

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Habitat for Humanity Heartland Ontario Inc.
1697 Highbury Avenue North
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Habitat for Humanity Heartland Ontario Inc. relating to the property located at 1697 Highbury Avenue North:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 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 Residential R5/Residential R6 (R5-2/R6-4) Zone and an Open Space (OS5) Zone, **TO** a Residential R5 Special Provision (R5-7(_)) Zone and an Open Space (OS5) Zone;
- (b) **IT BEING NOTED** that the following site plan matters were raised during the application review process:
 - i) orientation of the easterly stacked townhouse building to Highbury Avenue North;
 - ii) visual access for the southerly end units to the open space area and the Thames River interface be enhanced by providing increased number of windows and/or balconies;
 - iii) naturalization of the Open Space lands on the site; and,
 - iv) the potential conveyance of all or part of the Open Space lands to the City.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the development of a 20 unit stacked townhouse development, with a three-storey building located adjacent to Highbury Avenue North, and a two-storey building located toward the rear of the property.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit a 20 unit stacked townhouse development, with a three-storey building located adjacent to Highbury Avenue North, and two-storey building located toward the rear of the property. The following special provisions would facilitate the proposed development: a minimum front yard depth of 1.0 metre, a maximum front yard depth of 6.0 metres, a south interior side yard depth of 1.5 metres, a rear yard depth of 5.5 metres, and a third stacked townhouse unit on the units adjacent and oriented to Highbury Avenue North whereas the definition of "Stacked Townhouse" permits stacking up to 2 units high. The recommended action will also provide additional protection to the ecological features

and functions associated with the Thames River, and ensure development remains outside of hazard lands associated with steep slopes.

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 Low Density Residential designation and Environmental Policies;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area 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 west side of Highbury Avenue North, to the immediate north of the North Branch of the Thames River. The site has a frontage of 95.3 metres and a total area of 0.54 hectares, approximately one-third of which is located within an area identified as having environmentally significant features and functions and/or associated with the steep slopes and erosion allowance adjacent to the watercourse. The subject site is developed with one single detached dwelling. The two-thirds of the site proposed for development is relatively flat in topography.

Highbury Avenue North is an arterial road with an average annual daily traffic volume of 27,500 vehicles per day. Traffic lights are planned for installation at the intersection of Highbury Avenue North and Edgevalley Road, approximately 300 metres south of the subject property, in 2022.

A Union Gas pipeline is located within the west side of the Highbury Avenue North road allowance. Union Gas has confirmed no setback from the pipeline within the private lands is required.

Multi-use pathway access to the nearby Thames Valley Corridor has been constructed on the north and south sides of the river east of Highbury Avenue North, and on the south side of the river west of Highbury Avenue. Pending possible future acquisition of the required lands from the subject property to complete the north part of the planned multi-use pathway west of Highbury Avenue North, public access is available to the north side of the river via an easement in the City's favour over 155 Killarney Road. The easement is directly adjacent to the north and west property boundaries of the subject property.



Figure 1: 1697 Highbury Avenue North (view of house from Highbury Avenue North)



Figure 2: 1697 Highbury Avenue North (view from Highbury Avenue bridge)

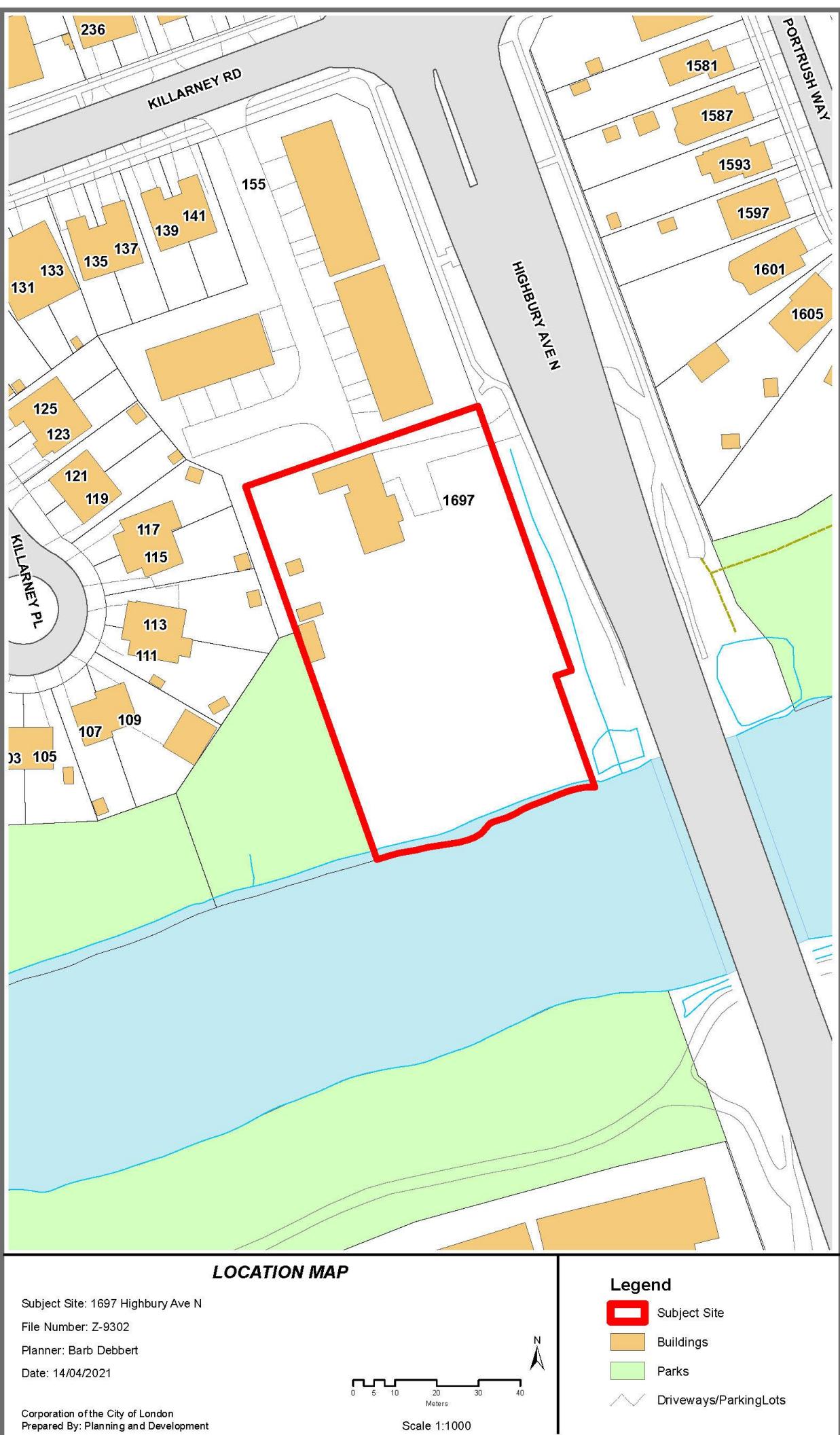
1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential and Open Space
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R5/Residential R6 (R5-2/R6-4) and Open Space (OS5)

1.4 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 95.3 metres
- Depth – 58.8 metres
- Area – 0.54 hectares
- Shape – Rectangular

1.5 Location Map



1.6 Surrounding Land Uses

- North – Residential (townhouses)
- East – Residential, Open Space (single detached dwellings, Highbury Wetland, Kilally Woods Open Space, Thames Valley Parkway on north and south sides of Thames River, east of Highbury Avenue North)
- South – Open Space, Residential (Kilally Meadows Environmentally Significant Area, Thames River, Thames Valley Parkway on south side of Thames River, townhouses and single detached dwellings)
- West – Residential (single and semi-detached dwellings, informal trail access to north side of Thames River via private lands)

1.7 Intensification

The proposed 20 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Original Development Proposal (January 2021)

In January 2021, the City accepted a complete application that proposed a 23 unit townhouse development consisting of a three-storey, 15 unit stacked townhouse building (5 units wide, 3 units high) parallel to the rear property line, and a two-storey, 8 unit stacked townhouse building (4 units wide, 2 units high) located adjacent to Highbury Avenue North as depicted in Figure 3. The effective density was 54 units per hectare. The driveway entrance was proposed to be located close to the north property line. Parking was proposed in a surface parking lot located between the two buildings and toward the south part of the site. Front and side renderings of the proposed stacked townhouse buildings are contained in Figures 4 and 5.

2.2 Revised Development Proposal (April 2021)

In April 2020, the applicant requested a revision to the application in response to concerns raised by City staff and the public, and slight design modifications to address technical site design requirements. The revised proposal is for a 20 unit townhouse development consisting of a two-storey, 8 unit stacked townhouse building (4 units wide, 2 units high) parallel to the rear property line, and a three-storey, 12 unit stacked townhouse building (4 units wide, 3 units high) located adjacent to Highbury Avenue North as depicted in Figure 6. Parking is proposed in a surface parking lot located between the two buildings and toward the south part of the site with an additional 4 parking spaces north of the rear building.

2.3 Original Requested Amendment (January 2021)

The applicant originally requested to change the zoning on the subject site from a Residential R5/Residential R6 (R5-2/R6-4) Zone, which permits cluster townhouses and cluster stacked townhouses with a maximum density of 30 units per hectare and a maximum height of 12.0 metres, and single, semi-detached and duplex dwellings with a maximum density of 20 units per hectare and a maximum height of 10.5 metres, to a Residential R5 Special Provision (R5-7(_)) Zone. The R5-7 Zone permits cluster townhouses and cluster stacked townhouses with a maximum density of 60 units per hectare and a maximum height of 12.0 metres. Special provisions were requested for:

- a reduced maximum density of 54 units per hectare in place of 60 units per hectare;
- a reduced maximum front yard depth of 2.9 metres in place of 8.0 metres; and,
- to permit a third stacked unit on the rear units whereas stacked townhouses are defined in the Zoning By-law as being two units high.

The area requested to be rezoned included all of the lands (0.43ha) within the area currently zoned Residential R5/Residential R6 (R5-2/R6-4) Zone, resulting in an effective density of 54 units per hectare.

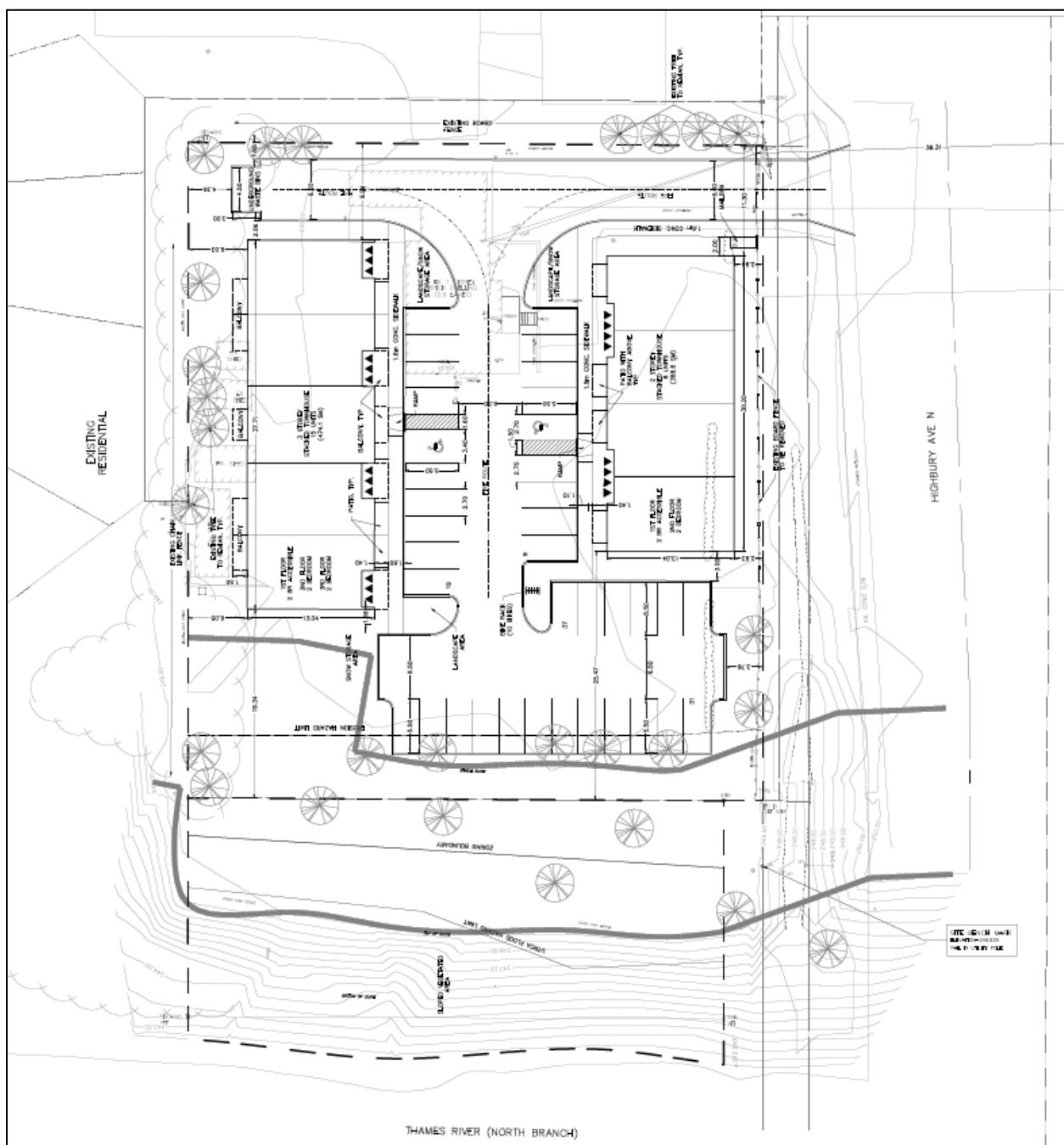


Figure 3: Original site concept plan (January 2021)



Figure 4: Original rendering – front view



Figure 5: Original rendering – side view

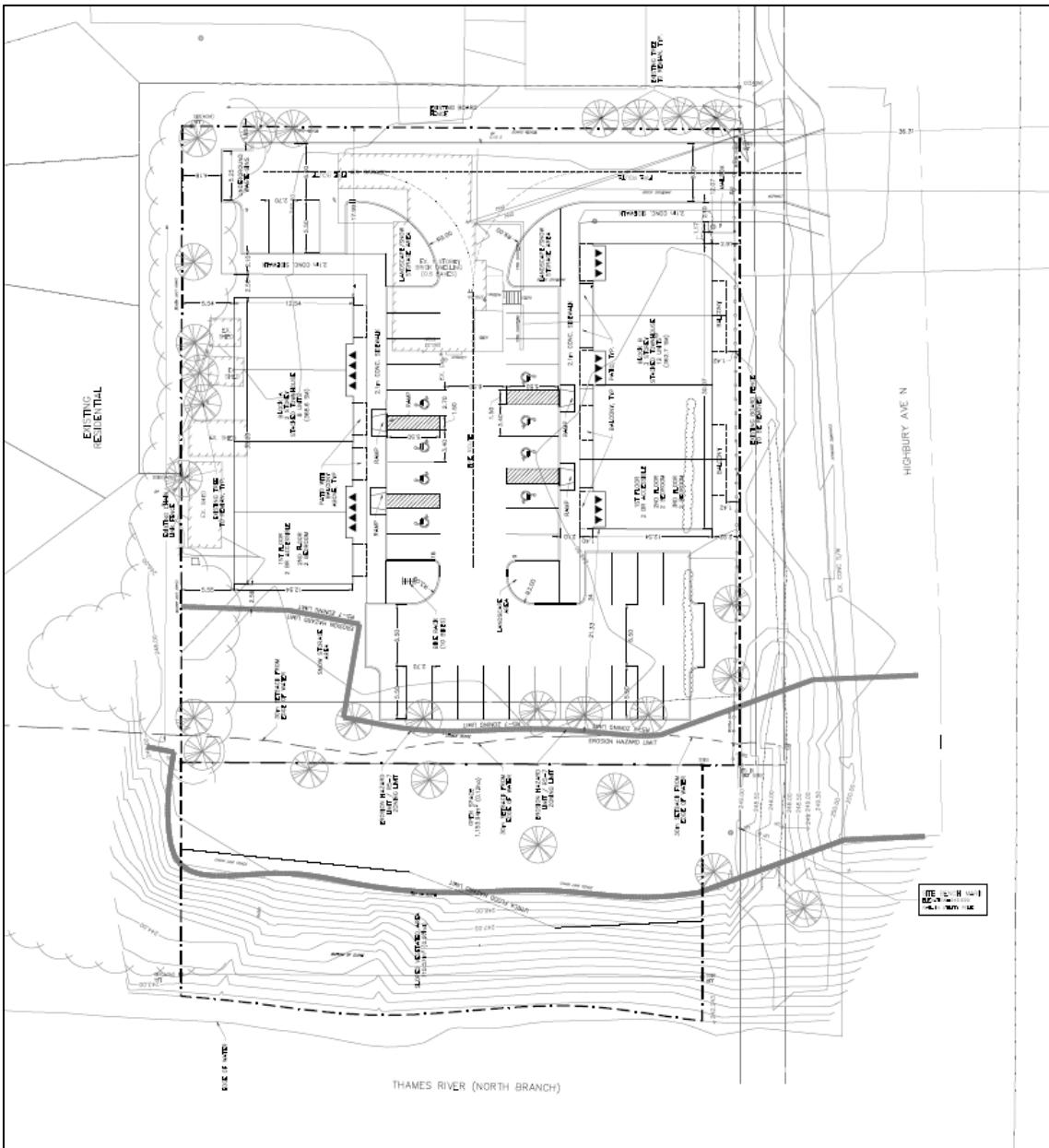


Figure 6: Revised Site concept plan

2.4 Revised Requested Amendment (April 2021)

In April 2021, the applicant requested a revision to the application in response to concerns raised by City staff and the public, to address minor adjustments in the design, and to recognise more precise interpretation of existing zoning regulations. Of note is the request to move the Open Space (OS5) zone line northerly to follow the maximum of the erosion allowance and the minimum 30m setback from the high water mark within significant valleylands, whichever is greater. Since a zone line is a lot line for Zoning By-law interpretation, the cumulative impact of the reduced number of units, and the decreased development area resulted in an effective density calculation of 58 units per hectare. The relocation of the zone line also affected the required south interior side yard depth. The recommended special provisions are as follows:

- a minimum front yard depth of 1.0 metres in place of 0.0 metres (revised as 40 metre road right-of-way does not require a minimum yard depth)
- a maximum front yard depth of 6.0 metres (new)
- a reduced rear yard depth of 5.5 metres in place of 6.0 metres (new)
- a reduced south interior side yard depth of 1.5 metres in place of 6.0 metres (new)
- Definition of “STACKED TOWNHOUSE” permits units to be stacked three (3) units high only for those units located immediately adjacent to Highbury Avenue (revised).

2.5 Community Engagement (see more detail in Appendix B)

Twelve written responses were received, which will be addressed later in this report. One respondent supported the application. The primary concerns were related to:

- Over-intensification
- Lighting, privacy, noise
- Traffic impacts
- Parking
- Environmental impacts
- Impacts on private trail usage

2.6 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 PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant valleylands. Development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. (2.1 Natural Heritage – 2.1.1, 2.1.5, and 2.1.8).

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 become one of the greenest cities in Canada by:

- Protecting and enhancing our Thames Valley corridor and its ecosystem
- Strengthen our urban forest by monitoring its condition, planting more, protecting more, and better maintaining trees and woodlands.
- Continually expand, improve, and connect our parks resources. (Key Direction #4, Directions 3, 9 and 10)

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 2, 4 and 5).

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

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Directions 5 and 10).

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

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Neighbourhoods Place Type on an Urban Thoroughfare, 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, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 2 storeys, and the maximum permitted height is 4 storeys, with the potential to bonus up to six storeys. (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The Green Framework policies of the City Structure Plan within The London Plan highlights the Thames Valley Corridor and its tributaries as a feature that has played a major role in the human settlement and development of London and Southwestern Ontario. It is considered London’s most important natural, cultural, recreational and aesthetic resource. Recognizing the importance of the Thames Valley Corridor, a number of actions are identified, including:

- Protect, enhance, and restore the natural and cultural heritage of the Thames Valley Corridor in all the planning we do.

- Develop a continuous multi-use pathway network connecting parks and natural areas along the Thames Valley Corridor as the outdoor recreational spine of the City.
- As appropriate, acquire lands along the Thames Valley Corridor to support ecological, cultural, and/or recreational objectives of the Plan. (121 – 123)

The site is identified as being within an Environmentally Significant Area and Significant Valleylands on *Map 5 – Natural Heritage, and within the Riverine Erosion Hazard Line for Confined Systems, the Regulatory Floodline, Highly Vulnerable Aquifers and the UTRCA Regulation limit on *Map 6 – Hazards and Natural Resources of The London Plan.

1989 Official Plan

The subject site is designated Low Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The Low Density Residential designation permits primarily single detached, semi-detached and duplex dwellings. Residential Intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments, subject to specific criteria (3.2).

The site is identified as being within the Big-picture Meta-cores/Meta-corridors policy area of the 1989 Official Plan and is affected by the Significant Corridor, Maximum Hazard Line and Kilally Meadows ESA on Schedule B-1, and the Riverine Erosion Hazard Line for Confined Systems, Regulatory Floodline, and the Upper Thames River Conservation Authority regulated area on Schedule B-2 of the 1989 Official Plan. The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. The City will require that an environmental impact study be completed to its satisfaction, and in accordance with provincial policy, in consultation with the relevant public agencies prior to the approval of an Official Plan amendment, Zoning By-Law amendment, subdivision application, consent application or site plan application, where development is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in Table 15-1. (15.5.1)

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 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 two-to-three storey, 20 unit stacked townhouse development would contribute to a mix of housing types, providing more intrinsically affordable housing options. This particular development is intended for affordable housing by Habitat for Humanity.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting on an Urban Thoroughfare. 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 a range of low rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii). The subject property is designated Low Density Residential in the 1989 Official Plan. This designation contemplates primarily single detached, semi-detached and duplex dwellings. Residential Intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments. Zoning provisions for residential intensification projects will ensure that infill housing projects recognize the scale and character of adjacent land uses and reflect the character of the area, and address the Planning Impact Analysis policies in Section 3.7 of the Plan (3.2.1. and 3.2.3.2.).

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended townhouse development will contribute to the existing range and mix of housing types in the area, which consists of one and two-storey single detached, semi-detached, and townhouse development in the immediate vicinity, with higher intensity townhouses and apartments under construction or planned on the east side of Highbury Avenue to the south. The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed two-to-three storey, 20-unit stacked townhouse dwellings will provide 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 property has suitable access to open space, transit, community facilities and shopping areas as further detailed in the Planning Impact Analysis in Appendix C of this report. While the recommended townhouse development has a different intensity and built form than existing surrounding development, the analysis of intensity and form below demonstrates that stacked townhouses can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

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). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). 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 use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The London Plan

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

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

1989 Official Plan

Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. While residential densities are generally limited to 30 units per hectare, the Plan also provides for residential intensification through the development of vacant and/or underutilized lots within previously developed areas. (3.2.1. and 3.2.3.). Such residential intensification is permitted in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments in a range up to 75 units per hectare (3.2.3.2.). Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area.

Analysis:

The subject lands have frontage on an Urban Thoroughfare (Highbury Avenue North) which is a higher-order street, to which higher-intensity uses are directed. The subject property is of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site within a settlement area. As the site is currently developed with one single detached dwelling, the proposed development represents a form of intensification through infill redevelopment. Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. As the site is currently developed with a single detached dwelling, the proposed development represents a form of intensification through infill redevelopment. The increased intensity of development on the site will make use of existing transit services, nearby passive recreation opportunities, and public service opportunities. The subject lands are sited in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment.

The proposed revised 3-storey, 20-unit stacked townhouse development yields a density of 58 units per hectare, well within the maximum density of 75 units per hectare that can be considered under the 1989 Official Plan policies. In addition, the proposed 2 – 3 storey height is less than the maximum, without bonusing, supported by The London Plan policies. As such, staff is satisfied the proposed intensity and scale of development is in conformity with the City's Official Plans.

The available developable area on the site is significantly constrained by the stable slope setback associated with the Thames River. The intensity of development within the remaining developable area is suitable for the site. It is noted that the only special provisions related to the relationship of the proposed development to neighbouring developed properties is a reduction from a 6.0 metre rear yard depth to 5.5 metres. This reduced yard depth is sufficiently compensated by the intervening pathway lands associated with 155 Killarney Road.

The impact of addition of traffic volume from a 20 unit development on a higher-order road that currently experiences high traffic volumes is negligible and is not an impediment to the proposed development. Furthermore, the City's Transportation Division is satisfied that the location of the driveway as far north on the property as possible provides for suitable spacing for safety and sightlines.

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

4.3 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)).

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 Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. Infill projects are subject to the preparation of a Neighbourhood Character Statement assessing the physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment (3.2.3.3.). They are also subject to a Statement of Compatibility to demonstrate that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (3.2.3.4.). Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii)). Appendix C of this report includes a complete Planning Impact Analysis addressing matters of both intensity and form.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject property 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 stacked townhouses represent a more compact form of development than the single detached dwelling that currently occupies the site.

The massing of the proposed buildings is consistent with urban design goals, locating the taller building close to Highbury Avenue North and the shorter building to the rear of the property. The placement of the building close to the street encourages a street-oriented design with ground floor entrances facing Highbury Avenue North. Detailed building design including rhythm, materials, fenestration, and balconies will be considered at the site plan stage, helping to create a comfortable, human-scaled streetscape. Urban Design staff specifically identified that visual access for the southerly end units to the open space area and the Thames River interface be enhanced by providing increased number of windows and/or balconies.

The parking areas are located primarily behind the front building and away from the street, while adequate space can be provided between the parking area that is exposed to Highbury Avenue to provide for appropriate screening of the parking from the street.

The proposed development as a whole is of a similar height to the surrounding residential units to the west and north. The revised building massing and placement also mitigate compatibility concerns, including neighbourhood concerns regarding loss of privacy. The proposed buildings are located adequate distances from the developed portions 155 Killarney Road and 111 through 117 Killarney Place to mitigate potential loss of privacy. The driveway has been positioned toward the north property line, creating a separation from the side and south-facing, two-storey townhouse units on adjacent lands at 155 Killarney Road. In addition to the recommended reduced 5.5 metre rear yard, the intervening pathway over 155 Killarney Road provides additional separation from the semi-detached dwellings to the west. Furthermore, the revised proposal that places the stacking of two units to the rear of the property rather than the original requested stacking of three units in this location, further address privacy concerns for these dwellings. Sufficient space is available to provide for appropriate vegetative screening along the north and west property boundaries adjacent to existing development.

A specific neighbourhood concern was the potential for increased usage of the northerly access to the Thames Valley Corridor via 155 Killarney Road and behind the homes on Killarney Place. The City has an interest in acquiring the hazard lands on this property, which would facilitate the eventual completion of the formal Thames Valley Corridor connection across the subject property, decreasing demand for access to the Corridor across private lands from the broader community. The applicant's consultant has also indicated there are no plans to provide direct access from the proposed development to the current pathway system.

4.4 Issue and Consideration #4: Ecological Systems, Slope Protection, and Tree Preservation

Provincial Policy Statement, 2020 (PPS)

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1 Natural Heritage – 2.1.5). The PPS also directs development away from areas of natural hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards. Development shall generally be directed ... to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards (3.1 – Natural Hazards – 3.1.1).

The London Plan

The property is affected by the Environmentally Significant Area and Significant Valleylands on Map 5 – Natural Heritage, the Riverine Erosion Hazard Line for Confined Systems, the Regulatory Floodline, Highly Vulnerable Aquifers and the UTRCA Regulation limit on Map 6 – Hazards and Natural Resources of The London Plan.

The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. Development or site alteration on lands adjacent to features of the Natural Heritage System shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (1433_).

The corridor width of Significant Valleylands is to be determined and delineated on the basis of the following criteria:

- The valleyland width shall be sufficient to accommodate the natural features and ecological functions that contribute to its significance including water resource functions such as flood plain and erosion hazards, riparian buffers for natural features, ecological functions and water quality and quantity.
- The minimum width of significant valleylands will be generally comprised of 30 metres on each side of the watercourse measured from the high water mark, consistent with the Natural Heritage Reference Manual. The ultimate width of a corridor will be established on a case-by-case basis to address the impacts of the adjacent development and the sensitivity of the features and functions through the application of the Guidelines for Determining Setbacks and Ecological Buffers, as part of an environmental impact study and/or subject lands status report approved by the City.
- The valleyland width will be sufficient to support and provide corridor functions (1350_).

The London Plan directs development away from lands that are subject to riverine erosion hazards. In areas of new development, the use of hazard avoidance, vegetative plantings and other non-structural solutions are the preferred method of addressing riverine erosion hazards (1488). Ultimately, all natural hazard lands are regulated by and within the jurisdiction of the respective conservation authority, requiring permits pursuant to Section 28 of the Conservation Authorities Act.

1989 Official Plan

The property is immediately adjacent to the North Thames River and is affected by the Significant Corridor, the Maximum Hazard Line and the Kilally Meadows Environmentally Significant Area on Schedule B-1, and the Riverine Erosion Hazard Line for Confined Systems, the Regulatory Floodline, and the Upper Thames River Conservation Authority regulated area on Schedule B-2 of the 1989 Official Plan.

The 1989 Official Plan contains similar policies to The London Plan with respect to the protection of Significant Valleylands and their related features and functions, as well as controlling development within hazard lands.

Thames River Valley Corridor Plan (TRVCP)

The Thames River Valley Corridor Plan also applies to these lands. The preferred minimum corridor width in the TRVCP is 100 meters. While recognizing this may not be achievable on private lands that are slated for development, it is possible to change and influence new development to be more compatible with the natural heritage objectives for the Thames Valley Corridor, and to support the increasing public and City interest in “green”, sustainable, environmentally sound design.

Analysis:

The applicant completed a Scoped EIS Letter Report (MTE Consultants, January 18, 2021) based on the maintenance of a 30 metre setback from the edge of the Thames River, addressing tree inventory and protection, species at risk screening, bat habitat, and goals and objectives for the naturalization of the south part of the site. The accepted recommendations include a 30 metre development setback from the river's edge, and the possible addition of two bat maternity roost boxes as part of the naturalization plan to be implemented through the site plan approval process.

The recommendations of the Tree Preservation Report (MTE Consultants, October 19, 2020) provided as an appendix to the EIS Letter Report include the retention of 20 trees and the removal of 61 trees. Those trees to be removed are non-native, non-specimen trees; invasive or undesirable species; unhealthy, dead or severely cut back trees; and ten trees not otherwise identified for removal that are within the grading envelope of the subject site. It also recommends a naturalization plan which would entail the planting of 32 native tree species and seeding with native plant species within the open space area. The Tree Preservation Report and all of its recommendations will be refined and implemented through the site plan approval process. In addition, landscaped buffers within the development lands will be incorporated through a landscape plan at site plan. City staff are satisfied that the 30 metre setback and recommendations of the EIS Letter Report appropriately address the impacts of the proposed development and protect and enhance the features and functions associated with the Thames Valley Corridor.

The south part of the site is characterized by steep slopes associated with the Thames River. The applicant submitted technical studies (Geotechnical Investigation Report – MTE consultants, October 24, 2019, and Preliminary Slope Assessment, MTE Consultants, Revised February 24, 2021) to determine and map the limit of the stable top of slope and the 6.0 metre setback allowance from the top of slope within which development will not be permitted. The flood hazard, and the required minimum 30 metre setback from the high water mark discussed above lie within the identified erosion hazard area. As a result, the development limit is determined wholly by the erosion hazard line including the 6.0 metre setback allowance, represented by the northerly dark grey line on Figure 6.

In keeping with Official Plan policies, the City should pursue the acquisition of the open space lands with a view to protecting, enhancing and restoring the natural and cultural heritage of the Thames Valley Corridor, including for the completion of a critical component of the multi-use pathway network along the north side of the Corridor. Acquisition may be considered in accordance with the City's Parkland Conveyance and Levy By-law – CP-9.

The lands identified for protection are consistent with the PPS, conform to the 1989 Official Plan, The London Plan and satisfy the intent of Thames River Valley Corridor Plan in the context of this site.

4.5 Issue and Consideration #5: Zoning

The hazard lands identified earlier in this report are to be zoned Open Space (OS5), necessitating a shift in the existing zone line between open space and development lands further north on the property. This shift is reflected in the revised site concept shown in Figure 6. Since the zone line is treated as a property line for zoning interpretation purposes, the site statistics were updated, resulting in an increased proposed density of 58 units per hectare although the number of units proposed has actually decreased to 20. An additional impact of the zone line shift is a request for a south interior side yard depth of 1.5 metres.

The requested amendment also seeks a special provision to permit a minimum front yard depth of 1.0 metres, whereas there is no required front yard depth adjacent to a road with a minimum width of 40.0 metres, as is the case with Highbury Avenue North. The recommended minimum front yard depth is intended to ensure that building features such as swinging doors do not open into the road right-of-way. The

recommended maximum front yard depth of 6.0 metres, where a maximum is not required by the standard R5-7 Zone, 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 (*259_). The combination of minimum and maximum front yard depths is conducive to achieving a street-oriented and transit-oriented building design.

The required rear yard depth is intended to provide adequate separation between the proposed development and adjacent buildings, while also providing access to the rear yard. The rear yard abuts an undeveloped portion of 155 Killarney Road that is too narrow to develop but currently provides access to the Thames Valley Corridor to the south. Staff is satisfied that the reduced minimum rear yard depth of 5.5 metres where 6.0 metres would normally be required, will provide adequate separation between development on the subject property and the existing semi-detached dwellings to the west.

The current definition of stacked townhouses permits units to be stacked two units high and does not reflect the proposed three unit high stacking requested for the building adjacent to Highbury Avenue North. Staff is satisfied that the stacked townhouse form for this development is appropriate, and that the allowance to stack three units high at the front of the property is compatible with surrounding development and furthers design goals adjacent to major arterial roads.

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 Low Density Residential designation and the Environmental Policies. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

Prepared by:	Barb Debbert Senior Planner
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Deputy City Manager, Planning and Economic Development

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 1697 Highbury Avenue North.

WHEREAS Habitat for Humanity Heartland Ontario Inc. has applied to rezone an area of land located at 1697 Highbury Avenue North, 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 1697 Highbury Avenue North, as shown on the attached map comprising part of Key Map No. A103, from a Residential R5/Residential R6 (R5-2/R6-4) Zone and an Open Space (OS5) Zone, **TO** a Residential R5 Special Provision (R5-7(_)) Zone and an Open Space (OS5) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

) R5-7() 1697 Highbury Avenue North

a) Regulations

- | | | |
|------|--|-------------------------|
| i) | Front Yard Depth
(Minimum) | 1.0 metres (3.28 feet) |
| ii) | Front Yard Depth
(Maximum) | 6.0 metres (19.7 feet) |
| iii) | South Interior Yard Depth
(Minimum) | 1.5 metres (4.9 feet) |
| iv) | Rear Yard Depth
(Minimum) | 5.5 metres (18.04 feet) |
| v) | The definition of "STACKED TOWNHOUSE" permits units to be stacked three (3) units high, for only those units located immediately adjacent and oriented to Highbury Avenue North. | |

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.

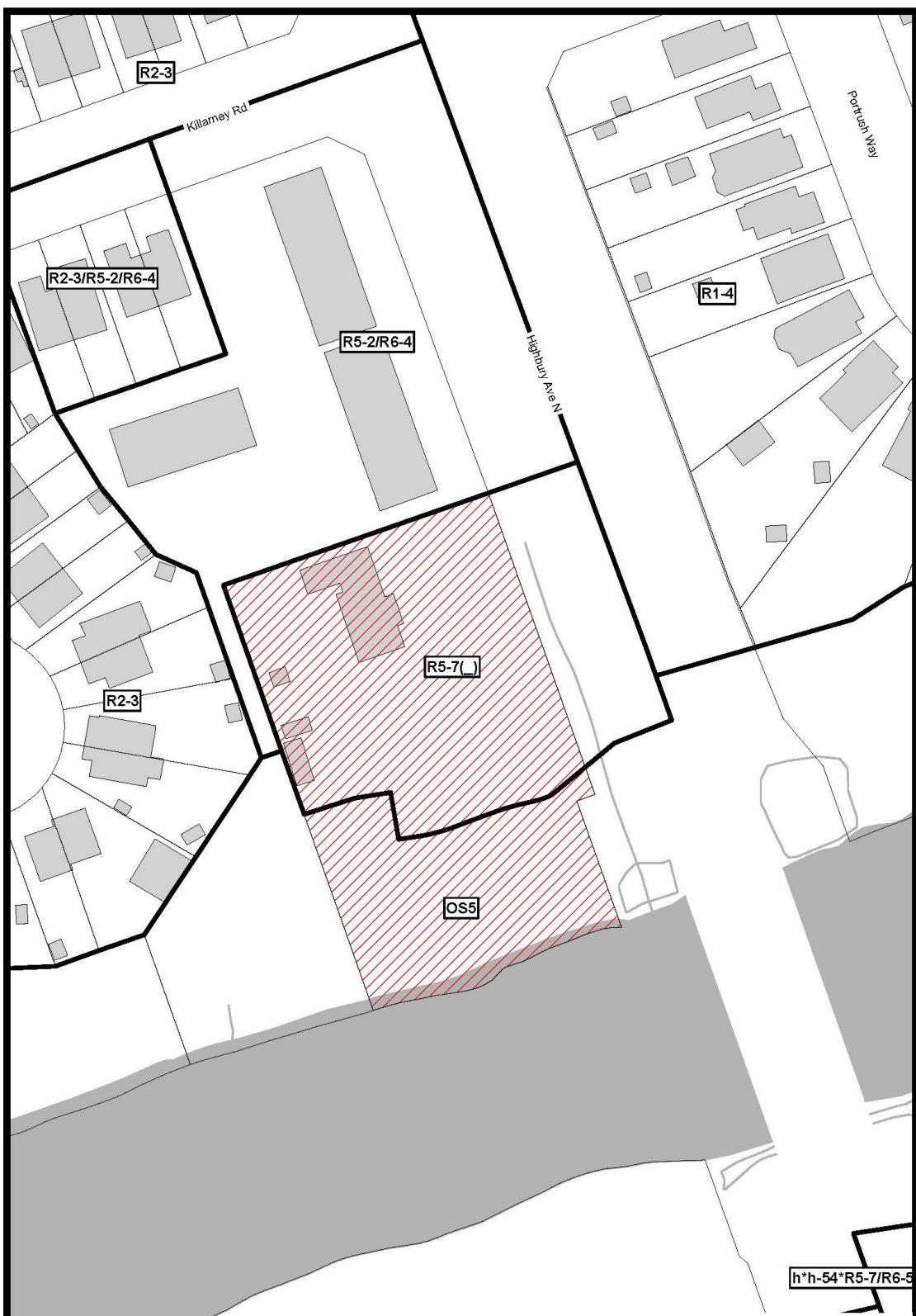
PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

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



File Number: Z-9302

Planner: BD

Date Prepared: 2021/04/13

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE



1:1,000

0 5 10 20 30 40 Meters



Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application (January 28, 2021):

On January 28, 2021, Notice of Application was sent to 142 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 28, 2021. A “Planning Application” sign was also posted on the site.

12 replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of two new, townhouse buildings: (1) a 2-storey, stacked townhouse building located close to the street; and (2) a 3-storey stacked townhouse building on a portion of the lands. Possible change to Zoning By-law Z.-1 from a Residential R5 (R5-2) and Residential R6 (R6-4) Zone to a Residential R5 Special Provision (R5-7(_)) Zone with special provision including a maximum density of 54 units per hectare, a minimum front yard setback of 2.9m, and a third stacked unit on the rear units whereas in the definition of stacked townhouses indicates they are only two units high.

Notice of Revised Application (May 5, 2021):

On May 5, 2021, Notice of Revised Application was sent to 142 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 6, 2021.

Nature of Liaison: The purpose and effect of this zoning change is to permit two new stacked townhouse buildings with a total of 20 units (58 units per hectare (uph)): (1) a 3-storey, stacked townhouse building with 12 units located close to the street; and (2) a 2-storey stacked townhouse building with 8 units located toward the rear of the property. Possible change to Zoning By-law Z.-1 **FROM** a Residential R5/Residential R6 (R5-2/R6-4) Zone and an Open Space (OS5) Zone **TO** a Residential R5 Special Provision (R5-7(_)) Zone and an Open Space (OS5) Zone. Special provisions for the Residential R5 Special Provision (R5-7(_)) Zone include a minimum front yard depth of 1.0m, a maximum front yard depth of 6.0m, a south interior side yard depth of 1.5m, a rear yard depth of 5.5m, and a third stacked townhouse unit on the units immediately adjacent to Highbury Avenue North whereas the definition of “Stacked Townhouse” permits stacking up to 2 units high. Key changes to the development proposal since the original Notice of Application published on January 28, 2021 include increasing the amount of land in the Open Space (OS5) Zone; decreasing the number of units from 23 to 20; and relocating the three unit tall, stacked townhouse to the front of the property.

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

Concern for:

Over Intensification:

Concern that too many units are being proposed for the site in relation to the intensity of surrounding development. Note: The original Notice of Application may have led to the perception 54 units were proposed when 23 were proposed.

Concern about the cumulative social impact (increased crime rate) of existing, ongoing and planned residential intensification along Highbury Avenue in the vicinity of the subject property.

Traffic

Concern about the cumulative impact on the transportation system for volume and safety of existing, ongoing and planned residential intensification along Highbury Avenue in the vicinity of the subject property.

Lighting/Privacy/Noise

Concern that lights from buildings and cars, overlook from windows and balconies, and increase noise from multiple dwelling units will negatively impact the enjoyment of neighbouring properties.

Parking

Concern that insufficient parking is being provided for the site.

Concern that construction workers/volunteers will park on neighbouring streets during the construction process.

Environment

Concerns about impacts on natural habitat.

Private Trail Usage

Concern that the development of the subject property will result in increased use of the trail accessed from the townhouse development to the north.

Preference for the trailhead to be relocated south of the subject property.

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

Telephone	Written
	Alan Martin 21-99 Edgevalley Road London ON N5Y 5N1
	Barb Biernaski 18 – 99 Edgevalley Road London ON N5Y 5N1
	Barbara VanGorp 15 – 155 Killarney Road London ON N5X 3X8
	Brian Bell and Michelle Bliss 133 Killarney Road London ON N5X 3X8
	Paul and Erin Dixon 1593 Portrush Way London ON N5X 0C1
	Jennifer Allan 41 Benson Crescent London ON N5X
	John Maddox 42 – 99 Edgevalley Road London ON N5Y 5N1
	John Wallace 11 – 155 Killarney Road London ON N5X 3X8
	Lorie VanValkengoed 38 – 99 Edgevalley Road London ON N5Y 5N1
	Mike Ruebsam 1605 Portrush Way London ON N5X 0C1
	Peggy Kelly 113 Killarney Place London ON N5X 2B5
	Terri McNair 111 Killarney Place London ON N5X 2B5

From: a martin
Date: March 1, 2021 at 6:53:44 AM EST: "Riley, Alanna" <ariley@london.ca>
Subject: [EXTERNAL] File: Z-9302 - Habitat for Humanity Heartland Ontario Inc.

Hello Alanna,

Great idea, love the cause!. My only comment would be, I would like to see the dirt foot path pass south of the complex instead of north of the property.

Cheers,

Alan

Alan Martin
21 - 99 Edgevalley Rd.
London

From: Barb Biernaski
Sent: Wednesday, February 03, 2021 4:18 PM
To: Riley, Alanna <ariley@London.ca>
Cc: (redacted)
Subject: [EXTERNAL] Response to request for zoning change-1697 Highbury Ave N.
Importance: High

File Z-9302

Alanna,

Just received information on this proposed zoning change to add in 2 new townhouse buildings at 1697 Highbury Ave N. This area abuts north branch of Thames River & fronts onto Highbury Ave. N. on the west side of Highbury.

Clearly this will further increase traffic & density on Highbury Ave N. This parcel is very close to current development on the east side of Highbury at corner of Edgevalley Rd. & Highbury Rd.

Traffic lights are desperately needed at this corner due to very high volume of traffic here; Board Members & owners in my local condo neighbourhood at 99 Edgevalley Rd. have been in contact with Alexei Chkouro, Traffic & Transportation Program Manager, Roadway Lighting & Traffic Control Division-City of London numerous times over the past 12 months about criticality of getting traffic signals installed. The last communication we received from her was to promise that this installation would start this year & finish in 2022. (see attached email)

Addition of more units that would be part of this zoning change would funnel even more traffic onto Highbury N. within 1 block of corner of Edgevalley Rd. & Highbury N.

It is important that this is taken into account prior to approving this change & should definitely escalate scheduled install of traffic lights at Edgevalley/Highbury.

Hopefully this information will be taken into account before there is fatal accident at this corner.

Regards,

Barb Biernaski

(Attachment to Barb Biernaski email)

From: Chkouro, Alexei <achkouro@London.ca>
Sent: Tuesday, December 01, 2020 5:25 PM
To: Barb Biernaski
Cc: Salih, Mo Mohamed <msalih@london.ca>
Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hi Barb, through internal discussion the date for new signal installation at Edgevalley Rd and Highbury Ave N was moved to 2022. The design and contract preparation will take place next year followed by construction during Spring/Summer of 2022.

Regards,

Alexei Chkouro, C.E.T. LET

Traffic & Transportation Program Manager
Roadway Lighting & Traffic Control Division
City of London

From: Barb Biernaski

Sent: December 1, 2020 5:13 PM

To: (redacted); Chkouro, Alexei <achkouro@London.ca>; Salih, Mo Mohamed <msalih@london.ca>

Subject: [EXTERNAL] Re: Traffic lights needed at Highbury/Edgevalley Rd intersection

Alexei, Mo

As a resident living near this intersection, I too am appalled by the lack of action by the City of London on this matter.

Can you please explain what parameters were used in this decision to delay installation of traffic lights to 2023? Clearly, recently increased volume of traffic was not used as a factor as both (redacted) & I have pointed out in previous emails. This has been caused mainly due to the fact that a large housing development of more than 200-300 units has just been added on the east side of Highbury & Edgevalley.

As another Director of our Condo Board, I have been asked by many residents on a regular basis when traffic lights are being installed as they fear increased traffic accidents at this intersection. It is a very high priority to taxpayers that live in this area.

What needs to be done to reconsider this decision & escalate install of lights here sooner than 2023?

Regards

Barb Biernaski

From: (redacted)

Sent: Tuesday, December 1, 2020, 1:58 p.m.

To: Chkouro, Alexei

Subject: Re: Traffic lights needed at Highbury/Edgevalley Rd intersection

Alexei,

I was shocked beyond belief to receive your email that the light at Highbury & Edgevalley would not be considered before the year 2023. Obviously, no one has taken the time to survey the area and see how busy it is at **all** times of the day. If we have to wait for another 3 years, there will be no turning left on to Highbury without a light now, and when people move in to the new development, the traffic will increase tremendously.

I hope it doesn't take a terrible accident for the city to rethink their timing.

I urge you to reconsider this item as a priority. Thank you for your attention to this matter.

(redacted)

From: Chkouro, Alexei

Sent: Thursday, November 26, 2020 2:41 PM

To: Salih, Mo Mohamed ; Maguire, Shane

CC: Rafuna, Liridona

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hi Cllr. Salih, the installation of the traffic signal at Highbury Ave @ Edgevalley Rd is tentatively scheduled for 2023. I've included (redacted) in this e-mail.

Regards,

Alexei Chkouro, C.E.T. LET

Senior Transportation Technologist
Roadway Lighting & Traffic Control Division
City of London

From: Chkouro, Alexei
Sent: July 24, 2020 1:31 PM
To: Salih, Mo Mohamed <msalih@london.ca>; Maguire, Shane <smaquire@london.ca>
Cc: Rafuna, Liridona <lrafuna@london.ca>
Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

I will update CRM and include (redacted) in response once study is completed. Thanks.

Alexei Chkouro, C.E.T. LET

Senior Transportation Technologist
Roadway Lighting & Traffic Control Division
City of London

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed
Sent: Thursday, July 23, 2020 8:12 AM
To: Chkouro, Alexei <achkouro@London.ca>; Maguire, Shane <SMAQUIRE@London.ca>
Cc: Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>
Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hello Alexei and/or Shane:

With permission provided by the resident we would like to share with you the contact information of the Condo President (Condo Corp #694) who is reporting to have been at the below meeting that received the below information from staff a few years ago.

(redacted)

(Redacted) would appreciate being included on the reply from Staff when available.

Thank you,

On behalf of Councillor Mo Mohamed Salih

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed
Sent: Wednesday, July 22, 2020 10:54 AM
To: Chkouro, Alexei <achkouro@London.ca>; Maguire, Shane <SMAQUIRE@London.ca>
Cc: Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>
Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hello Shane & Alexei:

Councillor Salih has received the below concerns and claims from area residents in regards to this ongoing request.

"I know you have received emails regarding the traffic lights needed at the above location.

I have lived in my condo since 1996 and have seen the traffic escalate over the years, especially during the last few years. Now that the building has commenced across the street on the east side of Highbury Ave., there are many times during the day when it is impossible to turn left on to Highbury and it is only going to get worse as the buildings become occupied.

Several years ago, there was a meeting at City Hall to discuss the increase of traffic on Highbury and I was one of several owners who attended that meeting to lobby for lights at that time. We were told that our area was on the short list for a

traffic light. Obviously, that short list has not decreased in the number of years we have been waiting.

We were also told that it was a builder obligation to install the light. We know that the electrical work has been installed. Cannot the City push for the lights to be activated now. If you saw how many large trucks go in and out of that building site, you would understand the stress it is putting on our condo complex as well as all the homes on Edgevalley and the surrounding streets.

Please take our circumstances into consideration and see if something can be done sooner rather than later. Your attention to this matter will be appreciated."

As per the above the residents are reporting that the electrical work has been installed at this intersection and have been informed that this was the builder's responsibility to install?

We understand that the study has been postponed and may take place in the Fall, although not confirmed. However, the residents are reporting that they were informed about being on a short list for a traffic light in their area, followed by a meeting with Staff a few years ago. Therefore, any confirmed information that you are able to provide to Councillor Salih in regards to this matter, would be greatly appreciated. Staff's assistance with this request is appreciated.

Thank you,

On behalf of Councillor Mo Mohamed Salih

Liridona Rafuna

Administrative Assistant II

Elected Officials, Councillors' Office

City of London

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed

Sent: Monday, July 20, 2020 2:37 PM

To: Chkouro, Alexei <achkouro@London.ca>

Cc: Maguire, Shane <SMAGUIRE@London.ca>; Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hello Alexei:

Thank you for the prompt response and update on this matter.

As Councillor Salih continues to receive more concerns about this intersection, we trust that Staff will be able to provide a response/update of the results when available. The Councillor looks forward to that information.

Thank you,

On behalf of Councillor Mo Mohamed Salih

Liridona Rafuna

Administrative Assistant II

Elected Officials, Councillors' Office

City of London

From: Chkouro, Alexei

Sent: Monday, July 20, 2020 2:21 PM

To: Rafuna, Liridona <lrafuna@london.ca>

Cc: Maguire, Shane <SMAGUIRE@London.ca>

Subject: FW: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hi Liridona, please see attached correspondence with your office regarding Highbury Ave @ Edgevalley Rd. Unfortunately due situation with Covid we weren't able to proceed with spring traffic count program and we are not certain if fall count program will be possible. We will respond to your office as soon as traffic study is completed.

Regards,

Alexei Chkouro, C.E.T. LET

Senior Transportation Technologist

Roadway Lighting & Traffic Control Division

City of London

From: Jogie, Suresh

Sent: Monday, July 20, 2020 9:47 AM

To: Chkouro, Alexei <achkouro@London.ca>

Cc: Maguire, Shane <SMAGUIRE@London.ca>

Subject: FW: Traffic lights needed at Highbury/Edgevalley Rd intersection

Alexei,

Would you be able to respond to this?

Thanks

Suresh Jogie, C.E.T.

Traffic Signal and Street Light Technologist

Roadway Lighting & Traffic Control

City of London.

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed

Sent: Monday, July 20, 2020 9:06 AM

To: Maguire, Shane <SMAGUIRE@London.ca>; Jogie, Suresh <sjogie@London.ca>

Cc: Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>

Subject: FW: Traffic lights needed at Highbury/Edgevalley Rd intersection

Good Morning Shane & Suresh:

We are hoping that you may be able to assist and/or advise with the following request below RE traffic lights at Highbury/Edgevalley Rd intersection, as more development is being finalized.

Could you please advise if there may be any future plans to address the below concerns, and if this request is possible? - any information/updates that you are able to provide to Councillor Salih, which we can then share back with the resident, would be greatly appreciated.

"I am a concerned resident living in mature condo community at the NW corner of Edgevalley/Highbury. Traffic volume in this intersection was already extremely high, making it almost impossible to make safe left hand turns from Edgevalley onto Highbury.

Recent housing development that is being built now on NE side of Edgevalley/Highbury has already drastically increased traffic at this intersection. Traffic volume will only escalate further as development continues here and new owners start to move into area.

Clearly, traffic lights are needed at this intersection very soon. Also speed limits in this area need to be decreased from 70 kph to 60kph.

Are you aware of any actions that are planned to resolve these issues? Hopefully, traffic lights can be installed before lives are lost here."

Thank you kindly,

On behalf of Councillor Mo Mohamed Salih

Liridona Rafuna

Administrative Assistant II

Elected Officials, Councillors' Office

City of London

Sent: Saturday, July 18, 2020 9:19 PM
To: Salih, Mo Mohamed <msalih@london.ca>
Subject: [EXTERNAL] Traffic lights needed at Highbury/Edgevalley Rd intersection

I am a concerned resident living in mature condo community at the NW corner of Edgevalley/Highbury. Traffic volume in this intersection was already extremely high, making it almost impossible to make safe left hand turns from Edgevalley onto Highbury.

Recent housing development that is being built now on NE side of Edgevalley/Highbury has already drastically increased traffic at this intersection. Traffic volume will only escalate further as development continues here and new owners start to move into area.

Clearly, traffic lights are needed at this intersection very soon. Also speed limits in this area need to be decreased from 70 kph to 60kph.

Are you aware of any actions that are planned to resolve these issues? Hopefully, traffic lights can be installed before lives are lost here.

Looking forward to your response; i have been very impressed with your attitude & past actions as our City Councillor.

From: Barbara VanGorp
Date: February 23, 2021 at 1:46:02 PM EST
To: "Riley, Alanna" <ariley@london.ca>
Subject: [EXTERNAL] File Z-9302

Dear Ms. Riley

I am writing to express my strong opposition to the proposed building/rezoning at 1697 Highbury Ave. I live in the condos adjacent to the property. As surrounding neighbours and on behalf of our community, we are very concerned that the development proposed will be detrimental to the area. It will cause traffic and safety issues, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Highbury is a very busy highway and having an entrance to this new development between the intersection of Killarney and Highbury and the bridge, would be very dangerous, especially between morning and evening rush hours.

As neighbours, this will affect lighting, privacy and noise levels, and property values are likely to go down if this development goes ahead. It is shocking to hear the density of this proposed development which includes two stacked townhouse buildings. This is very unrealistic for this size of property.

I urge you to disapprove the proposed rezoning, and from recent discussions with my neighbours, I know my opinions are shared by many.

Thank you for your attention to this matter.

Barb Van Gorp
15 – 155 Killarney Rd.
London, Ont.
N5X 3X8

From: Brian Bell
Sent: Thursday, February 04, 2021 10:08 AM
To: Riley, Alanna <ariley@london.ca>
Subject: [EXTERNAL] Planning Application File # Z-9302

Good morning Alanna,

We received a Notice of Planning Application for 1697 Highbury Ave North and am wondering if its possible to get a more concise Site Concept drawing? The PDF in the Notice of Application on your website does not provide clarity in the Zoning Review box in the lower right hand corner when enlarged.

Thank you,

Brian Bell and Michelle Bliss
133 Killarney Road
London

From: Paul and Erin Dixon

Date: February 25, 2021 at 10:27:52 PM EST

To: "Riley, Alanna" <ariley@london.ca>

Cc: "Cassidy, Maureen" <mcassidy@london.ca>, "Salih, Mo Mohamed" <msalih@london.ca>

Subject: [EXTERNAL] Zoning By-Law Amendment 1697 Highbury Ave North

Hi Alanna,

Hope you are well.

I am writing to you in regards to the Zoning By-law Amendment at 1697 Highbury Avenue North that I received.

I have some concerns to bring forward in regards to this zoning amendment.

I am concerned about the environmental impact and how it will affect the riverbank and the greenspace along the river, including the trail behind the houses. I am also concerned with the elevated traffic due to the higher density dwellings. Will there be a median installed to only allow the residents of these dwellings to head south on Highbury? This increased population will cause havoc at an already busy intersection causing more unnecessary accidents.

The entrance to the property is limited due to the presence of the guard rail and single driveway and will be disruptive to the traffic flow along Highbury. The bike path and sidewalk are well used by both pedestrians and cyclists, including students walking and cycling from Killally to Northridge Public School. Safety is of utmost importance.

With it being a Habitat for Humanity build, the number of volunteers working at the property will increase congestion in the area as well. Where will all the construction crew and volunteers be parking? The street parking in Northridge is limited and I hope that my street in Cedar Hollow is not going to become a parking lot for these vehicles.

Based on this, I feel there are more cons than pros in regards to increasing the density of the property and would like to see it remain as a lower density two storey housing as originally proposed.

Please don't hesitate to contact me should you require any further information.

Sincerely,

Erin Dixon
1593 Portrush Way
London, ON N5X 0C1

From: Jennifer

Sent: Sunday, February 21, 2021 10:10 AM

To: Riley, Alanna <ariley@london.ca>

Subject: [EXTERNAL] Zoning By-Law Amendment: File: Z-9302

Dear Ms.Riley,

I am writing in regard to the Notice of Planning Application for 1697 Highbury Ave North. While I view Habitat for Humanity as a valuable organization in our community, I have some strong concerns related to their proposal for this property.

I have lived on Benson Crescent for more than 30 years and I enjoy walking the trail daily which winds out around this property onto Highbury. In current years, this stretch of the road has become increasingly congested and I have personally had some close calls with the cars as I attempt to cross at the intersection with my dog. As the many

new townhomes on the eastern side of Highbury become completed and inhabited, this situation is only going to worsen. I feel that the current proposal by Habitat for up to 54 units here is far too many. There could potentially be well over 150 people with vehicles trying to manoeuvre this busy stretch daily.

The Site Concept map which was included in the notice is of such poor quality and so small that it is very difficult to determine the exact plans. In my opinion, this property would suit perhaps two dozen stacked units, without any being 3 stories.

I most definitely do not wish to see this current proposal from Habitat for Humanity going forward. Please add my name to any future notifications regarding this site.

Thank you

Jennifer Allan
41 Benson Crescent
London N5X 2B1

From: maddoxjo maddoxjo
Sent: Friday, February 5, 2021 7:42 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Zoning Amendment-File: Z-9302

Alanna Riley: I am a resident property owner directly south of the proposed development (south side of river) on the west side of Highbury Ave. I would hope that given recent developments in this area that caution be exercised with respect to traffic flow on Highbury Ave.

We have recently witnessed considerable growth and development on the East side - south of the river. Area residents have repeatedly raised concerns with respect to traffic lights at Edgevalley & Highbury only to be re-assured that this will happen perhaps in 2022. The planning work has apparently been completed. The 2022 installation is unacceptable given the volume and increases that will be seen very shortly with the further development.

The Zoning amendment is not my greatest concern but rather the apparent disregard for the on going increase in traffic on Highbury Ave. and the safety of the residents in the area. I trust that the approval process will have regard for the safety and well being of all area residents regarding the traffic situation. The area residents are entitled to safe access on and off of Highbury and this should be acted on before 2022 and before there are any serious incidents in this intersection.

I respectfully request you address this matter in conjunction with your review process to insure a resolution to the traffic lights during the up coming construction season. This problem will only escalate with the on-going development on the East side of Highbury.

Please feel free to share this concern with ward Councilor M. Salih. Thank-you in advance for assistance in resolving this matter.

Respectfully

John Maddox

John Wallace
155 Killarney Road, Unit 11

Feb 14, 2021

It is with dismay and concern that I have received this zoning by-law amendment for 1697 Highbury Ave. N. High density housing on said property is a disaster waiting to happen. The property is situated at a precarious and dangerous position practically astride the Highbury Thames bridge. The entrance to this property is extremely narrow adjacent to the curve and guardrail entrance to the bridge.

As we all know Highbury's four lanes are extremely busy and approach the criteria of a four lane expressway with speeds that are poorly controlled. The access to this property is situated at the bridge as mentioned, as well as a left turning lane and a

light. This also raises issues of noise and air pollution which are well established human health issues. Occupants need not be exposed to such dangerous conditions. A previous owner with whom I was acquainted was exasperated with his property and the afore mentioned conditions when Highbury was widened to four lanes.

I want to repeat this property sits at a dangerous juncture with the bridge. All bridges have aspects of danger associated with them and I do want my observations noted.

Such a proposal does impact our property at 155 Killarney Road and raises a considerable number of unanswered questions. Snow, rain and grade alteration could impact our property in a very costly manner for our Condo Owners. Fencing and access being just a few considerations.

In this time of pandemic our residents have been very co-operative citizens by allowing localsto access our private property and reach the Thames nearby walking trail. We do this as responsible citizens to help fellow walkers to remain active. Alterations to 1697 may bring that to an abrupt halt which will frustrate many.

This property had one home on it and is now being considered for 54 units which seems like excessive density.

It is a beautiful piece of property and when I consider it could be used to enjoy the natural aspects of the Thames River and all nature provides it seems a shame to be lost to high denser housing such as is planned. Hopefully this application can be reconsidered to address these concerns.

Thanks

John Wallace
155 Killarney Road #11
London Ontario N5X 3X8

From: Lorie VanValkengoed

Date: February 6, 2021 at 4:16:24 PM EST

To: "Riley, Alanna" <ariley@london.ca>, mcassidyr@london.ca

Subject: [EXTERNAL] Notice of Planning Application

Reply-To: Lorie VanValkengoed

1697 Highbury Ave North, File: Z-9302

One main concern of the above project is access to Highbury from the side streets with no lights., especially when there is a need to go across Highbury while heading North or South This is a difficult maneuver on the best days. There are many days (even with covid) depending on traffic flow that it is a 10 – 15 minute wait, due to pedestrians and vehicular traffic that one can attempt a turn. So, adding a large number of people will only add to the vehicle and foot traffic.

There are days when as a resort, that you turn in the opposite direction which one wants to travel, to gain access to a light or a driveway, to turn around. In this area the speed limit is 70 we believe, though wonderful for traffic flow it impedes on the ability to turn onto Highbury Ave. As a joke we have discussed with the neighbours that "even if they had a ramp to turn safely into; then merge into traffic. We ask you to please consider the safety of the drivers and pedestrians and consider a stop light, or some other way to stop traffic to allow side street traffic to enter the flow of traffic.

A second concern is if this will effect property values. Using google all we could find was one thread. This thread was people who were either home owners through the program or neighbours "that had issues that this will effect their home prices". Almost every google search produced information provided ONLY through HFH. So unfortunately, we could find no information to support or deny that claim.

Regards;

Bob & Lorie VanValkengoed
99 Edgevalley Road
London,ON

From: RUEBSAM
Sent: Tuesday, February 2, 2021 9:29 AM
To: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Z-9302

Hi Maureen

I received in the mail yesterday a Notice of Planning Application of Maximum Density 54 units town home complex across the street from me.

The area to be used was once a single dwelling in this more prestigious area and I think that Planning should break this down to a pack (3) of single homes rather than MAXIMUM DENSITY.

Across the road from this location stands what looks like army barracks of town homes, Tons of them. This area has enough affordable housing with the 400 units of town homes on top of the residential single family homes that are being crammed into this area by Drewlo Holdings. The cake topper is the three 12 story apartment buildings also slated across the street. MAXIMUM DENSITY!

This is to much for this flowering area. As a home owner that bought into this subdivision that was above average once, now we are rashed with daily auto break ins, home invasions, two attempts of child abduction that are documented by London Police, Fires, Accidents due to drunk Driving, and graffiti and tons of other damage brought on by your CITY PLANNERS stating that basically Bum's and degenerates deserve to live anywhere in London.

In typical City of London ways you build high end homes to attract then infest with low income max. Density garbage all with out posting developers intent ahead of construction. Your point is if you want to live in a certain area go to the city to see what is planned for this area, - Who does that? We drive in we look, we like we buy. If a Developer wants to build an apartment building it should be posted 4 years before they plan to build. I mean posted on a huge sign outside of said property

The city planners ok weather or not to plan in this (a) area but don't go as far to see what developments already exist. Just because you have 400 town homes there already doesn't mean you need to build another 400. Your creating slums. I always tell my kids A little is a lot. Now I find I have to tell you the same A little (High end) a little (MED Density) and a little (Max Density) is good but when maximum density out ways the other density's stop, just stop.

Enough is enough, we (residents of Ceader hollow) have more than our fill of affordable housing in this area. Stop this application as our neighbourhood may or may not have your vote next term.

From: Peggy Kelly
Date: February 8, 2021 at 4:37:56 PM EST
To: "Riley, Alanna" <ariley@london.ca>
Subject: [EXTERNAL] 1697 Highbury Ave North File Z-9302
Reply-To: Peggy Kelly

Ms. Riley

I have a number of concerns regarding 1697 Highbury Ave North File Z-9302.

1. High Density for size of property - there are only 14 Condos adjacent and 22 semi-detached home on Killarney Place- 54 units on a small parcel of land seems too high.
2. 3 units high - too high - will cause lost of privacy
3. There is a conceptual rendering of one side of units but what does the other side look like. What does 3 unit high look like? Will there be balconies over looking my property?
4. Will there be a privacy fence put up, currently chain link.
5. Exterior Lighting –
6. Noise level from 54 units - increase potential for noise.

7. 54 units but appears to be only 38 parking spots. - where will visitors park.
8. Site Concept - how close is building to fence/ property line?
9. Trees on property - how many will be taken down?
10. Access to trail - will there be a gate unto the trail? Or will it be from Highbury and current access?

I have concerns as my home backs onto this property. Going from only one home to 54 seems excessive. I don't wish to have 54 homes looking into my backyard. During the summer there will be no privacy at all. I don't need the expense of putting up a privacy fence. Noise could be an issue if everyone in complex has their music turned up at the same time. There is already too much light from street lights from Highbury at night what will there be if there is exterior lighting and again 54 units with their lights on at night is too much. If not enough parking for visitors, will the overflow be our street?

Development Services

To Whom It May Concern:

Re file Z-9302

The zoning amendment should not be permitted to allow third story stacked and increased density to 1697 Highbury Ave North.

- 3 story units and increased density seems excessive and outside the neighbourhood integrity
- excessive light pollution into private yards and windows which the condos back onto from cars and outdoor lighting
- excessive vehicular traffic
- loss of sight lines
- environmental impact to adjacent conservation land
- how much conservation land is required to complete project?
- loss of privacy and way of life for myself and my neighbours especially with third level condo
- loss of trees
- I have lived with green space and privacy behind me for almost 30 years
- I purchased my home under current zoning and density restrictions with understanding what could and could not be built behind my home
- this will affect my property value and saleability

Terri McNair
111 Killarney Place
London, on
N5X 2B5

From: Sue Size <sue@thorneproperty.com>
Sent: Friday, May 14, 2021 9:31 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc: 'Paul Baxter' <paul@thorneproperty.com>; 'Connie Venturin' <connie@thorneproperty.com>
Subject: [EXTERNAL] rezoning meeting for May 31, 2021 re: 1697 Highbury Avenue

Dear Deb,
We are writing with respect to the rezoning meeting scheduled for May 31, 2021.

The owners of the 14 units located at MCC 291, 155 Killarney Road, will be affected by any decision to develop this property.

The condo corporation would expect the City to move the community access Nature Trail that now runs through the condo property to a position adjacent to the south side of 1697 Highbury. The Board of Directors did have correspondence from the City previously indicating that would be part of any future development of the property.

The entrance would sit at a critical point close to the bridge on a very busy stretch of Highbury Avenue. There is concern about the safety of introducing the traffic required to service the proposed number of units at this location. The area is well used by pedestrians and their safety would need to be taken into account.

For any development, the owners would want to know what attention would be given to the fence between the properties to meet noise, lighting and privacy considerations?

We expect individuals will also communicate on their own with concerns regarding density, safety and impact on the current community and wildlife in the area of 1697 Highbury Avenue.

Thank you for considering these concerns.

Susan Size, BA (Hons), ACCI, FCCI, CMOC
Condominium Manager
Thorne Property Management Ltd.

May 12, 2021

Re; Zoning Application

File Z-9302

Please find enclosed photos explaining the precarious entrance to the Highbury Property proposal .

At 1697 Highbury Av. North , London

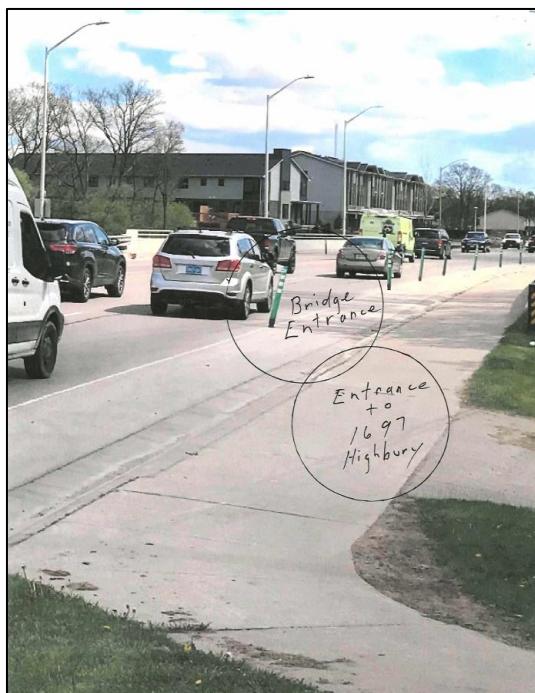
Manu Thanks

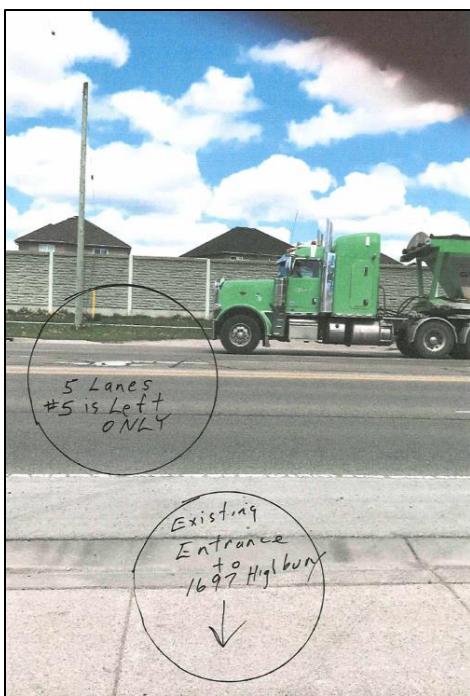
John Wallace

155 Killarney Rd.#11

London Ontario

N5X3X8





Departmental and Agency Comments

Urban Design (April 6, 2021)

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

- Locate the taller built form along Highbury Avenue N, with the lower form adjacent to the single-family residential lots, as was previously shown at the pre-consultation stage.
- Screen the parking exposed to Highbury Avenue N with enhanced landscaping.
- The following building design matters should be considered ahead of the submission of building elevations for site plan approval:
 - Orient the units located along Highbury Avenue N to the street by including the individual unit entrances at grade and other architectural

- design elements that would typically be found on a front elevation, such as size and number of windows, materials, articulation, porches, etc.
- Provide visual access for end units facing Open space and Thames River interface by providing increased number of windows and/or balconies.
- Include a common walkway along the easterly property line that connects individual walkways from unit entrances and leads to the internal walkway on site along the driveway that connects to the City Sidewalk.

Site Plan (February 11, 2021)

- This [fencing along the west property boundary] is something that can be further discussed through the SPA process once a TPP has been submitted and reviewed. It's a trade off between saving the existing trees and adding a board-on-board fence. The Site Plan notes an existing chain-link fence option however, given the site specific nature, we can explore this further through site plan.
- On the concept site plan submitted, for accessibility reasons, the sidewalks are to be 2.1m wide to accommodate for any overhangs. This may or may not impact parking spaces or drive-aisle widths.

Ecology (March 31, 2021)

- The letter EIS has been updated to now accurately show the 30m Significant Valleyland minimum width line on the Naturalization Plan (N1).
- The Site Plan has to clearly identify the 30m line or the 17m Slope setback line (Figure 1 from the revised Slope Assessment letter) as the new OS5 line (whichever is greater).
- The Naturalization Plan within the Letter EIS is well done, however please update to include the following species changes:
 - a. Remove (3) Grey Dogwood and replace with (3) Nannyberry
 - b. Remove (1) Red Maple and replace with (2) Allegheny Serviceberry
 - c. Remove (1) American Beech and replace with (1) Black Cherry
 - d. Remove (1) White Spruce and replace with 1 Red Maple
- The Landscape Plan provided does not reflect the Naturalization Plan in the letter EIS, this figure needs to be updated to reflect the approved Naturalization Plan and any additional comments from the City's Landscape Architect for the manicured areas outside of the OS5 zone.

Tree Preservation (Landscape Architect) (March 30, 2021)

- On September 11, 2019 a total of 81 trees were reviewed by MTE Consultants for a Tree Preservation Report dated October 19, 2020. Thirteen trees within the subject land will be retained.
- All trees with the north and northwest area of subject lands are proposed for removal. Many of these trees were noted in decline and the remainder are growing within the building grading envelop. The removal of these trees within the subject lands is acceptable. However boundary trees in this area cannot be removed without consent from condo, see boundary tree note below.
- No rare or endangered tree species were observed on the subject lands.
- A number of boundary trees with shared ownership with Condo at 155 Killarney Road [#4,67,68,55,78,79, 52] or with City of London [80,81, 12, 13,14] are proposed for removal. Consent must be obtained from co-owners. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. Every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands. The legal definition of a tree trunk is everything from the root-collar (at the base) to where the first branch appears.
- The landscape plan should provide augmented planting along the shared property line with 155 Killarney Road to compensate for the number of trees being removed from the site. A combined dbh of 2,173cm is proposed for removal. Consider a combination of white cedar hedging and deciduous shade trees.

Parks Planning & Design (February 1, 2021)

- The Parks Planning & Design Section have reviewed the re-zoning by-law amendment for 1697 Highbury Avenue North. The City/PP&D Section have tried (unsuccessfully) in the past to acquire the Thames Valley Corridor portion of these lands. While we are not apposed to the intent of the rezoning application, we are questioning where the southern limit for the updated R5 zoning would be. Official Plan policies would require the maximum setback from edge of river along the Thames Corridor (30-meters minimum, per OP). Development within this proximity to the Thames Corridor would also trigger an EIS to ensure all natural heritage features are identified and protected.
- Can DS please make sure that City ecologists are reviewing this file? The Parks Planning & Design Section would like to work with this future applicant to maximize park land dedication (per Bylaw CP-9) for a pathway/trail corridor in the south portion of their lands and would entertain additional land acquisitions in order to secure ownership of the broader Thames Valley Corridor and any identified natural heritage features.

Parks Planning & Design (May 10, 2021)

- The City requires parkland dedication in the form of land (calculated at 5% of the total site area or 1ha per 300 residential units, whichever is greater) and as defined in By-law CP-9.
- The proposed development suggests approximately 0.35 ha of medium density 0.19 ha of open space. The proposed development area reflects a parkland dedication of 0.09 ha of table land (calculated at 1ha per 300 units). To satisfy parkland dedication the PP&D Section will want to acquire all open space lands located south of the development limit (1:16 open space rates) and a small triangle of tableland in the s/e corner adjacent to Highbury Avenue. These lands form part of the Thames Valley Corridor and are a priority for acquisition. These parkland dedications can be refined further during future site plan application processes.
- Staff are willing to meet with the applicant prior to future site plan submissions to discuss the above comments.

Upper Thames River Conservation Authority (April 8, 2021)

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

PROPOSAL

The applicant is proposing to construct stacked townhouse dwellings which requires an amendment to the Zoning By-law, with special provisions relating to density, front yard setback and the definition of stacked townhouse. The lands are being re-zoned from Residential R5 (R5-2) and Residential R6 (R6-4) to Residential R5 Special Provision (R5-7(_)) and Open Space OS4.

CONSERVATION AUTHORITIES ACT

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Municipal Affairs and Housing. This means that the Conservation Authority represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards and ensures that the proposal is consistent with the PPS.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development proposals meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents as well as the policies in the UTRCA's Environmental Planning Policy Manual. (2006) Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and our policies as set out in our Environmental Planning Policy Manual. This approach ensures that the principle of development is established through the *Planning Act* approval process and that subsequently, the necessary approvals can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

Section 28 Regulations - Ontario Regulation 157/06

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

- A riverine flooding hazard associated with the Thames River; and,
- A riverine erosion hazard associated with the Thames River.

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

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

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

NATURAL HAZARDS

As indicated, the UTRCA represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority's regulations with respect to site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the PPS.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach and uses that may be allowed in the flood plain subject to satisfying the UTRCA's Section 28 permit requirements.

3.2.2 Riverine Erosion Hazard Policies

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

DRINKING WATER SOURCE PROTECTION: Clean Water Act

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

COMMENTS AND REQUIREMENTS

As indicated, the subject lands are regulated by the UTRCA. A summary of our comments/requirements on the proposal are as follows:

1. The UTRCA has received the Revised Slope Stability Assessment, dated February 24, 2021. The revised report now includes the cross section and updated plan view of the required slope features.
 - a) Upon comparison of the cross section versus the plan view, there appears to be discrepancies between the location of the 6 metre erosion access allowance location.
Please ensure
 - b) Please include labelled contours on the plan view drawing to assist in future review and comparison with cross section (and other drawings).
 - c) Please refer to Comment 4 b) and include additional information/recommendations as it relates to tree removal.

2. The Stormwater Management Brief, dated June 24, 2020, depicts surface flows being directed off-site to the west and includes “flow spreader and erosion protection to be provided at outlet”.
 - a) Please provide further details through the site plan process to ensure no negative impactson the adjacent property owners or slope as a result of this proposal.
 - b) A cross section of this outlet and protection measures will be required.

The Slope Stability Assessment states that “all drainage should be directed away from the top of the slope”. Please ensure the Stormwater Brief/Plans aligns with this recommendation.

1. The Scoped Environmental Impact Study, dated January 18, 1021, is brief in nature as a 30 metre setback is proposed from the Thames River. The letter references a naturalization plan for the setback area and valleylands. The UTRCA is supportive of ensuring the overall habitat of this areais improved.
2. The Tree Preservation Report, dated October 19, 2020, identifies a number of trees to be removeddue to invasive species or poor conditions.
 - a) According to TP1, some of these trees are located on or adjacent to the riverine erosionhazard. Please include a drawing which identifies some of the key slopes features in relation to the tree removal.
 - b) The Slope Stability Assessment does not speak to or consider tree removal within this area.Please provide additional information and recommendations on tree removal and naturalization. Will stumps be maintained on the slope feature?
 - c) Drawing N1 depicts the naturalization plan for a portion of the natural area, assumed to beon top of the existing slope. Similar to comment a), please include identification of key slopefeatures as it relates to the naturalization plan.
3. The Landscape Plan included in the application submission, not dated, does not align with therevised proposal in terms of setbacks and plantings. Please update accordingly for the Site Plan Application.
4. A Section 28 permit application will be required prior to undertaking site alteration or new development on these lands. The permit application requirements will be conveyed in further detailthrough the Site Plan process.

The UTRCA requirements for Site Plan Application are subject to change pending further consultation and revisions to the proposed development concept and technical reports.

RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA and a Section 28 permit application will be required prior to establishing new development and undertaking any site alteration works, including tree removal within the regulated area. Requirements for a Section 28 permit application will be conveyedthrough the site plan process.

The UTRCA has no objections to this Zoning By-law Amendment application. Please ensure the hazard lands are appropriately zoned for Open Space.

Thank you for the opportunity to comment.

Heritage (March 1, 2021)

- There are currently no heritage planning or archaeological issues related to this property. Archaeological concerns once associated with this property can be considered addressed at this location.

Engineering (February 26, 2021)

- Engineering has reviewed the above noted application and have no comments related to the re-zoning.

- Further comments regarding the engineering design will be provided at the site plan application stage. The expectation is that all engineering reports/studies be updated to reflect the final site design presented at site plan.

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

Noise Report:

- The noise report recommends upgraded building components and the installation of central air. This report should be updated at the time of site plan if any changes to the site design occur.

Transportation:

- Detailed comments regarding access design and location will be made through the site plan process.

Water:

- Water is available via the existing 400 mm CI water main on Highbury Avenue North.

Wastewater:

- The sanitary sewer available for the stacked townhouse subject lands is the 750 mm trunk sanitary sewer on the east side of Highbury Avenue North. The land is presently zoned R5-2 & R6-4 which allows a density of 30 units per hectare. The subject lands have a density of 66 units per hectare.
- Proposed is 28 residential units on 0.43 hectares. The 750 mm trunk sanitary sewer has capacity for the proposed development.
- City Plan 18405R1 shows an existing sanitary p.d.c. from the subject lands to the 750 mm trunk sanitary sewer. The Applicant's Engineer is to field verify and certify this p.d.c. for size, location and condition. The Applicant's Engineer is to connect the townhouse complex to the 750 mm trunk sanitary sewer using City Standards, all to the satisfaction of the City Engineer.
- The southern portion of the subject lands is within the Upper Thames River Conservation Authority regulation limit.

Stormwater:

- The following general SWM issues/requirements are to be considered/addressed by the applicant's consultant engineer when preparing the storm servicing strategy for this land during the development application stage.

Specific comment for this site

- There is no municipal storm sewer on this portion of Highbury Avenue North to service this site. The applicant is to provide information and rationale on how the site is proposed to be serviced.
- Since the site is located within the UTRCA regulated area and UTRCA is currently updating floodlines, please ensure the applicant engages as early as possible with UTRCA to confirm the limit of developable area within the site.
- A portion of the site is within a Union Gas Pipeline setback and therefore the applicant shall contact Union Gas Ltd. for any required permits/approvals.
- The site also contains a significantly large vegetation patch that may need to be evaluated. Please confirm with Park Planning (Natural Heritage and/or Urban Forestry) if any restriction should be in place for this development.
- For the proposed 43 parking spaces, the applicant shall be required to have a consulting Professional Engineer addressing the water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) and to the satisfaction of the City Engineer. Applicable options could include, but not be

limited to the use of oil/grit separators, catchbasin hoods, bioswales, etc. along with the required inspection/sampling maintenance hole.

- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution and rationale about the following points:
 - Description of relevant site features, including topography and surface water drainage, regional overburden geology, regional hydrogeology, and proximity to nearby natural heritage features (e.g., stream, ponds, wetlands, woodlots, etc.).
 - Advancement of boreholes at the site, including the installation of a minimum of one monitoring well.
 - Infiltration measurements from areas within the Site using standards infiltration/percolation testing methods (e.g., Guelph Permeameter Test, Double-ring infiltrometer test, etc.).
 - Description of the measured relevant site hydrogeological information, including aquifer properties (e.g., hydraulic conductivity) and static groundwater levels.
 - Establishing seasonal fluctuations in water levels, including capturing a representative seasonal high elevation. Note that the use of borehole and/or test pit observations to establish both static water levels and potential seasonal fluctuations is not standard practice.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Central Thames Subwatershed

- The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Transportation Supplementary Comments (March 25, 2021)

- This development will generate typically 15 trips in the am peak hours to a street that is operating between 25,000 – 30,000 trips per day. There is a left turn taper that I am sure would be utilized allowing for safe passage of other North bound cars. The taper is about 3.0m wide where cars would be stopping to make the left, there is potential to have the storage and taper of the left turn lane extended South enough to accommodate a few vehicles as to not impede Northbound traffic on Highbury. The site will have little impact to Highbury Ave.

- The access location is as far North as possible, and is located in the same place as the existing access. This bridge makes little difference in relation to an access, it is not an on-off ramp but simply a through-way. Spacing is appropriate, and sightlines are suitable.
- As you mentioned Alexei provided feedback in relation to Edge Valley which is to be signalized, and the overall nature of Highbury is changing through this corridor as more residential builds out the speeds have been and may be adjusted again in the future.

London Hydro (January 29, 2021)

- 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.

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 a), b), c, d, e,
1.1.3
1.1.3.1
1.1.3.2
1.1.3.3
1.1.3.4
Section 1.4 – Housing
1.4.3
Section 1.5 – Public Spaces, recreation, parks, trails and open space
1.5.1 b), c)
Section 1.7 – Long Term Economic Prosperity
Section 2.1 – Natural Heritage
2.1.1
2.1.2
2.1.3
2.1.5
2.1.8
Section 2.2 – Water
Section 3.1 – Natural Hazards
3.1.1 b)

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 58_ 3., 9. and 10. Our Strategy, Key Directions, Direction #4 Become one of the greenest Cities in Canada

Policy 59_ 4. and 5. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London

Policy 61_5, 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 118_ Our City, Natural Heritage, Hazards, and Natural Resources

Policy 121_ - Policy 123_ The Thames Valley Corridor

*Policy 193_ City Design, What are we trying to achieve?

Policies 229_,City Design, Streetscapes

Policies *258_, *259_, 268_, City Design, Site Layout

Policies *277_, *278_, *279_, City Design, Parking

Policy *284_, *291_, *295_, City Design, Buildings

Policy 388_ , Forest City, Why is the Forest City Important to Our Future?

Policy *391_, Forest City, Urban Forest Strategy
Policies *399_, 400_, *401_ – Forest City, Strategic Approach
Table 10 Range of Permitted Uses in Neighbourhoods Place Type
*Table 11 Range of Permitted Heights in Neighbourhoods Place Type
Policy 916_3., 8. 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 – Intensity
936_ 4., Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods - Form
Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods
Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification
Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification
Policies 1309_, Natural Heritage, How are We Going To Achieve This?
Policies *1316_- *1318_, *1319_, *1322_, Natural Heritage, Components of the Natural Heritage System
Policies 1325_- 1328_, Natural Heritage, Habitat of Endangered Species and Threatened Species
Policies *1344_, *1346_, *1350_, Natural Heritage, Significant Valleylands and Valleylands
Policies 1367_ Natural Heritage, Environmentally Significant Areas
Policies 1391_, 1393_, Natural Heritage, Development and Site Alteration
Policies 1417_, 1418_ Natural Heritage, How Will We Protect the Natural Heritage System? Management, Restoration and Rehabilitation Priorities
Policy 1423_, Natural Heritage, How Will We Protect the Natural Heritage System? Environmental Management Guidelines
Policies 1425_, 1430_, Natural Heritage, How Will We Protect the Natural Heritage System? Subject Land Status Reports
*Table 13 – Areas Requiring Environmental Study
Policies 1431_, 1436_, Natural Heritage, How Will We Protect the Natural Heritage System? Environmental Impact Studies
Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications
Policies 1766_ , 1768_, 1770_, Our Tools, Noise, Vibration and Safety

Official Plan (1989)

3. Residential Land Use Designation
General Objectives for All Residential Designations
3.1.1 ii)
3.1.2 – Low Density Residential Objectives
3.2 Low Density Residential Designation
3.2.1 – Permitted Uses
3.2.2 – Scale of Development
3.2.3 – Residential Intensification
3.2.3.2 – Density and Form
3.2.3.3 – Neighbourhood Character Statement

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

3.7 - Planning Impact Analysis

3.7.2 – Scope of Planning Impact Analysis

3.7.3 – Required Information

11 – Urban Design Principles

11.1.1 i), ii), iii), xi), xiii), xiv), xv), xviii)

15. Environmental Policies

15.1.1 Natural Heritage Objectives

15.1.2 Natural Hazard Objectives

15.3 Natural Heritage Areas Designated as Open Space

15.3.1 Lands Included

15.3.2 Permitted Uses

15.3.6 Ecological Buffers

15.3.7 Management and Rehabilitation Priorities

15.4.1 Environmentally Significant Areas

15.4.6 i) and ii)Corridors – Significant River, Stream and Ravine Corridors

15.4.7 Wildlife Habitat

15.5.1 Purpose of Environmental Studies

15.7 Erosion and Wetland Hazards

19 Implementation

19.9.5 Noise, Vibration and Safety

19.9.5 i) Noise Attenuation

19.9.6 Additional Noise Attenuation Policies for Residential Land Uses Adjacent to Arterial Roads

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.
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;	The site concept achieves an intensity that allows for other on-site functions such as visitor and accessible parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	Lands on Edgevalley Road east of its intersection with Highbury Avenue North are currently being developed or zoned for townhouse and stacked townhouse uses. This is a developing area of the City that is expected to experience new development and infill on underutilized lots.
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;	The site includes and is immediately adjacent to the Thames Valley Corridor within which a multi-use pathway system has been completed with two access points on the east side of Highbury Avenue and one access point on the south side of the Highbury Avenue bridge. Indirect access to the Corridor is also available to the Corridor system via a public easement from Highbury Avenue

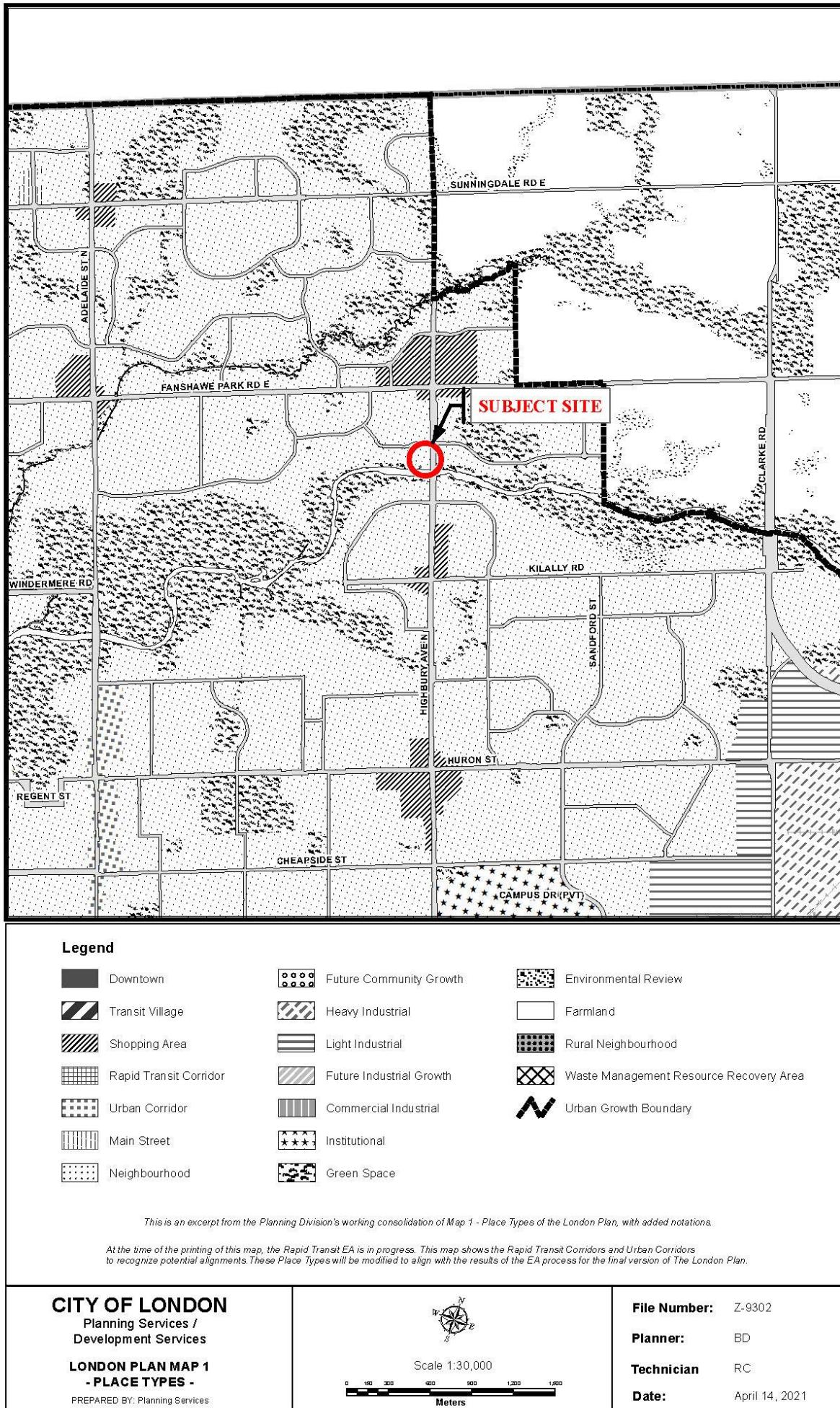
	<p>North via 155 Killarney Road. Bus route #25 provides access to the commercial centres at the intersections of Fanshawe Park Road with Adelaide Street North and Richmond Street. Cedar Hollow Public School and Children's Centre is located east of Highbury Avenue North, and the North Ridge Pool, St. Marks Catholic School and North Ridge Public school are located west of Highbury Avenue North.</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;	The proposed development is in an area in need of affordable housing units and provides for a mix of housing types. While the development is not eligible for bonus provisions to enforce the provision of affordable housing, Habitat for Humanity's funding for this project may include a combination of their own mortgage financing program, the federal CMHC Co-Investment program, and the Housing Development Corporation.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed 2 – 3 storey townhouse development is mitigated to the west by the proposed rear yard setback in combination with the intervening land at 155 Killarney Road which is also used as public access to the Thames Valley Corridor via an easement in favour of the City. The combined distance of the rear stacked townhouse unit from adjacent lots to the west is approximately 10 metres. The buildings have been sited with a minimum 12.07 metre north interior side yard setback, allowing for adequate separation between the proposed building and neighbouring townhouses. 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. It is also expected that the stacked townhouse to the rear will be limited to 2 storeys in height.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	The slope of this property will remain vegetated and forms part of the vista of the Thames River from the Highbury Avenue bridge. Within the development area, landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.
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	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. Highbury Avenue North is an arterial road which serves high volumes of intra-urban

on surrounding properties;	<p>traffic at moderate speeds, and has controlled or limited property access. The access location is as far north as possible, and is located in the same place as the existing access. This bridge makes little difference in relation to an access, it is not an on-off ramp but simply a through-way. Spacing is appropriate, and sightlines are suitable.</p>
The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	<p>The applicant is commended for incorporating the following into the design of the site and buildings: locating the taller built form along Highbury Avenue North, with the lower form adjacent to low density development to the west. At the site plan stage, additional attention should be paid to: orienting the units located along Highbury Avenue North to the street by including the individual unit entrances at grade and other architectural design elements that would typically be found on a front elevation; and providing visual access for end units facing the open space and Thames River interface by providing increased number of windows and/or balconies; and including a common walkway along the easterly property line that connects individual walkways from unit entrances and leads to the internal walkway on site along the driveway that connects to the City sidewalk.</p>
The potential impact of the development on surrounding natural features and heritage resources;	<p>Approximately 1/3 of the site will be located in the Open Space (OS5) Zone to protect the ecological features and functions within the significant valleyland and the Kilally Meadows Environmentally Significant Area. Within this area, dead and some non-native species will be removed, and a naturalization plan including replanting with native tree species will be implemented through site plan requirements.</p> <p>No cultural heritage features are present that will be affected by the proposed development.</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>Lands that encompass the Riverine Erosion Hazard Line for Confined Systems and the Regulatory Floodline will be located within the Open Space (OS5) Zone and protected from development.</p> <p>A Union Gas easement lies within the west side of the Highbury Avenue North road allowance. Union Gas has indicated that due to the type of pipeline, no setbacks from the pipeline are required.</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;	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 can be achieved through the site plan approval process.
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;	Tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	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.

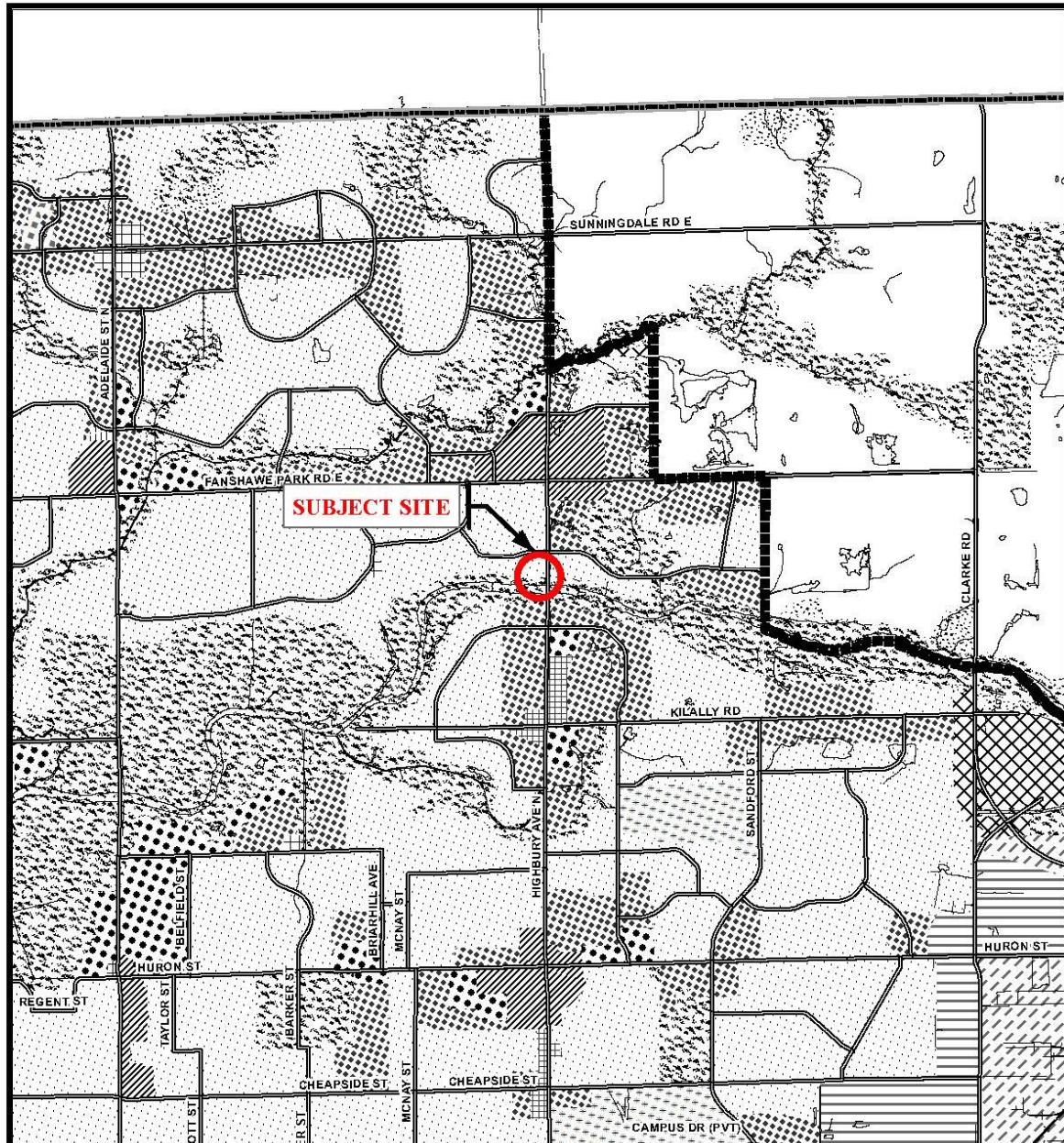
Appendix D – Relevant Background

The London Plan



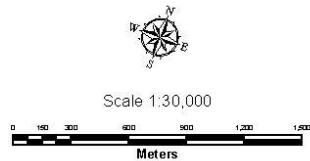
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1989 Official Plan – Schedule A – Land Use



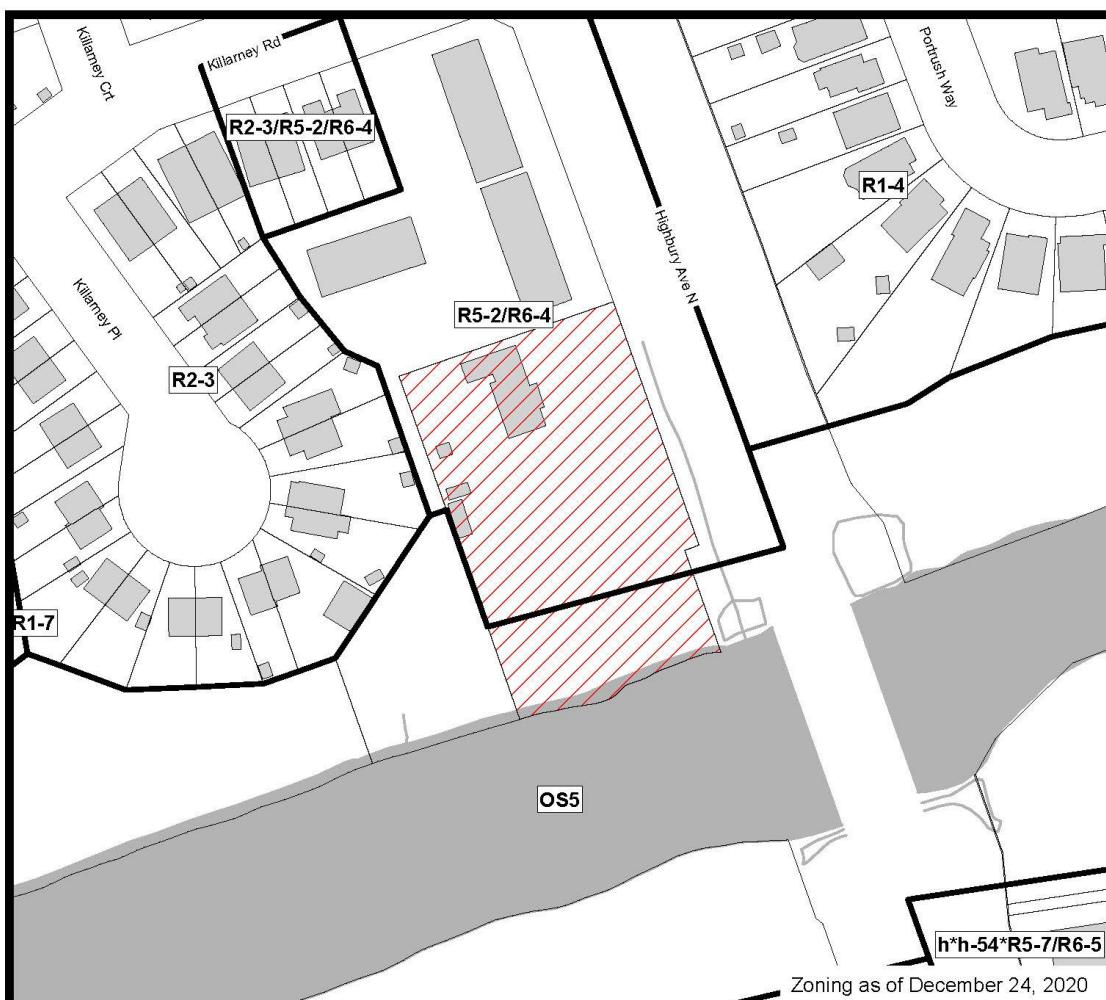
Legend

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

CITY OF LONDON Department of Planning and Development OFFICIAL PLAN SCHEDULE A - LANDUSE - PREPARED BY: Graphics and Information Services	 Scale 1:30,000 0 100 200 300 400 500 600 700 800 900 1,000 1,100 1,200 1,300 1,400 1,500 Meters	FILE NUMBER: Z-9302 PLANNER: BD TECHNICIAN: RC DATE: 2021/04/14
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Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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

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**



FILE NO:

Z-9302

BD

MAP PREPARED:

2021/04/14

RC

1:1,500

0 5 10 20 30 40 Meters

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