

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: 180 Commissioners Road Inc.
180 – 186 Commissioners Road West
Public Participation Meeting

Date: July 26, 2021

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of 180 Commissioners Road Inc. relating to the property located at 180 – 186 Commissioners Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 10, 2021 to amend the Official Plan for the City of London Planning Area – 1989 by **ADDING** a policy to Section 3.5. – Policies for Specific Residential Areas to permit a maximum residential density of 105 units per hectare to align the 1989 Official Plan policies with the Neighbourhood Place Type policies of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on August 10, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London as amended in part (a) above), to change the zoning of the subject property **FROM** a Residential R1 (R1-9) Zone, **TO** a Residential R9 Special Provision (R9-4(_)) Zone;
- (c) **IT BEING NOTED** that the following site plan matters were raised during the application review process:
 - i) the provision of a built form that is located along both the Commissioners Road West and Viscount Road frontages, with units oriented to the street;
 - ii) the provision of a building design for both street-facing facades that includes a high level of architectural detail and a variety of materials and articulation; individual front door style entrances to ground floor units; amenity spaces for individual units at ground level that create a pedestrian-oriented streetscape; and direct walkway connections from ground floor units to the public sidewalk;
 - iii) the provision of an appropriately sized common outdoor amenity area for residents;
 - iv) the provision of enhanced landscaping in the exterior side yard along Viscount Road, including consideration of such items as a seat wall, arbour, masonry columns and planting or other enhanced features;
 - v) the provision of mitigation measures to address privacy issues/conflicts between grade-related patios and the public realm on Commissioners Road West, and between grade-related patios and the surface parking area, exploring opportunities for creating grade separation to better preserve the amenity of the porches/patios and the usability of those spaces for residents;

- vi) the provision of privacy fencing along the east and south property boundaries, where possible when co-ordinated with any tree retention on or adjacent to the property lines, noting the retention of existing trees may be less desirable than the provision of privacy fencing in combination with new enhanced landscaping for screening;
- vii) the provision of enhanced, robust landscaping along the east and south property boundaries for screening, taking into account possible compensation for trees removed from the site prior to the preparation of the Tree Preservation Report; discussions between the applicant and the neighbouring property owners; and the submission of a final Tree Preservation Report;
- viii) the location and design of snow storage areas to retain snow-melt on site;
- ix) possible external updates/modifications on Viscount Road, which may include a pavement marking exercise to implement a left turn lane into the site, and/or signal timing revisions.

Executive Summary

Summary of Request

The owner has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Residential R1 (R1-9) Zone to a Residential R9 Special Provision (R9-4(_)) Zone with the intent of constructing a four (4) storey, 40 unit apartment building. The requested change would permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities. Zoning special provisions were requested including permitting a maximum height of 14.0m whereas the height is to be established on the zone map, a reduced maximum density of 105uph in place of 115uph, to recognize Commissioners Road as the lot frontage whereas Viscount Road is the lot frontage by definition, a minimum exterior side yard depth of 5.4m in place of 10.0m, a minimum interior side yard depth of 7.1m in place of 14m, a minimum parking rate of 1 space per residential unit in place of 1.25 spaces per residential unit, and to permit balconies to project 1.5m into the required front yard provided the projection is no closer than 0.5m to the front lot line, whereas balconies are permitted to project into required yards by 1.5m provided the projection is no closer than 3.0m to the lot line.

The City also initiated an Official Plan amendment to add a Specific Policy Area in the Multi-family, Medium Density Residential designation to permit a maximum residential density of 105 units per hectare, in place of a maximum density of 75 units per hectare with the potential to bonus up to 100 units per hectare. The intent is to align the 1989 Official Plan policies with The London Plan policies that apply to the site.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a four (4) storey, 40 unit apartment building with 40 surface parking spaces. The following special provisions would facilitate the proposed development: a minimum front yard depth from Commissioners Road West of 1.0 metre, a maximum front yard depth of 3.0 metres, an interior yard depth of 7.1 metres, an exterior side yard depth from Viscount Road of 5.4 metres, a maximum density of 105 units per hectare, a maximum height of 14.0 metres, a minimum of one (1) parking space per unit, and an allowance for balconies facing Commissioners Road West to project 1.5 metres into the required front yard provided the projection is no closer than 0.5 metres to the front lot line. The recommended action will also remove the as-of-right bonusing permitted in exchange for the provision of additional landscaped open space. A technical regulation is recommended to recognize Commissioners Road West as the front lot line for purposes of by-law interpretation.

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 Neighbourhoods Place Type;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation and the criteria for Policies for Specific Areas which allow Council to address development opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

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

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 site is comprised of two (2) lots located at the southeast corner of the intersection of Commissioners Road West and Viscount Road. The site has a frontage of 54.2 metres along Commissioners Road West and a total area of 0.38 hectares. Each of the existing two (2) lots is currently developed with a single detached dwelling.

Commissioners Road West is an arterial road with an average annual daily traffic volume east of Viscount Road of 29,500 vehicles per day, and west of Viscount Road of 25,000 vehicles per day. Viscount Road is a collector road with an average annual daily traffic volume of 5,500 vehicles per day. The intersection is signalized with dedicated left turn lanes on Commissioners Road West in both directions, and on Viscount Road northbound. A private driveway opposite Viscount Road at the T-intersection serves a seven (7) storey apartment building which is currently under construction.



Figure 1: 180 Commissioners Road West



Figure 2: 186 Commissioners Road West

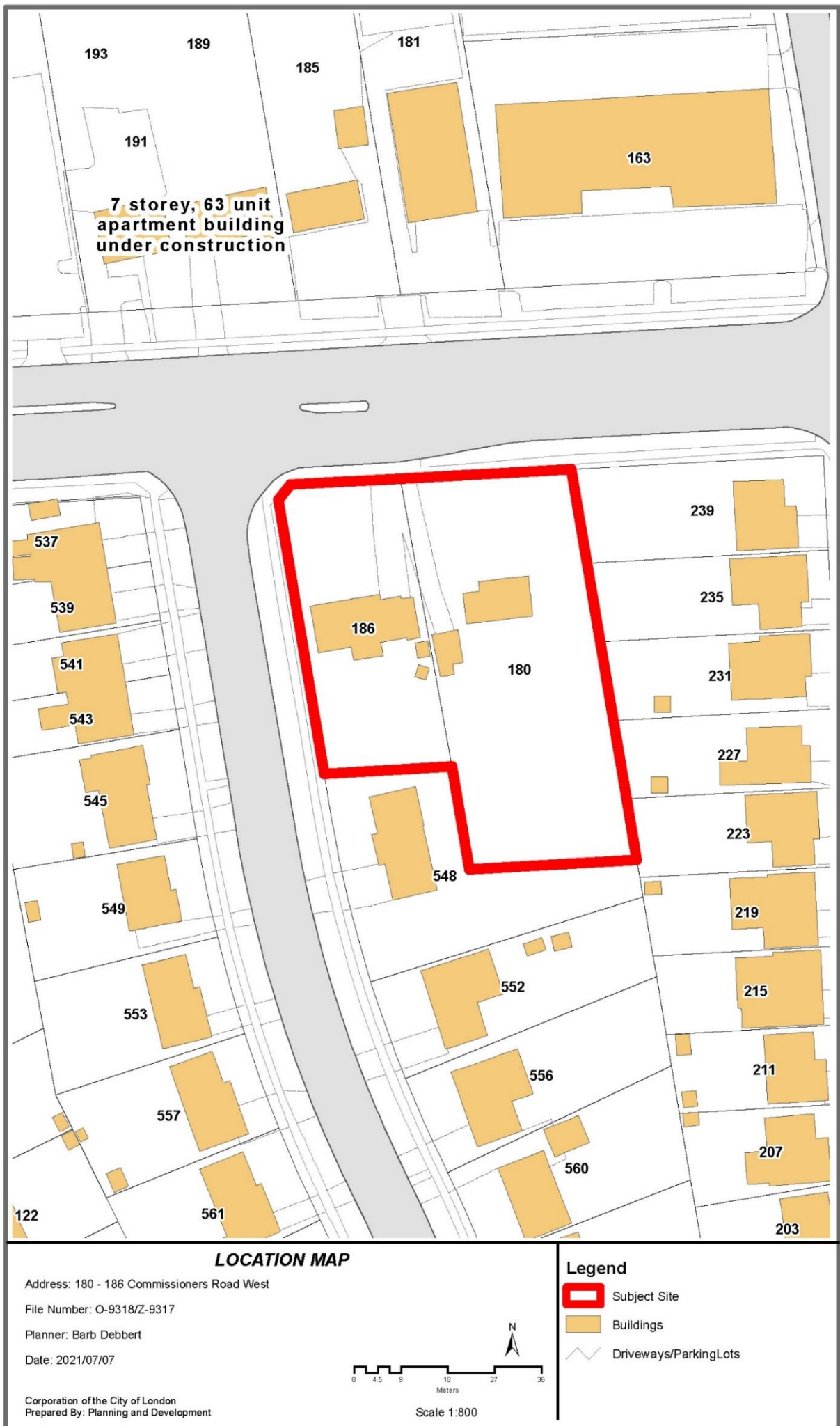
1.3 Current Planning Information (see more detail in Appendix E)

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R1 (R1-9) Zone

1.4 Site Characteristics

- Current Land Use – two (2) single detached dwellings
- Frontage – 54.2 metres
- Depth – irregular
- Area – 0.38 hectares
- Shape – irregular

1.5 Location Map



1.6 Surrounding Land Uses

- North – Apartment buildings (Wonderland Non-profit Housing Co-op – 7 storeys and P.A.M Gardens Non-profit Housing Inc. – 7 storeys under construction, and Four Feathers Housing Co-operative Inc – 4 storeys) among others farther north. Office and medical/dental offices in converted dwellings and purpose-designed buildings.
- East – Townhouses
- South – 1 – 2 storey single detached dwellings, two (2) elementary schools (Arthur Ford Public School and St. Jude Catholic Elementary School), and Arthur Ford Park.
- West – 1 – 2 storey single detached dwellings and low-rise apartment buildings

1.7 Intensification

The proposed 40 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to develop a four storey, 40 unit apartment building with 40 surface parking spaces accessed from Viscount Road. The proposed building is oriented to and situated close to Commissioners Road West. The site concept is shown in Figure 3. Building renderings and elevations are shown in Figures 4 and 5.

2.2 Requested Amendment

The applicant has requested to change the zoning on the subject site from a Residential R1 (R1-9) Zone, which permits one single detached dwelling per lot with a maximum height of 12.0 metres, to a Residential R9 Special Provision (R9-4(_)) Zone. The Residential R9 (R9-4) Zone permits apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities with a maximum height to be determined through site-specific zoning, and a maximum density of 115 units per hectare. It also provides for as-of-right density bonusing allowing an increase in the permitted number of units by three (3) for every 70.0 square metres of exterior common open space required by the by-law. Special zoning provisions have been requested for:

- Recognition of Commissioners Road as the lot frontage where Viscount Road is the lot frontage by definition;
- a minimum front yard depth from Commissioners Road West of 1.0 metre where no building setback is required;
- a maximum height of 14.0 metres;
- a reduced maximum density of 105 units per hectare;
- a minimum interior side yard depth of 7.1 metres where a 14.0 metre setback is required;
- a minimum exterior side yard depth of 5.4 metres where a 10.0 metre setback is required;
- a minimum parking rate of 1 space per unit where 1.25 spaces are required;
- balconies be permitted to project into required yards by 1.5m provided the projection is no closer than 0.5m to the front lot line whereas balconies are permitted to project into required yards by 1.5m provided the projection is no closer than 3.0m to the lot line.

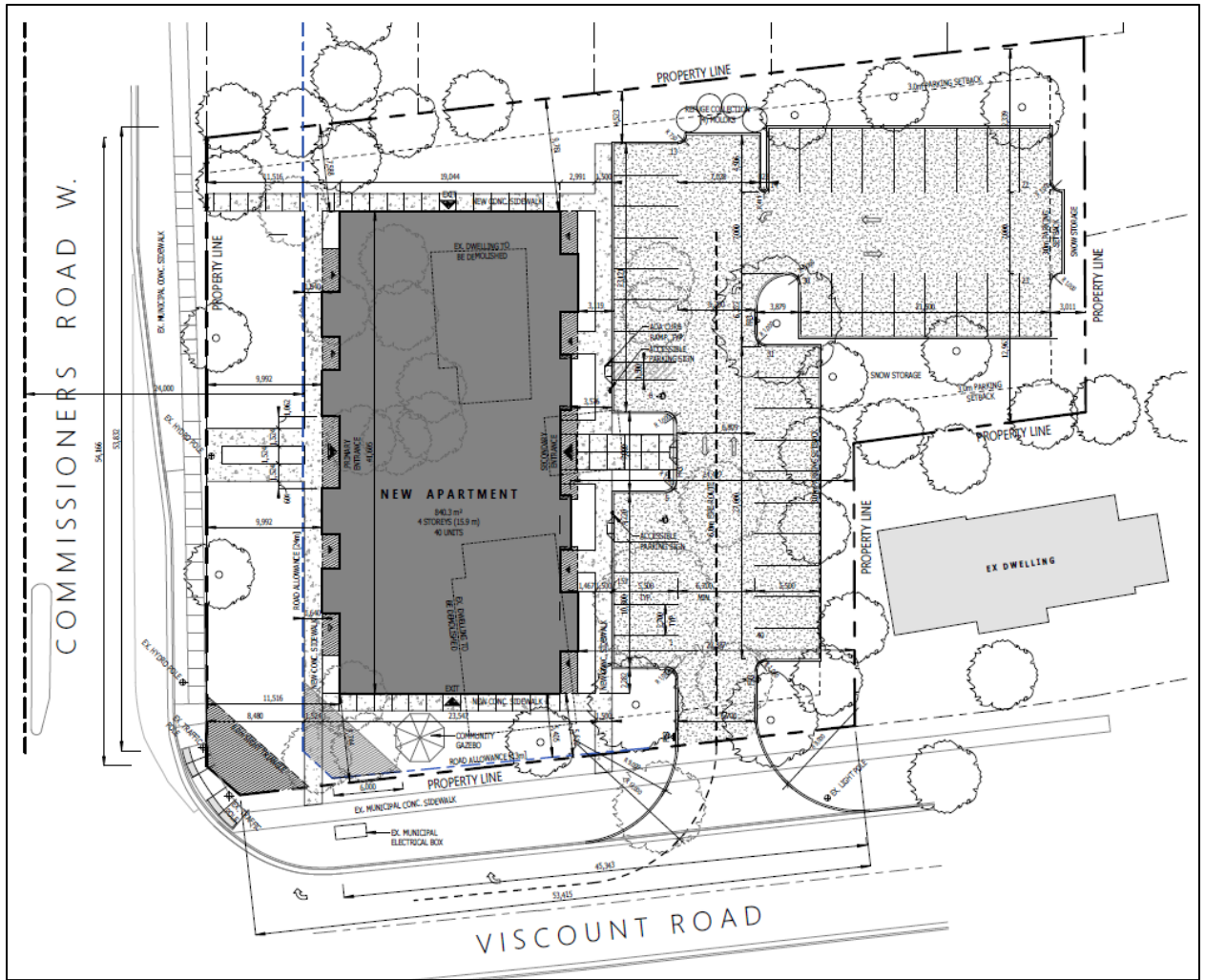


Figure 3: Site Concept Plan



Figure 4: Concept Rendering – front view from Commissioners Road West

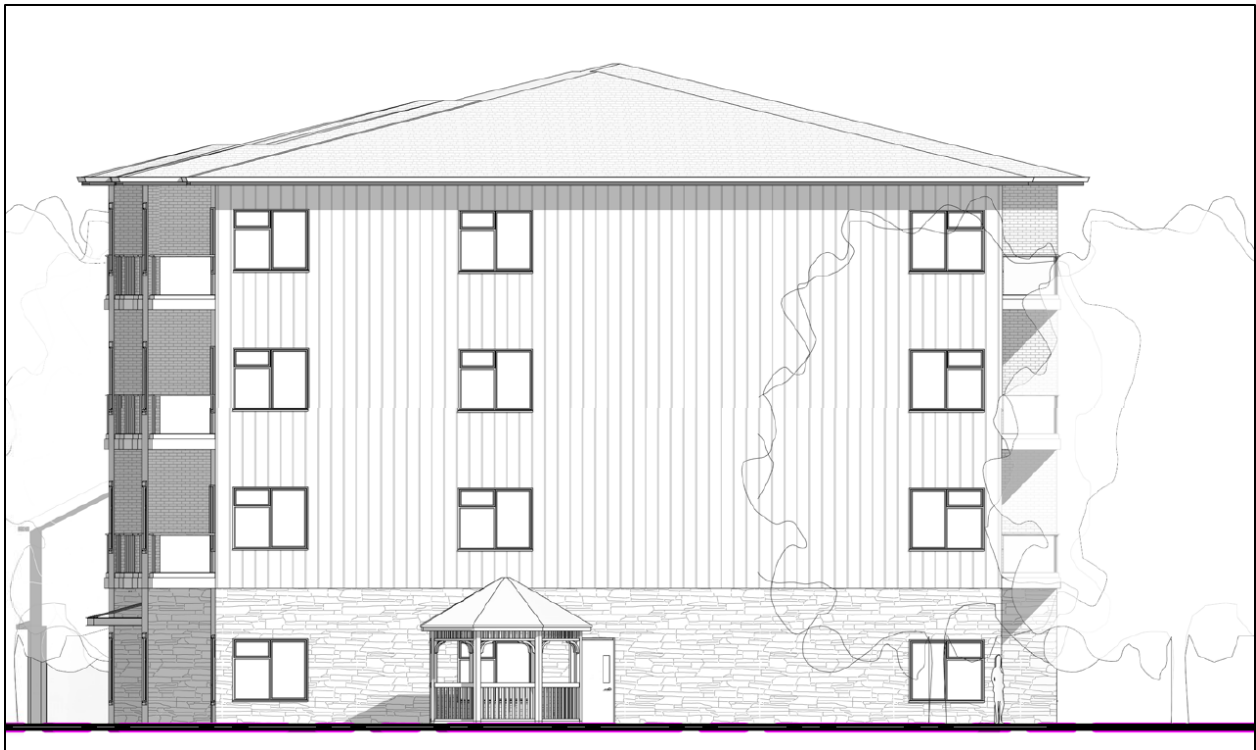


Figure 5: Elevation – side view

2.3 Community Engagement (see more detail in Appendix C)

Written responses were received from, or on behalf of, 17 households.

The public's concerns generally dealt with the following matters:

- Scale and height
- Too many units
- Parking reduction
- Traffic volume and safety
- Privacy/Overlook
- Light/Noise
- Tree removal prior to application submission and preparation of Tree Protection Report
- Buffering
- Sufficiency of Servicing Infrastructure
- Type of tenancy
- Loss of property value

2.4 Policy Context (see more detail in Appendix D)

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:

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within Primary Transit Area;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

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

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

- 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 at the intersection of a Civic Boulevard (Commissioners Road West) with a Neighbourhood Connector, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as townhouses, 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 Multi-family, Medium Density Residential in accordance with 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 apartments buildings; rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged. Development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without

amendment to the Official Plan for developments which qualify for density bonusing (3.3).

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 four (4) storey apartment building would contribute to the existing mix of housing types currently available in the area.

The subject site is in the Neighbourhoods Place Type of The London Plan at the intersection of a Civic Boulevard and a Neighbourhood Connector street. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921_). At this location, Table 10 would permit a range of low-rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments, as well as mixed-use buildings (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 Multi-family, Medium Density Residential in the 1989 Official Plan. This designation contemplates multiple-attached dwellings, such as row houses or cluster houses, low-rise apartments buildings; rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended low-rise apartment building will contribute to the existing range and mix of housing types in the area, which consists of one and two-storey single detached dwellings to the immediate west, south and east, with townhouses, low, mid, and high rise apartments within the broader area along Commissioners Road West and to the north. The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed 4-storey apartment building with 40 units will provide choice and diversity in housing options for both current and future residents. No new roads or public infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to open space, transit, community facilities and shopping areas as further detailed in Appendix D of this report. While the recommended apartment building has a different intensity and built form than existing surrounding development, the analysis of intensity and form below demonstrates that the apartment building 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 within existing neighbourhoods (*83_, *937_, *939_ 2. and 5., and *953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on 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 shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3). Locational criteria for development in Multi-family, Medium Density Residential development shall take into account surrounding land uses in terms of height, scale and setbacks, and the

adequacy of municipal services. Traffic to and from the location should not have a significant impact on stable, low density residential areas, and the site or area should be of a suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses (3.3.2).

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 have immediate access to a limited range of office uses on the north side of Commissioners Road West and are also located near the commercial centre at the intersection of Commissioners Road and Wharncliffe Road South, public and Catholic elementary schools, and several parks within walking distance. The property lies within an area characterized by the mix of various housing forms ranging from single detached dwellings to mid- and high-rise apartment buildings. When consolidated, the subject lands are of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site within a settlement area. As the site is currently developed with two single detached dwellings, the proposed development represents a form of intensification through infill redevelopment. Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. The increased intensity of development on the site will make use of existing transit services, nearby passive recreation opportunities, and public service opportunities. The subject lands are sited in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment. While the proposal complies with the maximum standard height of four (4) storeys in The London Plan, the requested density of development exceeds that normally permitted by the 1989 Official Plan.

The proposed development of 40 new apartment units equates to 105 units per hectare and does not conform to the maximum density of 75 units per hectare, with possible bonusing up to 100 units per hectare contemplated in the Multi-family, Medium Density Residential designation of the 1989 Official Plan. It is for this reason that a City-initiated Official Plan amendment has been recommended.

It has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan, and therefore a specific policy is recommended to allow for additional density for this development. Additional measures addressing the impacts of the proposed intensity on surrounding lands have been reviewed. The requested intensity of development contemplated is recommended on the lands, subject to certain considerations at the site plan stage.

The requested Residential R9 (R9-4) Zone includes provisions for additional density as-of-right in exchange for the provision of landscaped open space, at a rate of 3 additional units for every 70.0 square metres of exterior common open space provided at grade in excess of 30%. Because the open space calculation for this site includes the lands within a 9.9 metre road widening on Commissioners Road West, the landscaped open space provision for this development is 46 percent. The recommended amendments to the 1989 Official Plan and the Zoning By-law already provide for additional density and the provision for as-of-right bonusing is not appropriate. The staff recommendation includes the removal of this as-of-right bonusing through the special provisions of the recommended Zone.

Yard Reductions

Members of the public expressed concerns about the requested yard reductions as an indicator of too much development on the site. The requested exterior yard reduction to 5.4 metres and additional allowances for balcony encroachments into the front yard are for the purposes of allowing building placement closer to property lines in support of contemporary urban design principles, as well as design flexibility. The requested interior yard reduction from 14.0 metres to 7.1 metres does provide additional opportunities for more units on the site than would be achievable within the standard

height restriction. As part of its submission package, the applicant provided scaled cross sections illustrating the relationship of the proposed building to the single detached dwellings on the adjacent properties. These are reproduced below in Figures 6 and 7.

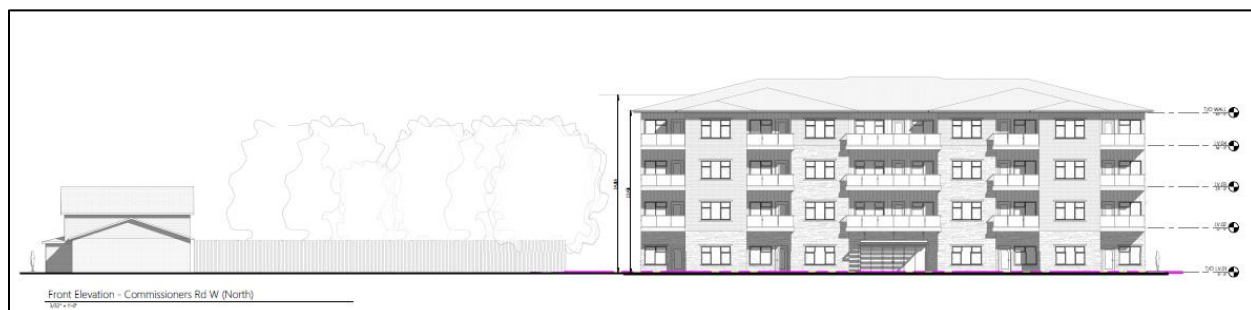


Figure 6: Relationship between Proposed Building and 239 Highview Avenue West



Figure 7: Relationship between Proposed Building and 548 Viscount Road

Figure 6 illustrates that the separation between the proposed apartment and the homes to the east provides for and exceeds the desired 45 degree angular plane from the rear of the abutting dwellings to the east. The proposed 7.1 metre setback is the minimum yard setback proposed from the east property line; due to the shape of the property and parallel orientation of the building to Commissioners Road West, the interior side yard depth increases to over 9 metres at the south-east corner of the building. The proposed east interior side yard is intended to accommodate pedestrian sidewalks and landscaping, and is more than adequate to accommodate enhanced, robust landscaping that will provide screening for the adjacent residential uses.

No reduction to the rear yard depth is proposed. Figure 7 illustrates the spatial separation between the proposed building and the home to the immediate south. In this instance, the building is located close to the street, allowing for the surface parking lot to provide for an appropriate separation between the buildings based on the differences in building height.

Parking Reduction

Members of the public expressed concerns that the proposed reduction of required on-site parking from 1.25 spaces per unit to 1 space per unit would be insufficient to service the site and would result in overflow parking onto the neighbouring streets, causing inconvenience for local homeowners and increasing competition for road space by buses and city services such as snow ploughing and garbage collection. The reduced parking rate is a common and acceptable modern standard for sites located on streets that support public transportation, such as Commissioners Road West. A limited amount of on-street parking is permitted on the west side of Viscount Road. It is not anticipated that overflow parking will be required on local streets. Illegal parking activities are a by-law enforcement matter.

Traffic Impacts

A Traffic Impact Study (RC Spencer Associates Inc. (December 2020) was provided in support of the application, which addressed trip generation and distribution, capacity and level of service analysis and sight line analysis. The study concluded that the signalized intersection at Viscount and Commissioners Road West is currently performing at a good overall level of service and that the signalized intersection has sufficient capacity to accommodate growth. Following further review of the study in the context of public concerns regarding queuing cars blocking access to existing driveways and to the proposed new development, City staff have identified the need for further consideration of traffic controls to mitigate potential traffic impacts. More specifically, it is

possible that northbound vehicles on Viscount Road waiting at the lights may prevent southbound access to the subject property, potentially causing queuing into the Commissioners/Viscount intersection. This additional evaluation will occur at the site plan approval stage and is included as a future consideration in the staff recommendation of this report.

Overall, the addition of traffic volume from a 40 unit development on Viscount Road will have a negligible impact and is not an impediment to the proposed development.

Impact on Stormwater Flows

Members of the public have expressed concerns about the cumulative impact of development with its inherent additional hard surfacing and increased surface runoff in an area where homes experience basement flooding and the intersection of Commissioners Road West is partially flooded during some storm events. The neighbouring property owner to the south had specific concerns about the location of snow storage areas on the site and increased runoff and flood from the additional snow melt.

The applicant submitted a preliminary servicing report (MTE Consultants, December 17, 2020). This report concluded that the storm connection will need to be made to the Commissioners Road sewer as the Viscount Road sewer does not have any excess capacity. Additionally, below grade storage will be required on site to attenuate the 2 to 250 storm events. 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 runoff from the subject lands is not permitted to cause any adverse effects to adjacent or downstream lands.

The location and design of snow storage areas to prevent snow melt onto adjacent properties has been identified in the staff recommendation as a matter to be considered at the site plan approval stage.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and The London Plan. An amendment to the 1989 Official Plan is recommended to align the policies with The London Plan and support of a development that is of an appropriate intensity within the existing and planned context of the area.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_ 8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953_ 2.a. to f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

1989 Official Plan

Development within areas designated Multi-family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii)). Appendix D 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 apartment building represents a more compact form of development than the single detached dwellings that currently occupy the site.

The location and massing of the proposed building is consistent with urban design goals. The building is proposed to be situated close to the intersection of Commissioners Road West and Viscount Road, defining the street edge and encouraging a street-oriented design with ground floor entrances facing the streets. The preliminary building design includes building articulation, rhythm, materials, fenestration, and balconies along Commissioners Road West. Similar design features should be provided along the Viscount Road frontage to better address the intersection and will be considered through the site plan approval process. Urban Design staff requested the inclusion of a setback requirement from Commissioners Road West, whereas one is not currently required, in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, steps, and opening of doors. The recommended zoning includes a minimum front yard depth of 1.0 metres and a maximum front yard depth of 3.0 metres in order to provide for the required design flexibility while ensuring the building continues to be located close to the street. The current design provides for balconies that are flush with the building face. A special zoning provision is recommended to allow for balconies facing Commissioners Road West to project 1.5 metres into the required front yard provided the projection is no closer than 0.5 metres to the front lot line, to allow for design flexibility in the building façade within the small required front yard depth at the site plan approval stage.

The parking area is located behind the building and does not extend into the exterior side yard beyond the building façade. Adequate space is provided along the sides and front of the parking lot to provide for appropriate screening of the parking from the street and adjacent to abutting properties.

The proposed building is taller than the surrounding single detached dwellings to the east and south. As previously discussed, the proposed building placement provides for a suitable separation between the proposed development and existing homes, mitigating compatibility concerns including loss of privacy. Sufficient space is available to provide for appropriate fencing and/or vegetative screening along the east and south property boundaries adjacent to existing development.

Comments from Urban Design staff and the Urban Design Peer Review Panel highlighted various considerations for more detailed design to be completed at the site plan approval stage. In addition to the general matters discussed above, these addressed such considerations as:

- Front door entrances to ground floor units, ground level individual amenity spaces to provide a pedestrian-oriented streetscape and direct walkway connections to the public sidewalk;

- The provision of an appropriately sized common outdoor amenity area for residents;
- Enhanced landscaping on all four sides of the property;
- Mitigation measures to address potential on-site conflicts between sidewalks and the parking area, and individual ground floor units and their private amenity areas; and,
- Privacy fencing and vegetative screening.

These have been included as matters of note for the site plan approval process in the staff recommendation.

Tree Removal, Tree Preservation and Privacy Fencing

Members of the public brought to staff's attention the removal of four mature trees (2 Manitoba maples and 2 silver maples) and several other trees from the property in June, 2020. Some of these trees contributed to an existing tree line along the east property boundary, which provided for privacy, shade and wildlife habitat. As the Tree Assessment Report and Tree Preservation Plan (Ron Koudys Landscape Architects Inc., November, 2020) was prepared after the tree removal, some or all of these trees may not have been included as part of that work. It is unknown whether any of the removed trees were distinctive trees requiring permits for their removal, in accordance with the Tree Protection By-law. Policy 339_ of The London Plan recently came into force and effect and requires 1 replacement tree to be planted for every 10 cm of diameter at breast height removed for development.

The Tree Assessment Report inventoried 23 trees, including 6 offsite trees within 3 metres of the property boundary, 9 boundary trees, 6 on-site trees, and 2 trees in the City's road allowance. Five (5) trees are recommended for removal, including four (4) on-site trees that are in good to fair condition as they are in direct conflict with the proposed construction activities. One tree is recommended for removal from the City boulevard as it is in direct conflict with the proposed driveway.

All of the boundary trees and nearby trees on adjacent properties are recommended for retention. Most of these are, however, reported as being in poor condition or hazard trees but have aesthetic and shade value for the neighbours. Some of these are also growing through or leaning on the existing chain link fence and would severely impact the ability to install a new privacy fence on the property line as a condition of development approval.

Given the poor condition of the boundary trees, their retention may not be the most desirable approach as it would prevent the construction of new privacy fencing as a requirement of development. At the site plan stage, consideration should be given to the removal of some or all of the existing boundary trees and off-site trees near the property line in favour of the provision of privacy fencing in combination with new enhanced landscaping to provide screening for neighbouring properties. The removal of these trees would require the permission of the neighbouring property owners, and therefore the applicant was requested to commence discussions with the adjacent landowners in an effort to arrive at a tree retention/privacy/vegetative screening solution that would work for all parties involved. The results of those discussions could be incorporated into a final tree preservation plan and landscaping plan to be submitted with the application for site plan approval. Consideration for this approach has been included in the staff recommendation. On July 14th and 15th, 2021, the developer and planning consultant had discussions with some of the immediate neighbours with a commitment on both sides to continue the dialogue with respect to boundary treatment. As an early result of those discussions, the recommendation clauses noting site plan matters raised through the review process include reference to the construction of up to a 2.4 metre high, tight board on board fence as part of the mitigation measures between the two different forms of development.

Driveway Location

A number of residents expressed a preference for the driveway access to the site to be located on Commissioners Road West. Transportation staff have confirmed that individual accesses to sites from arterial roads like Commissioners Road West are to be minimized. Design criteria would require such an access, if permitted, to be located a minimum of 75 metres from the intersection which cannot be achieved in this case. The access would also have to be restricted to right-in/right-out which would cause issues with maintaining full access to the existing driveways for 181 and 185 Commissioners Road.

The proposed development is generally of a suitable form to meet high level urban design goals. A refinement of site and building design, along with significant attention paid to enhanced, robust landscaping at the site plan stage will result in a development that is compatible with, and a good fit, with the existing and planned context of the area.

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 and the Neighbourhoods Place Type. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation and the criteria for Policies for Specific Areas. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary and the Primary Transit Area with a land use, intensity, and form that is appropriate for the site.

Prepared by: Barb Debbert
Senior Planner, Development Services

Reviewed by: Michael Tomazincic, MCIP, RPP
Acting 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. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 180
– 186 Commissioners Road West.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 3.5. of the Official Plan for the City of London Planning Area – 1989 to provide for a permitted residential density that will allow for a development that is consistent with the Neighbourhoods Place Type policies of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 180 – 186 Commissioners Road West in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the PPS and the in force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise apartment building, located at the intersection of a high-order street with a collector street within an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type, providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

D. THE AMENDMENT

The Official Plan for the City of London Planning Area - 1989 is hereby amended as follows:

1. Section 3.5. – Policies for Specific Residential Areas of the Official Plan for the City of London – 1989 is amended by adding the following:

180 – 186 Commissioners Road West

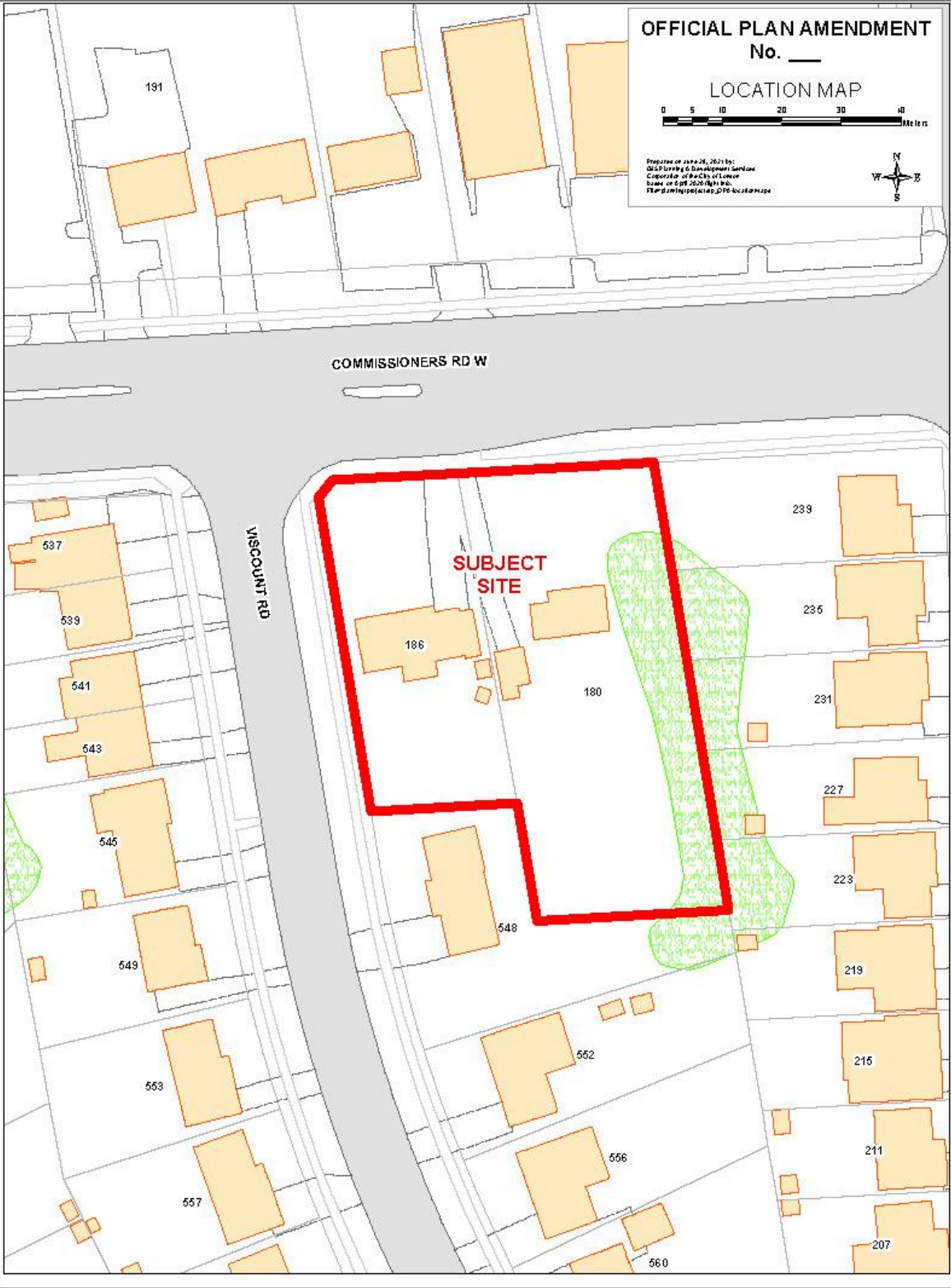
- () At 180 - 186 Commissioners Road West, residential development for the permitted uses of the Multi-family, Medium Density Residential designation may be permitted with a maximum density of 105 units per hectare. The City Design policies of The London Plan shall apply.

OFFICIAL PLAN AMENDMENT
No. ____

LOCATION MAP



Prepared on June 26, 2013 by:
MSP Planning & Development Services
Corporation in accordance with
Order of Council 2013/01/10
File # 2013/01/10/001/001/001



Appendix B

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 180 – 186 Commissioners Road West.

WHEREAS 180 Commissioners Road Inc. has applied to rezone an area of land located at 180 – 186 Commissioners Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform 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 180 – 186 Commissioners Road West, as shown on the attached map comprising part of Key Map No. A107, from a Residential R1 (R1-9), **TO** a Residential R9 Special Provision (R9-4()) Zone.
- 2) Section Number 13.4 of the Residential R9 (R9-4) Zone is amended by adding the following Special Provision:

) R9-4() 180 – 186 Commissioners Road West

a) Regulations

- i) The front lot line is deemed to be Commissioners Road West.
- ii) Front Yard Depth (Minimum) 1.0 metres (3.28 feet)
- iii) Front Yard Depth (Maximum) 3.0 metres (9.84 feet)
- iv) Interior Yard Depth (Minimum) 7.1 metres (23.29 feet)
- v) Exterior Side Yard Depth (Minimum) 5.4 metres (17.72 feet)
- vi) Height (Maximum) 14.0 metres (45.93 feet)
- vii) Density (Maximum) 105 units per hectare
- viii) Parking (Minimum) 1 space per unit
- ix) Yard Encroachment for balconies from Commissioners Road West (Maximum) 1.5m (4.92 feet) provided the projection is no closer than 0.5 metres (1.64 feet) to the lot lines

- x) The as-of-right bonusing permitted in Table 13.3, Row 16 shall not apply

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.

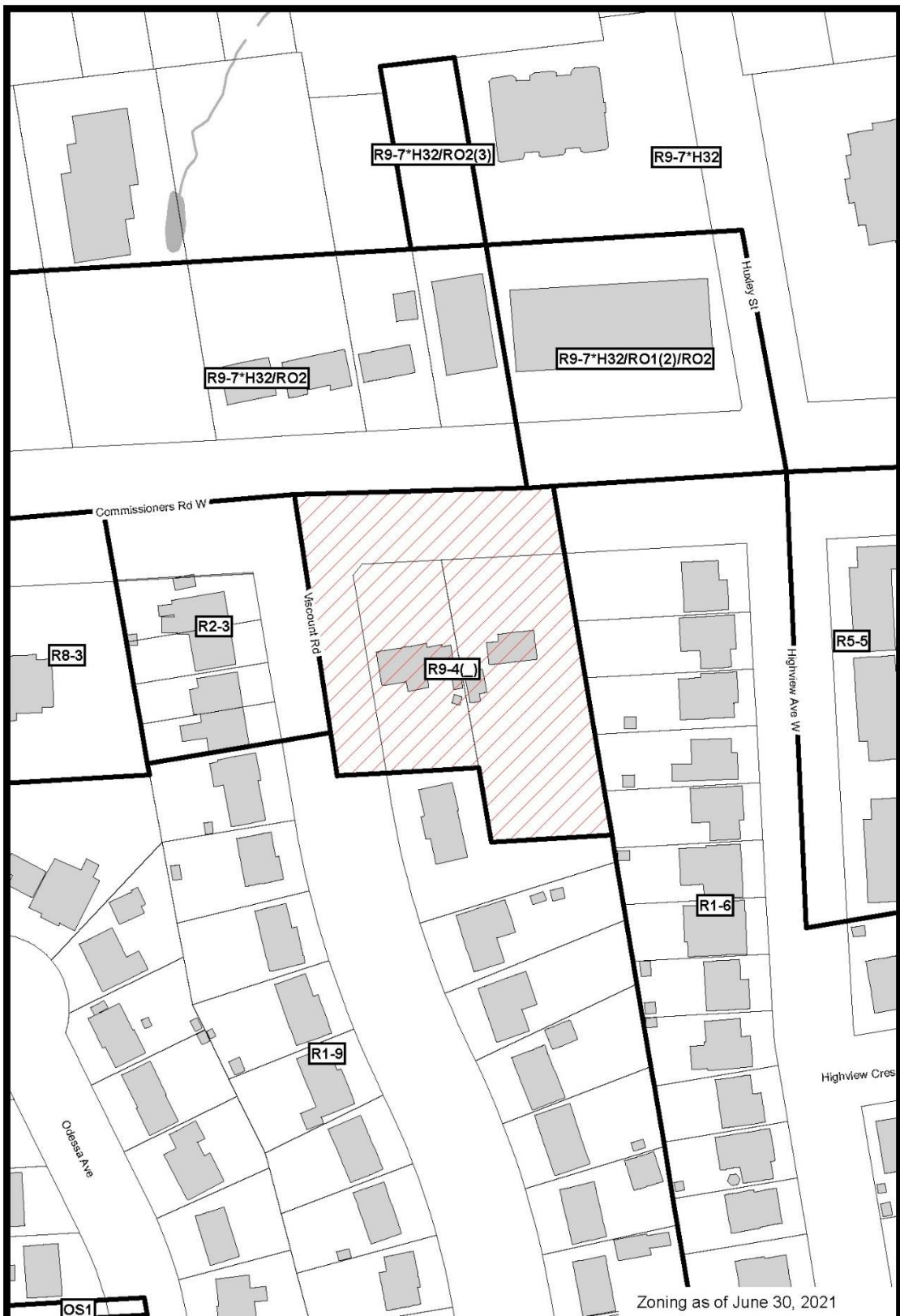
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

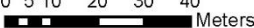
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-9317
Planner: BD
Date Prepared: 2021/07/07
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters



Appendix C – Public Engagement

Community Engagement

Notice of Application (March 12, 2021):

On March 12, 2021, Notice of Application was sent to 400 property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 11, 2021. A “Planning Application” sign was also posted on the site.

Replies were received from, or on behalf of, 17 households. One property owner enquired seeking clarification of the application.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a four storey apartment building with 40 dwelling units. Possible amendment to the 1989 Official Plan to **ADD** a specific area policy to the Multi-family, Medium Density Residential designation to permit a maximum residential density of 105uph, in place of a maximum density of 75uph with the potential to bonus up to 100uph. The intent is to align the 1989 Official Plan policies with The London Plan policies that apply to the site. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-9) Zone **TO** a Residential R9 Special Provision (R9-4(_)) Zone to permit a 4 storey (13.4m) apartment building with a maximum density of 105uph. Special Provisions are requested to: establish Commissioners Road West as the front property line; and to permit a maximum height of 14.0m whereas the height is to be established on the zone map, a reduced maximum density of 105uph in place of 115uph, a minimum exterior side yard depth of 5.4m in place of 10.0m, a minimum interior side yard depth of 7.1m in place of 14m, a minimum parking rate of 1 space per residential unit in place of 1.25 spaces per residential unit, and balconies to be a minimum of 0.5m from the front lot line whereas balconies are permitted to project into required yards by 1.5m provided the projection is no closer than 3.0m to the lot line. For the requested zoning, the City may also consider establishing a maximum front yard depth.

Revised Notice of Application (July 1, 2021):

On July 1, 2021, a revised Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner*.

Nature of Liaison: The revisions were technical in nature, initiated by City staff to ensure proper notice was given of additional possible City considerations, being the possible consideration of a minimum front yard depth, and removing existing as-of-right bonusing for the provision of additional landscaped open space from the requested Residential R9 (R9-4) Zone.

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

Concern for:

- Scale and height
- Too many units
- Parking reduction
 - No visitor parking
 - May result in illegal overflow parking on adjacent streets, causing inconvenience for homeowners and further affecting municipal operations like bus service, garbage collection and snow clearing
- Traffic volume, speed and safety
 - Driveway too close to intersection
 - Cars queuing on Viscount block entrances to existing driveways – timing of traffic control lights
 - Safety of students attending Arthur Ford Public School and St. Jude Catholic Elementary School – more traffic, illegal parking, new driveway close to intersection – Sherwood Fox Public School also uses Viscount Road as its primary point of entrance
- Privacy/Overlook

- Light/Noise
- Tree removal in May, 2020 prior to application submission and preparation of Tree Protection Report
 - Permits required/issued?
 - Loss of shade and urban wildlife
- Buffering
- Sufficiency of Servicing Infrastructure
 - Flooding from more hard surfacing combined with tree removal
 - Negative impact of location of snow storage on property to the south – already dealing with existing water problems in the house
 - Development will worsen existing and increasing basement flooding issues in the general area – basements and Commissioners/Viscount intersection
- Type of tenancy
- Loss of property value

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

Telephone	Written
Hamida Rubbani 494 Cottontail Crescent London ON N5X 4N4	Audrey Coulthard 553 Viscount Rd London ON N6J 2Y1
	Bruno Neale 369 Highview Crescent London ON N6J 4E2
	Carol Stewart & Chris Hubbard 223 Highview Avenue West London ON N6J 4C8
	Dennis Daite 227 Highview Avenue West London ON N6J 4C8
	Grace Bolton 231 Highview Avenue West London ON N6J 4C8
	Stephanie & Kevin Frew 219 Highview Avenue West London ON N6J 4C8
	Carrie-Lynn Peel 548 Viscount Road London ON N6J 2Y2
	Colin Sutton 537 Viscount Road London ON N6J 2Y1
	Dianne Cowen 573 Viscount Road London ON N6J 2Y1
	Donna Fan 556 Viscount Road London ON N6J 2Y2

	Gerald Leitch 4-226 Highview Avenue West London ON N6J 4K1
	Glenn and Jane Auger 539 Viscount Road London ON N6J 2Y1
	Lori Gonsalves 549 Viscount Road London ON N6J 2Y1
	Rachael Goss 239 Highview Avenue West London ON N6J 4C8
	Randy Anderson 557 Viscount Road London ON N6J 2Y1
	Sean Collins 545 Viscount Road London ON N6J 2Y1
	Marty Petersons 552 Viscount Road London ON N6J 2Y2

From: Home
Sent: Thursday, March 18, 2021 9:44 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc: Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] Devopment Commissioners Viscount

Thank you for sending initial documents.
Have to wonder about priorities with a community gazebo planned for corner??
The greater issue is the planned exit to Viscount a few metres from the intersection!
A consultation re traffic flow is mandatory and needs immediate attention.

Audrey Coulthard
553 Viscount Rd London

From: Home
Sent: Tuesday, March 16, 2021 7:15 PM
To: Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] Proposed development

Paul;
The proposed 40 unit apartment building at Commissioners and Viscount needs careful research before shovels go in the ground.
We have been aware since the property was sold some time ago that changes were coming.
However, having lived here since 1963, we have seen the volume and speed of traffic steadily increase.
A proposed exit on Viscount a few metres near a busy intersection is our primary concern.
This intersection currently could classify as dangerous at certain times during day.
I hope this concern is relayed to Council to ensure safety for those of us who call this our home.
Please ensure that open, honest dialogue is ensured.

Thanks for your support,

Audrey Coulthard
553 Viscount Rd

From: BRUNO NEALE
Sent: Tuesday, March 16, 2021 9:02 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] re: O-9318/Z-9317

Hello Barb

Can you please answer questions about the planned apartment at 180 - 186 Commissioners Road West?

Are these condos to purchase or is this low-income housing?

Is there any plan to change the traffic light on corner Commissioners and Vicount? As with volume from this apartment and the new low-income apartment across the street, this may be a problem. The problem is for my family turning left off Highview Ave to Commissioners.

Thank you, Bruno Neale

April 5, 2021

Re: 180 – 186 Commissioners Road West Zoning Bylaw Amendments (File: _9318/Z-9317)

We are writing on behalf of the households below, as well as several other families on Viscount Road and Highview Avenue West who have been sharing our concerns about the City of London's efforts to make Official Plan and Zoning amendments to allow for a 4-storey apartment building with 40 dwelling units and 40 surface parking spaces at 180 – 186 Commissioners (the south-east corner at Viscount Ave.).

We are also parents of students attending Arthur Ford Public School and St. Jude Catholic Elementary School. We firmly believe that the safety of neighbourhood children will be increasingly at risk as a result of this proposed development, particularly when getting to and from school, and during school pick-ups and drop offs. More specifically, our concerns include:

- Our streets, residents, and pedestrians, especially our school-age children will be even less safe because of more traffic, illegal parking, and adding an entrance and exit for an additional 40+ vehicles directly on Viscount Road – less than 60-metres from a busy intersection.
- Viscount Ave notoriously suffers from speeding vehicles and many of us have witnessed or experienced (sometimes tragic) accidents and near-misses, particularly in our school zones.
- Negative impacts on our neighbourhood infrastructure, natural environment, security, and privacy related to increased flooding, snow storage/removal, mature tree-removal, lighting, noise, abuilding height, paving over green-space for parking, etc. associated with this proposed 40 unit building.
- We anticipate the soon-to-be completed 7-storey, 65-unit complex at the terminus of Viscount Road (189 – 193 Commissioners) will also add to traffic congestion and dangers at what is already a very busy intersection with high volume traffic.

We would also like to register our disappointment at the removal of multiple mature trees from 180 Commissioners last spring (May, 2020) and would like to review the permits for their removal. This tree corridor defined our back yards and neighbourhood for over 40 years. Since these mature trees were cut down with no notice, we

experience increased noise and light pollution, more backyard flooding, loss of privacy, loss of shade, and noticeably fewer birds and other urban wildlife.

We believe that there are compromises to be made to the proposed number of units, height of the building, location of the driveway, and parking lot design, etc. that will accommodate both the need to build new residences *and* also alleviate some neighbourhood concerns. As such, we request that our neighbourhood be invited to **publicly participate in all phases of future site design and planning.**

Thank you for the opportunity to provide our input into this planning application process and we look forward to participating in next steps.

Sincerely,

Carol Stewart, Chris Hubbard & Family (223 Highview Avenue West, London, ON N6J 4C8)

Dennis Daite & Family (227 Highview Avenue West, London, ON, N6J 4C8)

Grace Bolton (231 Highview Avenue West, London, ON, N6J 4C8)

Stephanie and Kevin Frew & Family (219 Highview Avenue West, London ON, N6J 4C8)

From: Carol Stewart

Sent: Thursday, June 24, 2021 10:24 AM

To: Debbert, Barb <bdebber@London.ca>

Cc: i i

Subject: Re: [EXTERNAL] Re: O-9318/Z-9317 - 180 - 186 Commissioners Road West

Hi Barb, thanks for sharing all the planning documents. I have reviewed the tree preservation/assessment reports and have a couple of points to add to this planning file, if possible.

Four mature trees (2 Manitoba maples and 2 silver maples) on the west boundary of our property were cut down in June, 2020, along with several others along the backs of 227 and 231 Highview Ave.W (plus several more on the Commissioners Rd. property). As such, these specimens are not included in the 2020 tree assessment report, nor the preservation report, because they were pre-emptively cut down with no consultation re: tree preservation or apparent assessment of their condition. I assume that normally there should be a similar assessment report justifying the removal of those trees? The arborist who was supervising the work told us that the landowner was taking advantage of COVID closures at the City to avoid getting the trees assessed, acquiring permits and paying fees for their removal. It appears to us that the property developer is continuing to be rewarded for taking these large trees out before conducting either an assessment or preparing a plan for preservation.

Granted we are not arborists, we recognize that not everyone sees the value in Manitoba or silver maples, and that there may have been some specimens whose removal could be justified based on health, etc. But regardless these were trees of significant diameter, of value to us and our neighbours, and part of an urban tree corridor which has since been eliminated. We also believe that some of these trees were located at least in part if not fully, on the City easement between the properties, and as such - we believe the City should have certainly been part of the decision making that led to cutting down these trees.

I would add that the Tree Preservation Plan primarily recommends the preservation of trees that are on other private/City properties - and recommends the removal of all but one of the trees (a small maple) currently on the property under consideration (as per my reading of the planning map). To us, this proposed plan does not indicate a commitment by the developer/owner to account for and maintain any real semblance of adherence to the City's Tree Protection efforts or our community's urban forestry principles.

Again, we appreciate the additional information, and your consideration of our input. I'm attaching a photo of the former treeline.

Sincerely, Carol Stewart
223 Highview Ave W.



From: Carrie-Lynn Peel
Sent: Tuesday, March 23, 2021 4:11 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] File: O:9318/Z-9317 City of London/180 Commissioners Road Inc.

Good Evening Barb,

We are the new home owners of 548 Viscount Rd. We just moved into our new home on December 1st 2020. We are reaching out today to share some of our comments and concerns with the application for the proposed apartment 180-186 Commissioners Road West.

Our first concern is that there is no mention of a privacy wall or sound barrier wall. This is a large concern for us as the proposed parking will be directly connected to the left side, and back of our property line and we will often hear cars driving in and out, car doors slamming, people talking in the parking lot, etc. and a normal wood fence would not block out this excess noise. Ideally, we would like there to be at least a 7ft or 8 ft sound barrier wall so that we can block out as much noise as possible. Wood fences aren't the best for privacy as you can see between the slats into our yard, they don't block out noise, and they are easily broken and not kept up.

While reviewing the plans in detail we noticed the Snow Pile Collection will be right behind our house. When we bought this house, the previous owners did not advise us that there were foundation leaks due to excess water collection around our house. We are in the process of installing a sump pump right now, however, with the additional snow from the apartments parking lot melting into our backyard in very close proximity

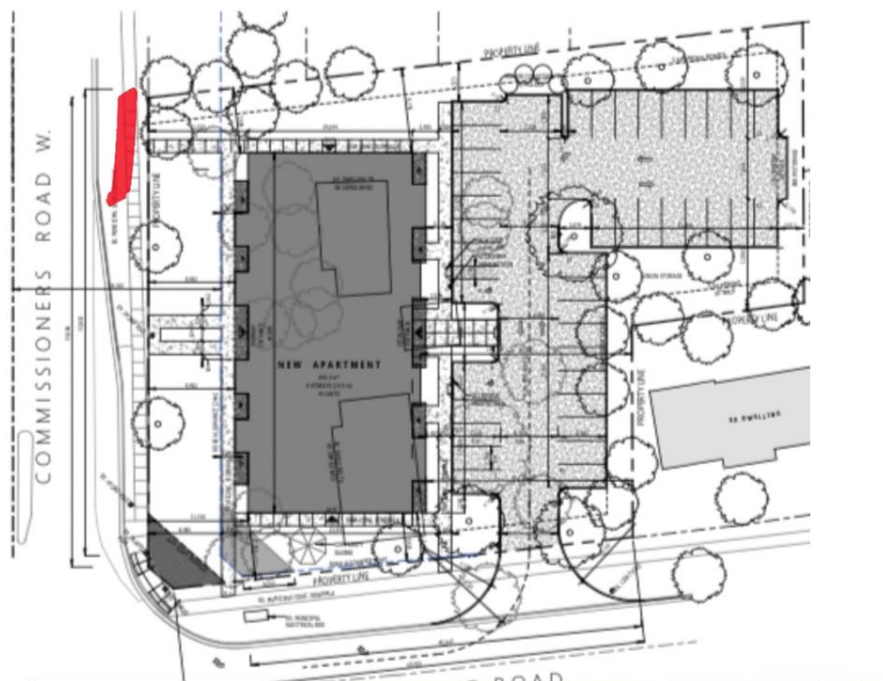
to our house and bringing more water around our house, we fear that our electrical bills will be very high due to our sump pump running more often or too much water for the sump pump to handle as we already have quite a bit of water Around the house currently. I have drawn a yellow circle around where the snow pile collection is proposed to be and drew a blue star where we would like it to be moved to instead if possible to avoid excess water around our house.

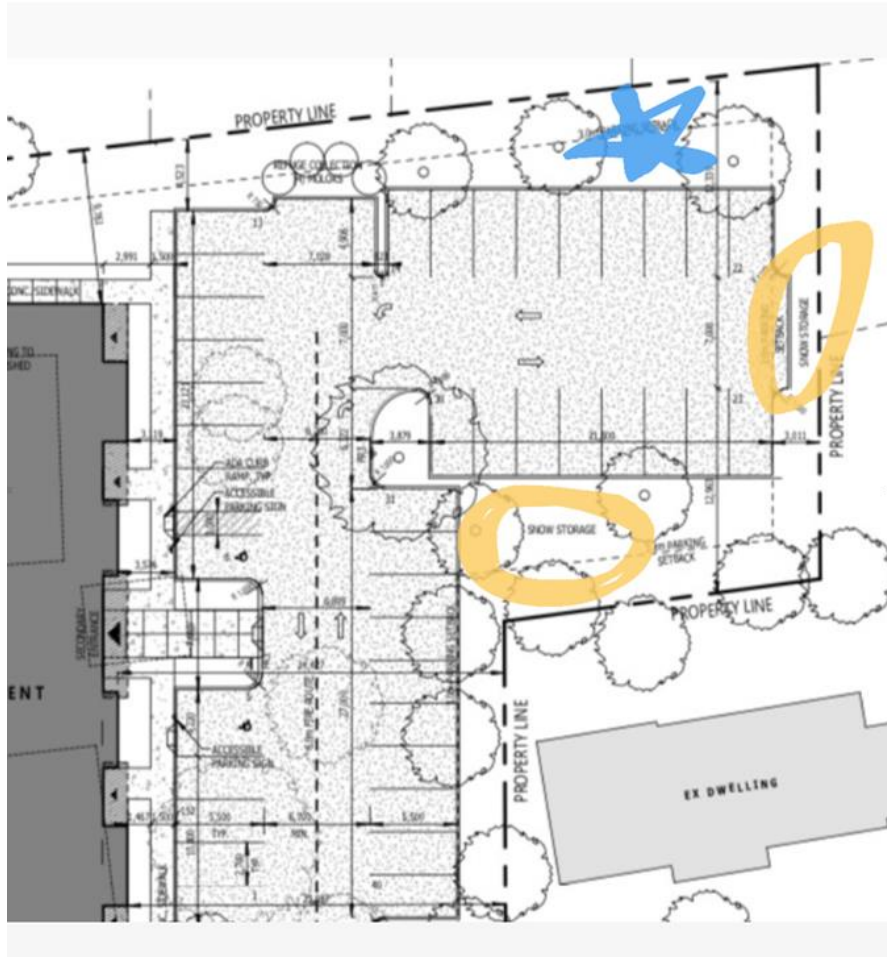
Also while reviewing the plans we noticed the street entrance to the building is proposed to be on viscount rather than on commissioners. It has been brought to my attention that this is due to the bus stop on commissioners, however there seems to be room at the end of the bus stop where I have highlighted in red which could be used as an entrance. There are already too many cars lined up in front of our house during rush hours and it can make it difficult to get out of our driveway. As the apartment would have a commissioners address, I feel it should have an entrance on commissioners.

Lastly, we feel that there is not sufficient space for a building of this size on that plot of land. For instance, they have proposed 40 units in the building with only 40 parking spaces. There are no additional parking spaces for tenants with more than one vehicle or visitors. We feel that the builder should have done only 3-storey with approx 25-30 units to account for the parking spaces so that these tenants are not parking on the street in front of our home. We specifically chose this house as it is surrounded by single family residential homes and had we of known that the surroundings were going to be changed to an apartment, we would not have purchased this house. We enjoyed having a large yard with lots of privacy. However, the tenants on the 3rd and 4th floor will be able to look down into our backyard and we fear we will lose much of our privacy.

I appreciate being able to share some of these comments and concerns with you and look forward to hearing back.

Thanks,
Carrie-Lynn Peel and Enis Mehmeti





From: Colin Sutton

Sent: Thursday, April 01, 2021 2:43 PM

To: Debbert, Barb <bdebbert@London.ca>; City of London, Mayor <mayor@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Kate Young <kate.young@parl.gc.ca>; Peggy S <psattler-co@ndp.on.ca>; Doc Services <DocServices@london.ca>

Cc: Carol Stewart

Subject: [EXTERNAL] Rezoning proposal

To whom it may concern

My name is Colin Sutton and I live at 537 Viscount Rd in London with my wife Laura. There is currently a proposal to change the zoning of 180-186 commissioners Rd W . We are asking to be included in any discussions regarding this application . You will find are concerns and objections regarding this proposal in the following letter.

With Regards,
Colin and Laura Sutton

To whom it may concern:

We are writing to you in regards to the city proposal of rezoning 180 – 186 Commissioners Road West to allow for a 40 unit 4-story complex to be built. My wife and I are against the rezoning changes, and we think this causes many negative repercussions. Before proceeding further, we think the city should reconsider some important detriments that make this proposal difficult to accept.

Across the street a 7-story high rise is currently being constructed directly at the intersections of Viscount and Commissioners. Despite the city's efforts, there is a lack of adequate access to the existing high rises currently situated there. What makes this concerning is the fact that the city is adding another approximately 240 people to that intersection with the construction of this new building. With the new proposal of adding

another 40 units with access off viscount within 60 meters of commissioners, we believe the city will be pushing the limits of an already over stressed intersection, with impacts of increased accidents, injuries, and even deaths to occur.

We live at 537 Viscount Road - a corner unit - and my wife and I observe near miss occurrences and accidents on a daily basis. This is an already very busy intersection! The added amount of people being housed at this intersection has been increased dramatically over the last few years. As a result of these concerns, we would be interested to know what the kinds of impact assessments that have or will be conducted in regards to the increased traffic flow both pedestrian and vehicle. Furthermore, any impact assessment on the environmental changes of that intersection should also be addressed. For example, the south east corner of that intersection regularly floods during rain and snow melts, regardless of the upgrades made to Commissioners Road only a couple of years ago. What will happen now if you remove the natural drainage of that property?

The proposal made for the parking entrance off of viscount is dangerous due to both the proximity to the intersection, and the fact that Viscount is a two lane road with a single west turning lane. This will create potential problems for drivers turning eastbound safely. Moreover, the noise pollution and light pollution are of concern, as is the proposed reduction in parking units - leading to more parking on Viscount - which will add to the safety concern for both pedestrians and home owners trying to park in their driveways.

If this is indeed a proposal to rezone that property, then we are against it! Multiple high rise complexes have been constructed within 250 metres of this intersection over the years, and surely that should mean this neighbourhood has already done our part in helping with the infill quota for population density.

Regards,

Colin and Laura Sutton
537 Viscount Road
London Ontario
N6J 2Y1

From: Dianne Cowen
Sent: Monday, March 29, 2021 9:06 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Rezoning Application for 180-186 Commissioners Rd. W.

Dear Ms. Debbert,

My husband and I own a home at 573 Viscount Rd. We moved into our house in the spring of 1985. We chose this house because it was in an established, residential neighbourhood and was in very close proximity to the neighbourhood school, Arthur Ford. It was the perfect place to raise our family. The location was so perfect that in 2007, we decided rather than move, we would stay put and renovate the house. We have a rather long history here and feel quite qualified to speak against the zoning changes requested for 180-186 Commissioners Road West.

Firstly, traffic has always been a problem on this section of Viscount Road. When we moved into the area, the police presence was a constant as they tried to curb the problem of motorists speeding up and down that section of the street. The police asked permission to sit in our driveway to catch speeders. There were incidents of drivers losing control and jumping the curb, and in one case the driver was killed when he lost control of his vehicle. Traffic calming measures were constructed many years ago; however, you only need to sit on my front porch for a brief period of time to know they didn't work. In August 2016, this problematic section of Viscount Rd. was featured in a City of London's road safety campaign when one of the first pedestrian crossovers was

installed. Pedestrians need to be very careful using this crossover as drivers regularly do not stop. Viscount Road already is a very busy street! It is also a bus route. I strongly oppose the driveway of this proposed apartment building being located on Viscount Road. It will pose a significant safety issue for everyone—especially cyclists, pedestrians and most importantly school age children.

Another major issue of concern is the strain on existing infrastructure. As the area around Norton Estates has been developed over the years, basement flooding has become an increasing problem. Representatives of the City of London met with homeowners several years ago to hear their concerns about the effects of the development surrounding the subdivision. In our personal experience, we have experienced increased problems with basement flooding over the years. In the last couple of years, there has been a problem with the intersection of Commissioners and Viscount—on the southeast corner—flooding during storms. I know the city is aware of this because they come out and place traffic cones around the flooded area to warn motorists. I can imagine this proposed development is only going to add to the strain on the existing infrastructure.

Lastly, I know that "Not in my backyard" arguments are not popular; but, I feel very strongly that this development does not belong in this beautiful residential neighbourhood. It will most certainly decrease the property values of the residents who live in close proximity. No matter what each of our circumstances are, our homes are an investment—whether it is a retired couple or a young couple who just purchased their first home. This development as proposed is going to have an impact on that investment. A geared to income development is already underway at the end of Viscount on the north side of Commissioners Road. It is unconscionable that the City of London can arbitrarily change the official plan and zoning by-law to suit some developer.

This is an established, beautiful, residential neighbourhood. I do not support the proposed changes. There are larger issues here to be considered than yet another high density apartment building. The safety of the residents, particularly the children going back and forth to school should be a matter of paramount importance. This proposed development and the current development across the street are bound to put a strain on existing infrastructure. This development means significant loss to the residents who have homes nearby—not just the measurable loss of decreased property values, but also the immeasurable loss of the enjoyment of their homes.

Park your car and take a walk along Viscount Road—from Commissioners up to the neighbourhood schools. This is not a suitable location for the development you have proposed. The fact that you are seeking amendments to existing by-laws is a pretty good indication that you are pushing the limits with this project. I urge you to reconsider the rezoning application re. 180-186 Commissioners Road West.

Sincerely,
Dianne Cowen

From: Donna Fan

Sent: Tuesday, March 23, 2021 10:10 PM

To: Debbert, Barb <bdebbert@London.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; City of London, Mayor <mayor@london.ca>; kate.young@parl.gc.ca; psattler-co@ndp.on.ca; Doc Services <DocServices@london.ca>

Subject: [EXTERNAL] File O-9318/Z-9317

To whom it may concern,

My name is Donna Fan and I live on 556 Viscount Rd, London, ON. I am writing in regards to the 180-186 Commissioners Road West rezoning proposal sent out by the City of London. I have several initial concerns regarding these plans:

- Concerns re: increase in foot/vehicle traffic - congestion
 - Garage entrance/exit be located on Viscount Rd.
 - Reducing parking requirements from 1.5 spaces/unit to 1 space/unit
- Concerns re: privacy
 - Increasing height restrictions
 - Light/sound pollution

I am very concerned regarding the traffic (both foot and vehicles) on Viscount/Commissioners. I am strongly against the proposed plan of a parking garage exit/entrance being placed on Viscount. There is a bus route/stop that runs through this particular section of Viscount. There are 2-3 schools within this neighborhood, so there are several school buses and large amounts of foot traffic during rush hour. There is also a large number of vehicles that use Viscount Rd. to get to Commissioners and/or Wonderland throughout the day. I am often waiting on my driveway to get in/out due to these vehicles or school/neighborhood pedestrians. The residential density of Viscount/Commissioners has increased substantially, yet the infrastructure has not been updated to accommodate this - instead there is more being added.

The burden of this traffic will see an unreasonable increase, due to the housing complex being built on 189-193 Commissioners Rd. W currently. It is highly likely that the residents of your proposed new complex will be enrolled within this school district, increasing congestion further. My home is right at this already very busy junction, I strongly implore the entrance/exit be relocated off Viscount.

In addition, the parking reduction of 1.5 spaces per unit to 1 space will mean there will be an increase in people parking on Viscount road. This increase in parking traffic will greatly affect safe access for residents into/out of their driveways. This limits parking also for existing residents and could increase illegal parking. This would also interfere with transit (as mentioned above), waste management, and snow removal (which is already a problem - safe space for snow to go, and for the plows).

Lastly, I am very against changing our current height restrictions. Since I moved here in 2019, there has already been an increase in light and sound pollution on Viscount road. Noise pollution has already gone up due to the aforementioned heavy traffic. Street lights were also installed by the city due for the same reason.

Increasing height restrictions not only threatens the privacy of those who live close to this new complex, but also disrupts the residential ambiance. Having a brightly lit, above ground garage within feet of our homes is undoubtedly going to be intrusive, the parking lot will be almost next to our backyard. Use of any apartment balcony will further add to light and sound pollution. This complex will directly overlook my home, so I am very concerned about preserving my privacy and the semblance of a quiet home.

I would very much like to be included in any discussion/decision regarding this proposal, especially conversations/meetings with the residents in the neighborhood.

Thank you for your time,
Donna Fan
556 Viscount Road

From: GERALD LEITCH
Sent: Thursday, March 18, 2021 9:33 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] 180-186 Commissioners Road West Zoning Change

This corner of Commissioners and Viscount is currently very busy and with the new building just being erected across the road from this site it will become even worse. Currently this will be constructed right amongst single family dwellings which will look unsightly and have a effect on the people around this building.

Directly across the road from this site they are building a brand new 4 story building which is next to small a commercial plaza on the east side. On the west side of the new building there is another apartment building which was done 2 years ago. I believe this building should not be built amongst single family dwellings on the south side of commissioners road.

On your diagram in the notice you sent out it does not show the new building being built currently .It shows 3 small homes which is misleading.

- 1) Picture 1 is the new building being built directly across from 180-186 Commissioners Road West and showing the small General Practitioners office



- 2) Picture east of new building showing Suttons Realty building and General practitioners building.



3) Picture showing small plaza



North side of Commissioners Road West is commercial.

Note: New building is right at the stop light intersection of Commissioners and Viscount Road.

Gerald Leitch
4-226 Highview Avenue West
London ON N6J 4K1

From: Glenn Auger
Sent: Monday, March 15, 2021 1:42 PM
To: Development Services <DevelopmentServices@london.ca>
Subject: [EXTERNAL] 180-186 Commissioners Rd. West application

We are living at 539 Viscount Rd, near the corner of Viscount & Commissioners Rd. , which will be across from this new building application. While we don't have a problem with the building being built, we are concerned with the current driveway proposal being on Viscount Rd. There is currently a new 6 storey high rise under construction right now that will impact traffic to this corner and with this proposal as well, we think there will be too much added traffic to the corner. It would be much better to make the entrance/exit on the east side of the building right onto Commissioners Rd. The west side of Viscount Rd. is all single family houses and this added un-needed traffic will cause undue stress to the neighbourhood. Please consider this request before granting the application to move forward.

Regards,
Glenn & Jane Auger

From: Lori Gonsalves
Sent: Thursday, March 18, 2021 12:53 PM
To: Debbert, Barb <bdebbert@London.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] Opposition to File: O-9318/Z-9317 Applicant: City of London/180 Commissioners Road Inc.

My husband and I own 549 Viscount Road. We have lived here since 1996 and purchased our home after researching municipal bylaws for this residential community.

We strongly oppose the building proposal at 180-186 Commissioners Road, specifically:

- To use Viscount Road as the driveway to the multi-residential complex;
- To reduce minimum parking requirements from 1.5 spaces per unit to 1 space per unit;
- To increase existing height restrictions.

We ask that City of London acknowledge the rights of homeowners and amend the proposal to minimize the adverse effect on this established neighbourhood. Viscount Road suffers grave traffic issues, which is evident through the tireless efforts of London Police Services to control reckless driving. City of London is completing a 7-storey, 65-unit complex at the terminus of Viscount Road. This non-profit housing complex at 189-193 Commissioners uses Viscount Road as the gateway to its residential parking. When it is occupied this year, it will heighten traffic hazards on Viscount Road. For residents close to the junction, the increased traffic will intensify the dangers we navigate when accessing our driveways.

Adding an entrance and exit for an additional 40+ vehicles directly on Viscount Road—less than 60-metres from a busy intersection—will be catastrophic to the safety of all residents.

The proposal's request to decrease parking from 1.5 spaces to 1 space per unit forces their tenants and guests to park on Viscount Road. Due to the limited amount of street parking, the cases of illegal parking will increase and jeopardize the safety of pedestrians, as well as obstructing public transit, waste management, and snow removal.

This end of Viscount is home to Arthur Ford Public School and St. Jude's Catholic Public School. Sherwood Fox Public School also uses Viscount Road as its primary point of entrance. If approved as presented, this building proposal will multiply traffic threats and put young children at greater risk.

Don't let another family endure what we did.
[personal details of traffic accident involving a young child removed to comply with MFIPPA]

The traffic on Viscount Road is much worse today than it was 20 years ago. Cars are backed up 15+ every morning and afternoon with people trying to turn off Viscount onto Commissioners. It will be more congested when PAM Gardens is at full occupancy.

Now is the time for City of London to manage future development to protect homeowners and students on Viscount Road—a residential street designed to accommodate school zones and local traffic only.

Our son survived. The next child might not be so lucky.

File: O-9318/Z-9317 blatantly disrespects the constitutional rights of local families by seeking variances that destroy our privacy—protected by the established height bylaw—and ignoring our legal right to safely access our driveways. Please counter-propose that they collaborated with homeowners to facilitate a reasonable resolution:

- The height restriction bylaw remains unchanged—to reduce the impact of balconies looming over private property;
- 1.5 parking spaces are designed for each unit—to minimize parking on the street and parking transgressions;
- Reposition the building on the parcel of land—to move the proposed driveway off Viscount Road and onto Commissioners Avenue.

Successful integration of affordable housing cannot be done at the cost of homeowners' civil liberties. There must be compromises to minimize unfair adverse effects on one party and to ensure a just and equitable outcome for all.

Respectfully,

Lori and Ray Gonsalves
549 Viscount Rd. | London, ON | N6J2Y1

From: Lori Gonsalves

Sent: Monday, March 22, 2021 3:17 PM

To: Debbert, Barb <bdebbert@London.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>

Cc: City of London, Mayor <mayor@london.ca>

Subject: [EXTERNAL] Addendums to file: O-9318/Z-9317 opposition

Research and consultation with experts raise additional concerns over file: O-9318/Z-9317. Below are addendums to our opposition, emailed to Barb Debbert and Paul Van Meerbergen on March 18, 2021.

I. 40-SPACE SURFACE PARKING LOT WITH ROADWAYS

Paving green space and demolishing healthy, mature trees will cause adverse effects on the environment, on a stressed infrastructure, and will create negative light and noise impacts on homeowners.

Surface parking lots increase storm-water runoff that damages watersheds and leads to water quality degradation, increased flooding, and decreased groundwater recharge. The extensive green space eradication at 189-193 Commissioners for the PAM Gardens complex will cause issues. Now is the time to mitigate negative consequences that future development will cause.

City of London counter-proposes **underground parking**.

II. REDUCTION OF LIVABILITY

Construction at 189-193 Commissioners at the terminus of Viscount Road has significantly reduced the living conditions of homeowners in the community, especially those residing near the junction. For a year, heavy equipment has impeded access to our residential road, prevented safe entry and exit from our driveways, and caused extensive noise pollution.

The proposal mailed to us and available on City of London's website lacks transparency on plans for this second complex at 180-186 Commissioners. The layout of the interior, size and floor plan of the units, amenities, expected rent, exterior screening, and time-table of construction is data needed to ascertain the adverse effects of light, noise, loss of privacy, and unsightly visual qualities for community homeowners.

Again, **underground parking** will ease some of these negative impacts.

III. ADDEDUM TO ROADWAY ACCESS OPPOSITION ON VISCOUNT RD.

The municipal address of the lots under review is 180-186 Commissioners Road. The driveways are off Commissioners **NOT** Viscount Road.

Municipalities regulate the construction of driveway entrances onto municipal roads to ensure safe and efficient movement of traffic. A second development that uses Viscount Road as its gateway will create turning and stopping movements that disrupt the free flow of traffic and put pedestrians at risk.

City of London counter-proposes the **point of access is Commissioners Avenue**

City of London's initiative to develop affordable housing cannot supersede prevailing environment protection mandates. Bureaucracies cannot be granted by-law variances

that negatively impact citizens' livability. It is our greatest hope that an equitable compromise can be reached that respects and protects the social rights of all parties.

Lori & Ray Gonsalves
549 Viscount Rd | London ON | N6J 2Y1

I would like to discuss the proposed build at 180 – 186 Commissioners rd. west.

Over the last ten years, we the people of Viscount and Commissioners have seen more and more multi-level dwellings being erected in the area on the north side of Commissioners. We understand that progress and need for more housing is inevitable. But what we cannot understand is the need to build on the south side of Commissioners rd. where there are well established decades old single-family dwellings. The proposed 40 unit building with 40 parking spots is much too large for the area. The parking lot is not enough for the needs that will arise. Each unit will most definitely not have just one vehicle, and there is no parking for visitors. The lot is adjacent to single-family homes with no provision for sound and light restrictions, I.E. a sound wall. The building itself comes to within 5 and 7 meters of the property lines. The building stands over 43 feet tall and will create a large amount of light and sound pollution to the adjacent single-family homes. The area has well established homes with large and well-groomed back yards that many have spent quite a lot of money making them a family area with decks, pools and patios. With the new build all this would be intruded upon by oversight of the apartment balconies. There are two primary schools within 1km of the proposed build, two school bus routes on Viscount, a Bus stop directly across from the proposed driveway with 30-minute service during the week. The proposed driveway is to be on Viscount Rd. within approx. 50 meters of the corner that has a left a right turn lane. In the mornings, there is a backup of 15 to 20 cars waiting to turn right and left between 7:45 and 8:30 all the time. The added traffic would be overwhelming to the area and families trying to get in and out of their personal driveways. There is a crossing guard at the corner of Viscount and Commissioners because of the number of young children that cross there every day already.

I believe there is no need for a midrise building on the south side of Commissioners rd. If the build were to be deemed needed on this site then at least a smaller version, off set at least 15 meters form the property lines and only three floors tall, with 12 foot sound walls on all property adjacent sides. Short and low light posts for the parking lot. No more than thirty units with 1.5 parking spots per unit. The driveway moved to the northeast corner of the property onto Commissioners rd.

We have a very large drainage problem in the area with many homes having their basements flooded over the past three years. Adding a large paved parking lot in this area will only exasperate the drainage problem in the area.

Thank you for your time towards this issue and I await further discussions and responses as this process moves forward.

Martin Petersons
552 Viscount Rd.

From: Rachael Goss
Sent: Wednesday, March 31, 2021 10:18 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Planning application 180-186 Commisioners Rd. W.

Hello,
My name is Rachael Goss and I am writing in regards to the proposed apartment building to go up at 180-186 Commissioners Rd. W. My partner (Rui Medeiros) and I own the property at 239 Highview Ave W, which will be one the apartment's neighbors. We have heard some of the concerns from our current neighbors regarding their issues with the proposed apartment building. We realize London is quickly becoming a place where housing is short and land space is getting even shorter for the

demand. We understand the need for this proposed building. We have only two concerns at this time that we would like to address for ourselves. We would greatly appreciate if a privacy fence would be installed to give us some privacy from the new building. (running down the East side of the lot). As well, if the trees that are currently in place could be left and not removed. This will allow us to have some privacy during the summer months from the Northeast corner balconies that will be directly overlooking the span of our backyard. We have lived here raising our five children for the last fourteen years. We have little privacy now with all the apartments that overlook our property from the North side of Commissioners Rd. and have dealt with the increase in traffic noise from the street over the years. We are hoping that these two requests will be easy enough to follow through with, so that we can maintain the backyard privacy as much as we are able to.

Thanks so much for your time, and if I need to redirect this message to another party, please feel free to let me know.

Take care and stay safe,
Rachael Goss
Co-Owner 239 Highview Avenue West

From: RANDY ANDERSON
Sent: Wednesday, March 31, 2021 2:03 PM
To: Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] Viscount Rd proposed apt bldg

Please include this with the meeting with the developer.

Here are some concerns of building the proposed apt bldg on Viscount Rd,
1) Visitors to the apt bldg parking on Viscount Rd making noise at all times of the day and night
2) More traffic on an already overloaded roadway that will affect children in this area and other pedestrians
3) Run-off and flooding due to paving of green space and snow in the winter
4) Additional pressures on a storm/sanitary sewer system that can't handle what is already here
5) HERE IS THE BIG ONE, who is going to reimburse present residents for the **depreciation** on their homes?

Further, there is a new apt bldg being built right at the corner of commissioners road and viscount that we never were advised on at anytime, (THANKS)

In my opinion, it would be in the best interest for everyone involved here if the developer just moved on and found another neighborhood to turn upside down

You can contact me at ###, i would be most happy to answer any of your questions.
Randy

From: sean collins
Sent: Friday, April 02, 2021 2:43 PM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Comments on Planning Application file O-9318/Z-9317 at 180 - 186 Commissioners Road West

Dear Mrs. Barb Debbert,

We have received the Notice of Planning Application for the proposed zoning change of 180-186 Commissioners Road West (File O-9318/Z-9317) and would like to provide comments.

In consideration of the proposed project and the requested special provisions we would like to request that the following elements be taken into consideration:

*Request to maintain the current maximum height at 12.0 metres so as to keep the building height in line with present residential zoning. This will allow any new development to be more integrated with the surrounding buildings instead of standing above and overshadowing them.

*Request to maintain Commissioners Road West as the vehicle entrance point for the properties, as it currently is, and to maintain Viscount Road as a side yard without any vehicle access to the property. There is already a left-hand turning lane off Commissioners which provides access to the property. I believe that locating the vehicle entrance for 40 units off Viscount road would have a negative impact on the neighbourhood and pose a safety risk to pedestrians.

*Request to maintain a minimum parking rate of 1.25 spaces per residential unit. Allowing for a decrease in the minimum parking rate will result in spillover parking up and down both Viscount and Highview with vehicles parking unduly close to the Commissioners intersection due to convenience of location.

*Request to maintain minimum exterior side yard depth of 10.0 metres and minimum interior side yard depth of 14 meters. The new apartment is planned in an area which is completely surrounded by single detached homes and if an apartment is to be raised in the area then the minimum side yard depths should be respected, and certainly not cut in half as proposed. The decreased side yards would also be an infringement on the privacy of the current neighbourhood residents.

*Request to maintain the maximum number of old growth trees around the apartment as possible and to plant new trees and gardens in order to blend with the area and provide privacy as much as possible.

I believe the footprint of the proposed new apartment is too large for the lots on which it is planned. I agree that development and intensification is a positive thing, but rezoning these two single detached homes into 40 units is excessive for the location.

Thank you kindly for your consideration,
Sean & Ana Collins
545 Viscount Rd.

Departmental and Agency Comments

Urban Design (June 16, 2021)

- Consistent with the previous staff and panel comments, please consider the following in establishing appropriate zoning regulations (i.e. setbacks) and as direction to the Site Plan authority:
 - Ensure built form is located along both the Commissioners Road and Viscount Road frontages with units oriented to the street in order to define the street edge and create an active street edge.
 - Include a setback from the Commissioners Road West frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, steps, opening of doors, etc.
 - Ensure the design of the building proposed at the intersection of Commissioners Road and Viscount Road has regard for its corner location and ensure that the design of both street facing facades includes a high level of architectural detail.
 - Provide individual entrances to ground floor units on both Commissioners Road West and Viscount Road street facing elevation and design amenity spaces as open courtyards or front porches extending into the front setback to create a pedestrian-oriented streetscape along both street frontages.

- Provide direct walkway connections from ground floor units to the sidewalk to create a pedestrian scale rhythm and activation.
 - Ground floor doors should be lockable ‘front door’ style, as opposed to sliding patio doors to contribute to the appearance of a front-facing residential streetscape and promote walkability and activation of the street.
 - Ground floor private amenity spaces should be designed to extend into the setback as front porches or courtyards.
- Ensure the site is configured to provide an adequate buffer/setback between ground floor units and the public streets and rear parking lot to accommodate a landscape buffer and minor grade separation (i.e. steps to porch or courtyard) to provide residential amenity and ensure a reasonable level of privacy.
- Provide an appropriately sized common outdoor amenity area for residents.
- Include enhanced landscape buffer to screen parking where it is visible from the street. Parking should not extend beyond the building façade.
- Ensure an adequate parking setback around the perimeter to protect any boundary trees.
- Provide a variety of materials and articulation along facades to create a human-scale rhythm along the street frontages.

Site Plan (January 20, 2021)

- From a SP perspective with respect to the 0.0 metre setback from Commissioners Road West, we would still be looking for approx. 1.5-2m to allow for a sidewalk on private property as well as enough space for doors to open.

Tree Preservation (Landscape Architect) (June 8, 2021)

The City’s Landscape Architect has reviewed the Tree Assessment Report for Re-Zoning prepared by RKLA, November 2020 for 180 and 186 Commissioners Rd. W.. We have no concerns with regards to the completeness and accuracy of the overall tree inventory and assessment.

- One tree is proposed for removal from the City boulevard, #22. All trees [including roots] located on City of London Boulevards are protected from any activities which may cause damage to them or cause them to be removed by the Boulevard Tree Protection By-law. Contact Forestry Dispatcher at trees@london.ca with details of your request for removal and to obtain consent. Forward consent from Forestry Operations for the removal of a city tree.

No removals of boundary trees are proposed. However, a number of these trees will have a portion of their roots excavated with the development of 180-186 Commissioners Rd. W.. Boundary trees are protected by the province’s Forestry Act 1998, c. 18, Sched. I, s. 21, and can’t be removed or damaged without written consent from co-owner [#2, 4-8, 12, 13]. Most of these trees are early succession trees and growing through the common chain-link fence. Four are classified by the city as distinctive and to remove would require both the neighbour’s consent and a permit from Urban Forestry at treeprotection@london.ca 519-661-5783, choose option 2. Forward letter of consent written by neighbours to City Landscape Architect.

Six off site trees were captured in the assessment report. None are proposed for removal; however, all will lose a portion of their roots through the development. Two are classified as distinctive and as such are protected by the City’s Tree Protection Bylaw. Consent to damage must be obtained by neighbours to damage and a permit may be required from Urban Forestry at treeprotection@london.ca 519-661-5783, choose option 2. Forward letter of consent written by neighbours to City Landscape Architect. Forward Permit number issued by Urban Forestry were applicable.

Archaeological (January 20, 2021)

- Heritage Planning Staff recognizes the conclusion of the Lincoln Environmental Consulting Co. Report (March 2020) that states that: “[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the

study area, and as such no further archaeological assessment of the property is recommended.” (p 2).

- An Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated, April 7, 2020 (MHSTCI Project Information Form Number P344-0381-2020, MHSTCI File Number 0012144).
- Archaeological conditions can be considered satisfied for this application.

Engineering (various dates)

Noise report

- The noise report preliminarily highlights all reasonable sources of noise and provides recommendations for appropriate warning clauses. No further comments as part of the rezoning application – Noise study to be finalized through future site plan application as noted in the report.

Transportation (compiled and paraphrased from various correspondence)

- Table 4A of submitted Transportation Impact Assessment shows a north-bound AM peak hour queue length of 32 metres, with a projection for this queue length to be 55 metres by 2030. This would extend beyond the site access.
- There is some potential for southbound traffic trying to access the site being blocked from making the left turn in because there is a queue of northbound traffic waiting at the light. This could cause a queue of southbound traffic which could potentially back into the signalized intersection. The TIA should be updated at the site plan stage to provide additional evaluation.
- Some further coordination with traffic about what external updates/modifications may be required, which could include a pavement marking exercise to implement a left turn lane into the site, and/or signal timing revisions. Transportation will not request a median to restrict movements into the site.
- These modifications will be discussed in detail at the site plan process.
- With respect to the driveway location on Viscount Road, individual accesses to sites from arterial roads like Commissioners Road West are to be minimized. Design criteria would require such an access, if permitted, to be located a minimum of 75 metres from the intersection which cannot be achieved in this case. The access would also have to be restricted to right-in/right-out which would cause issues with maintaining full access to the existing driveways for 181 and 185 Commissioners Road.

Stormwater Drainage Engineering

- The Stormwater Engineering staff have no objection to the above-noted pre-application. Please ensure the applicant is informed about the need to address/consider the following general SWM requirements/concerns during the site plan application stage:

Specific comments for this site

- There is currently no municipal outlet for the proposed development. There is an existing 525mm storm sewer on Viscount Road, fronting 548 Viscount Road, as well as an existing 675mm storm sewer on Commissioners Rd W fronting 186 and 180 Commissioners Rd W. Any changes in existing storm sewers catchment areas to accommodate the proposed development will trigger the need to confirm capacities by running a storm sewer capacity analysis (design sheet calculations) along with delineation of the new/revised storm catchment areas and proposed “C” value. As-constructed information should also be updated to reflect the proposed development. If no surplus capacity is available within the existing storm sewer to accommodate the additional run-off from the site, the consultant is to design on-site SWM controls to the satisfaction of the City Engineer. The on-site SWM control design shall include, but not be limited to, required storage volume calculations, flow restrictor sizing, bioswales, etc.
- If the proposed parking spaces exceeds 29, the applicant shall be required to address the water quality to the standards of the Ministry of the Environment and Climate Change and to the satisfaction of the City Engineer. Applicable options

could include, but not be limited to the use of oil/grit separators, catchbasin hoods, bioswales, etc.

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

General comments for sites within The Coves Subwatershed

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

Water

- No concerns with the proposed application. Water is available for the subject site via the municipal 300mm watermain on Commissioners Road West.

London Hydro (March 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 (July 8, 2021)

- It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Appendix D – 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_ 1. 2. 4. and 5. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London

Policy 61_ 10. Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

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

Policy 66_ Our City, Planning for Growth and Change

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

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

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

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

Policy 235_ City Design, Streetscapes

Policies 252_, 253_, 256_, *258_, *259_, *261_, 268_, 269_ City Design, Site Layout

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

Policy *284_, *285_, *286_, *287_, *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

Policies 1766_ , 1768_ , 1770_ , Our Tools, Noise, Vibration and Safety

Official Plan (1989)

3. Residential Land Use Designation

General Objectives for All Residential Designations

3.1.1 ii)

3.1.3 – Multi-family, Medium Density Residential Objectives

3.3 Multi-family, Medium Density Residential Designation

3.3.1 – Permitted Uses

3.3.2 - Location

3.3.3 – Scale of 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), v), x), xi), xiii), xiv), xv), xvi), xvii), xviii)

19 Implementation

19.9.5 Noise, Vibration and Safety

19.9.5 i) Noise Attenuation

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

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site appears generally able to accommodate the intensity of the proposed use. Detailed site design at the site plan approval stage will refine site elements.
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 close to office and commercial uses, elementary schools, numerous parks, and bus service on Viscount Road and Commissioners Road West.

<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>The proposal is not eligible to be considered for affordable housing as a bonus provision is not requested. Apartment units may be more intrinsically affordable than single detached dwellings.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed 4 storey apartment building is mitigated to the east by the side-to-rear yard relationship between the development and lots to the east. A suitable on-site setback is provided from the rear of the building to the property to the south, separated by the proposed surface parking lot. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>A Traffic Impact Study (RC Spencer Associates Inc. (December 2020) was provided in support of the application, which addressed trip generation and distribution, capacity and level of service analysis and sight line analysis. The study concluded that the signalized intersection at Viscount and Commissioners Road West is currently performing at a good overall level of service and that the signalized intersection has sufficient capacity to accommodate growth. Following further review of the study in the context of public concerns regarding queuing cars blocking access to existing driveways and to the proposed new development, City staff have identified the need for further consideration of traffic controls to mitigate the impacts of northbound vehicles on Viscount Road waiting at the lights preventing southbound access to the subject property, potentially causing queuing into the Commissioners/Viscount intersection. This additional evaluation will occur at the site plan approval stage and is included as a future consideration in the staff recommendation of this report.</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 building close to the intersection of Commissioners Road West and Viscount Road with the parking lot at the rear. At the site plan stage, additional attention should be paid to detailed design criteria to further urban design goals and provide screening and buffering adjacent to existing single detached dwellings.</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>Not applicable.</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 recommended Official Plan Amendment and the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be 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 through the site plan approval process.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Enhanced, robust tree planting and landscaping in combination with privacy fencing, and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.</p>

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 4 storey apartment building provides for the use and intensity of development contemplated within the Neighbourhoods Place Type at the intersection of a Civic Boulevard and a Neighbourhood Connector. 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 and sanitary sewers. Additional evaluation of the capacity of the stormwater management system is to occur at the site plan approval stage. If no surplus capacity is available within the existing storm sewer to accommodate the additional run-off from the site, the consultant is to design on-site SWM controls to the satisfaction of the City Engineer. The on-site SWM control design shall include, but not be limited to, required storage volume calculations, flow restrictor sizing, bioswales, etc
Criteria – Impacts on Adjacent Lands	
Traffic and access management	A Traffic Impact Study (RC Spencer Associates Inc. (December 2020) was provided in support of the application, which addressed trip generation and distribution, capacity and level of service analysis and sight line analysis. The

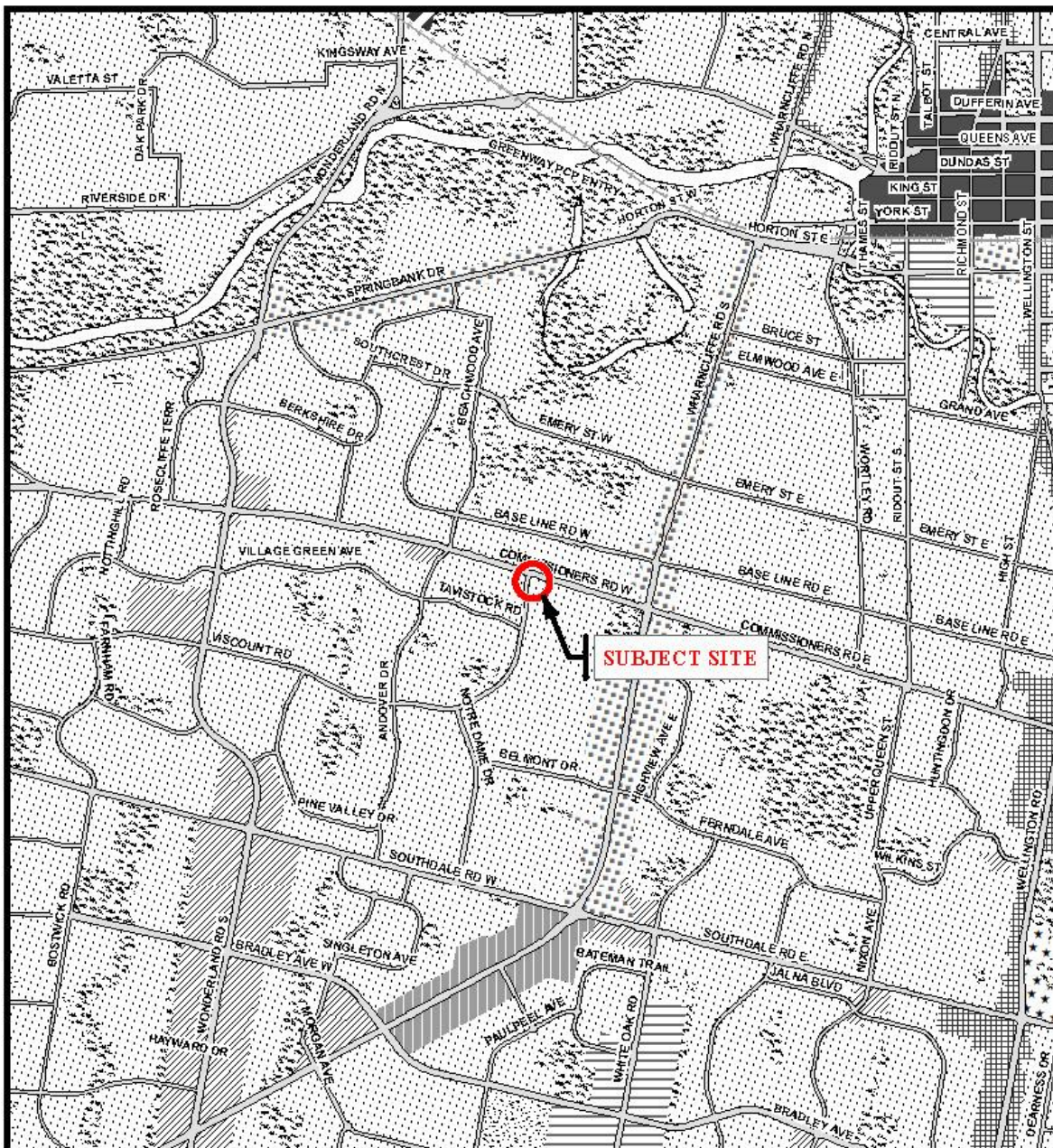
	<p>study concluded that the signalized intersection at Viscount and Commissioners Road West is currently performing at a good overall level of service and that the signalized intersection has sufficient capacity to accommodate growth. Following further review of the study in the context of public concerns regarding queuing cars blocking access to existing driveways and to the proposed new development, City staff have identified the need for further consideration of traffic controls to mitigate the impacts of northbound vehicles on Viscount Road waiting at the lights preventing southbound access to the subject property, potentially causing queuing into the Commissioners/Viscount intersection. This additional evaluation will occur at the site plan approval stage and is included as a future consideration in the staff recommendation of this report.</p>
<p>Noise</p>	<p>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.</p>
<p>Parking on streets or adjacent properties.</p>	<p>The proposal includes the provision of on-site parking at a reduced rate of 1 space per residential unit where 1.25 spaces are required for apartment buildings at this location. The reduced parking rate is a common and acceptable modern standard for sites located on streets that support a good level of public transportation, such as Commissioners Road West. A limited amount of on-street parking is permitted on the west side of Viscount Road. It is not anticipated that overflow parking will be required on local streets.</p>
<p>Emissions generated by the use such as odour, dust or other airborne emissions.</p>	<p>The proposed development will not generate noxious emissions.</p>
<p>Lighting</p>	<p>Lighting details will be addressed at this site plan approval stage. The applicant indicates that exterior lighting will be located near building entrances, along pedestrian walkways, and parking areas. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.</p>

<p>Garbage generated by the use.</p>	<p>Garbage facilities should be screened, storage inside the building is a standard requirement for apartment forms, with garbage to be placed outside on collection day.</p>
<p>Privacy</p>	<p>The proposed development situates the low-rise building as far from abutting properties as possible. Balconies are not proposed along the east side of the property adjacent to the rear yards of properties fronting on Highview Avenue West. A minimal number of windows are proposed on the east face of the building. An adequate separation is provided between the proposed building and the properties to the south, due to the placement of the building close to Commissioners Road West and the proposed intervening surface parking lot. In addition to the spatial separation between the buildings and the lot lines, the provision of a combination of privacy fencing and enhanced, robust landscaping to soften the property boundaries and provide screening to neighbouring single detached lots will help screen views from the proposed building to neighbouring properties.</p>
<p>Shadowing</p>	<p>The low-rise form combined with the location and orientation of the building on the south side of the street, will result in the majority of shadows falling on the front yard and road allowance. Minor shadowing may impact adjacent properties in the early morning or late afternoon, depending on the season.</p>
<p>Visual Impact.</p>	<p>Enhanced landscaping, articulated building design, and architectural details and materials to be finalized at the site plan approval stage are expected to have a positive visual impact on the area. A low-rise apartment building oriented to Commissioners Road West is consistent with the character of the area, which includes several low, mid and high-rise apartment buildings.</p>
<p>Loss of Views</p>	<p>There are no view corridors to significant features or landmarks to be affected by the proposed building.</p>
<p>Trees and canopy cover.</p>	<p>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. Most of these trees to be retained along the east property line are early succession trees and growing through the common chain-link fence. The proposed retention of existing trees along the east property line may not be the most</p>

	desirable approach as it would prevent the construction of new privacy fencing. At the site plan stage, consideration should be given to the removal of some or all of the existing trees in favour of the provision of privacy fencing in combination with new enhanced landscaping to provide screening for neighbouring properties.
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 E – 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 | |
| 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.

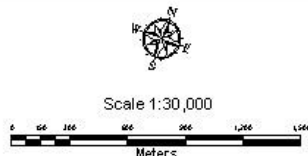
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



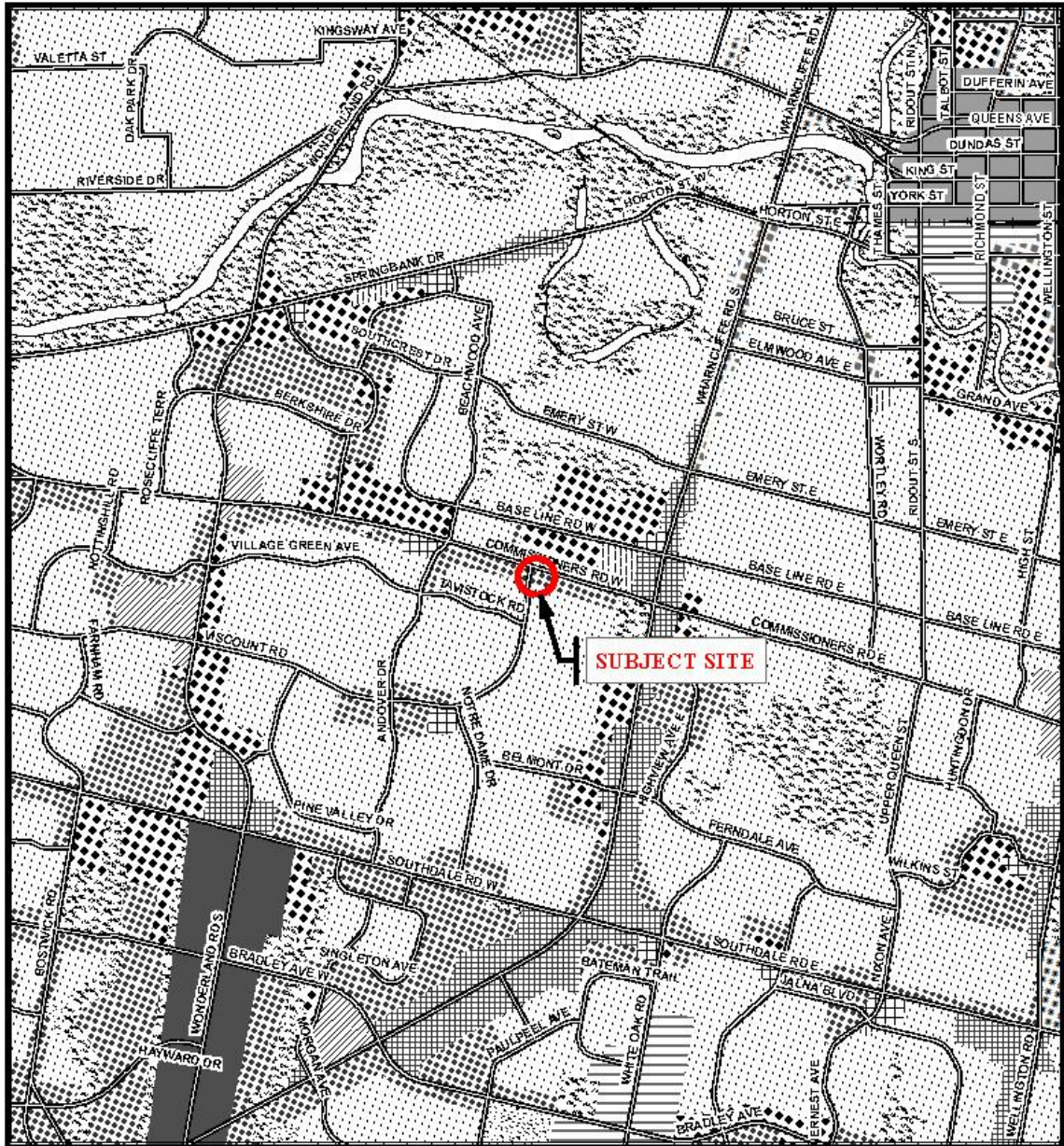
File Number: Z-9317

Planner: MC

Technician: RC

Date: July 7, 2021

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

CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LAND USE - PREPARED BY: Graphics and Information Services	 Scale 1:30,000 METERS	FILE NUMBER: Z-9317 PLANNER: BD TECHNICIAN: RC DATE: 2021/07/07
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Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OR*D250*H46/BDC

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. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | AG - AGRICULTURAL |
| AC - ARTERIAL COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| CC - CONVENIENCE COMMERCIAL | RT - RAIL TRANSPORTATION |
| SS - AUTOMOBILE SERVICE STATION | |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "h" - HOLDING SYMBOL |
| OR - OFFICE/RESIDENTIAL | "D" - DENSITY SYMBOL |
| OC - OFFICE CONVERSION | "H" - HEIGHT SYMBOL |
| RO - RESTRICTED OFFICE | "B" - BONUS SYMBOL |
| OF - OFFICE | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
Z-9317 BD

MAP PREPARED:
2021/07/07 RC

1:1,250
0 5 10 20 30 40 Meters

Appendix F – Applicant’s Reply to UDPRP Comments

Comment:
The Panel noted that the submitted Urban Design Brief only included a single 6” x 6” compressed excerpt from the site plan drawing. Many of the dimensions were not legible via the digital version provided for review. As such, the ability of the Panel to fully understand and comment on the site and building design was substantially affected.
Applicant Response:
Acknowledged.
Comment:
The proposed R9-4 Zone variation contains a contextually-based interior side yard setback requirement. Where sites are adjacent to an R1 or R2 Zone, the interior yard setback is to be increased equivalent to the building height (i.e, all elements of the building are to fit within a 45-degree angular plane. It is unclear how the context of this application is special or unique relative to other R9-4 to R1/R2 adjacencies to the extent it would warrant the proposed reduction.
Applicant Response:
The proposed building slightly exceeds the 1:1 setback ratio of building height to distance to the east lot line. However, the building is well under the 45 degree angular plane from the rear of the abutting dwellings to the east. In fact, nearly all of the area within the 45 degree angular plane currently contain off-site trees which are proposed to remain. The rear yards of the closest properties to the east (235-239 Highview Avenue West) are deep, resulting in a spatial separation with the proposed building in excess of 36m.
Comment:
The conceptual building design does not address the site’s corner location. Additional architectural details, fenestration and ground floor porosity is warranted on the Viscount Road elevation. The Panel recommended relocating the primary building entrance to the corner.
Applicant Response:
Acknowledged. Reviewed drawings will be submitted emphasizing the corner location.
Comment:
The Panel questioned the value of the landscaped areas “around the perimeter of the proposed building and proposed parking area”, as common amenity space. Accordingly, the Panel recommends that the future development incorporate a consolidated outdoor amenity space at-grade or explore opportunities for common outdoor amenity space on the building rooftop. The Applicant may wish to explore enhancements and upgrades to the exterior yard space with such items as a seat wall, arbour, masonry columns and planting
Applicant Response:
Common amenity space is primarily intended to be located abutting to the east of the building. The additional space between the parking area and lot lines provides opportunities for additional shade tree plantings. Rooftop amenity space is not proposed.
Comment:
The Panel noted that the design of the grade-related patios along Commissioners Road, combined with the and the limited depth of the perimeter walkway, introduces potential privacy issues/conflicts. Similarly, the proximity of the rear patios and the surface parking area creates an awkward spatial relationship with impacts from vehicle noise and headlights likely to dimmish the amenity of the patios. The Applicant should explore opportunities for creating grade separation between the ground floor units and the front pathway and the rear parking area to better preserve the amenity of the porches/patios and the usability of those spaces for residents.
Applicant Response:

At-grade patios will be reviewed with regard for the above concerns.
Comment:
Given the early stage of design development, no landscape plan was provided for review. In this regard, the Panel recommends a robust planting plan be developed for the unused space in the Commissioners Road ROW through the site plan application
Applicant Response:
Acknowledged.