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: Connor Wilks c/o Thames Village Joint Venture Group

1752 - 1754 Hamilton Road Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Connor Wilks c/o Thames Village Joint Venture Group relating to the lands located at 1752 – 1754 Hamilton Road, the proposed by-law <u>attached</u> hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on June 15, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Residential R1 (R1-14) Zone **TO** a Holding Residential R1 (h•h-100•R1-3) Zone.

Executive Summary

Summary of Request

The request is for approval of a zone change from a Residential R1 (R1-14) Zone to a Residential R1 (R1-3) Zone to facilitate creation of four (4) single detached dwelling lots fronting future Oriole Drive.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend that Municipal Council approve the recommended zoning by-law amendment.

Rationale of Recommended Action

- 1. The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
- 2. The recommended zoning conforms to the in-force polices of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
- 3. The recommended zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation.
- 4. The zoning will permit single detached dwellings which are considered appropriate and compatible with existing and future land uses in the surrounding area, and consistent with the zoning that was applied to the adjacent draft-approved plan of subdivision.

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

June 18, 2018 – Report to Planning and Environment Committee – 1738, 1742, 1752 and 1756 Hamilton Road - Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – Thames Village Joint Venture Corporation (File No. 39T-17502/OZ-8147).

2.0 Discussion and Considerations

2.1 Property Description

The subject site consists of a converted single detached dwelling with two units. The dwelling is setback from Hamilton Road approximately 45 to 50 metres with access provided by a U-shaped, gravel driveway. The topography is relatively flat and there are a number of mature evergreen and hardwood trees occuppying the grounds in front of the dwelling.

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

- The London Plan Place Type Neighbourhoods
- (1989) Official Plan Designation Multi-family, Medium Density Residential
- Zoning Residential R1 (R1-14)

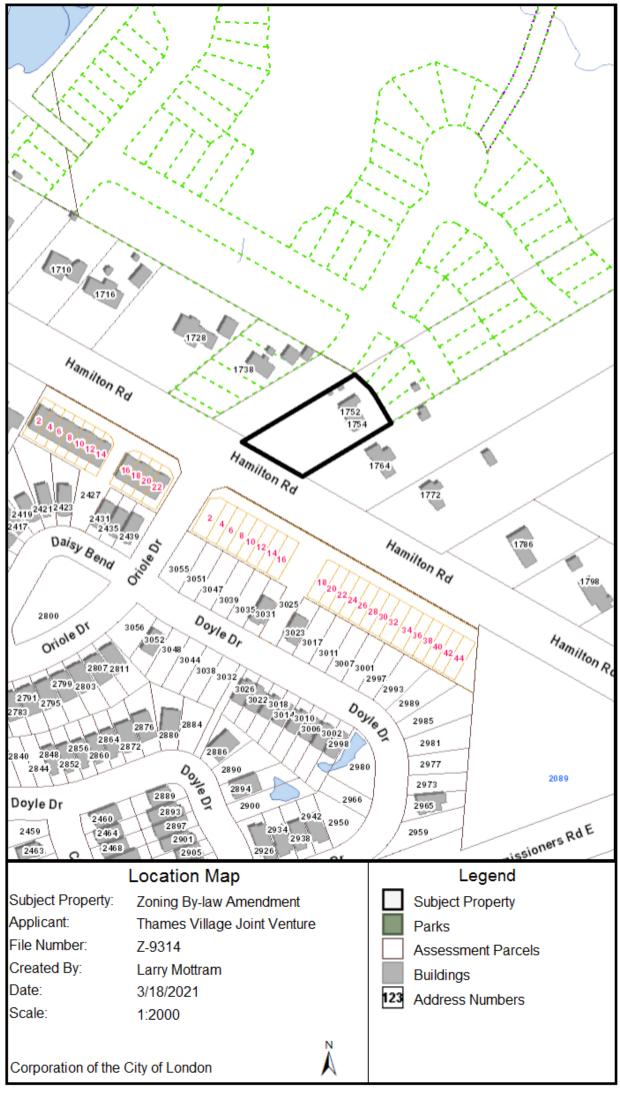
2.3 Site Characteristics

- Current Land Use converted dwelling
- Frontage approx. 42 metres
- Depth approx. 79 metres
- Area 0.26 hectares (2,600 sq.m.)
- Shape irregular

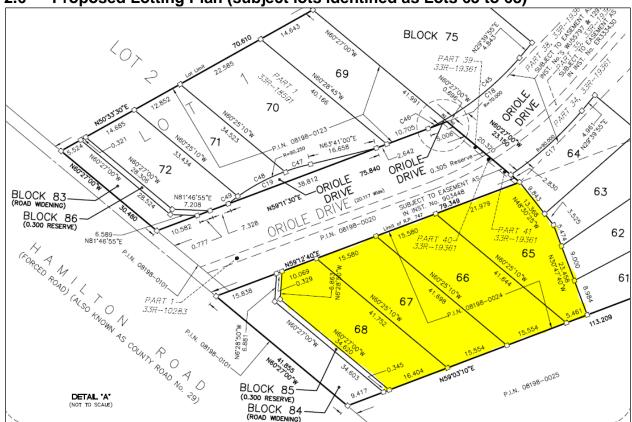
2.4 Surrounding Land Uses

- North vacant lands for future residential development
- East residential single detached dwelling
- South residential townhouse dwellings
- West residential single detached dwelling

2.5 Location Map



2.6 Proposed Lotting Plan (subject lots identified as Lots 65 to 68)



2.7 Planning History

On August 15, 2018, the City of London Approval Authority approved a draft plan of subdivision for lands located at 1738, 1742, 1752 and 1754 Hamilton Road submitted by Thames Village Joint Venture Corporation consisting of 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets. Municipal Council advised the Approval Authority of its support for the draft plan of subdivision and approved amendments to the zoning by-law to permit the proposed uses at their meeting held June 26, 2018. The second submission of subdivision servicing drawings are currently being reviewed by the City. Special provisions for the Subdivision Agreement are expected to be brought forward shortly.

2.8 Requested Amendment

Request for consideration of an amendment to the zoning by-law to change the zoning from a Residential R1 (R1-14) Zone, which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres, to a Residential R1 (R1-3) Zone to permit single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres.

2.9 Community Engagement (see more detail in Appendix B)

There were six (6) e-mail responses and one (1) telephone call received from the community. Comments/concerns received from the community are summarized as follows:

- Concerns expressed by residents about demolishing the existing house, and building new houses that side onto Hamilton Road. It would be nice if the lot sizes of the new homes that are going to be built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.
- Concerns expressed about loss of trees as there is already a significant amount of trees being stripped off of the property.
- Concerns expressed about loss of privacy, fencing, noise, lighting, and damage to homes and septic systems caused by vibration from heavy machinery.

2.10 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

- 1. Building Strong Healthy Communities;
- 2. Wise Use and Management of Resources; and,
- 3. Protecting Public Health and Safety.

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Sections 1.4.3(c)). The policies promote 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 (Section 1.4.3(d)). The development application has been reviewed for consistency with the Provincial Policy Statement.

The London Plan

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses.

The Old Victoria Community Specific Policies provide further guidance for future development within the area bounded by Commissioners Road East, the Thames River, and the former Old Victoria Street road allowance. These policies recognize that opportunities exist along Hamilton Road for infill development. These lands shall enable, over the long term, intensification and infill development in conformity with the Neighbourhoods Place Type policies of this Plan. In addition, small-scale commercial and office-based uses may also be permitted.

The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential on Schedule 'A' of the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged up to a maximum density of 75 units per hectare. These areas may also be developed for single detached, semi-detached and duplex dwellings. This application has been reviewed with the applicable policies of the (1989) Official Plan. An excerpt from Land Use Schedule 'A' is found at Appendix D.

As further described in Appendix C – Policy Context, Staff are of the opinion that the recommended zoning is generally consistent with the PPS, The London Plan, 1989 Official Plan.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These

lands are currently zoned Residential R1 (R1-14). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix D.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Use

The recommended zoning will continue to permit single detached dwellings. Currently, the zoning is Residential R1 (R1-14) which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres. The zoning was applied to recognize the large lot pattern that was established years ago as a strip of rural residential dwellings fronting along Hamilton Road. The recommended Residential R1 (R1-3) Zone would permit single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres. The proposed lots range in size from approximately 15 metres to 22 metres lot frontage and 41 to 42 metres lot depth, meeting and exceeding the minimum lot size regulations of the zoning by-law. The recommended zoning and holding provisions are are considered appropriate and generally consistent with the zoning that was approved for the adjacent draft plan of subdivision.

The applicant's intent is to consolidate the remnant parcel at 1752-1754 Hamilton Road as a single block within the plan of subdivision as it goes through the process of final approval and registration. At that point, an application can be considered by Municipal Council to pass a by-law exempting the block from the Part Lot Control provisions of the Planning Act to allow for creation of the four (4) single detached dwellings lots. The requested zoning amendment is intended to facilitate this process.

4.2 Intensity

The proposed lots are sufficient size and configuration to accommodate the development of single detached dwellings as noted above. Permitted building heights in accordance with Table 11* of The London Plan provide for a minimum 1 storey to maximum to 2.5 storeys in the Neighbourhood Place Type at this location at the intersection of a Neighbourood Street and Civic Boulevard. The recommended zoning would permit homes of either 1 or 2 storeys in height similar to the height standard that is currently permitted (maximum 9.0 metres under the R1-3 Zone variation and maximum 12.0 metres under the R1-14 Zone variation).

4.3 Form

The section of Oriole Drive east of Hamilton Road was previously established as a public highway and it was recognized that this would be one of two public road access points to future development lands on the east side of Hamilton Road. However, Oriole Drive does not meet Hamilton Road at a 90 degree angle at this location, and adjustments needed to be made to the final design of Oriole Drive in order for the intersection to align properly. This required additional land from the property at 1738 Hamilton Road, on the north side of Oriole Drive, to be added to the road allowance.

During the process of working through the realignment with the applicant, City staff were prepared to accept the proposed lotting on the north side of Oriole Drive given that the existing house is located towards the back of the property and there is approximately 40 metres of front yard depth between the front façade of the house and Hamilton Road with sufficient room for two additional lots having frontage on Oriole Drive. Therefore, the conditions were condusive to allowing lots fronting onto Oriole Drive and side-lotting onto Hamilton Road. A Noise Impact Assessment report has been submitted

recommending the rear yard amenity areas for the lots adjacent Hamilton Road be protected from traffic noise impacts by approximately 2.2 metre high localized noise barriers.

4.4 Public Comments

 Concerns expressed by residents about demolishing the existing house, and building new houses that side onto Hamilton Road. It would be nice if the lot sizes of the new homes that are going to be built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.

The proposed zoning will permit single detached residential dwellings which is considered appropriate and compatible with existing and planned residential development, consistent with the planned vision of the Neighbourhood Place Type, and generally in keeping with the character of the neighbourhood. The proposed residential lots will mirror the lot pattern on the opposite side of future Oriole Drive which has now been draft-approved. The proposed lots will have frontage and access to a local street in order to minimize the number of access driveways to Hamilton Road. It is acknowldged that in terms of scale and orientation the proposed lots are somewhat different than that of the existing Hamilton Road streetscape. The properties along the east side of Hamilton Road originally developed as a strip of rural residential dwellings on large lots constructed years ago when this area was still part of the Town of Westminster.

 Concerns expressed about loss of trees as there is already a significant amount of trees being stripped off of the property.

As part of the detailed subdivision design, an Environmental Impact Study (EIS) and tree assessment and protection plan were prepared and submitted. Recommendations from the accepted reports will be incorporated into the subdivision engineering drawings to mitigate impacts on the features and protect the nearby Open Space lands. Tree protection fencing for the subject site has been incorporated into the engineering drawings in order to preserve existing trees along the Hamilton Road frontage within the future road allowance/road widening block and along the southerly property boundary. The applicant has entered into a Site Alteration Agreement with the City and preliminary site grading and removal of trees and vegetation has occurred.

• Concerns expressed about loss of privacy, fencing, noise, lighting, and damage to homes and septic systems caused by vibration from heavy machinery.

The adjacent resident to the south at 1764 Hamilton Road expressed concerns regarding potential privacy impacts from the proposed lots and exposure to four rear yards adjacent their property whereas currently there is one residential property. Privacy fencing along the property boundary line between residential properties is the responsibility of the affected property owners who would normally share the cost of installation and maintenance of the fence. Heavy vehicles and construction traffic are expected to access the site from Hamilton Road via Oriole Drive. It is the responsibilty of the developer and their contractors to ensure the approved construction access routes as provided in the Subdivision Agreement are complied with.

Conclusion

The recommended zoning amendment is consistent with the Provincial Policy Statement, and conforms to The London Plan and (1989) Official Plan. The zoning will permit single detached dwelling lots that are considered appropriate and compatible with existing and future land uses in the surrounding area. Therefore, staff are satisfied the proposal represents good planning and recommend approval.

Prepared by: Larry Mottram, MCIP, RPP

Senior Planner, Development Services

Recommended by: Paul Yeoman, RPP, PLE

Director, Development Services

Submitted by: George Kotsifas, P. Eng.

Deputy City Manager, Planning and Economic

Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

CC: Matt Feldberg, Manager, Development Services (Subdivisions) Bruce Page, Manager, Development Planning Peter Kavcic, Manager, Development Planning

May 21, 2021 GK/PY/LM/lm

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Appendix A

Appendix "A"

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

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

A bylaw to amend By-law No. Z.-1 to rezone lands located at 1752-1754 Hamilton Road.

WHEREAS Connor Wilks c\o Thames Village Joint Venture Group has applied to rezone lands located at 1752-1754 Hamilton Road, 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 1752-1754 Hamilton Road, as shown on the attached map, FROM a Residential R1 (R1-14) Zone TO a Holding Residential R1 (h•h-100•R1-3) Zone.

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.

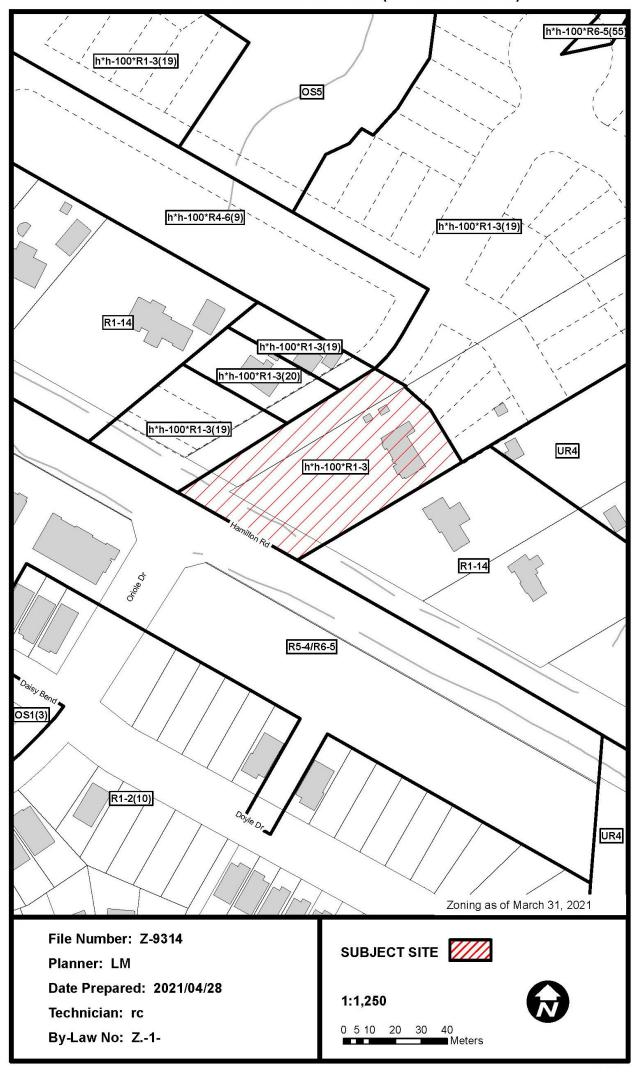
PASSED in Open Council on June 15, 2021

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)



Appendix B - Public Engagement

Community Engagement

Public liaison: On March 23, 2021, Notice of Application was sent to 43 property owners in the surrounding area. Notices were sent to 20 additional property owners on March 30, 2021 and April 16, 2021. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 25, 2021. A Notice of Public Meeting was published in *The Londoner* on May 13, 2021.

Responses: 7 replies received

Nature of Liaison: The purpose and effect of this application is to facilitate creation of four (4) single detached dwelling lots identified as Lots 65, 66, 67 & 68 fronting future Oriole Drive. Consideration of an amendment to the zoning by-law to change the zoning from a Residential R1 (R1-14) Zone, which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres, to a Residential R1 (R1-3) Zone to permit single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres. The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, and that a subdivision agreement or development agreement is entered into; and to ensure completion of noise assessment reports and implementation of mitigation measures for development in proximity to arterial roads

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

- Concerns expressed by residents about demolishing the existing house, and building new houses that side onto Hamilton Road. It would be nice if the lot sizes of the new homes that are going to be built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.
- Concerns expressed about loss of trees as there is already a significant amount of trees being stripped off of the property.
- Concerns expressed about loss of privacy, fencing, noise, lighting, and damage to homes and septic systems caused by vibration from heavy machinery.

Response to Notice of Application and Publication in "The Londoner"

<u>Telephone</u>	<u>Written</u>
Gary Simm	Navdeep Singh
1764 Hamilton Rd	
	Deborah Dufresne
	Stephen Polcz
	1685 Hamilton Road
	Douglas Glaholm
	1772 Hamilton Road
	Mark Romanoff
	1786 Hamilton Rd.
	William Buck
	1814 Hamilton Rd.
	Gary Simm
	1764 Hamilton Rd

Hi sir/madam,

This is Navdeep singh resident of Victoria on the flats subdivision in london

I have received notification of city by law, regarding rezoning of vacant land on oriole drive and Hamilton rd

I need to know the exact location of the vacant land.

secondly, where is the designated location of future public park for kids who resides in this area?

Please update regarding that land and public park lot

Regards Navdeep

Good Morning Larry;

As per the above application, please be advised that the 2 residents of 1685 Hamilton Rd., are opposed to this application for the reasons below.

- Demolishing the existing house changes the existing landscape of the roadway
 and the appearance of this area will be very unattractive, as all existing
 properties face Hamilton Road and these proposed dwellings do not. Most of the
 property owners on this area of the street have been here for a very long time,
 and this proposal will hinder their privacy.
- We live in a Tree Protection Area and this Land Developer has already cut down the tree's at the front of the house before getting approval from the city for these 4 lots they want to create. Wild life have already been displaced because of tree cutting, and neighbours have been harassed by the developer's employees by constantly trespassing onto their properties.
- 3. The developer is proposing to do the very same thing on the property of 1738 Hamilton Road, by putting 4 lots on that property as well. These same issues will be occurring there as well.
- 4. This same developer has caused damage to our property at 1685 Hamilton Road, and has refused to accept responsibility or pay for the damages. We would hope that the city would take this under consideration, as the developer may do this to this existing properties near the above location. Since there have been problems in the past with this developer, we would hope that the city wouldn't let this happen to other property owners as well.

Thank you for taking our letter of opposition into advisement.

Best regards, Deborah Dufresne Stephen Polcz 1685 Hamilton Road London, Ontario

Greetings.

I am contacting you today to express my disapproval to the proposed zoning by-law amendment z-9314 for the property located at 1752 Hamilton Road. I feel that the house at 1752 as well as 1738 Hamilton Road should remain as they are. Having houses built on these properties that do not face Hamilton Road would detract from the streetscape which has remained unchanged as the neighbourhood has grown. Having the sides of the houses face Hamilton Road would be out of character and detract from the remaining streetscape. On the other side of the river, the developer was able to put in Baxter St. and build his development behind the existing homes on Hamilton Road without demolishing any of them. Hopefully the same can be accomplished here.

The lots across the road are very small, unlike the lots on this side of the road. It would be nice if the lot sizes of the new homes that are going to be

built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.

Living in a tree protection zone, we are required to obtain a permit to trim or remove trees from our properties. There were numerous mature hardwood and coniferous trees removed by the developer. It is unfortunate that a few of these trees could not have been saved.

Thank you for the opportunity to express my opinions.

Sincerely, Douglas Glaholm, 1772 Hamilton Road, London, On

In regards to the changing of the zoning for this property or any other property that are zoned R1-14 on the stretch between Whites Bridge and the corner of Commissioner Rd. and Hamilton Rd.

I would like to strongly reject to these changes that this application Z-9314 implies, and any other such applications.

The property in regards to Z-9314 application will change the zoning from R1-14 to R1-3 is a HUGE slap in the face to the rest of the people that have bought and paid for and abide by the R1-14 zoning.

Already it has been allowed across the street to have R? properties facing the road to R1-14 homes on the other side of the street.

This inconsistency of zonings has completely destroyed the street scape for this area seeing as a majority of the homes as I understand it are zoned R1-14.

Everything should have been left at R1-14 at the road and the subdivision built behind as the 1752 address should also be.

On top of this, there is already a massive amount of trees being stripped off of the property of 1752, and on the other side of the adjacent lane that resides beside it. This is in a tree protection zone, what the H—I, it is as though the city has already given (whoever) the ok to do this zone change and tree destruction.

Also it is my understanding that the property that is south of 1752 has had the builder trying to move a property line that was established a long time ago into the builders favour, in total disregard to other property owners and there is a legal battle going on about it, which is pathetic that this home owner is forced into having to deal with this. I understand that homes are definitely needed in London, but I would like to see this done in a manner that does not inconvenience the current property owners, the people that have strived and payed for the things that make this city a great place to live. The amount of problems to the neighborhood that are being tallied up to the changing of this property are getting very high, let's make it stop please.

So I would like to strongly reject the application of this zoning change. Would it be possible to let me know how this turns out.

Mark Romanoff 1786 Hamilton Rd.

Hello:

In regards to the proposed zoning change at 1752 Hamilton Rd. to allow for the creation of 4 building lots,I would like to make a few comments as to the notice that was sent to my address at 1814 Hamilton Rd.

I was under the impression that the home at 1752 Hamilton Rd. would not be demolished. That homes on Hamilton Rd. would not be demolished to suit future development.

The proposed homes side yard would face Hamilton Rd, and this will change the look and continuity of our street.

Already many trees have been taken out before approval of this demolition. Our neighborhood is not changing for the better.

On a personal level:

This has been a quiet street and rather scenic gem on the outskirts of London. (formerly Westminster Twsp.). since and during the time my family has lived here since the 1950's at 1814 Hamilton Rd

The home at 1752 Hamilton Rd. was actually built by my late sister and brother - in law. Audrey and Jim Collins in the late 1940's.

I lived in that house while the home my parents were having built at 1814 Hamilton Rd. was being built So I do have a connection to it.

The home at 1752 Hamilton Rd. was the first to be built in that area. Both Jim Collins and my father were able to secure their loans thru the VLA. (Veterans Land Act). It would be a shame to see it taken down.

I would ask council that they vote against the demolition of this home for the purpose of creating 4 building lots. Thus leaving it as it has always been - a single residence home.

Please advise me of any future plans oe decisions regarding this property.

Yours truly

William Buck - 1814 Hamilton Rd.

Good day. I live down the road on the same side as the above address. It's really upsetting to see all the trees being cut down right next to protected environmental area. It's also disturbing to have people racing around in the dirt loudly on that property. This is not race track area and many animals live here as well. The developments across the road as well have provided us with non stop garbage (pastics, insulation, styrofoam) blowing around from the construction sites. It is really annoying as it lands on our properties to clean up. We put up with a lot of construction and it seems they really don't care who else is affected in a residential area. We could also certainly use some no littering signs in the roadway as well and more enforcement for speeding and racing.

Thanks for your time.

Larry,

1 last thing i wanted to add that i forgot in the earlier email.

This entire development at the front of 1752 & 1754 as per File Z-9314 and at that back of 1752-1754 **Devalues not only our property but those around it.**And we do not want our property devalued.

Thank You - Regards,

-Gary Simm

Hello,

I have sent these comments in seperate email as well to some councillors including Mr.Hillier of Ward 14 as per the notice for review regarding the Circulated Notice FILE: Z-9314 requesting any comments Submitted by April 23rd 2021 regarding the Proposed Demolition of 1752 & 1754 Hamilton Rd - N6M-1G4 London - Ward 14 (formerly RR#8 Westminster Township) & creation of 4 single detached dwelling lots on that property. My comments also reflect the Demolition of 1738 Hamilton Rd and creation of 4 lots bordering future Oriole Dr as it relates to the Developer Applicant: Connor Wilks

c/o Thames Village Joint Venture Group (aka <u>Tridon Group</u> - <u>Principal Tridon Management Don de Jong</u>).

Back Story - Small History of Hamilton Rd - in Ward 14:

- 1. My family has ties to London from over 100 years ago (of which we have affection for) and we reside at 1764 Hamilton Rd - London n6m1g4 (Formerly RR#8 Westminster Township) which is the adjacent lot to 1752 & 1754 (applicant). My family were among the 3 original owners that moved from London to Westminster Township on Hamilton Rd at the Street Way of Hamilton Rd circa 1946 - approx. 75 years ago & my Family was raised at this dwelling & also later some of us at 1798 Hamilton Rd 3 doors down the street. To say we have ties to this neighbourhood & neighbours is an understatement. The neighbourhood here began with the creation of 1752 & 1754 hamilton rd, 1764, 1772 Hamilton Rd all within mere weeks to months of each other, 1752 & 1754 Being the 1st lot sold. These 3 lots were severed & put aside after World War II and Sold through a program referred to as the Veterans Land Act (VLA), and any soldier applying and approved could buy land & build their own home under guidelines. That is what happened here on Hamilton Rd. 1772 Glaholm original family remains, 1764 Simm original family remains, 1752 & 1754 was acquired circa 2017 by a Developer known as Tridon Group (aka Thames Village Joint Venture Group) from the properties 3rd owner who had been there approx. 55 years.
- 2. This has been a quiet rural neighbourhood with large private wooded single residential lots (mostly ranches) and a hidden gem that was annexed into London from Westminster Township in 1993. People from Dorchester and area affectionately have referred to it as "The Half Million Dollar & Million Dollar Mile & The Golden Mile " prior to recent years housing boom with prices skyrocketing. Some original families remain to this day. Neighbourhood filling in from the 40's -60's.
- 3. With the Annexation of Westminster Township by London in 1992 & and this area becoming part of London January 1st 1993, everyone here knew some day that the farm field across the road might be developed down the way. What we did not know is that homes-lots at the street way or roadway if you will. were able to be altered and re-zoned. There is been a lot of Angry & Upset people who felt that they have been ignored and that the city doesn't care as we are in the east end since 2016-2017 and part of that problem has been lack Circulation of notices, as 120m/393 ft is 2-3 properties on this street. As i stated most are large lots, large frontage minimum 100ft /30m, some lots have more than this frontage. So my point that would be, often 70-90% of the street did not get notices when development started here. Much of it we've had to ask for, some get notices, some don't. Which led to a lot of resentment with neighbours regarding the Victoria on the Flats subdivision by Oriole Dr and the proposed Subdivision behind the streetway of Hamilton Rd on the wooded area backing to the thames river on what is now formerly "The Cline Lands" by Tridon Group. This area is heavily wooded and wildlife of all kinds are abundant...or were, until this area was approved to be built in. We are starting to the see animals migrate away. To much of the neighbourhood we were stunned this was allowed to occur here, as London had said in the past they wanted to something similar to Windemere road with large lots on both sides of the road, instead of what it is now. Much of us feel more of what we don't want is coming. I know this, because i was part of a large meeting that was held on our street in 2018 July 5th where 90% of the neighbourhood had shown up to and people were none to happy. One ladies comments had said the city and the developers are going to do what they want, they don't care about the east end, all they care about tax dollars, just give up. That was sad to hear, but frankly most of us have felt that is the reality we are faced with and have felt that way for some time.

Regarding File Z-9314:

1. My family is outright opposed to the demolition of 1752 & 1754 Hamilton Rd (the home next door) & 1738 Hamilton Rd and the creation of 4 lots each (totalling 8 as per letter) on the respective properties.

- 2. As mentioned this was the 1st home at Hamiliton rd streetway, demolishing sets a precedent that any home can be bought, re-zoned demo'd and pack lot sizes-homes in that don't fit the area at the whim of a developer looking to make money, not in the interest to those there. No one asked for it, no one wanted it, except the developer. If i were to buy up a few homes in The Blackburn Family, Mayor Ed Holder, Any of City Councils neighbourhood and try the same as what's being done here (assuming i was a developer) i am pretty sure that would be shot down before i could it off the ground. There 's difference between development needed & wanted and good and bad development.
- 3. It's demolition will alter the streetway, streetscape whatever verbiage you'd use to describe the look of the neighbourhood altering to a less desirable look and changing it from how it's been.
- 4. The lot at 1752 & 1754 is 137ft wide-frontage & 1157ft depth & is in a TREE PROECTION ZONE.

People on the street have said they've been left with the conclusion that this is just going to get pushed through or they as we surmise it was perhaps done without permit. So if there was a permit for X NUMBER OF TREES......HOW MANY GOT TAKEN OUT?

- -1 neighbour i talked to said he tried to cut a branch off a tree that was in danger of falling on his garage roof & all of a sudden people from forestry department were giving him all sorts of grief as we are in a tree protection zone. And he remarked yet this developer basically clear cuts the land and they let him do that. The neighbour as much of us are disgusted. If the city circulated a letter to say are you in favour of this subdivision or and demolishing send us back in 1 month either a yes or a no and take it to a neighbourhood vote.....i guarantee it would be an overwhelming we don't want it.
- 5. The front of our property has been left unmanageable and unsightly due to the aprox 3ft road drop to accomedate the victroia on the flats, we and other neighbours were given no notice that this road would drop in fall to winter of 2017-2018. Our driveway closes to the applicant at 1752 & 1754 has been reduced in size as has the grass island and needs to be corrected, the applicant may only have 1 driveway when work continues if this is all approved and this needs to be restored as i don't know what recourse we would have once the lot alteration starts.
- 6. My family will lose privacy and incur costs we don't need to with the creation of these side lots, we would walk out and not have 1 neighbour but 4 immediately beside us & be looking into their backyards. What fence are you going to erect in a front yard that can block out a 2 story house.
- 7. We are not in favour of the direction the homes are facing and they should be a ranch if anything.
- 8. Much like the backyard part of the subdivision Tridon Group wants to do, have they any plans to do a show study into our yard, as of yet, we look at the nice shadow of the tree's in the afternoon both front & back yard now we are going to be stuck with the shadow of a 2 story house.

- 9. Our house will end up with vibration damage from this project, the Sifton project has already rocked our house & all the ones on this street from way across the road, what's it going to be like 10 feet off the property line. We have septic system with many original clay components, vibration close by will render that a broken tile-pipe......i don't know if you've looked into he cost of septic repair or the cost to hook up to the city sewer(which by the way we pay for and do not have the service) but it isnt cheap.
- 10. Our neighbour at 1728 Hamiliton rd the Martinez family will end up with the same challenges as us if 1738 hamilton rd comes down or if it stays & the city allows building Infront & behind it.
- 11. In my opinion the fact that not enough notices went out regarding the back part of this subdivision at 1752 & 1754 & in my opinion led to not enough support against it, as i've heard many people say they didnt get it & didn't want that. And now our 3+acre lot, once this subdivision front & back of the parcel is createdwill have no privacy, will have major vibration issues, lighting issues from street lights, and battles over fences because of this developer FRONT AND BACK of the property. So we are opposed as much of this neighbourhood is to the front changing at the road way & whats going to happen with the back of the property. It never should have been allowed. But knowing the rules and the game goes along way i guess....#11 all my opinion and not meant as slander to the applicant or their company or their principle.
- 12. We do not want condos if that is their intention, single family ranch is the least horrendous scenario, but turned the other way so the front door would face the road way. That or put in a berm on their side and a row of blue spruces so we dont have to deal with it. But this applicants proposal should be shut down immediately, many other neighbours have said they agree and intend to let the city know....at least 8-10 that i heard of.
- 13. Drainage: we already have concerns over drainage, fencing, privacy, lighting, sound-noise with the rear portion of the subdivision and the same would go with the proposal in this notice for the front.
- 14. Tridon's website: look at what they propose for natural vista's etc woodlots etc in phase 2how do they intend to do all that when they are cutting down so many trees.
- 15. This sort of development in general is what should be seen as something to avoid and not to champion. So many people here have said depending how it gets they may up and move, why should anyone have to move from their neighbourhood because someone who isn't concerned with good development comes in and butchers their neigbourhood. People don't have the time and knowledge and money to fight a developer and most of us have been saying it seems as though the city is for the developers and not for the people who are the tax base, in dealing with the previous council when Mr.Zeiffman held ward 14, it was soul crushing to see how little input mine and neighbours mattered regarding development in our own neighbourhood. What's the point in getting involved in the community if you have no say in the neighbourhood you've lived and paid taxes in for years.....and when the street is in majority agreement....just 1 developer pushes their plan to max out homes & lots for max profit. I do realize council cares about people in its ward, but the system of how developers enter a neighbourhood and are able to come in and run over everyone so to speak and just take out wooded lots needs to change. And frankly the city should set a precedent going forward here. I will explain further on later.

My family bought here for privacy, large lot and to live beside 1 neighbour (each side), as did everyone on this street. We didnt buy in here and set up a life to just let it change at the whim of someone who is out to make money.....what sense does it make to change specifically homes at the road way....you are left with a mess. I have addressed my concerns at a prior time, to development services & some city staff who agree damage may be done through vibration because of infilling when the rear part of 1752 & 1754 hamilton rd starts building once absolute title matter is settled between us and they are very much the same concerns with the front application that is being proposed.

People that used to live in this neighbourhood have often commented "way to mess up a great neighbourhood" when they have seen whats going on here. Ultimately i and my family are asking asking Council to reject this application Z-9314.

But before you rush to judgment yay or nay, i would ask council into what is going in this neighbourhood closer and spend some time on this and even re-circulate a notice to address concerns out here, as they are many and they do not start & stop with this applicants plan just here..... there are other problems in this neighbourhood we want addressed, many people have just given up and are fed up + add in a pandemic.

Please See attached pictures for reference to the street of hamilton rd.

Thank You,

-Gary Simm

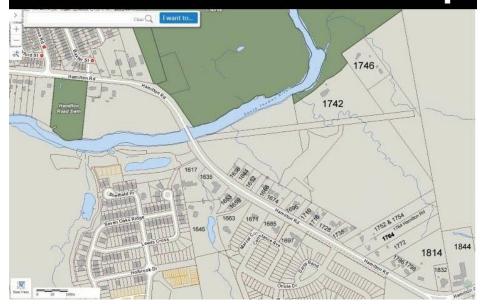
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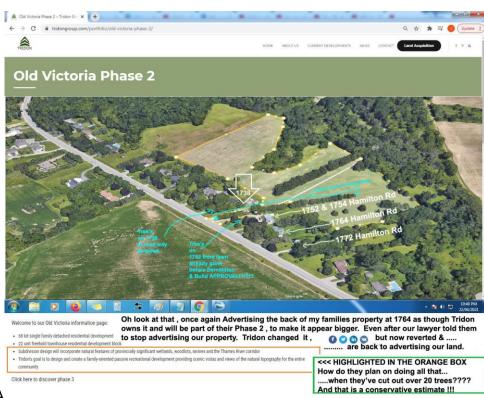
Gary Simm

1764 Hamilton Rd - London Ontario - n6m1g4 - ward 14



Hamilton Rd - Street Map







BEFORE - TREE REMOVAL







AFTER - TREE'S WERE CUT DOWN. how many permits? how many trees cut?





Did the city give permits for Trees removed in front yard? If so why?



Appendix C – Policy Context

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

Provincial Policy Statement, 2020

The land use planning proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

- 1. Building Strong Healthy Communities;
- 2. Wise Use and Management of Resources; and,
- 3. Protecting Public Health and Safety.

The PPS contains polices regarding the importance of promoting efficient development and land use patterns, ensuring effective use of infrastructure and public service facilities, and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4).

There are several policies directed at promoting healthy, livable and safe communities, including the goal of promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (Section 1.1.1 (e)).

To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Section 1.4.3(c)). These policies promote 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 (Section 1.4.3(d).

The subject lands are designated and intended for infilling of medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. It represents development taking place within the City's urban growth area and within an area for which a previous area plan has been prepared to guide future development. Development will utilize full municipal services which are available including a recently constructed stormwater management facility. London Transit bus routes are expected to be extended in the future to service the growing population in this area as it continues to build out.

The proposed lots are part of a larger subdivision development that will include the extension of the Thames Valley Pathway multi-use trail system to promote cycling and pedestrian movement and provide opportunities for active transportation. Natural heritage features were identified and evaluated as part of the subdivision planning process, and will be protected and preserved as Open Space. Provincial concerns for archaeological resource assessment and cultural heritage have also been addressed. Based on our review, the proposed zoning by-law amendment is found to be consistent with the Provincial Policy Statement.

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 or 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.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 – Build a mixed-use compact city

- 2. Plan to achieve a compact, contiguous pattern of growth looking "inward and upward".
- 4. Plan 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.

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

- 1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.
- 8. Promote, strengthen, and grow the existing commuter and recreational cycling network and promote cycling destinations within London.

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.
- 2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.

City Building and Design Policies

197_* The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.

The proposed zoning will permit single detached residential dwellings which are compatible with existing and future residential development, consistent with the planned vision of the Neighbourhood Place Type, and generally in keeping with the character of the neighbourhood. The proposed residential lots will mirror the lot pattern on the opposite side of future Oriole Drive which has been draft-approved. The proposed lots will have frontage and access to a local street in order to minize the number of access driveways to Hamilton Road. It is acknowldged that the proposed lot sizes and orientation are different than that of the existing Hamilton Road streetscape. The properties along the east side of Hamilton Road originally developed as a strip of rural residential dwellings on large lots constructed years ago when this area was still part of the Town of Westminster.

213_* Street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services.

The street pattern is supportive of transit service, provides convenient access to Hamilton Road and a potential futue transit route. The detailed engineering design includes provision for sidewalks on both sides of Oriole Drive connecting to the intersection with Hamilton Road.

229_ Except in exceptional circumstances, rear-lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.

The section of Oriole Drive east of Hamilton Road was previously established as a public highway and it was always assumed that this would be one of two public road access points to future development on lands to the east. However, Oriole Drive does not meet Hamilton Road at a 90 degree angle at this location, and adjustments needed to be made to the final design of Oriole Drive in order for the intersection to align properly. This required additional land from the property at 1738 Hamilton Road, on the north side of Oriole Drive, to be added to the road allowance. During the process of working through the realignment with the applicant, City staff were agreeable to the proposed lotting on the north side of Oriole Drive given that the existing house is located towards the back of the property and there is approximately 40 metres of front yard depth between the front façade of the house and Hamilton Road with sufficient room for two additional lots having frontage on Oriole Drive. Therefore, given these circumstances side-lotting adjacent Hamilton Road was considered appropriate.

348_ Active mobility features will be incorporated into the design of new neighbourhoods and, where possible, enhanced in existing neighbourhoods to ensure connections to the street and transit system.

A portion of the Thames Valley Pathway multi-use trail is planned to be incorporated within the subdivision draft plan, and will be accessed at the easterly end of future Oriole Drive. It will be a key component of a much larger active mobility network of walking and cycling routes throughout the City.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Street. The range of primary permitted uses include single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses. The proposed development of four (4) single detached dwellings (expected to be 1 or 2 storeys in height) conforms with the use, intensity and form policies of the Neighbourhoods Place Type. One of the policy objectives is that neighbourhoods be designed to protect the Natural Heritage System, adding to neighbourhood health, identity and sense of place. As part of the detailed subdivision design, an Environmental Impact Study (EIS) and tree assessment and protection plan were prepared and submitted. Recommendations will be incorporated into the accepted engineering drawings to mitigate impacts on the features and protect the nearby Open Space lands. Tree protection fencing for the subject site has been incorporated into the engineering drawings in order to preserve existing trees along the Hamilton Road frontage within the future road allowance/road widening block and along the southerly property boundary.

Old Victoria Community - Specific Policies

1000_ The following policies apply to lands generally located between Commissioners Road East to the south, the Thames River to the north and the former Old Victoria Road street allowance to the east.

Infill Hamilton Road

1010_ Opportunities exist along Hamilton Road for infill development. These lands shall enable, over the long term, intensification and infill development in conformity with the Neighbourhoods Place Type policies of this Plan. In addition, small-scale commercial and office-based uses may also be permitted. Comprehensive planned development proposals will be encouraged to allow for coordinated joint access, connected rear lanes and parking areas, and street-oriented building patterns.

The subject lands represent an opportunity for residential intensification in the form of single detached dwellings in keeping with the long term vision of the Old Victoria Community policies for infill development along the Hamilton Road corridor.

Our Tools

1694_ In accordance with the Planning Act, City Council may pass bylaws to exempt all, or parts of, registered plans of subdivision from part-lot control. Such exemption will eliminate the need for further subdivisions or consents to convey portions of lots within the registered plan of subdivision. Exemption from part-lot control will not be supported for the creation of a private street which serves freehold lots.

The Owner's intent is to consolidate the remnant parcel at 1752-1754 Hamilton Road as a single block within the plan of subdivision as it goes through the process of final approval and registration. At that point, an application can be considered by Municipal Council to pass a by-law exempting the block from the Part Lot Control provisions of the Planning Act to allow for creation of the four (4) single detached dwellings lots. The requested zoning amendment is intended to facilitate this process.

Therefore, based on Staff's review of The London Plan policies, this proposal is found to be in keeping and in conformity with the Key Directions, City Building and Design, Place Type, and Our Tools policies.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential, as shown on Schedule 'A' of the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. Density will generally not be permitted to exceed 75 units per hectare and maximum building height is normally limited to four storeys. The recommended zoning to permit single detached dwellings is consistent with and conforms to the 1989 Official Plan.

Zoning By-law

The following provides a synopsis of the recommended zoning, permitted uses, regulations, and holding provisions to be applied to the subject lands. Reference should be made to the zoning amendment map found in Appendix A of this report.

It is recommended that the zoning be amended from a Residential R1 (R1-14) Zone which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres to a Holding Residential R1 (h•h-100•R1-3) Zone to permit single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres. The proposed lots range in lot frontage from approximately 15 metres to 22 metres with lot depths ranging from 41 to 42 metres, and therefore exceed the minimum lot size regulations of the zoning by-law. The recommended zoning and holding provisions are are considered appropriate and generally consistent with the zoning that was approved for the adjacent draft plan of subdivision.

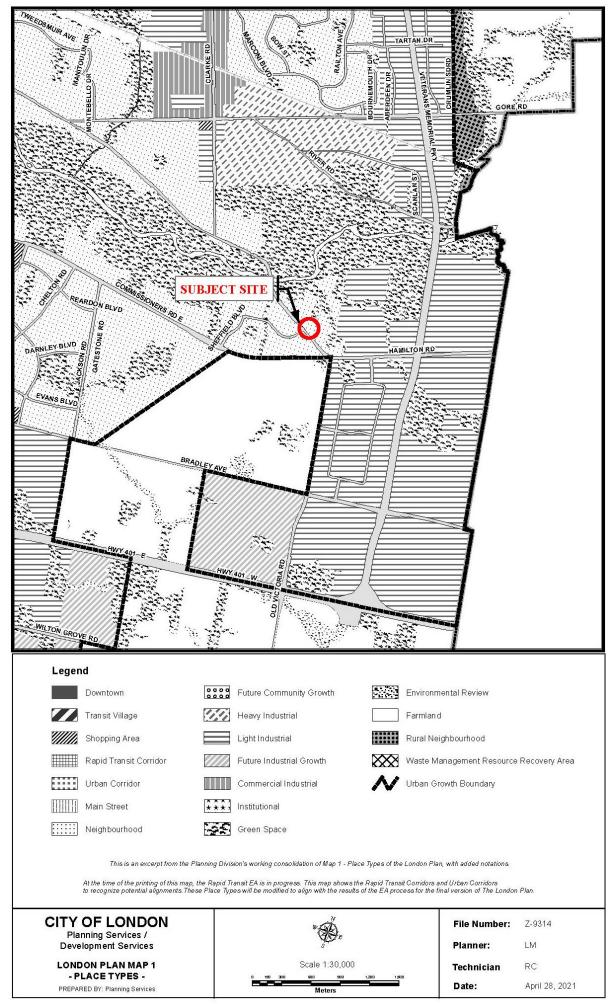
Holding Provisions:

It is recommended that the standard holding (h) provision be applied in conjunction with the proposed residential lots and blocks. The "h" provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of draft plan of subdivision ensure that a subdivision agreement or development agreement is entered into.

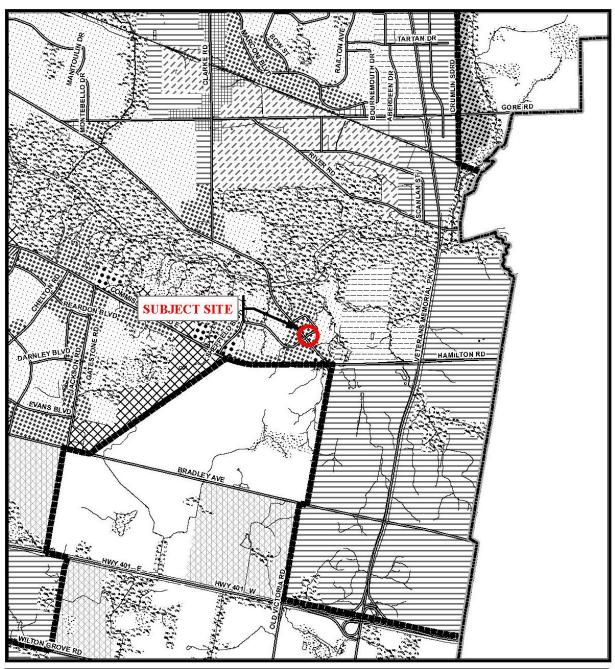
A holding provision (h-100) is also recommended in order to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

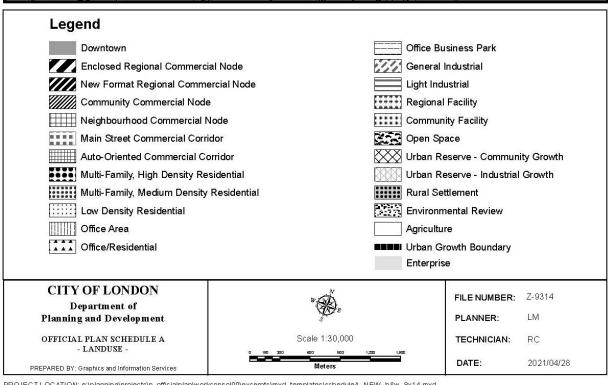
Appendix D - Relevant Background

The London Plan Map Excerpt

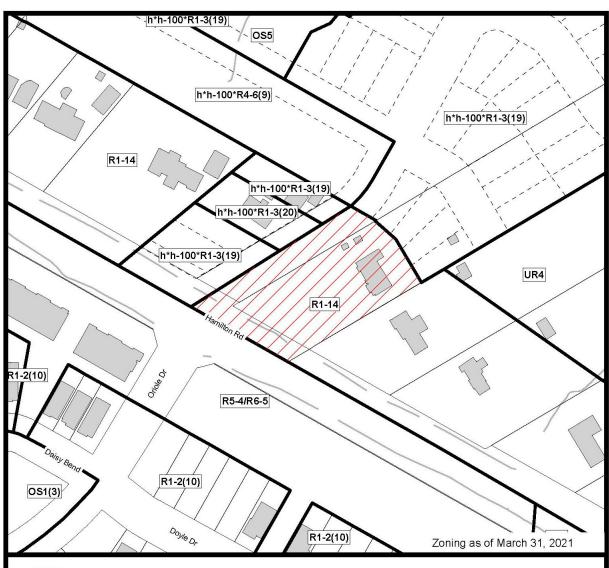


1989 Official Plan Map Excerpt





Zoning By-law Map 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

- R11 LODGING HOUSE

- DA DOWNTOWN AREA
 RSA REGIONAL SHOPPING AREA
 CSA COMMUNITY SHOPPING AREA
 NSA NEIGHBOURHOOD SHOPPING AREA
 BDC BUSINESS DISTRICT COMMERCIAL

- 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
- ОВ - OFFICE BUSINESS PARK

- 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

FILE NO:

"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**



Z-9314 LM MAP PREPARED: 2021/04/28 RC

1:1,500

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

0 5 10 20 30 40