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E. Conway
File No: SP13-003719

TO:	CHAIR AND MEMBERS PLANNING AND ENVIROMENT COMMITTEE MEETING
FROM:	GEORGE KOTSIFAS, P.Eng MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: OLD OAK PROPERTIES 325, 345, 365 & 385 SUGAR CREEK TRAIL (FORMERLY: 570, 572, 576 & 580 BEAVERBROOK AVENUE) PUBLIC SITE PLAN MEETING APRIL 23, 2013 after 4:00 PM

RECOMMENDATION

That on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the Site Plan approval application by Old Oak Properties relating to the property located at 325, 345, 365 & 385 Sugar Creek Trail:

- a) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval; and
- b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for four apartment buildings at 325, 345, 365 & 386 Sugar Creek Trail.
- c) The Applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenue information in the attached Appendix "A."

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommendation is to seek public feedback for the proposed high density residential development and have Council advise the Approval Authority of any issues raised at the Planning and Environment Committee that should be addressed prior to approval.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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OZ-7573 – Report to Planning Committee on Official Plan and Rezoning Application – Nov 2008

RATIONALE

The proposed site plan will conform to the Zoning By-law and implements many elements of the urban design brief submitted at the rezoning in November 2008. Staff are prepared to recommend to the Approval Authority that the Site Plan be approved subject to incorporating any matters to be considered arising from the public meeting. Any recommendation to approve would also be subject to the approval of the site servicing plans, site grading plans, building elevations, landscape plans, tree preservation plans, noise study & vibration study by city staff.

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APPLICATION DETAILS	
Date Application Accepted: February 5, 2013	Agent: Michelle Doornbosh (Zelinka Priamo Ltd)

SITE CHARACTERISTICS:
<ul style="list-style-type: none">• Current Land Use – Vacant• Frontage – (Beaverbrook) 75 m (246 ft)• Depth –383 m (1256 ft)• Area – 3.64 hectares (approx. 9 acres)• Shape – irregular/rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none">• North – high density residential - apartments• South – low density residential - single family dwellings• East – cemetery• West – private woodlot/rail line

OFFICIAL PLAN DESIGNATION: Multi-Family, Medium Density Residential
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EXISTING ZONING:

- h-1. h-18. R5-2*B-11 OS5

B-11 570, 572, 576 & 580 Beaverbrook Ave (now 325, 345, 365, 385 Sugar Creek Tr)

The subject site is being bonused for enhanced urban design. The building design is identified through the elevations and site plan included in the development agreement, which includes four apartment buildings, 74 units each (combined total of 296 units), and 5 storeys in height (maximum 18.0 metres). Design guidelines will be included in the development agreement to provide guidance to any minor changes that are made as these plans are finalized through the site process.

Permitted Uses: Apartment Buildings

Lot Area (min): 3.0 hectares

Lot Frontage (Beaverbrook): 65.0 m

Front Yard Setback (East): 3.0 m

Interior Side Yard (South): 7.0 m

Interior Side Yard (North): 3.0 m

Exterior Side Yard (North): 3.0 m

Rear Yard Depth (West): 3.0 m

Landscape Open Space (min): 40%

Height (max): 18.0 m or five storeys, whichever is less)

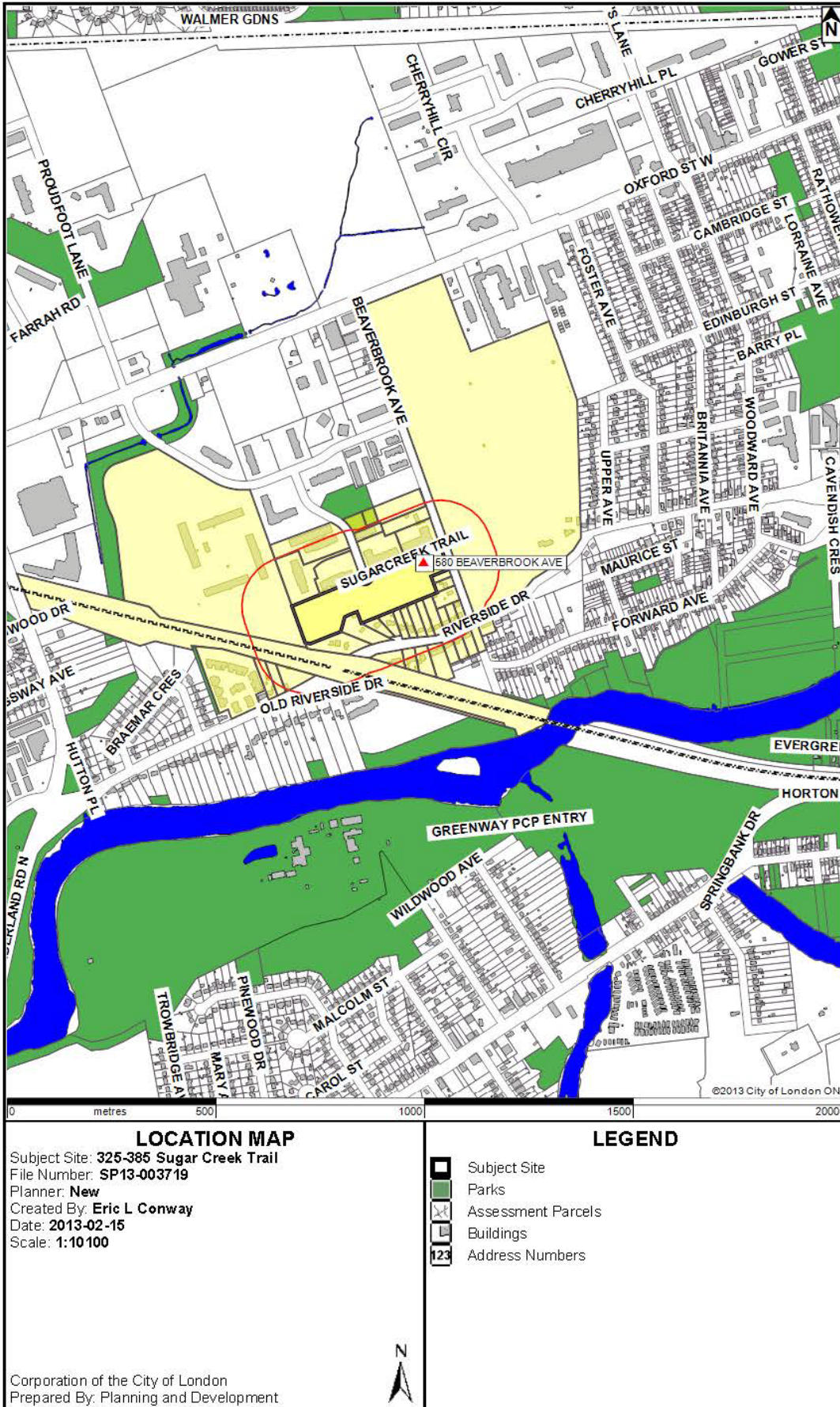
Density (max): 82 uph

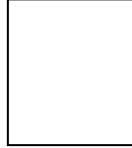
Parking: 1 space per unit

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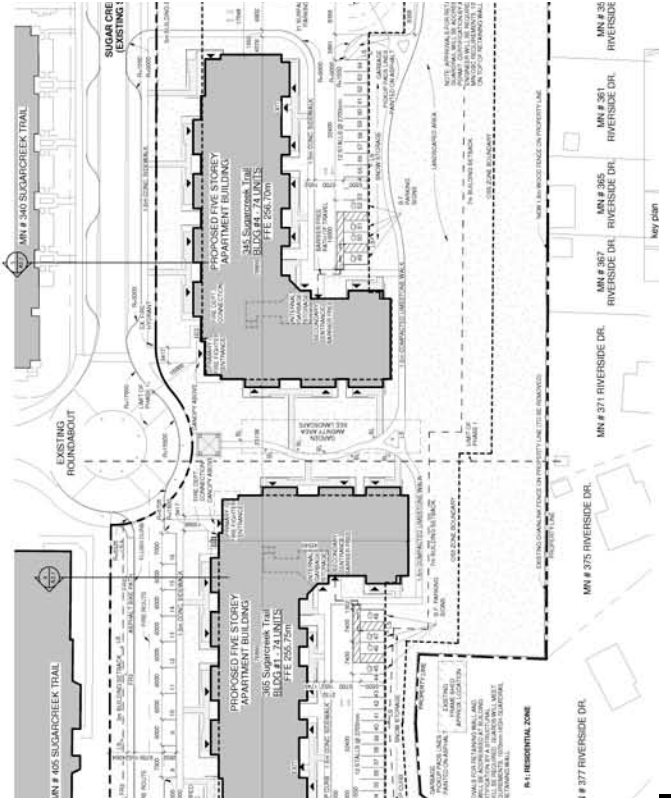
Location & Notification Map





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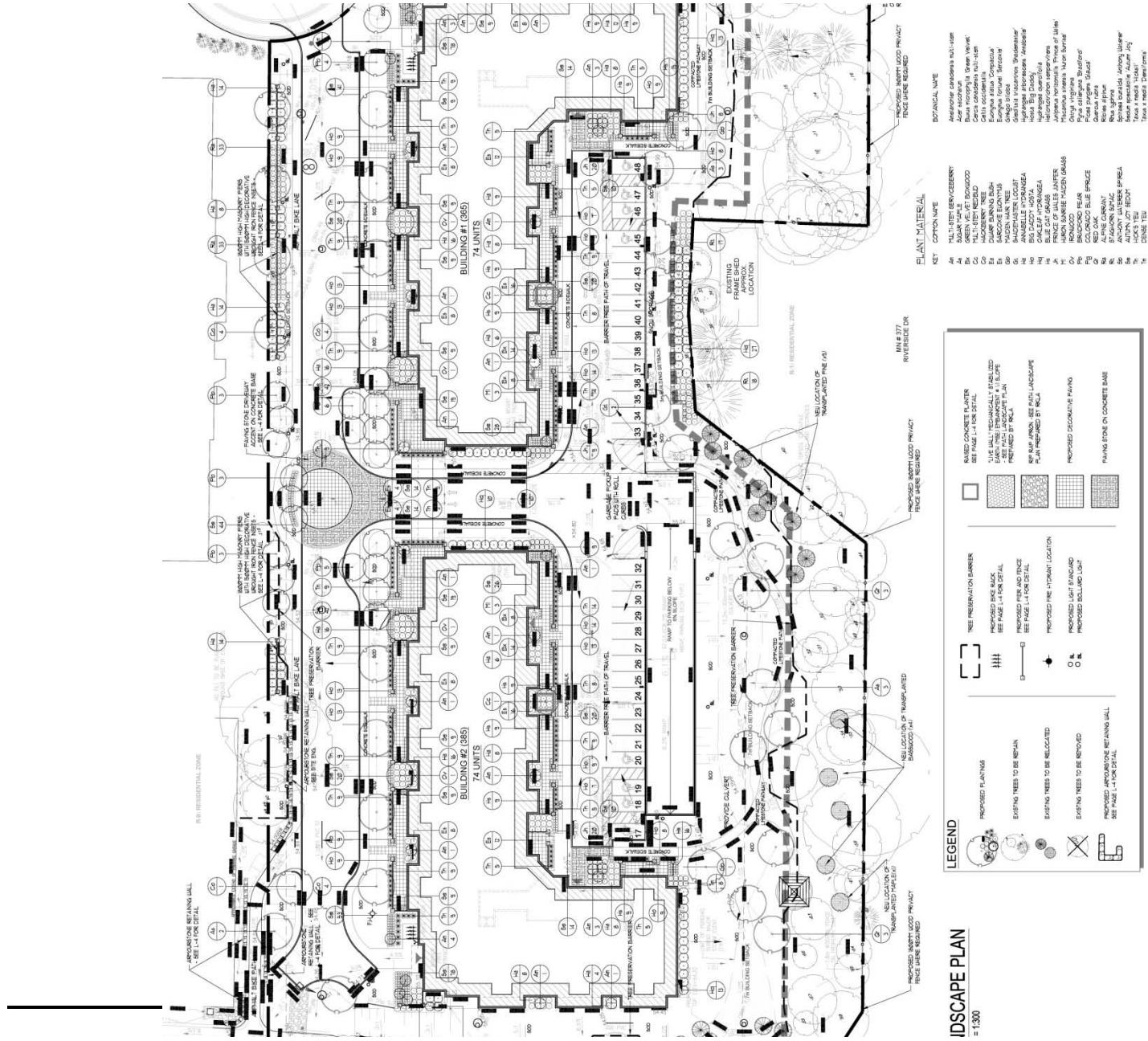
Proposed Site Plan

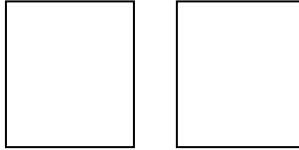


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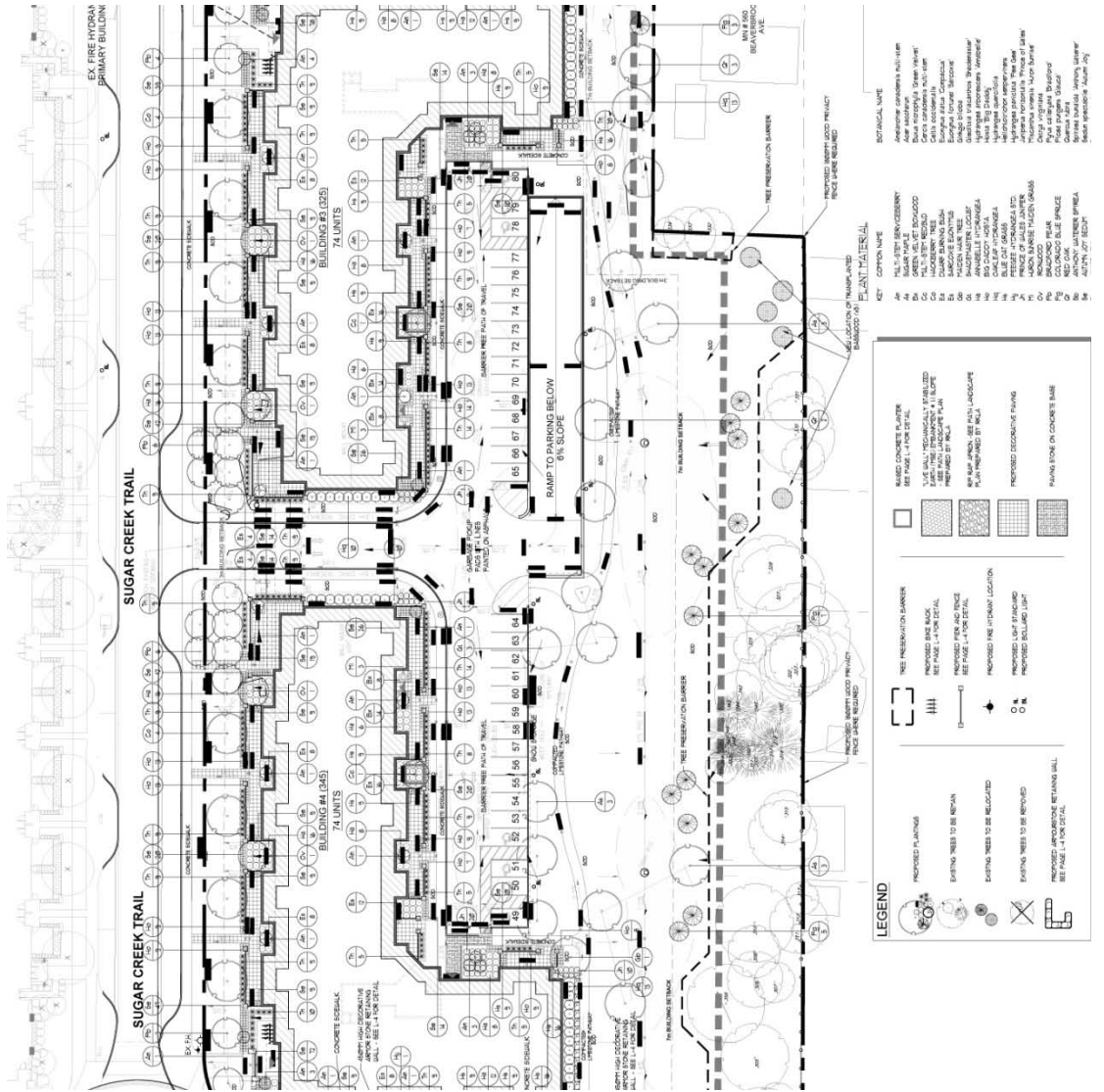
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Proposed Landscape Plan (365 & 385 Sugarcreek Tr)



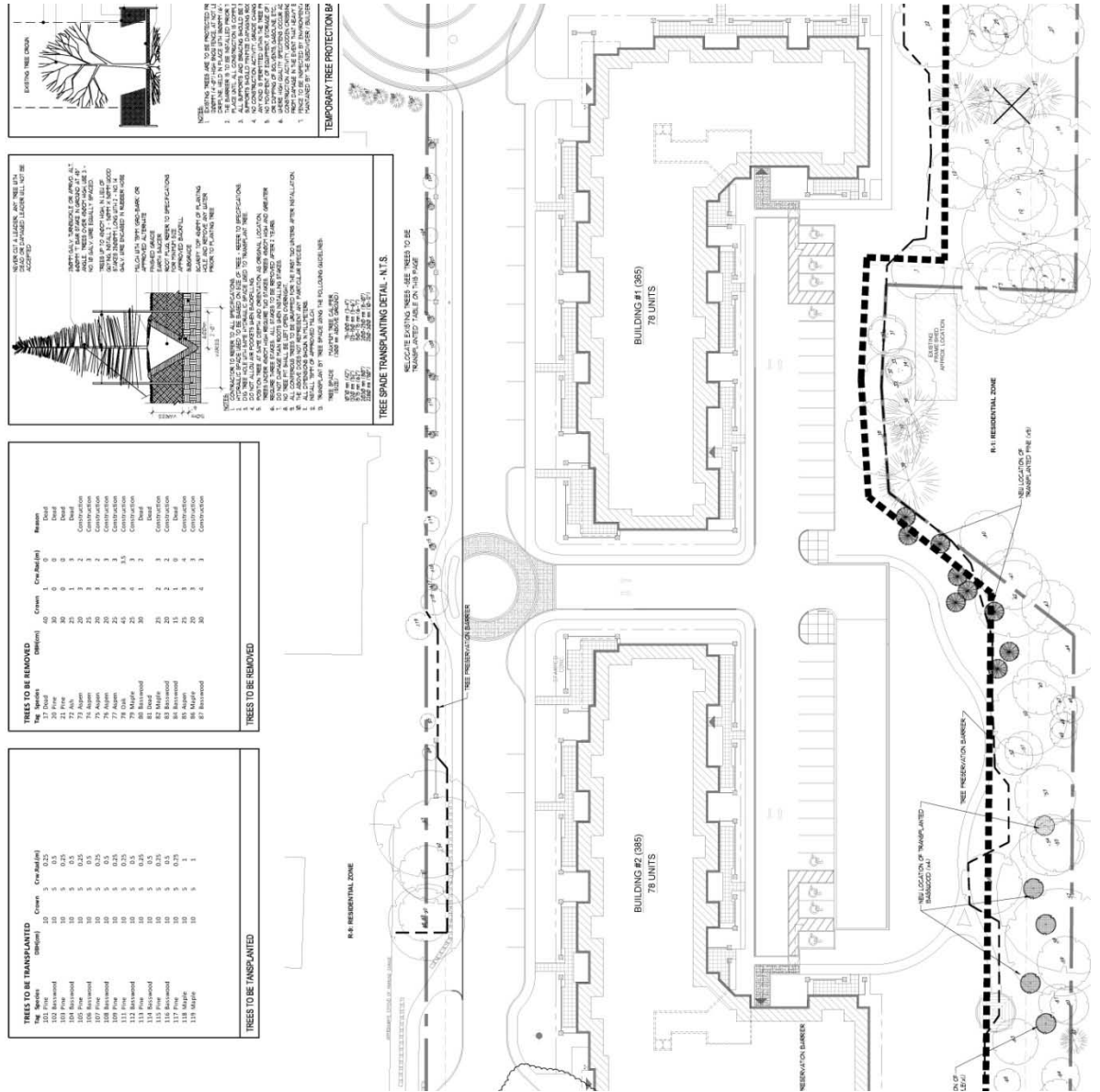


Proposed Landscape Plan (325 & 345 Sugarcreek Tr)

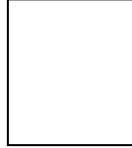


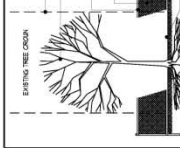
Tree Preservation Plan (West)

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Tree Preservation Plan (East)





TREES TO BE REMOVED

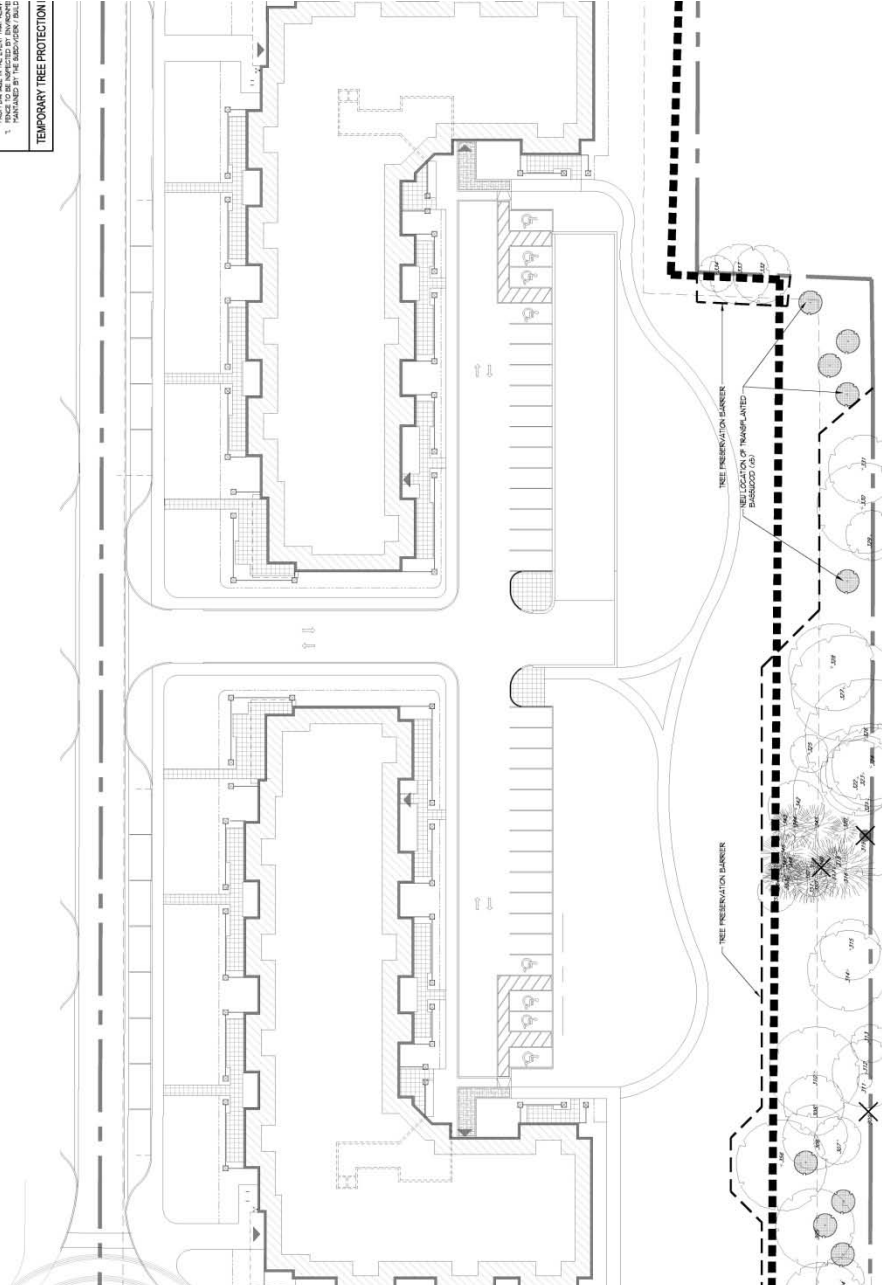
The Species	DBH (mm)	Crown	Overhead (m)	Reason	Date
300 Date	28	0	0		
315 Maple	54	3	6	Construction	
316 Maple	30	7 to 8	5.1	Construction	
317 Maple	48	3 to 4	6	Construction	
318 Maple	26	3 to 4	5	Construction	
319 Maple	42	3 to 4	5	Construction	
341 Maple	13	0	0		
349 Scotch Pine					

TREES TO BE REMOVED

NOTE:

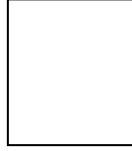
- EXISTING TREES ARE TO BE PROTECTED
- THE PROTECTIVE BARRIER SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION
- ALL UNITS SHALL BE CONSTRUCTED WITHIN THE PROTECTIVE BARRIER
- APPROPRIATELY MARKED TREES SHALL BE PROTECTED
- NO WORK SHALL BE PERMITTED WITHIN THE PROTECTIVE BARRIER
- ON THE DATE OF THIS PLAN, ALL TREES TO BE REMOVED SHALL BE IDENTIFIED BY THE CONTRACTOR AND THE CITY ENGINEER
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES TO BE REMOVED
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES TO BE REMOVED
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL TREES TO BE REMOVED

TEMPORARY TREE PROTECTION:

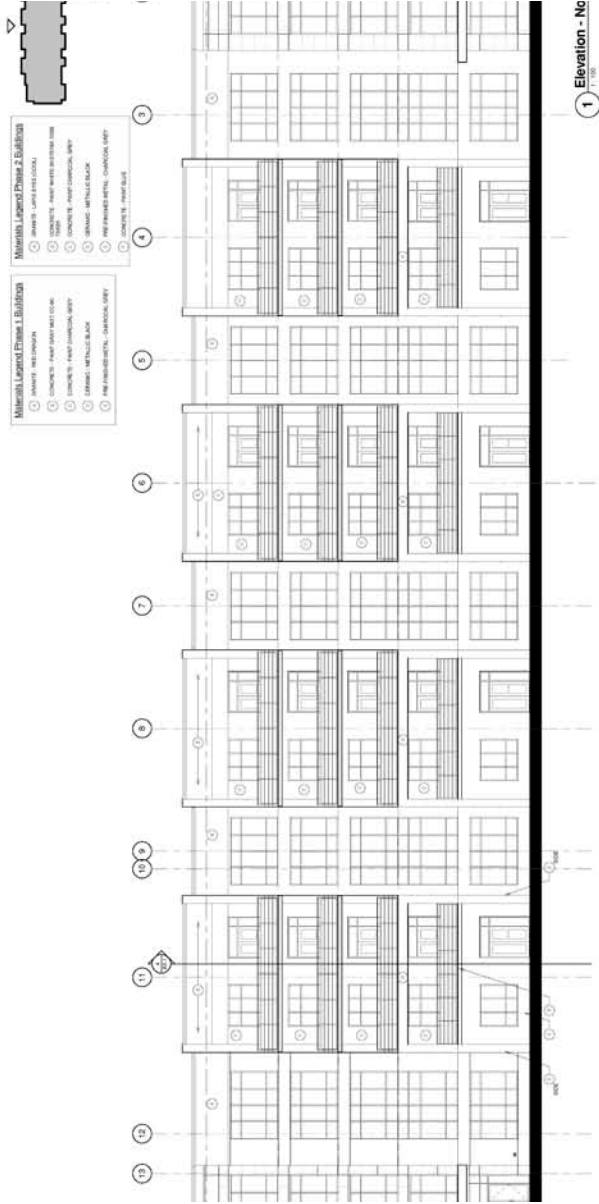


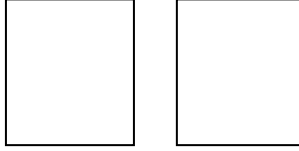
Proposed Elevations facing North & East Building

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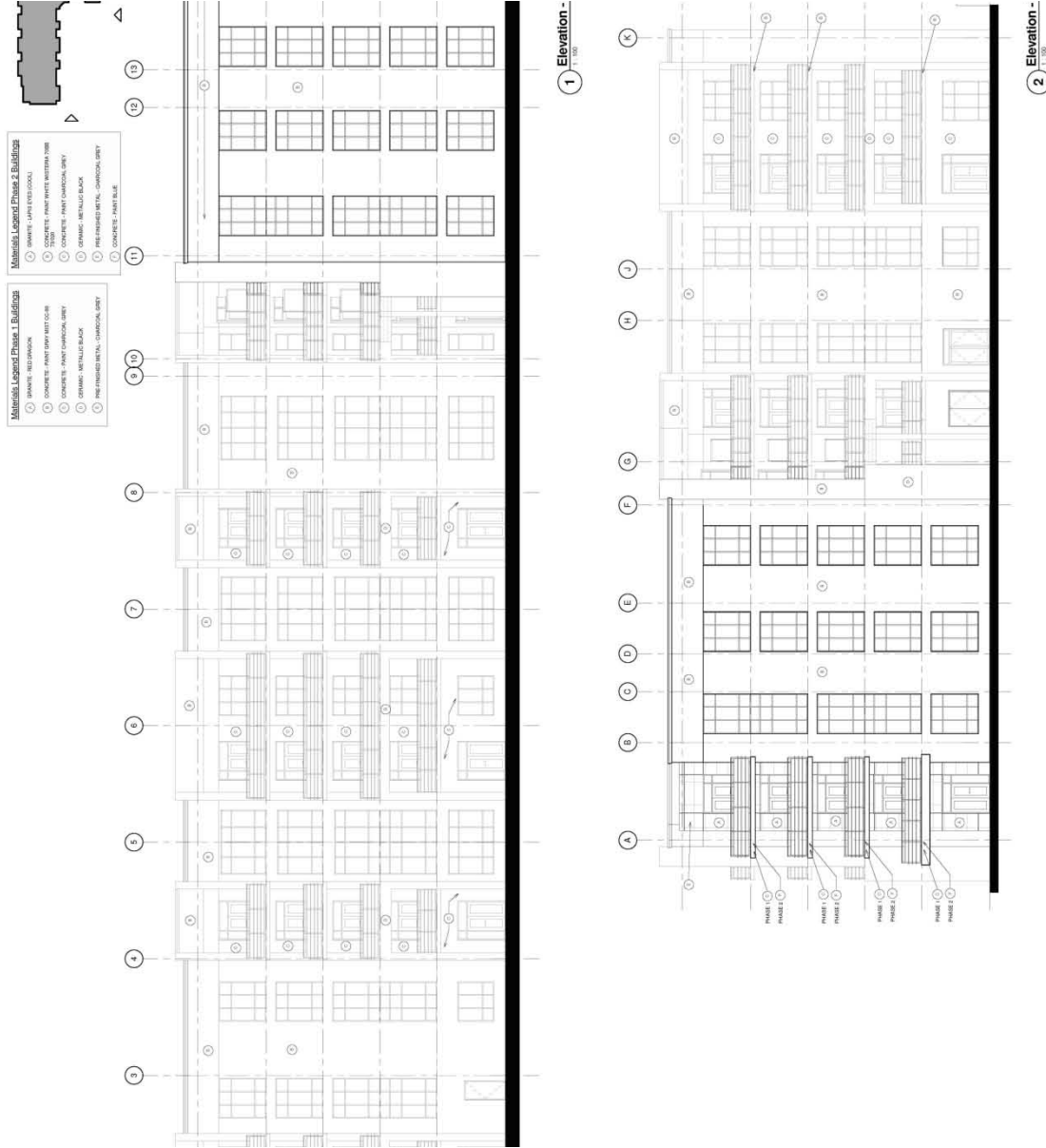
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Proposed Elevations facing South & West of East Building



Conceptual Renderings

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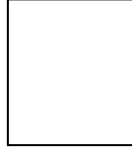
Building 1 - View from Truck Turnaround Looking South-East
SUGAR CREEK TRAIL London, Ontario



PRELIMINARY
30/01/2013 2:09:46 PM

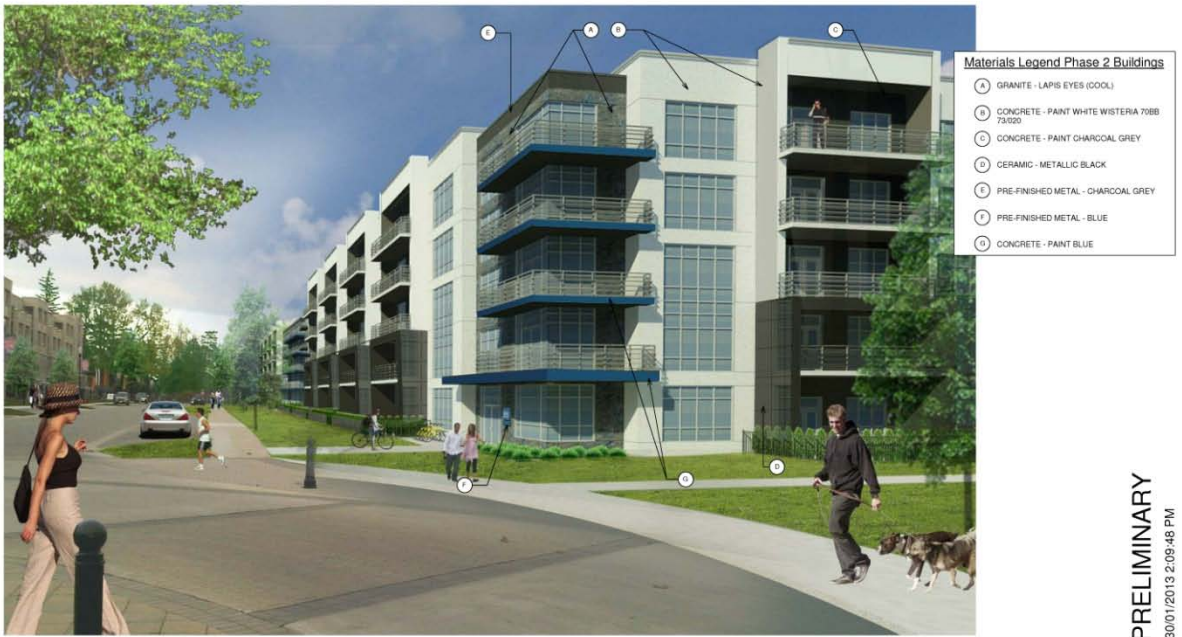
Building 2 - View from Roundabout Looking South-West
SUGAR CREEK TRAIL London, Ontario





Building 3 - View From Roundabout Looking South
 SUGAR CREEK TRAIL London, Ontario

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Building 3 - View From Roundabout Looking South-East
 SUGAR CREEK TRAIL London, Ontario

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BACKGROUND

The Beaverbrook Area Plan was adopted by Council in 1991, to provide direction in the review of applications in the area. The intent of the study was to serve as a guideline document for future development of the area and address such issues as transition in height and scale, and mixing of dwelling types, road configuration, and location of parkland. The Beaverbrook Area Plan was subsequently appealed to the Ontario Municipal Board. In its decision, the Board determined that from an Official Plan perspective, the guidelines would have no status for the purpose of reviewing development proposals on these lands.

In 1992, Council approved a zoning by-law amendment (Z-4539/City of London) to permit townhouses at a maximum density of 30 units per hectare and a maximum height of 12 metres for the subject sites. In 1995, Council approved a zoning by-law amendment (portion of 377 Riverside Drive - Z-4993/Brecor Inc.) to permit townhouses at a maximum density of 30 units per hectare and a maximum height of 12 metres, with specific setbacks from the rail line and subject to holding provisions for noise attenuation and public site plan, consistent with the Beaverbrook Area Plan.

An application for zoning by-law amendment relating to lands north of the site at 590-604 and 620 Beaverbrook Avenue (Z-5150/Z-5080) was brought to Planning Committee on March 11, 1996. All of the proposed zoning changes, including many of the lands that are part of this current application, were deferred by Planning Committee and Council for clarification of issues. In July 1997, the application was withdrawn by the applicant.

An application for Official Plan and Zoning By-law amendments (OZ-7198) was approved by Council on November 5, 2006 on the lands located to the north of the subject site. The application was to permit the development of three apartment buildings on 610 Beaverbrook Avenue and a portion of 620 Beaverbrook Avenue - one 12-story building, to be located on the northern edge of the subject site, containing 165 units; one 9-storey building, along the western edge of the subject site and adjacent to the Forest Hill apartments, containing 124 units; and one 5-storey building along the southern edge of the property, containing 65 units. The application also approved townhouse zoning for the front portion of 620 Beaverbrook and Open Space zoning for a portion of 610 Beaverbrook for the future public park.

An application for a Zoning By-law amendment (Z-7341) was approved by Council on July 15, 2007 on lands also located to the north of the subject site (590 & 598 Beaverbrook Avenue). The application was to permit apartment buildings, five (5) storeys each, with a combined total of 144 units through a bonus zone (B-9) which was granted on the basis of excellent urban design. The application also rezoned a portion of the site to Open Space (OS1) to allow for the future development of the district park.

An application for Official Plan and Zoning By-law amendments (OZ-7537) was approved by Council in December 2008 on the subject lands. The application was to permit the development of four apartment buildings on 570, 572, 576 & 580 Beaverbrook Avenue, each five (5) storeys in height with total of 296 residential units and increased density to 82 units per hectare through a bonus zone (B-11) which was granted on the basis of enhanced urban design. The application also rezoned a portion of the site along the south boundary (referred to as a tree conservation area) as OS5. The rezoning to a R5-2*B-11 zone allowed for increased density and height in exchange for enhanced urban design.

Holding Provisions

The subject lands are zoned with two (2) holding provisions: h-1 and h-18.

The h-1 holding provision is required to ensure that mitigating measures are undertaken in areas adjacent to transportation and utility corridors, an agreement shall be entered into, following consultation with relevant agencies, covering requirements for incorporating appropriate noise and/or vibration attenuation measures into the design of the development, prior to the removal of the "h-1" symbol.

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The h-18 holding provision is required to ensure that lands are assessed for the presence of archaeological resources prior to development. The proponent shall carry out an archaeological resource assessment of the entire subject property or identified part thereof and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London. No grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division

A separate report will be filed in the future for the removal of the holding provisions once all conditions have been satisfied and the development agreement has been entered into.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

CN provided comments on the noise and vibration study submitted. No revisions have been received but prior to removing the h-1 holding provision an acceptable noise study is required. CN will be recirculated for comment once a revised study has been received.

PUBLIC LIAISON:	<p>On February 15, 2013, a notice of Site Plan Application was sent out to area residents.</p> <p>On February 13, 2013 a notice of Neighbourhood Meeting was sent out to area residents by the applicant's agent to provide an opportunity for comments and concerns to be raised directly with the applicant.</p> <p>On February 28, 2013 - a Neighbourhood Meeting was hosted by the applicant at 595 Proudfoot Lane. Six neighbourhood residents attended.</p> <p>On April 2, 2013, a notice of Public Meeting was sent out to area residents.</p> <p>On April 11, 2013, Notice of application and notice of public meeting was placed in the Londoner.</p>	<p>Nine (9) Replies have been heard to date (April 10 2013)</p> <p>Three replies were written via email & six residents attended the neighbourhood meeting on</p>
Nature of Liaison: Seeking site plan approval for four, five storey apartment buildings with 296 dwelling units.		

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Responses:

Peter Iwankiw (375 Riverside Drive) – February 26, 2013 – written – Noise from CN tracks to the west of his property 375 Riverside Drive is being echoed back at an intense level where as in the past, before development to the north, the noise dissipated and was absorbed by the vegetation and is as there wasn't any hard surface to stop it or reflect it back.

David Crackel (385 Riverside Drive) – March 7, 2013 – email – raised concerns over increased traffic and advocated for a traffic light being proposed at the intersection of Riverside Dr Beaverbrook. He indicated many users trying to turn east along Riverside Dr from Beaverbrook will not wait for traffic to break but instead, head west and use his or a neighbours driveway for a three point turn or u-turn. He is not opposed to the development but concerned over the increased traffic.

Ross Fulmer (558 Beaverbrook Ave) – April 9, 2013 – email – Concerned with the height of the proposed building and loss of privacy. He requested that additional plant materials be proposed along the south boundary (specifically English Oaks) in sparse areas to maintain and provide additional privacy for the residences to the south. He was also concerned with the volume of traffic at Beaverbrook Ave and Riverside Dr.

Attendance at Neighborhood Meeting on February 28th 2013

Laura Tucker (560 Beaverbrook Ave) – 519 473 1829

Ross Fulmer (558 Beaverbrook Ave) – 519 453 0470

Jill Taylor (558 Beaverbrook Ave) – 519 453 0470

Henri Bolt (365 Riverside Dr) – 519 473 1169

Donna Jaylor (377 Riverside Dr) – 519 471 2714

Diane Young (409-340 Sugar Creek Tr) – 519 681 2673

ANALYSIS

Description of the Site Plan

The proposed site plan contains four apartment buildings, each five storeys in height. Each building contains 74 residential units for a total of 296. All four buildings are proposed near the north property line with minimal setbacks and contain ground floor balconies with direct pedestrian access to each unit.

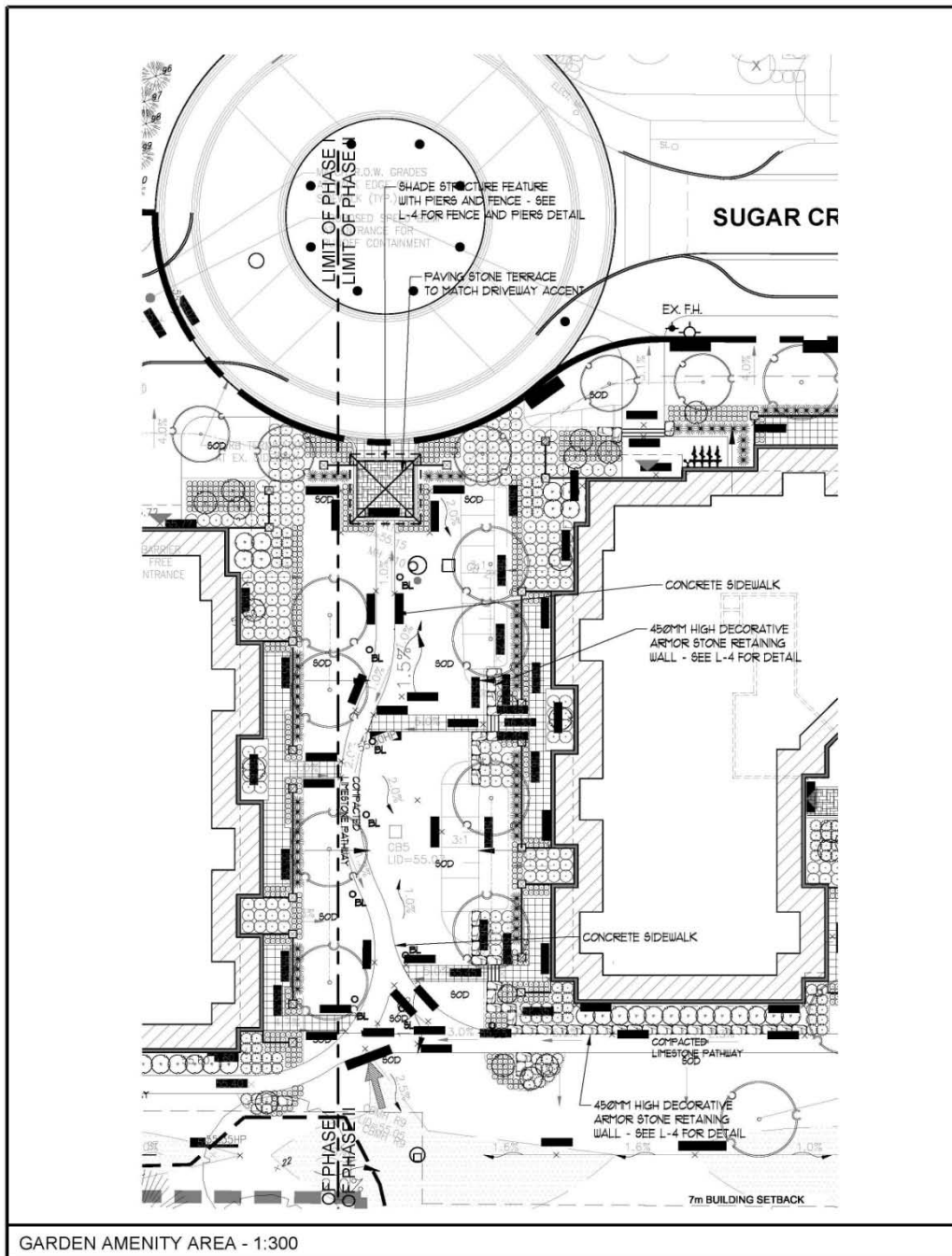
The reduced setback and increased height of the proposed buildings enclose the public space along Sugar Creek Trail and complete the street wall design by complimenting the existing apartments to the north. The proposed ground floor balconies are more visible and more engaged with the street. Low, visually permeable fencing is proposed out front with ornamental plant materials to define public versus private space without blocking eye level views of the buildings with privacy walls or vertical screens.

There is a linear landscaped open space area proposal along the boundary of the OS5 Zone featuring a continuous pedestrian pathway from Beaverbrook Avenue to the western most buildings. There is a pedestrian only corridor proposed at the terminus of the north/south portion of Sugar Creek Trail. There is a proposed shade structure and common amenity area located at the north end of this area that provides a functional feature for onsite users and visual interest

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for off-site users. The two middle buildings face both the roundabout and the internal common amenity area creating an enclosed private space that bleeds into semi-public and public areas.



The application requires 296 parking spaces at a rate of 1 space per unit. There are 312 parking spaces provided underground with an additional 80 surface parking for a total of 392 off-street parking spaces. Short term visitor parking is provided through on-street parking along Sugar Creek Trail. Vehicular access to the street has been limited to two driveways each servicing two buildings. The application also requires 222 long term storage bicycle parking spaces and the applicant is providing 234 (81 spaces per building) with short term outdoor bicycle racks provided at the entrance of each building.

Tree protection fencing is required to maintain the integrity of the trees to be preserved along the south boundary. A tree preservation report was provided with the application and modest revisions were requested relating to location of protection fencing. Retention of trees in this area will help to preserve the privacy from the upper floors of the proposed buildings and residents to the south. A 1.8 m high wood fence is proposed along the south property line to retain the

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ground level privacy of the existing single family homes.

Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

The subject lands are designated Multi-Family, Medium Density Residential. The proposed use is compatible with existing development in the area, has access to available services, will have minimal impact on the existing road network, is of a scale and height that is in keeping with other existing and proposed development in the area, and has incorporated buffering measures to lessen impacts on abutting properties. The proposed development is consistent with the Multi-Family Medium Density policies in the Official Plan.

The PPS contains goals and objectives for land use planning in the Province. Generally, the promotion of intensification, the provision of a broad range of housing types and the use of existing infrastructure are fundamental policy directives in the PPS. Intensification is accepted as an important part of good land use planning in the Province since it promotes the previously mentioned objectives, and encourages compact urban forms, transit ridership, and walkable communities. Intensification is encouraged where it is considered appropriate. The proposed development is consistent with the Provincial Policy Statement.

Does the proposal meet the Zoning by-law Regulations?

The proposal is in compliance with the regulations of the R5-2*B-11 zone, general provisions of the Zoning By-law, and the Site Plan Control Area By-Law, subject to the removal of holding provisions. The holding provisions can be removed after the respective studies have been accepted by the City and a development agreement has been executed.

Is the Site Plan Compatible with Adjacent Properties?

The proposed development is compatible with the existing mix of housing forms within the area and provides a good transition from high density residential uses to the north and low density residential uses to the south. The site is located in close proximity to major commercial areas, transit, and public open space and recreational uses. The applicant is providing pedestrian pathways through the woodlot to the West to commercial & other high density residential developments. The development provides strong internal and external pedestrian connections that encourage walkability and contribute to transit oriented development.

The tree conservation area along the south property line helps maintain a sense of privacy for existing residents to the south from the upper units in the proposed buildings. Privacy fencing is being provided along this boundary as well to prohibit pedestrian cut through traffic to Riverside Drive.

The proposal completes the street wall design vision for this area while optimizing pedestrian links to public transit, open spaces and commercial amenities within the community. The building designs are unique but maintain the same scale and massing characteristics proposed during the rezoning process in 2008.

CONCLUSION

The proposed site plan conforms to the Zoning By-law, Site Plan Control Area By-law and the Urban Design Guidelines accepted at the time of rezoning. Staff are prepared to recommend approval to the Approval Authority subject to incorporating any matters to be considered arising from the public meeting and City Council. The proposed plans and drawings can be recommended to the approval authority subject to the required revisions and the approval of the site servicing plans, site grading plans, building elevations, landscape plans, tree preservation plans, noise study & vibration study by city staff.

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PREPARED BY:	REVIEWED BY:
ERIC CONWAY, LANDSCAPE PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN, MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
RECOMMENDED BY:	SUBMITTED BY:
TERRY GRAWAY, MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P.Eng MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

April 18, 2013

EC/BH

c:

Old Oak Properties.
c/o Michelle Doorbosh
Zelinka Priamo Ltd.
318 Wellington Rd,
London ON N6C 4P4

Fax: 519 474 2284

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Bibliography of Information and Materials

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z-1*, May 21, 1991, as amended.

City of London, Notice of Application, February 22, 2013

City of London, Notice of Public Meeting, April 2, 2013

City of London, Site Plan By-law C.P.-1455-451

Notice of Public Meeting, Londoner, Thursday April 12, 2012

Provincial Policy Statement, March 1, 2005

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Appendix A