TPA) with the City to align the bonus units with priority populations, where the owner retains tenant selection in accordance with the *Residential Tenancy Act*, subject to any established eligibility and compliance requirements and any associated housing programs.**
4. **Subject to Council approval, the conditions be secured through an agreement, ensuring the retained value of the affordable rental housing Bonus Zone for the 30-year affordability period. In the event that there is a breach of compliance or availability of the units, any conditions within the agreement shall default and be secured on title on the subject lands.**

The purpose and effect of this recommendation is that 4 of the 5 “lifted” units” (80%) be identified for housing affordability and that these 4 affordable units be aligned with priorities identified in the City’s *Housing Stability for All Plan*. Rationale for Affordable Housing Bonus:

The London Plan recognizes that average market rents are not available or accessible to many Londoners and that housing affordability is one of the City’s principle planning challenges. The housing policies of the Plan identify affordability targets, stating that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. In pursuit of this goal, the policies of the Plan identify bonusing as a planning tool in support of the provision of affordable rental housing in planning and development proposals.

The subject lands are located on the west side of Third Street south of Oxford Street East. The lands are embedded in an older suburban neighbourhood. The lands are on an identified transit route and are proximate to a broad range of institutional and commercial type land uses located along the Oxford Street East and Highbury Avenue North corridors. The locational attributes of the site directly align with the guidelines and considerations used by HDC to advance affordable rental housing. HDC would further note that a review of housing analytics from Canada Mortgage and Housing Corporation (CMHC) indicate average apartment vacancy rates and rents that clearly demonstrate housing affordability challenges.

Conclusion:

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentage of households in “Core Housing Need” in major urban centres (CMHC, July 2018).

This recommendation recognizes Council’s expressed interest to seek “...options for implementing and coordinating [planning] tools to be most effective...” to “...promote the development of affordable housing in London” (4.4/12/PEC, July 25, 2018).

HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

Sincerely,

Stephen Giustizia
President and CEO

c.c. Brian Turcotte, Development Manager, HDC
Isabel da Rocha, Business and Program Manager, HDC

February 22, 2021: Urban Design

Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: locating built form along the Third Street frontage; Orienting the building to Third Street by including a principle building entrance as well as ground floor unit entrances facing the street; providing for appropriate scale/ rhythm/ materials/ fenestration on the Third Street frontage that helps create a comfortable, human scaled streetscape; and, locating all of the parking at the rear of the site or within away from the street edge.

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 by the Urban Design Peer Review Panel (UDPRP), the community and City staff. Staff will continue to work with the applicant through a subsequent Site Plan Application to ensure any past concerns related to the design of the building and site design that may resurface are resolved in the final design.

March 10, 2021: CN Rail

Thank you for circulating the proposed project in subject to CN Proximity. It appears that the proposed project located is within 180 to 300 metres of a CN main line. Our main objective is to mitigate railway-oriented impacts such as noise, vibration, and safety hazards, to ensure that the quality of life of the future development’s residents and users is not negatively affected.

It may be required for the developer to grant CN an environmental easement for operational noise emissions, registered against the subject property in favour of CN. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: “Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

CN recommends implementing the this requirement as your condition of project approval.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

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

1.1.1 b)

1.1.1 e)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 54_ Our Strategy, Key Directions

Policy 59_1, 2, 4, 5, and 8 Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_10 Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 256_City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

Policy 916_3 Place Type Policies, Urban Place Types, Neighbourhoods, Our Vision for the Neighbourhoods Place Type

918_ Place Type Policies, Urban Place Types, Neighbourhoods, How Will We Realize Our Vision?

Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

921_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses

*935_1 Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Intensity

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

963_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods

964_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods

965_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Planning Goals for Near-Campus Neighbourhoods

968_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Intensification and Increases in Residential Intensity in the Neighbourhoods Place Type Within Near-Campus Neighbourhoods

969_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Intensification and Increases in Residential Intensity in the Neighbourhoods Place Type Within Near-Campus Neighbourhoods

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

Official Plan (1989)

General Objectives for All Residential Designations

3.1.1 ii)

3.2.3.3 – Neighbourhood Character Statement

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

Low Density Residential Designation

3.3 – Preamble

3.3.1 – Permitted Uses

3.3.2 – Scale of Development

3.3.3 – Residential Intensification

3.5.19 – Policies for Near-Campus Neighbourhoods

3.5.19.3 – Vision for Near-Campus Neighbourhoods

3.5.19.4 – Land Use Planning Goals for Near-Campus Neighbourhoods

3.5.19.5 – Encourage Appropriate Intensification

3.5.19.6 – Directing Preferred Forms of Intensification to Appropriate Locations

3.5.19.9 – Multi-Family, Medium Density Residential and Multi-Family, High Density Residential Designations

3.7 - Planning Impact Analysis

3.7.2 – Scope of Planning Impact Analysis

3.7.3 – Required Information

Figure 3-1 – Near-Campus Neighbourhoods Area

19.4.4 – Bonus Zoning

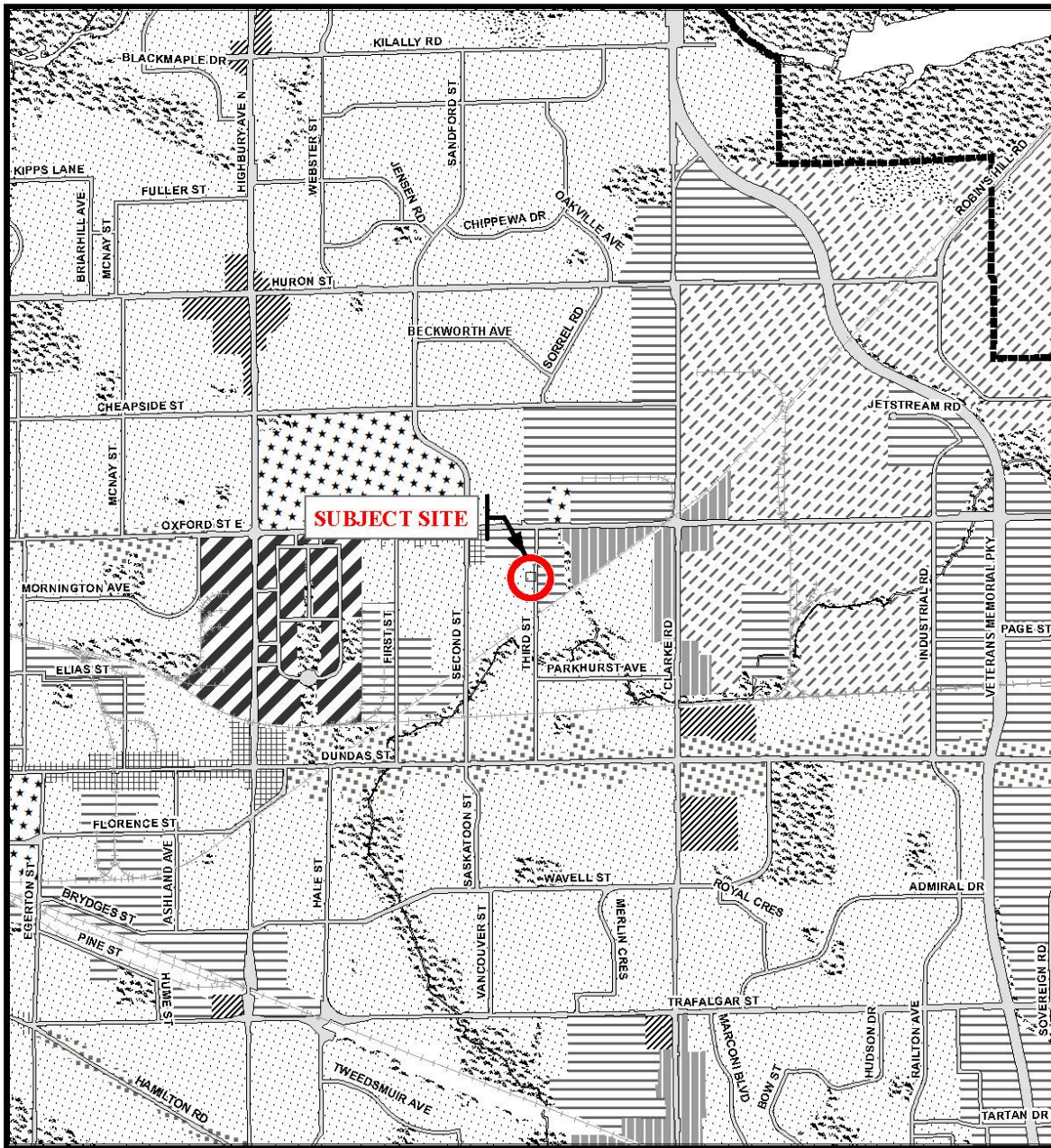
3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.

<p>The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;</p>	<p>The site concept achieves an intensity that allows for other on-site functions such as guest parking, emergency services and open space.</p>
<p>The supply of vacant land in the area which is already designated and/or zoned for the proposed use;</p>	<p>There is no vacant land in the area already designated and/or zoned for the proposed use.</p>
<p>The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;</p>	<p>The site is located immediately to the south of a walkway leading to F.D Roosevelt Public School, located west of the subject site. The site is located along the #17 bus route which has stops immediately across from the subject site and to the north and south.</p>
<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>The proposed development is in an area in need of affordable housing units and provides for a mix of housing types. Four (4) affordable units are proposed as a bonusable feature in return for the increased height and density.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed 4-storey apartment building is mitigated by the proposed southerly interior side yard setback and fenced walkway to the north. The building has been sited with 12.35 metre side yard setback, allowing for adequate separation between the proposed building and neighbouring townhouses. The fenced walkway to the north provides additional separation between the proposed building and 3-storey apartment buildings located north of the walkway. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage.</p>
<p>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;</p>	<p>The proposed development provides for adequate space on site for landscaping and screening. Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage. Third Street is a primary collector which serves light to moderate volumes of inter-neighbourhood traffic at moderate speeds and has limited property access.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and</p>	<p>Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: locating built form along the Third Street</p>

<p>future land uses in the area;</p>	<p>frontage; orienting the building to Third Street by including a principle building entrance as well as ground floor unit entrances facing the street; providing for appropriate scale/ rhythm/ materials/ fenestration on the Third Street frontage that helps create a comfortable, human scaled streetscape; and, locating all of the parking at the rear of the site or within away from the street edge.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>No natural heritage features are present that will be affected by the proposed development.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>The site is located in proximity to existing light industrial uses, including an auto body shop across the street. As part of the complete application, the applicant submitted a D-6 Analysis. Staff is satisfied the existing industrial uses will not negatively impact the proposed development and vice versa.</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.</p>

Appendix D – Relevant Background

Additional Maps



Legend

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

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

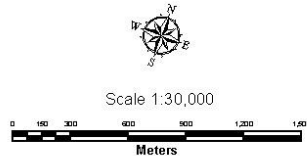
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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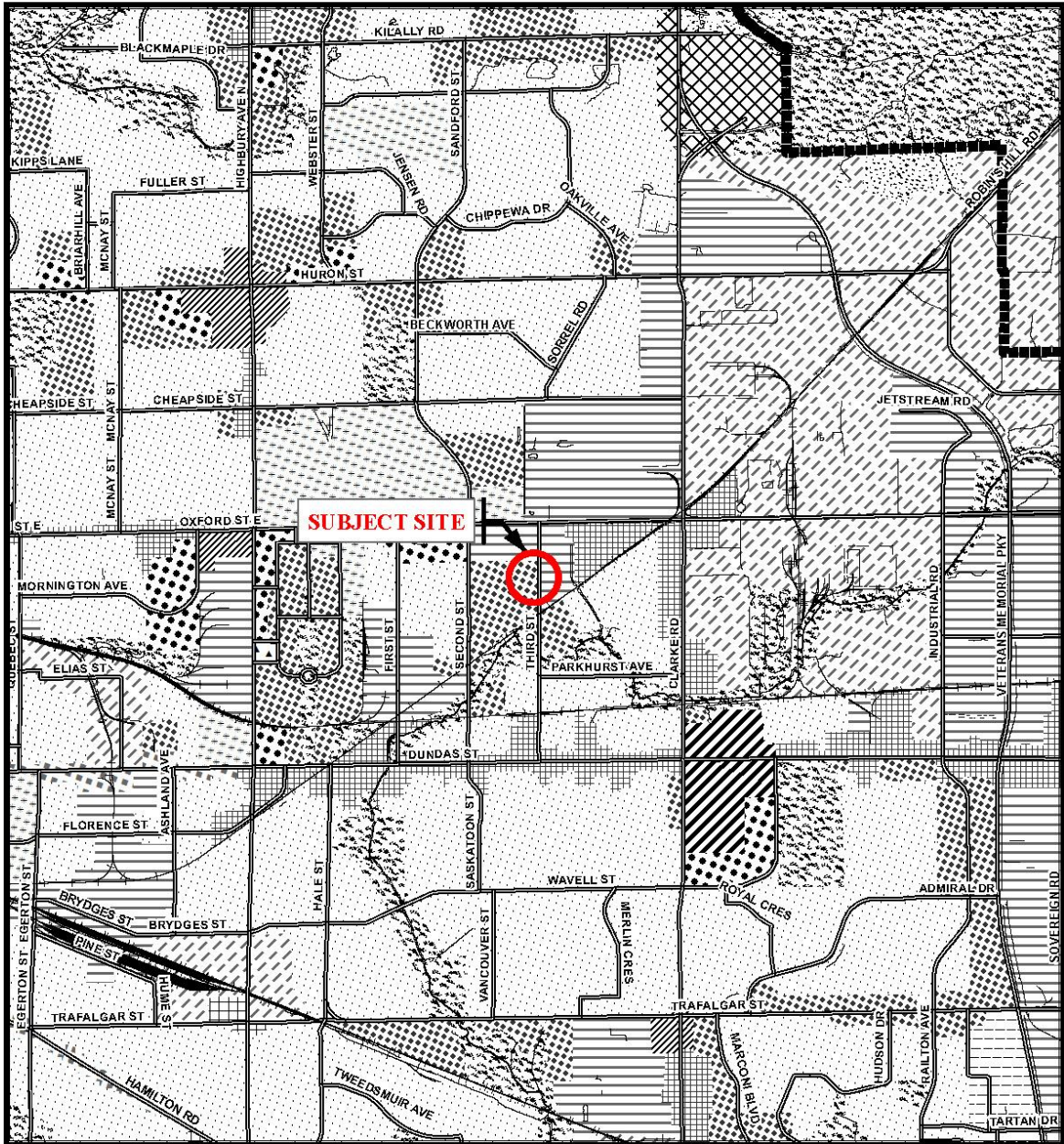
Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



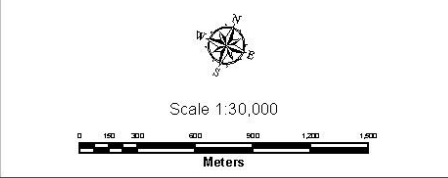
File Number: Z-9268
Planner: CM
Technician: RC
Date: February 25, 2021



Legend

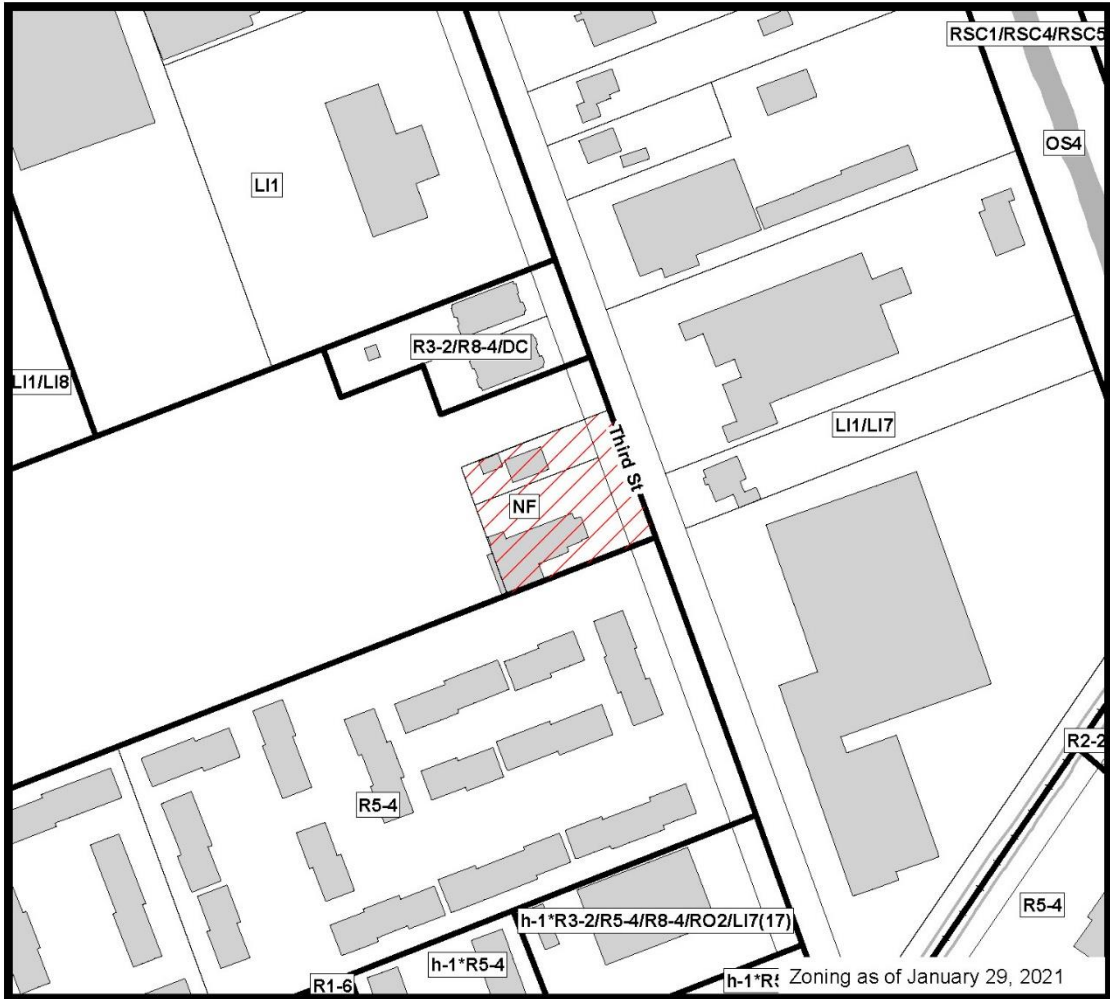
Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial Corridor	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
	Enterprise

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



FILE NUMBER: Z-9268
 PLANNER: CM
 TECHNICIAN: RC
 DATE: 2021/02/25

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_6x14.mxd



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-9268 CM

MAP PREPARED:
2021/02/25 rc

1:2,000
0 10 20 40 60 80 Meters

Appendix E – Applicant Response to UDPRP Comments

Comment:
<p>The Panel commends the applicant for the following design elements that will contribute positively towards the evolving Neighbourhood context along Third Street:</p> <ul style="list-style-type: none">• The overall site organization with the building being sited in proximity to the Third Street frontage and all vehicular parking located at the rear, screened from view of the public realm;• A building that has an appropriate scale relationship with the street and surrounding built form; and,• An appropriate balance of built form and open space.
Applicant Response:
<p>The applicant acknowledges the comments received and thanks the Panel for their recognition of the aforementioned design elements.</p>
Comment:
<p>The Panel recommends the following modifications be explored and implemented prior to site plan approval:</p> <ul style="list-style-type: none">• Further rationalization of the function of ground floor entrances and the associated architectural/landscape treatment;• Further development of the proposed material palette to simplify the approach and create a more cohesive rhythm from the street; and,• Exploration of further reductions to on-site parking in favour of additional amenity space for residents.
Applicant Response:
<p>The applicant is currently reviewing options with his architect to desirably simplify the material palette and accentuate the front entrance of the building which faces Third Street. Further reductions in parking are not being pursued given neighbouring property owners' comments related to concerns of visitors and residents parking on their properties.</p>