

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: Foxwood Developments (London) Inc.
584 Commissioners Road West
Public Participation Meeting

Date: October 18, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Foxwood Developments (London) Inc. relating to the property located at 584 Commissioners Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 26, 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 R1 (R1-9) Zone, **TO** a Residential R5 Special Provision (R5-7(_)) Zone;
- (b) **IT BEING NOTED** that the following site plan matters were raised during the application review process:
 - i) The relocation of the private outdoor amenity space to a centralized and pedestrian friendly location;
 - ii) The provision of sufficient space between the parking lot and the east property boundary to accommodate enhanced landscaping; and
 - iii) Configuration of the parking area to allow retention of the Black Maple, denoted as Tree 386 of the Arborist Report (Stantec, February 23, 2021).

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the development of a 26 unit stacked townhouse development, which is equivalent to a density of 60 units per hectare. The concept plan provided with the application illustrates a 3.5-storey stacked townhouse building with 12 units situated close to the street, and a two-storey stacked townhouse building with 14 units situated toward the south and west property lines.

Purpose and Effect of Recommended Action

The recommended zoning is a Residential R5 Special Provision (R5-7(_)) Zone providing for townhouses and stacked townhouses with a maximum height of 12 metres and a maximum density of 60 units per hectare, that will accommodate the proposed development. The following special provisions would facilitate the proposed development: a minimum front yard depth of 1.5 metres, a maximum front yard depth of 3.0 metres, and a minimum west interior side yard depth of 3.4 metres for buildings oriented to and fronting Commissioners Road West only.

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 and the Neighbourhoods Place Type;
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;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject property is located on the south side of Commissioners Road West and is currently the site of a single detached dwelling and related accessory structures. The site is relatively flat and moderately to heavily vegetated with native and non-native species.

Commissioners Road West is an arterial road with an average annual daily traffic volume of 13,000 vehicles per day at this location. The roadway narrows down to one lane of travel in each direction between Wonderland Road to the east, and Westmount Crescent to the west.

A Union Gas pipeline is located within the south side of the Commissioners Road West road allowance. Union Gas has confirmed no setback or easement from the pipeline within the private lands is required.



Figure 1: 584 Commissioners Road West

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R1 (R1-9)

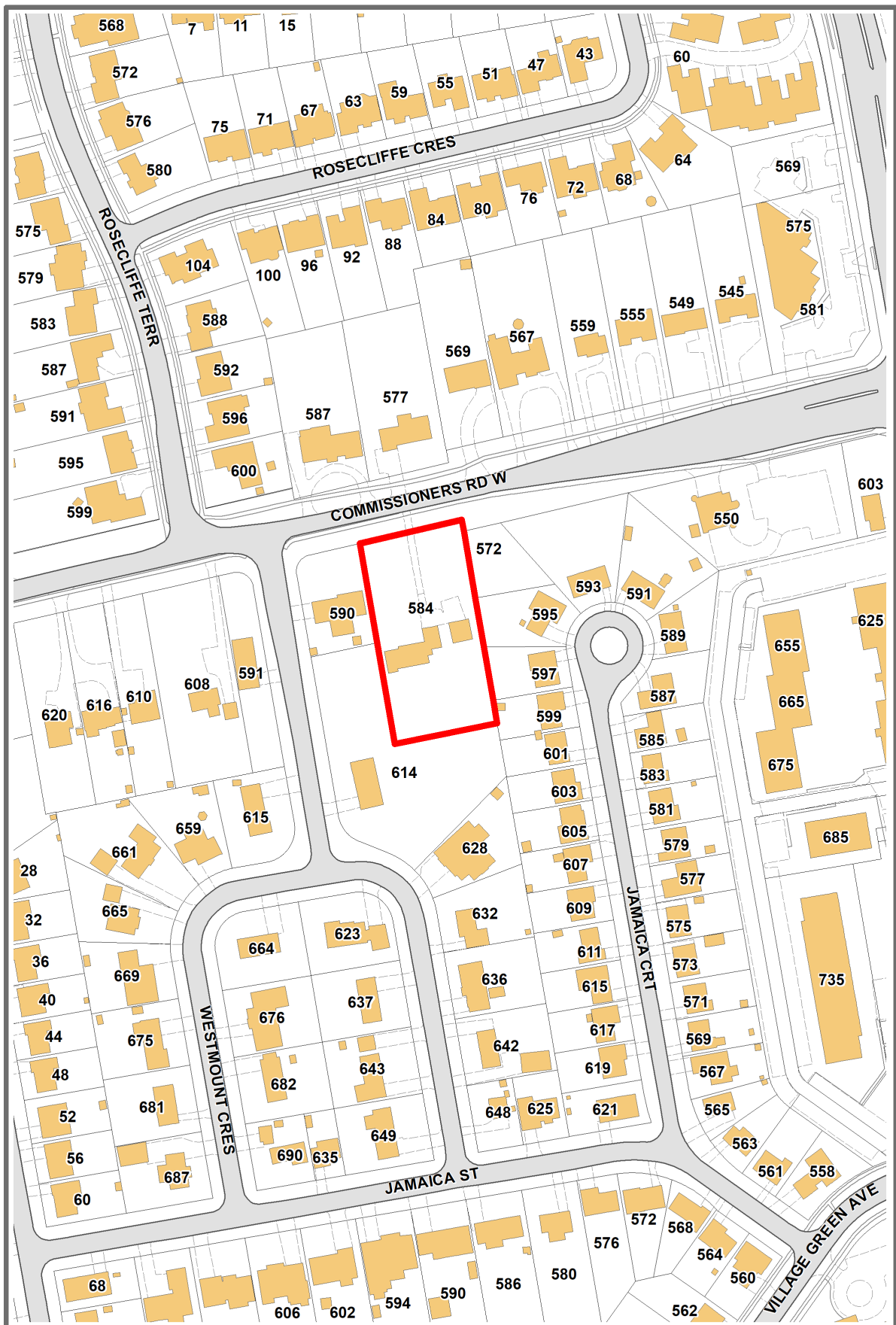
1.4 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 47.29 metres
- Depth – 91.4 metres
- Area – 0.436 hectares
- Shape – Rectangular

1.5 Surrounding Land Uses

- North – Single detached residential
- East – Single detached residential, Fire Station No. 3, Multi-family residential uses and commercial uses fronting Wonderland Road
- South – Single detached residential
- West – Single detached residential with semi-detached dwellings and townhouses west of Nottingham Road

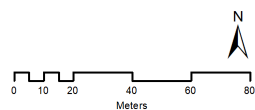
1.6 Location Map



LOCATION MAP

Address: 584 Commissioners Rd W
 File Number: Z-9357
 Planner: Barb Debbert
 Date: 2021/09/14

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:2000

Legend

- Subject Site
- Buildings
- Driveways/ParkingLots
- Assessment Parcels
- Submitted Under Review Subdivisions

1.7 Intensification

- The proposed 26 residential units represent intensification within the Built-Area Boundary.
- The property is not within the Primary Transit Area.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing a 26 unit (60 units per hectare) stacked townhouse development comprised of a three and a half-storey, 12 unit building aligned with and fronting Commissioners Road West, and a two-storey, 14 unit building aligned with the west property boundary. The applicant recently clarified that while the site concept plan submitted with the application labelled the front building as being three storeys tall, it is actually a 3.5 storey building due to the raised basement. The renderings submitted with the application remain unchanged and were circulated to the public as part of the Notice of Application. A surface parking lot with 43 parking spaces is located in the interior of the site, providing service to both buildings. An amenity area is proposed adjacent to the east property line. The site concept is shown in Figure 2, and a series of building renderings are shown in Figures 3 through 6.

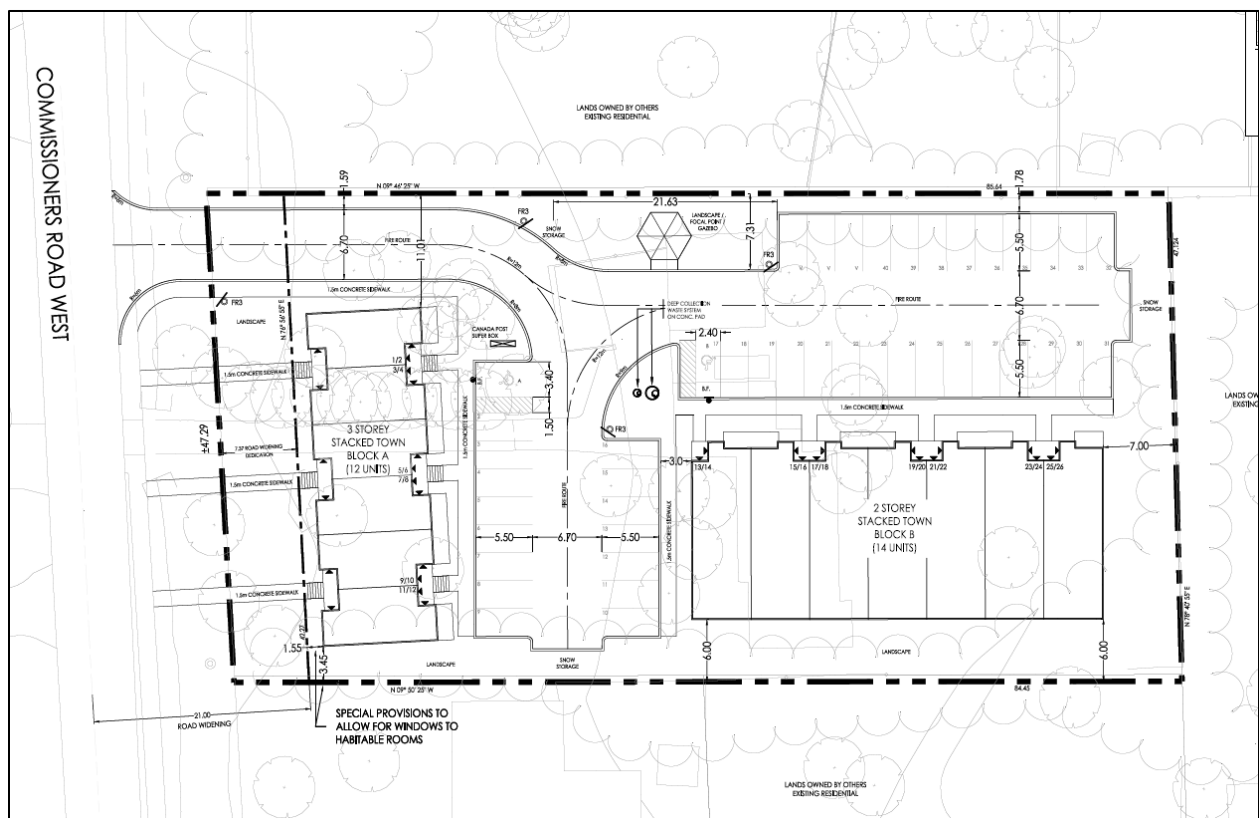


Figure 2: Site Concept



Figure 3: View from Commissioners Road West, North-east of the Property



Figure 4: View of Front Building from Commissioners Road



Figure 5: View of Front Building from the Parking Lot



Figure 6: View of Rear Building from the Parking Lot

2.2 Requested Amendment

The applicant is requesting a Residential Special Provision (R5-7(_)) Zone, which 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 minimum front yard depth of 1.55 metres in place of 8.0 metres;
- a reduced minimum interior side yard depth for walls with windows to habitable rooms of 3.45 metres in place of 6.0 metres.

2.3 Community Engagement (see more detail in Appendix B)

Nine written responses were received, which will be addressed later in this report. The primary concerns were related to:

- Over-intensification
- Lighting, privacy, noise
- Traffic impacts
- Environmental impacts
- Adequacy of Services

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 London Plan

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

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

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

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

The London Plan also 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 a Civic Boulevard, 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).

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).

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 2 to 3.5 storey, 26 unit stacked townhouse development would contribute to a mix of housing types, providing more intrinsically affordable housing options.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting on a Civic Boulevard. At this location, Table 10 would permit 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 primarily of one and two-storey single detached dwellings. Higher intensity semi-detached and townhouse developments are located west of Nottinghill Road, and townhouses and apartment buildings are located to the east fronting Wonderland Road. The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed 2 – 3.5 storey, 26-unit stacked townhouse development 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 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_ 5. and 6., and 953_ 1. and 2.). 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 of 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard (*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 a Civic Boulevard (Commissioners Road West), which is a higher-order street to which higher-intensity uses are directed. The subject lands are located within walking distance of a broad range of commercial uses at the intersection of Commissioners Road West and Wonderland Road South, as well as Westmount Mall which contains a movie theatre, grocery store and other services. Access to several bus routes is located within a 400-metre walking distance of the site, providing public transit access to Westmount Mall and other parts of the City including commercial uses, recreational facilities and services on Southdale Road, Commissioners Road East, Wonderland Road, and in the Downtown. Active and passive recreation opportunities, and Catholic and Elementary School facilities are available within an 800-metre walking distance. As the site is currently developed with one single detached dwelling, the proposed development represents an appropriate form of intensification through infill redevelopment. Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. The increased intensity of development on the site will make use of

existing transit services, 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 2 – 3.5-storey, 26-unit stacked townhouse development yields a density of 60 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 – 3.5 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.

Yard Depths

A member of the public expressed concerns about the requested front and west interior side yard reductions.

The requested front yard reduction to 1.55 metres is for the purpose of allowing building placement closer to property lines in support of contemporary urban design principles, as well as design flexibility. City staff are also recommending the inclusion of a maximum setback requirement from Commissioners Road West of 3.0 metres to ensure the building continues to be located close to the street and does not provide space for parking in the front yard.

The requested west interior yard reduction from 6.0 metres to 3.45 metres is related to the standard zoning regulation that requires a greater yard depth where the end wall of the townhouse unit is not blank but includes windows to habitable rooms. The request relates only to the most westerly units of the townhouse structure facing Commissioners Road West. The renderings provided with the application illustrate the proposed window arrangement on the westerly end wall, showing short, horizontally oriented windows that appear to be located relatively high on the interior walls. The proposed arrangement can minimize the privacy issues that might result from casual observation of the adjacent property from inside the building. Furthermore, the building is situated on the site such that any casual observation will be to the front yard of the adjacent property, which is already visually accessible from the public streets. If no windows were proposed, the structure would be able to be located a minimum of 3.0 metres from the property line but would also present a blank wall with fewer features to break up the visual impact of the massing of the building. Overall, the west side yard depth reduction is appropriate for this development.

Traffic Impacts

No traffic impact study was required as part of a complete application. Overall, the impact of addition of traffic volume from a 26-unit development on a higher-order road that currently experiences high traffic volumes is negligible and is not an impediment to consideration of the proposed development.

Impact on Storm and Sanitary Sewer Systems

A member of the public has expressed concerns about increased pressure on the storm sewer system due to hardscaping and on the sanitary sewer system due to the conversion of property from septic tank to the public sewer system.

With respect to the stormwater management system, City Engineering has indicated that the applicant will be required to extend the sewers on Commissioners Road West to the limit of their site. At the site plan approval stage, the applicant will be required to demonstrate sufficient capacity in the pipe and downstream systems to service the proposed development as well as provide on-site controls. The City requires stormwater flows to be self-contained on site, up to the 100 year event and safely convey up to the 250 year storm event. Stormwater run-off from the subject lands is not permitted to cause any adverse effects to adjacent or downstream lands.

With respect to the sanitary servicing system, City Engineering sought additional input from the applicant's engineering consultant regarding sanitary sewer capacity and as a result has expressed no concerns about the ability to service this site. Design details will be addressed at the site plan stage.

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, considering such things as access points, driveways, landscaping, amenity areas, building location and parking; 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.). Specific City Design policies indicate that principal building entrances and transparent windows should be located to face the public right-of-way, to reinforce the public realm, establish an active frontage and provide convenient pedestrian access (291_). They also indicate that residential buildings should include outdoor amenity spaces (295_), and support reduced parking rates in place types and parts of the city that have high accessibility to transit (271_). 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_). Appendix C of this report includes a review of these evaluation criteria.

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, providing for building heights that transition appropriately from primarily single storey homes on nearby properties to a 2 and 3.5-storey built form. The placement of the building close to the street encourages a street-oriented design with direct pedestrian access from each unit to Commissioners Road West. The proposed building design provides for an appropriate rhythm along the street, and a variety of materials and fenestration that help to create a comfortable, human-scaled streetscape. While the front doors along the Commissioners Road West frontage are recessed and perpendicular to the street, the building design and front entry steps clearly demarcate and establish an active frontage and provide convenient pedestrian access to the units from the street.

The parking areas are located behind the front building and away from the street, providing for a pedestrian-oriented environment along the Commissioners Road West frontage.

Revised Site Concept Submitted

City staff held discussions with the applicant on the proposed site plan details regarding:

- the size and location of the private outdoor amenity area;
- the provision of adequate space along the east property line for enhanced landscaping to contribute to buffering and screening adjacent to the existing single detached dwellings; and,
- the strategic configuration of landscaped open space to preserve trees along the east property line and allow their integration into the overall landscaping strategy.

These discussions served the purpose of ensuring a suitable site design could be achieved that would appropriately accommodate the proposed intensity of the development, and facilitating the successful completion of a future site plan approval process.

The revised site concept shown below in Figure 7 is included in this report to provide updated information and inform any future site plan approval process. It also augments the staff recommendations found at the beginning of this report which outline site plan matters raised during the review process. The key changes to the site concept include:

- relocation of the private outdoor amenity space to the area along the west property line (labelled as landscape/focal point). The revised location is more central to the site, does not require pedestrian crossing of the drive aisle, and can be reached by all of the units via internal sidewalks;
- An increase in the setback between the parking lot and the east property line to ensure adequate space for enhanced landscaping; and,
- A change in the parking lot configuration to allow the preservation of an existing Black Maple along the east property line adjacent to 597 Jamaica Court.

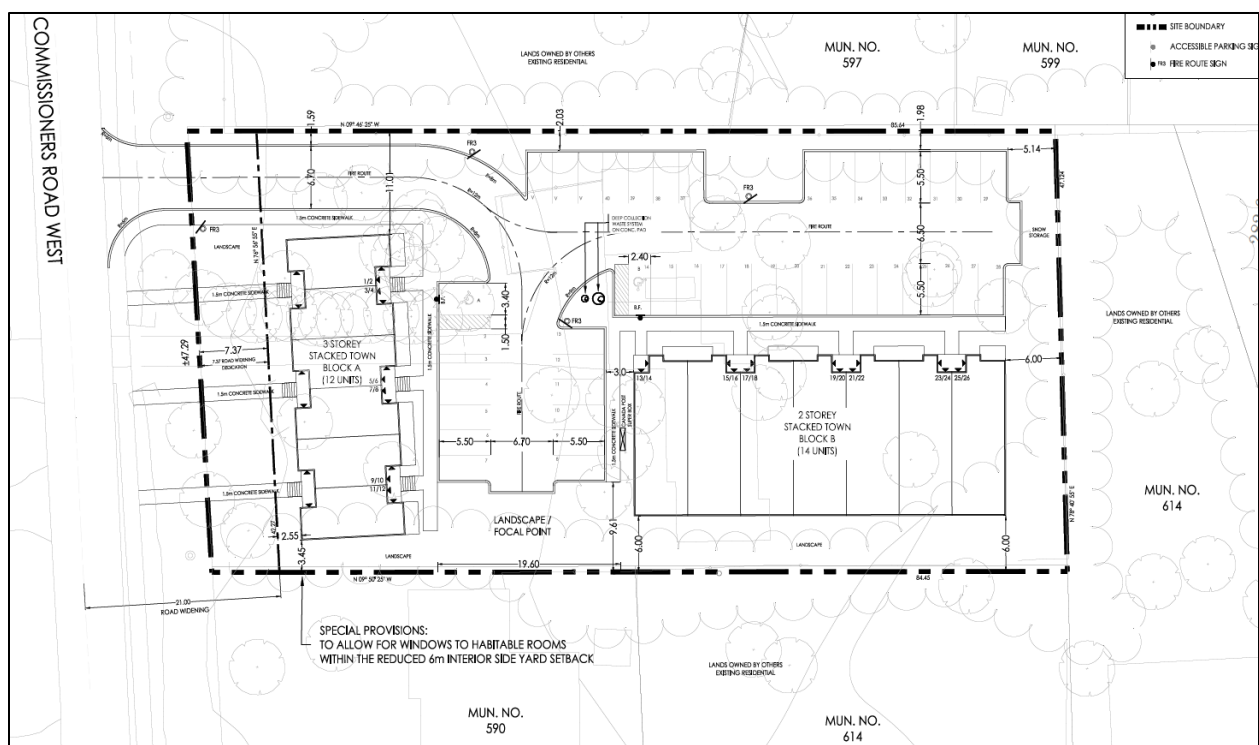


Figure 7: Revised Site Concept

The proposed changes reflect the discussions held with the applicant and address staff concerns regarding these matters.

Privacy/Noise/Lighting

The building massing and placement mitigate compatibility concerns, including neighbourhood concerns regarding loss of privacy. Both buildings are adequately distanced from the rear and side yards of existing and future homes on Jamaica Court and 572 Commissioners Road West to the immediate east of the subject site, which was created by consent in 2021. The intervening facilities shown on the revised site concept (Figure 7) include the proposed driveway, parking area, and landscaped open space areas that can accommodate landscaping buffers and privacy fencing between the proposed townhouse development and the existing single detached dwellings.

Any noise generated by the site will be from the daily activities of the residents. Lighting will be addressed at the site plan stage to ensure building and parking lot lighting does not shine on adjacent properties.

Tree Preservation

The recommendations of the Arborist Report (Stantec, February 23, 2021) include the retention of 13 trees within the study area and the removal of 60 trees, two of which are dead and an additional six trees that are non-native species. Many of the inventoried trees are located central to the site and are to be removed to accommodate development. The City's Landscape Architect has identified some refinements that should be addressed at the site plan approval stage. These refinements may result in the removal of additional invasive species, identifying additional trees to be removed to address safety issues and the additional retention of a Black Walnut tree along the east property line in co-ordination with the revised site concept discussed earlier in this report. The Tree Preservation Report and all of its recommendations will be refined and implemented through the site plan approval process. In addition, enhanced landscaped buffers should be incorporated through a final landscape plan at the site plan stage, incorporating a mix of existing and new deciduous and coniferous trees along with shrub screening.

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. 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, Development Services

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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 584 Commissioners Road West.

WHEREAS Foxwood Developments (London) Inc. has applied to rezone an area of land located at 584 Commissioners Road West, 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 584 Commissioners Road West, as shown on the attached map comprising part of Key Map No. A106, from a Residential R1 (R1-9) Zone, **TO** a Residential R5 Special Provision (R5-7(_)) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:
 -) R5-7() 584 Commissioners Road West
 - a) Regulations
 - i) Front Yard Depth (Minimum) 1.5 metres (4.92 feet)
 - ii) Front Yard Depth (Maximum) 3.0 metres (9.84 feet)
 - iii) West Interior Yard Depth for buildings oriented to and fronting Commissioners Road West (Minimum) 3.4 metres (11.15 feet)

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.

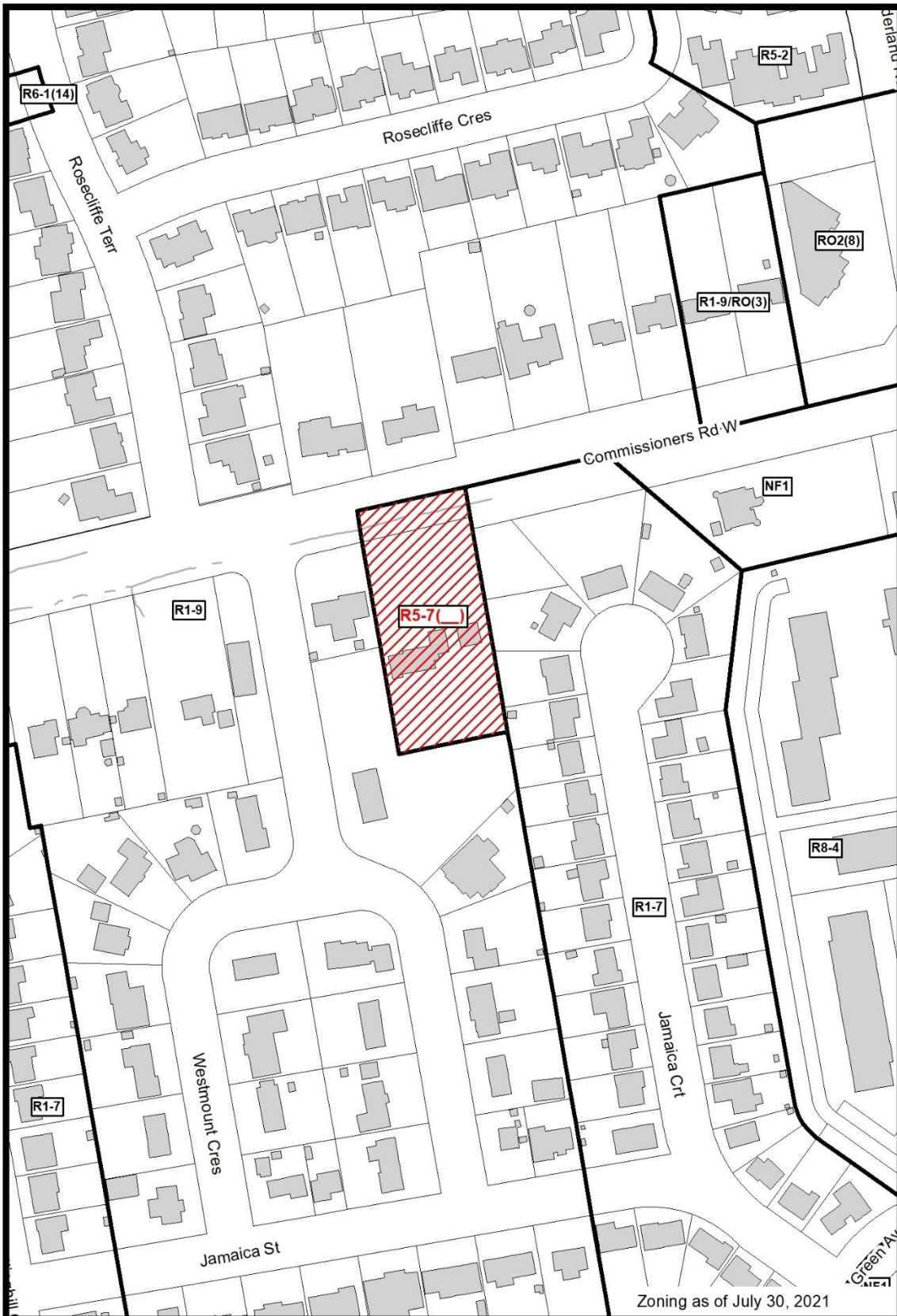
PASSED in Open Council on October 26, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 26, 2021
Second Reading – October 26, 2021
Third Reading – October 26, 2021

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



File Number: Z-9357
Planner: BD
Date Prepared: 2021/09/14
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

Notice of Application:

On June 9, 2021, Notice of Application was sent to 145 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 10, 2021. A “Planning Application” sign was also posted on the site.

9 replies were received. In addition, a petition was submitted objecting to the proposed development, signed by 39 individuals representing 21 households).

Nature of Liaison: The purpose and effect of this zoning change is to permit two new stacked townhouse buildings with a total of 26 units (60 units per hectare(ugh)): (1) a 3-storey, stacked townhouse building with 12 units situated close to the street; and (2) a 2-storey stacked townhouse building with 14 units situated toward the south and west property lines. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-9) Zone **TO** a Residential R5 Special Provision (R5-7(_)) Zone. Special provisions for the Residential R5 Special Provision (R5-7(_)) Zone include a minimum front yard depth of 1.5m, and a minimum west interior side yard depth of 3.45m for units with windows on the side elevations for the building fronting Commissioners Road West only. The City may also consider a maximum front yard depth and other measures to ensure suitable development regulations for the site.

Planning Note: The recent clarification that the stacked townhouse building situated close to the street is proposed to be 3.5 storeys high does not affect the requested Zoning By-law amendment, as the height of the building is with the maximum 12.0 metre height that will regulate the building.

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 and quality of surrounding development and the size of the property. Housing form of townhouses is not consistent with the neighbourhood and the requested front and west side yard reductions are unsuitable.

Traffic

Concern about the cumulative impact on the transportation system. Traffic volumes and speeds within the subdivision will be exacerbated by additional traffic cutting through the neighbourhood to avoid eastbound congestion at the intersection of Wonderland Road South and Commissioners Road West. Commissioners Road should be widened and turn lanes provided. The Westmount Drive neighbourhood is signed as traffic calmed but has no traffic calming measures or sidewalks, creating unsafe pedestrian conditions. Sight lines on Commissioners due to grade change of road. Access from Fire Station No. 3 may be impeded.

Lighting/Privacy/Noise

Concern that the proposed development will cause lighting, privacy and noise impacts that will negatively affect the enjoyment of neighbouring properties.

Environment

Concerns about tree removal and loss of existing vegetation, increasing pollution and noise and reducing enjoyment of neighbouring properties.

Adequacy of Services

Increased pressure on the sewer system due to hardscaping and conversion of property from septic tank to public sewer system.

Community Information Meeting

The applicant hosted a virtual Community Information Meeting on the evening of October 6, 2021. The meeting was attended by Councillor VanMeerbergen and 2 members of the public.

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

Telephone	Written
Cornelia Malaiu 96 Tamarack Crescent London ON N6K 3J7	Christopher Sewell 676 Westmount Crescent London ON N6K 1P4
Alan and Jane Burrell 659 Westmount Crescent London ON N6K 1P3	James and Sally Lee 623 Westmount Crescent London ON N6K 1P2
	Nada Turudic 615 Westmount Crescent London ON N6K 1P1
	Dr. Shereen Hassanein 587 Commissioners Road West London ON N6K 1B6
	Nancy Moser 555 Commissioners Road West London ON N6K 1B6
	Shirley Gibson 597 Jamaica Court London ON N6K 1N2
	Wayne Smith Address unknown – contact Planner for email

From: Christopher Sewell
Sent: Wednesday, June 16, 2021 1:35 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment File #Z-9357, Foxwoods Developments Inc

Good evening.

I wish to respond to a recent mailing information I received regarding the above file and amendment to the existing bylaw from residential R1 to R5 Special Provision R5-7 Zone.

I object to the amendment going forward based on the following observations summarized below:

a) Traffic patterns as they exist currently within the intersections of Wonderland Rd and Commissioner’s Rd are a nightmare with WB traffic on Commissioner's Rd just west of Wonderland Rd reduced from two lanes to one lane, causing backups at all hours of the day that block NB and SB traffic on Wonderland Rd. Any increase in traffic due to the construction of a new 26 unit townhouse dwelling units will only exacerbate the current situation. The increase in traffic is also likely to interfere with the quick response time of

the local Fire Department located on the south side of Commissioner's Rd, just west of Wonderland Rd.

b) The current neighbourhood adjacent to the planned location are all single detached dwelling units, which currently enjoy the peace and tranquility that zoned R1 affords. It's what drew me to the location I currently live some 5 years ago. Any change to the zoning to R5-7 Zone will certainly affect that peace and tranquility I've come to enjoy.

c) Increase in traffic and multi-unit dwellings will reduce the amount of local forestation in the area, thereby increasing pollution and noise for the surrounding homes, resulting in loss of enjoyment to the existing homeowners.

d) The current designation of these lands are Low Density Residential. Any changes to allow multi attached dwellings, with the allowance of new fencing, landscaping, lighting and driveway locations, will only add to the amount of traffic flow thru the subdivision, which is already quite busy with vehicles wishing to access Commissioner's Rd. A sign on Westmount Rd just south of Commissioner's Rd indicates the subdivision is a traffic calming neighbourhood, even without the use of traffic speed humps in the subdivision. I currently observe several times per day, vehicles speeding through my residential neighbourhood as a shortcut to avoid the traffic backed up at the intersection of Commissioner's and Wonderland Rd in all directions. The addition of more vehicles will only exacerbate the current problem.

I wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, and have copied the City Clerk on this email.

Thank you for your attention in this matter. I sincerely hope you will take these observations into consideration before making a decision.

Chris Sewell
676 Westmount Cres
London, ON
N6K 1P4

From: Gibson, Tory
Sent: Tuesday, June 15, 2021 11:39 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc: pvabneerberge@london.ca;
Subject: 584 Commissioners Road West Notice of Planning Application

Good morning Barb,

I am writing this email on behalf of my mother, Shirley Gibson. She resides at 597 Jamaica Court and received the Notice of Planning application for 584 Commissioners Road West.

Dear Barb and council members,

I am enraged to be informed of the possibility of rezoning 584 Commissioners Rd W to occupy 26 stacked townhouses!

I am the original home owner of 597 Jamaica Court, having lived here for 50 years! My husband and I chose this location because of the upscale community of Westmount and the privacy of our backyard.

The lot at 584 Commissioners Rd W was NEVER zoned to be multi family living. We have raised our family and our grandchildren in our home and love the mature, quiet area our lot and surrounding area provides.

The 26 units will have the following consequences just to name a few;

Increase of noise, privacy, security, as well devalue our home.

The number of people coming in and out with cars, children, visitors and just every day coming and going will make my backyard unbearable to be in.

People will see into my backyard and I will lose out on my privacy.

With more people I am also concerned about my security. I [text deleted for MFIPPA] do not want 50 to 100 more people living just on the other side of my fence!
The last concern is the value of my property. If I was to sell my home I can only imagine how having 26 stacked townhouses right in my backyard will do to the price. It will make it go down and this upsets me.

My husband and I worked hard for our house and now this will make our investment go down.

In conclusion, I am strongly against rezoning 584 Commissioners Rd W to occupy 26 stacked townhouses.

Please consider my concerns.

Thank you,
Shirley Gibson

From: james
Sent: Monday, June 28, 2021 5:42 PM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] File Z-9357

We reside at 623 Westmount Crescent and have received the notice of Planning Application re the above file.

We have signed a petition AGAINST this application and want to confirm our opposition to this application.

The surrounding area is zoned single family residential and this development does not fit with the neighbourhood. This is a traffic calmed area without sidewalks and does not need any more traffic. What happens when Commissioners Road is widened? If the application is granted, the applicant can increase the size of the development to 60 units, presumably without further notice to residents. A group home is nearby.
James and Sally Lee

From: nada TURUDIC
Sent: Sunday, June 20, 2021 12:13 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] opposition to Z-9357 - do not reply to this email

This is my formal opposition to the building of townhomes on the above application.

From: shereen hassanein
Sent: Monday, June 21, 2021 10:48 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] 584 Commissioners Road West

Dear Barb Debbert,
My family and I live across from 584 Commissioners Road west and we do have some genuine concerns about the proposed plan from Foxwood Developments.

Briefly, we are concerned about the following:

- removal of 60 trees (proposed) and possibly more
- high traffic turn; Commissioners and Wonderland is already a site of many traffic accidents and this is without adding roughly 50 new residents to the area
- new busy left-turn driveway up a hill; the new driveway won't be easily visible from Commissioners/Wonderland corner, increasing the risk of accidents
- impeding access/movement of neighbouring fire department
- wanting to reduce distance of the residence building from sidewalk and west side of the property
- lack of comparable green space will be visually unattractive
- all hardscaping (flooding risk)
- increased pressure on sewer system (the current dwelling is, apparently, on a septic tank); untested claims in the Sanitary Servicing Capacity study

Equally concerning, we have heard that neighbours have been pressured by developers to sell their homes or portions of their properties. It is important to us that the citizens in our neighbourhood feel free to live in their homes without being bullied by developers who have no right making people feel unwelcome in their own homes and neighbourhoods.

We also know that further development is brewing near the corner of Westmount Crescent and Commissioners R.W. and we hope that a fruitful conversation can be had about how the current home owners are being treated and heard.

Please let us know that you have heard these concerns and that we will have opportunities to participate in this discussion.

Dr. Shereen Hassanein

Nancy Moser

I object to this application and ask that it be turned down because it's too dense and the building type of stacked townhouses does not fit in with the established well kept homes on large lots. Real estate data indicates that two high end homes on the site when sold could give a reasonable profit to the owners of this lot. This proposal of extremely dense stacked townhouse would disrupt the calm existing traffic flow and would disrupt the adjacent upscale neighbourhoods.

I have lived in townhouses for a short while. They are loud and noisy and smells from one kitchen can permeate through the whole building. This proposal for this site is not appropriate for this upscale neighbourhood.

Nancy Moser
555 Commissioners Road West
London ON N6K 1B6

Petition collected by Nancy Moser (signed by 39 individuals representing 21 households)

We the following object to this application and ask that it be turned down. The density is very excessive and the building type is not compatible with the existing upscale single-family houses and large lots.

We the following do agree to have a designated person speak on our behalf at any meeting concerning this site (North Westmount/Rosecliffe Homeowners Association)

From: Wayne Smith
Sent: Monday, July 26, 2021 1:07 PM
To: Mottram, Larry <LMottram@London.ca>; Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Question regarding zoning and development at 633 / 584 Commissioner's Rd West

Hello.

I understand that the property at 633 Commissioner's rd West is undergoing a zoning review or change, number Z 7673 and likewise so is the property at 584 Commissioner's rd West (Z - 9357).

I understand that the 633 address is being handled by Larry, and the 584 address by Barb.

But I'm writing to both of you because there seems to be some sort of linkage to both of these properties.

There is a large sign on the 584 address indicating that a multi-story apartment building is coming to the 633 address. That is the reason why they appear to me to be linked.

So my question to both of you is - just what sort of zoning change (and related construction) is being contemplated on either or both locations?

When a zoning change has been applied for, is it not customary to see a City of London sign on the property indicating that a zoning change may be in the works? If so, I see no such sign on either property.

Also, when zoning changes are possible, is it customary to inform neighboring properties of such a change so they can participate in the decision-making process?

I await your answers.

Regards-

Wayne Smith

Departmental and Agency Comments

Urban Design (August 25, 2021)

- Locate the unit entrances in 'Block A' so they are facing toward the Commissioners Road West as opposed to facing internally.
- Provide an appropriately sized and centrally located amenity space that is of sufficient size for the number of units proposed. This may require a new location and reduction in the number of proposed parking spaces.
 - The proposed amenity space is insufficient in terms of size and location. A more appropriate location can be determined through the site plan process.

Site Plan (June 14, 2021)

- A 20m setback is required from the high pressure oil pipeline along Commissioners Rd. The setback is to be shown on the site plan.
- Provide a centrally located amenity space that is of sufficient size for the number of units proposed. This may require a reduction in the number of proposed parking spaces.
- Increase the parking area setback along the eastern edge of the property to preserve the existing trees.
- Dimension the standard width of parking spaces and ensure they are 2.7m.
- Show curb ramps on the site plan.

Supplementary Site Plan (September 28, 2021)

- City staff have reviewed the revised site concept and generally support the revised plan subject to detailed site plan review.

Tree Preservation (Landscape Architect) (August 26, 2021)

1. Confirm that the 2 American Elms being kept in the SW corner are the best specimens to retain of those identified in the tree inventory. Following sound

arboriculture practice determine if more of the elms could be retained [ie space for growth including adequate soil volume].

2. Confirm that no portion of the trunk of tree #5, Manitoba Maple, extends over the property line. If any portion from root flare to first branch does extend over line then the tree would be considered a boundary tree and consent will need to be given by neighbour for its removal.
3. Tree #740, Buckthorn, is identified to be retained and protected. This invasive species should be removed. Tree is a boundary tree and would need neighbour's consent to do so.
4. Tree #398, Manitoba Maple, is identified to be retained and protected. Arborist needs to determine if tree is structurally sound or hazardous. If hazardous, tree must be removed prior to construction. Tree is a boundary tree and would need neighbour's consent to do so.
5. Three City of London Trees will be impacted by the development. To remove or to cause injury to a City Tree from a boulevard tree, the applicant needs to contact Forestry Dispatcher at trees@london.ca with details of their request. Consent must be obtained from Forestry Operations prior to removals. Trees 362 and 365 are to be removed, tree 363 is to be retained and protected by fencing. Forestry Operation will need to determine if these measures are sufficient to protect tree.
6. Remove 4 parking stalls from the northern end of the east parking lot, tree 386, a Black Maple would be retained. This area would be incorporated into the amenity space.

Supplementary Tree Preservation Comments (September 27, 2021)

Further to discussions with the applicant and Stantec's arborist, regarding trees to be retained on site, 584 Commissioners Rd., please be advised of the following outcomes:

1. Black Maple #386 is worthy of retention. The revised site concept with parking lot configuration having stalls removed from plan to retain tree's roots should be sufficient to protect tree.
2. Only 2 of the American Elms in SW corner, #492 and #499 are worthy of protection. Tree protection fencing will need to be delineated through Site Plan application
3. CoL tree #365, a Silver Maple, will need Forestry Operations consent to remove
4. CoL trees #362, Locust and 363 Silver Maple, will need Forestry Operations consent to excavate near root zone.

Parks Planning & Design (June 10, 2021)

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Heritage (August 16, 2021)

- This memo is to confirm that I have reviewed the following and find the report's analysis, conclusions and recommendations to be sufficient to fulfill the archaeological assessment requirements for Z-9357:
 - Stantec consulting Ltd. Stage 1-2 Archaeological Assessment" Proposed Residential Development at 584 Commissioners Road West [...] now City of London, Ontario (PIF P256-0634-2020), September 22, 2020.
- Please be advised that heritage planning staff recognises the conclusion of the report that states that:
 - "No archaeological resources were identified during the Stage 1-2 archaeological assessment of the study area. This in accordance with

Section 2.2 and Section 7.8.4 of the MHSTCI's 2011 Standard and Guidelines for Consultant Archaeologists (Government of Ontario 2011), no further archaeological assessment of the study area is recommended.”
(p i)

- An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received dated Sep 25, 2020 (MHSTCI Project Information Form Number P256-0634-2020, MHSTCI File Number 0012949).
- Archaeological conditions can be considered satisfied for this application.

Engineering (June 29, 2021)

Comments to be addressed as part of the re-zoning application:

Wastewater:

- Further to the sanitary servicing report submitted by Stantec dated February 4th, 2021 as part of Notice of planning application and Zoning By-Law Amendment mentioned above, please note the following:
 - The municipal sanitary sewer available for the subject lands is the 200mm sanitary sewer on Commissioners Rd W.
 - It is noted that there are constraints downstream in the sanitary system specifically within the sanitary sewer easement and some constraints within the area (A7,A11 and A 3 original design sheet).
 - SED is agreeable that the subject lands being proposed for development can be designed based on a per capita flow of 230 L/capita/day. However, there is no expectation that the entire drainage area plan and design sheet be recreated and all other areas are to remain at the per capita criteria of L/capita/day. In addition, the Consultant engineer is to include any active application that is proposed to be within the same outlet.
 - SED expectation that the consultant engineer is to submit a revised design sheet based on the provided comments above

(Planning note: On August 4, 2021, the applicant's Engineer provided clarification of the above matters to City Engineering staff and as a result Engineering staff have advised that no further submissions are required to proceed with the Zoning By-law amendment application).

The following items are to be considered during a future site plan application stage (Comments originally provided Dec 15, 2020):

Transportation:

- Road widening dedication of 21.0m from centre line required on Commissioners Road West
- Detailed comments regarding access design and location will be made through the site plan process

Wastewater:

- The sanitary sewer available for the subject lands is the 200 sanitary sewer on Commissioners Road West. The Applicants Engineer is to size a sanitary PDC for the proposed development, all to City Standards and to the satisfaction of the City Engineer.

Water

- Water is available via the municipal 300mm high-level watermain on Commissioners Rd W.
- Water servicing for the site shall be designed to avoid the creation of a regulated drinking water system.

- All existing water services and wells within the subject lands shall be abandoned and decommissioned in accordance with City standards and applicable legislation/regulations.
- As part of any future site plan application a water servicing design brief addressing domestic, demands, fire flows, and water quality would be required is be submitted.

Stormwater:

Specific comments to the site:

- As per as-constructed drawing 16954, the site at C=0.50 is tributary to the existing 375mm storm sewer on Westmount Crescent and Commissioners Road West intersection. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- In order to service the proposed site the applicant will be required to extend the sewers on Commissioners Road W to the limit of their site; these works shall be in accordance with City Standards.
- The number of proposed/existing parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirm how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devices.
- To manage Stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual
- As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the Stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
 - shall comply with riparian right (common) law.
- The consultant shall update the servicing report and drawings to provide calculations, recommendations and details to address these requirements.
- A major oil and gas pipeline runs along Commissioners Road W. Any work within the setback limits may require approval/permission from Union Gas.
- 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 within a Subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- 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 up to and including 100-year storm events.
- 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 (formerly MOECC) 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.
- Additional SWM related comments will be provided upon future review of this site.

Transportation Supplementary Comments (August 18, 2021)

- Shifting the driveway to the west will be too close to Commissioners Rd/ Westmount Cres intersection and won't be accepted. I am not aware of other planning goals at this time at this road section. *[In response to Planning questions regarding site design options to preserve trees]*
- Please note that Traffic has not received any complaints on the westbound approach to Wonderland/Commissioners signalized intersection. If this is a recurrent situation they should be contacted to review and possibly adjust Commissioners/Wonderland signal timing to improve queuing times on Commissioners.
- Commissioners Road is classified as a Civic Boulevard (Arterial Road) and its Primary function is to service through traffic, secondary function is to provide access to land. The proposed development will generate approximately 17 vehicle trips in the AM peak hours, and 47 vehicle trips in the PM peak hours with a minimal impact on Commissioners Road given that the road has sufficient capacity to accommodate the small amount of traffic that will be generated by this proposed development. Existing traffic issues should not be an impediment to consideration of the proposed development. Please note that a Transportation Impact Assessment is not required for this ZBA.

Fire Department (August 16, 2021)

- We do not have any concerns at this time. *[In response to neighbourhood concerns about additional development impeding access to Fire Station No. 3]*

London Hydro (June 10, 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.

Union Gas (April 29, 2021 and May 3, 2021)

- The gas main is not operating at above 30% SMYS and therefore, no setback is required.
- Permanent structures cannot be constructed within an Enbridge Gas easement.
- There is no easement on title at this location.

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 1.7 – Long Term Economic Prosperity

The London Plan

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

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

Policy 54_ Our Strategy, Key Directions

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

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

Policies 235_, City Design, Streetscapes

Policies 252_, 252_, 256_, 258_, 259_, 268_, 269_, City Design, Site Layout

Policies 271_, 272_, 277_, 278_, 279_, 280_, 282_, 283_, City Design, Parking

Policy 284_, 286_, 287_, 288_, 291_, 295_, 301_, City Design, Buildings

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

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

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 ii), ix), xi), xiii), xiv), xv), xvi), xviii)

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;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
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 is located within a 400 metres walking distance of commercial uses and services, and within an 800 metre walking distance of public parks, elementary and secondary schools. Bus service from the intersection of Commissioners Road East and Wonderland Road provides public transit access to other parts of the City.
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 proposal is not eligible to be considered for affordable housing as a bonus provision is not requested. The applicant has indicated their goal is to provide a development that provides moderate pricing to potential tenants.

<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed 2 – 3.5 storey townhouse development is mitigated to the east and south by the driveway, amenity area and surface parking situated between the proposed buildings and the property lines. There is no dwelling located to the west behind the rear building. A side-to side relationship is established between the front building and the dwelling on the adjacent lot to the west, with an appropriate setback as discussed in the body of this report.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>Landscaping and screening opportunities through vegetation will be considered at the site plan approval stage.</p>
<p>The location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage. Commissioners Road West is an arterial road which serves high volumes of intra-urban traffic at moderate speeds and has controlled or limited property access.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The applicant is commended for incorporating the following into the design of the site and buildings: locating the taller built form along Commissioners Road West, with the lower form located away from the street. At the site plan stage, additional attention should be paid to the orientation of the front doors to Commissioners Road West in place of a perpendicular relationship.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>Not applicable</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>A Union Gas easement lies within the south side of Commissioners Road West. Union Gas has indicated that due to the type of pipeline, no setbacks from the pipeline are required.</p>
<p>Compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage can be achieved through the site plan approval process. Some refinements to the location and size of the outdoor amenity</p>

	area, parking layout and tree retention/planting areas, as discussed in this report, will result from 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.

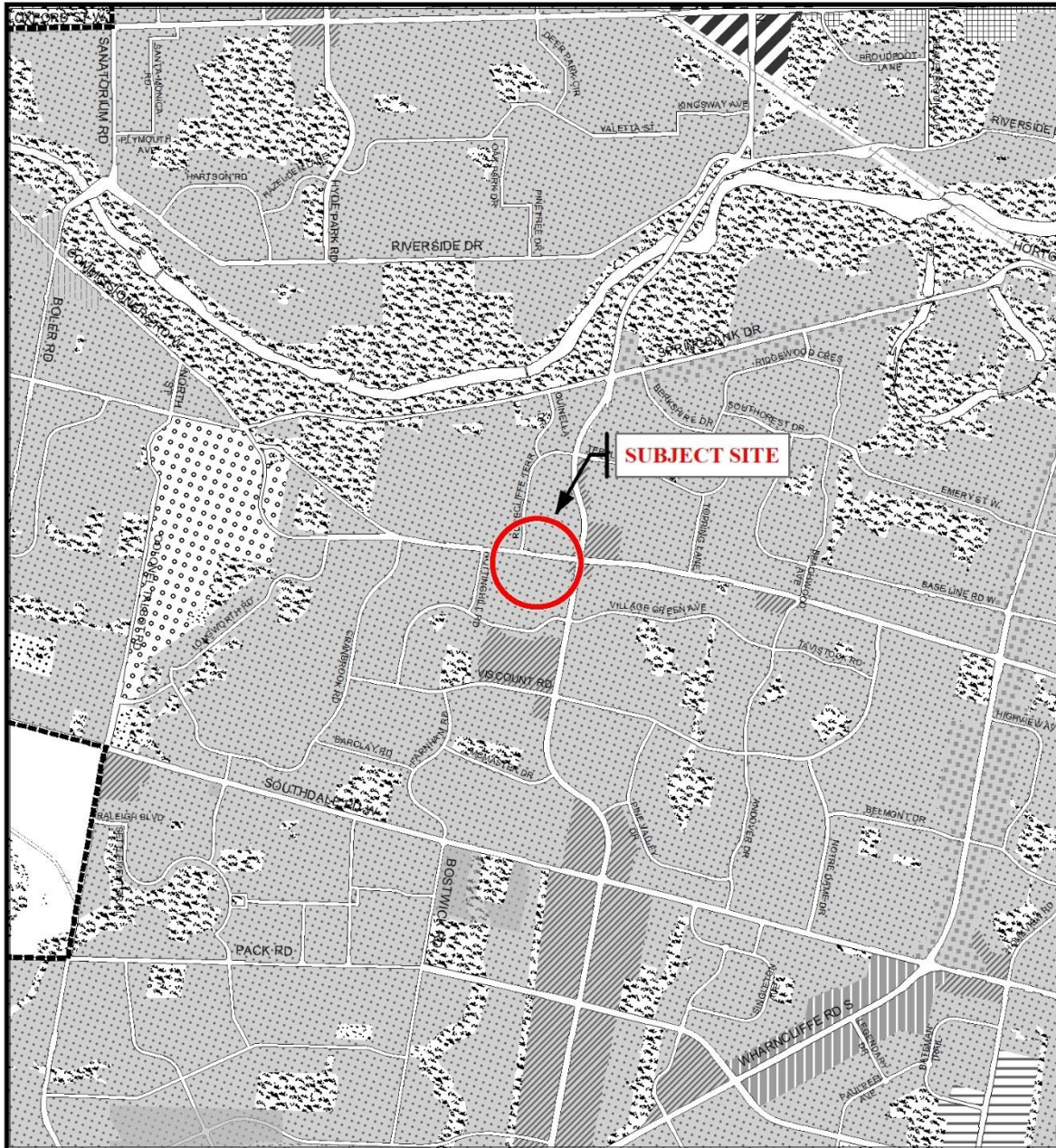
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and 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. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for residential intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a mixed-use compact City and strong, healthy and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the site plan approval stage.
Conformity with the policies of the place type in which they are located.	The proposed 2 – 3.5 storey townhouse proposal provides for the use and intensity of development contemplated within the Neighbourhoods Place Type on a Civic Boulevard. Compatible intensification is encouraged in existing neighbourhoods. (937_).
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water, sanitary and storm sewers.

Criteria – Impacts on Adjacent Lands	
Traffic and access management	Further consideration of traffic controls related to the driveway will occur at the site plan approval stage.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was not required for the Zoning By-law amendment application, but will be required at the site plan stage to address the mitigation of impacts of road noise on the new development.
Parking on streets or adjacent properties.	The proposal includes a slight excess of parking relative to the 1.5 spaces per unit normally required for townhouse development. It is not anticipated that overflow parking will be required on local streets.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Garbage facilities should be screened; storage inside the building is a standard requirement for townhouse forms, with garbage to be placed outside on collection day.
Privacy	The proposed development situates the proposed townhouse development away from buildings on adjacent properties. A combination of privacy fencing and landscaping to soften the property boundaries and provide screening to the neighbouring dwellings will help screen views from the proposed building to neighbouring properties.
Shadowing	Minimal shadowing impacts, if any, are anticipated.
Visual Impact	Landscaping, articulated building design, and architectural details and materials to be implemented at the site plan stage are expected to have a positive visual impact on the area.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	The development will result in the loss of some trees and canopy cover in order to achieve more compact forms of development within the built-up part of the City. At the site plan stage, a complete landscape plan will be developed to

	provide for new tree planting and screening from adjacent land uses.
Cultural heritage resources.	Not applicable.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

Appendix D – Relevant Background

The London Plan – Map 1 – Place Types



Legend

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

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

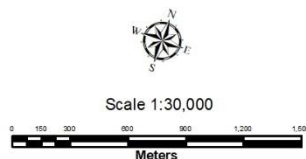
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning & Development

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning & Development



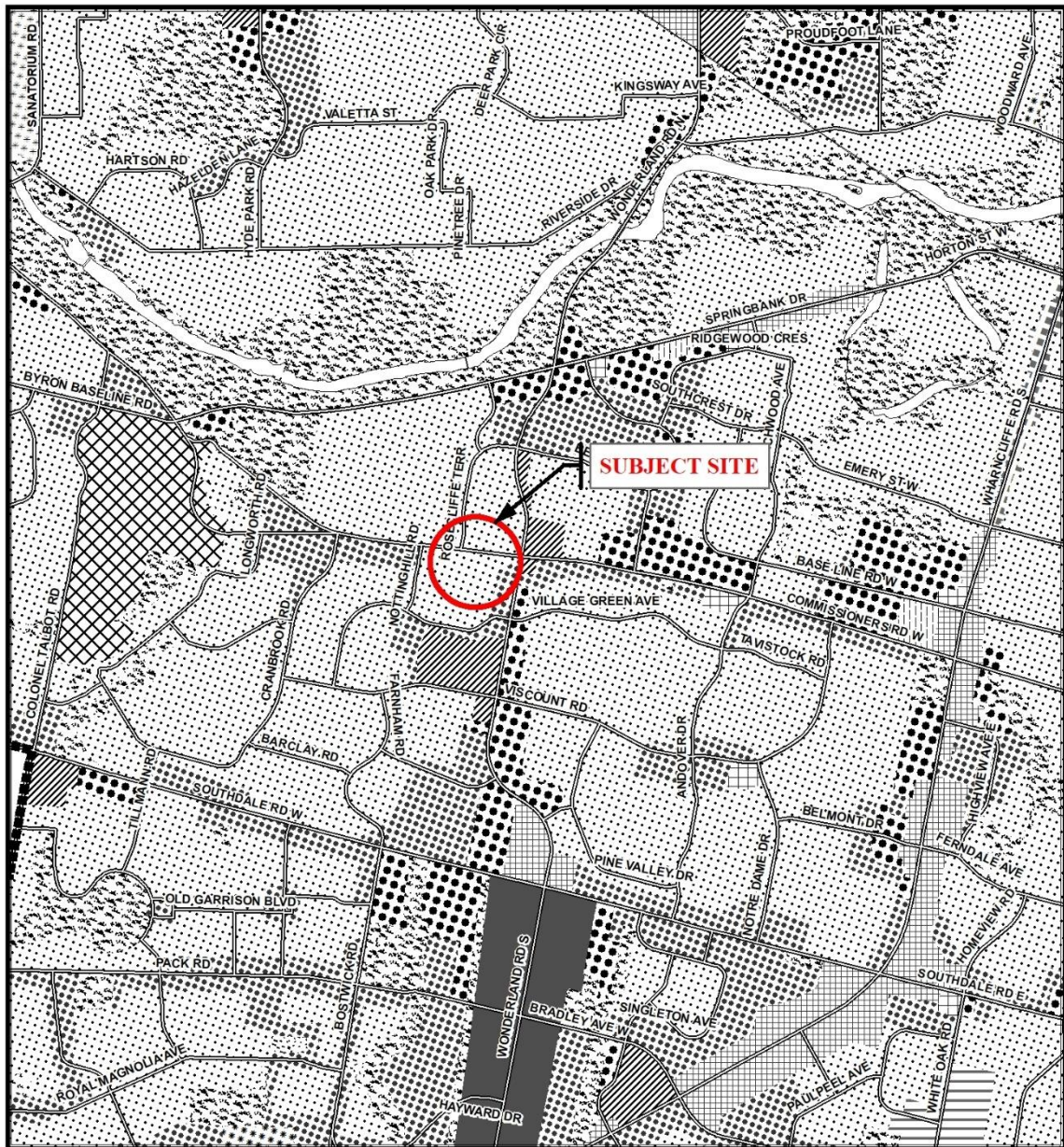
File Number: Z-9357

Planner: BD

Technician: MB

Date: 2021/09/14

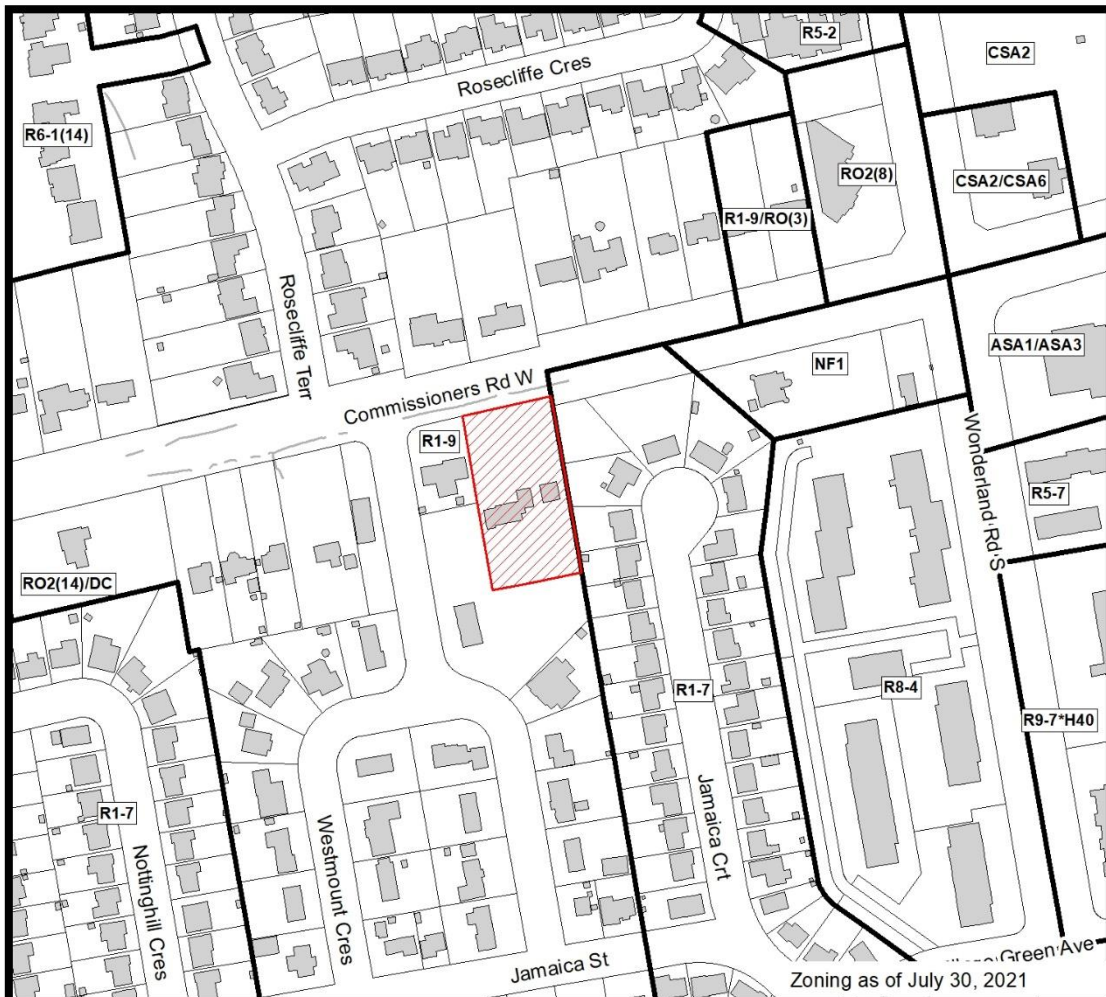
1989 Official Plan – Schedule A – Land Use



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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 155 310 620 930 1,240 1,550</p> <p>Meters</p>	<p>FILE NUMBER: Z-9357</p>
		<p>PLANNER: BD</p>
		<p>TECHNICIAN: MB</p>
		<p>DATE: 2021/09/15</p>

Zoning By-law Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-9

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | OB - OFFICE BUSINESS PARK |
| R10 - HIGH DENSITY APARTMENTS | LI - LIGHT INDUSTRIAL |
| R11 - LODGING HOUSE | GI - GENERAL INDUSTRIAL |
| DA - DOWNTOWN AREA | HI - HEAVY INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| CSA - COMMUNITY SHOPPING AREA | UR - URBAN RESERVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | AG - AGRICULTURAL |
| BDC - BUSINESS DISTRICT COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| AC - ARTERIAL COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| RSC - RESTRICTED SERVICE COMMERCIAL | RT - RAIL TRANSPORTATION |
| CC - CONVENIENCE COMMERCIAL | |
| SS - AUTOMOBILE SERVICE STATION | "h" - HOLDING SYMBOL |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "D" - DENSITY SYMBOL |
| OR - OFFICE/RESIDENTIAL | "H" - HEIGHT SYMBOL |
| OC - OFFICE CONVERSION | "B" - BONUS SYMBOL |
| RO - RESTRICTED OFFICE | "T" - TEMPORARY USE SYMBOL |
| OF - OFFICE | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



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

FILE NO:

Z-9357

BD

MAP PREPARED:

2021/09/14

MB

1:3,000

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Meters