

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: 1453-1459 Oxford Street East & 648-656 Ayreswood Avenue
Public Participation Meeting

Date: November 22, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Red Maple Properties relating to the property located at 1453-1459 Oxford Street East and 648-656 Ayreswood Avenue:

- (a) the request to amend The London Plan by **ADDING** a new policy the Specific Policies for the Rapid Transit Corridor Place Type and by **ADDING** the subject lands to Map 7 – Specific Policies Areas – of The London Plan, **BE REFUSED** for the following reasons:
- i) The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations where appropriate levels of infrastructure and public service facilities are or will be available.
 - ii) The proposed development does not conform to *The London Plan (2016)*, including, but not limited to, the Key Directions, City Design, Intensity and Form policies of the Rapid Transit Corridor Place Type, Protected Major Transit Station Areas (PMTSA) policies, and Near Campus Neighbourhoods policies.
 - iii) The existing sanitary sewer servicing the site does not have sufficient capacity to support the proposed density.
- (b) the request to amend the Official Plan for the City of London (1989) to change the designation of the subject lands **FROM** a Low Density Residential designation, **TO** a Multi-Family, High Density Residential designation, **BE REFUSED** for the following reasons:
- i) The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations where appropriate levels of infrastructure and public service facilities are or will be available.
 - ii) The proposed development does not conform to the *Official Plan (1989)*, including, but not limited to, the Permitted Uses, Density and Scale, Bonusing, Residential Intensification, Urban Design, and Policies for Near Campus Neighbourhoods.
 - iii) The proposed development represents an over-intensification of the site and does not satisfy the criteria of the Planning Impact Analysis.
 - iv) The existing sanitary sewer servicing the site does not have sufficient capacity to support the proposed density.
- (c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R1 (R1-6) Zone and Residential R1/Office Conversion (R1-6/OC4) Zone, **TO** a Residential R9 Bonus/Neighbourhood Shopping Area (R9-7*B-*H77/NSA3) Zone, **BE REFUSED** for the following reasons:
- i) The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations where appropriate levels of infrastructure and public service facilities are or will be available.
 - ii) The proposed development does not conform to *The London Plan (2016)*

- as the requested Specific Policy is not recommended for approval.
- iii) The proposed development does not conform to the *Official Plan (1989)* as the requested Multi-Family, High Density Residential designation is not recommended for approval.
- iv) The proposed development and requested zoning represent an over-intensification of the site and do not satisfy the criteria of the Planning Impact Analysis.
- v) The existing sanitary sewer servicing the site does not have sufficient capacity to support the proposed density.
- vi) The facilities, services, and matters identified through the proposed bonus zone are not commensurate for the requested height and density.

Executive Summary

Summary of Request

The applicant has requested to amend the 1989 Official Plan, The London Plan, and Zoning By-law Z.-1. The requested amendment to the 1989 Official Plan would redesignate the lands from Low Density Residential to Multi-Family, High Density Residential. The requested amendment to The London Plan would add a Specific Policy to the Rapid Transit Corridor Place Type to permit a mixed-use building with a maximum intensity of 24 storeys with Type 2 Bonus Zoning.

The requested Zoning By-law Amendment would change the zoning of the subject lands from a Residential R1 (R1-6) Zone and Residential R1/Office Conversion (R1-6/OC4) Zone to a Residential R9 Bonus/Neighbourhood Shopping Area (R9-7*B-*H77/NSA3) Zone to facilitate the development of a 24-storey, mixed-use building containing 259 residential units and 500 square metres of commercial gross floor area. A total of 283 parking spaces are proposed, of which 50 spaces are in a surface parking lot and 233 spaces are within two levels of underground parking. A site-specific bonus zone would permit the proposed development in return for: provision of affordable housing; provision of public parking to support bus rapid transit (BRT), and exceptional site and building design.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the requested amendments for the redesignation of the subject lands in the 1989 Official Plan, to add a Specific Policy Area to The London Plan, and rezone the subject lands to facilitate the development of a 24-storey, mixed-use building containing 259 residential units, 500 square metres of commercial gross floor area, and 283 parking spaces.

Rationale of Recommended Action

1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations where appropriate levels of infrastructure and public service facilities are or will be available.
2. The proposed development does not conform to *The London Plan (2016)*, including, but not limited to, the Key Directions, City Design, Intensity and Form policies of the Rapid Transit Corridor Place Type, Protected Major Transit Station Areas (PMTSA) policies, and Near Campus Neighbourhoods policies.
3. The proposed development does not conform to the *Official Plan (1989)*, including, but not limited to, the Permitted Uses, Density and Scale, Bonusing, Residential Intensification, Urban Design, and Policies for Near Campus Neighbourhoods.
4. The proposed development represents an over-intensification of the site and does not satisfy the criteria of the Planning Impact Analysis.
5. The facilities, services, and matters proposed through the bonus zone are not commensurate for the requested height and density.
6. The existing sanitary sewer that services the site does not have sufficient capacity to support the proposed density.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

One of the subject properties, 1455 Oxford Street East, was previously Listed on the City’s Heritage Register. The applicant prepared a Cultural Heritage Evaluation Report (CHER) and submitted a request to de-list the property from the City’s Register. The request was recommended for approval by Heritage Planning staff, as well as the London Advisory Committee on Heritage (LACH) and the Planning and Environment (PEC) in September 2020. Council approved the request to de-list the property on September 29, 2020.

1.3 Property Description

The subject lands are located in the Argyle Planning District on the southeast corner of Oxford Street East and Ayreswood Avenue. The lands consist of eight separate parcels municipally addressed as 1453, 1455, 1457, and 1459 Oxford Street East and 648, 650, 654, 656 Ayreswood Avenue. Four of the parcels front onto Oxford Street East, an arterial road, and four front onto Ayreswood Avenue, a local street with a cul-de-sac. The properties are each developed with existing single detached dwellings. Collectively, the subject lands have a frontage along Oxford Street East of approximately 70 metres, a depth along Ayreswood Avenue of approximately 98 metres, and an area of approximately 0.68 hectares.



Figure 1: Oxford Street East properties (easterly view from intersection of Oxford Street East and Ayreswood Avenue)



Figure 2: Ayreswood Avenue properties (southerly view from Ayreswood Avenue)

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

- The London Plan Place Type – Rapid Transit Corridor Place Type and Neighbourhoods Place Type
- Official Plan Designation – Low Density Residential
- Existing Zoning – Residential R1 (R1-6) Zone and Residential R1/Office Conversion (R1-6/OC4) Zone

1.5 Site Characteristics

- Current Land Use – Eight single detached dwellings
- Frontage – 70 metres (229.7 feet)
- Depth – 98 metres (329.5 feet)
- Area – 0.68 hectares (1.68 acres)
- Shape – Rectangular

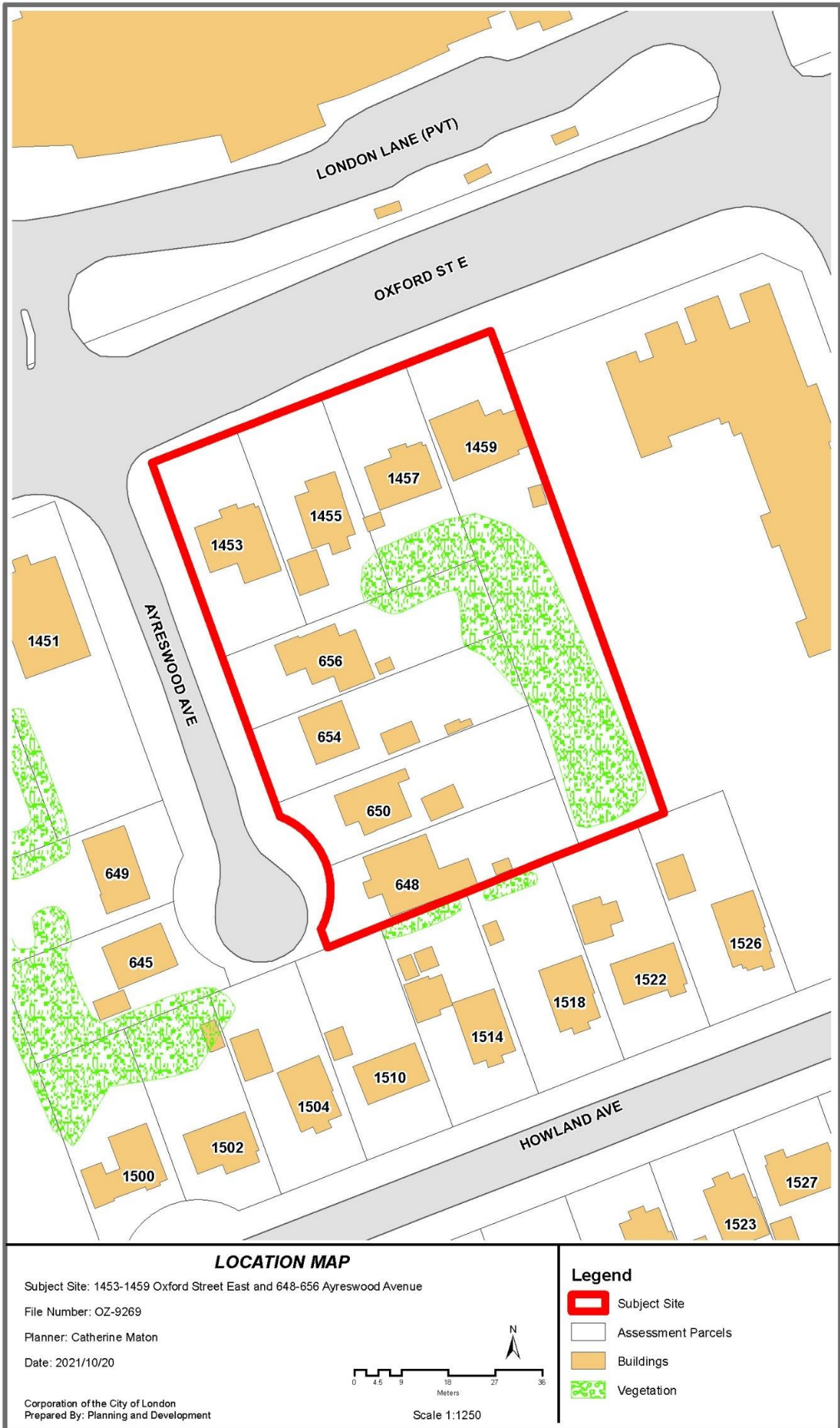
1.6 Surrounding Land Uses

- North – Institutional (Fanshawe College)
- East – High density residential
- South – Low density residential
- West – Low and medium density residential

1.7 Intensification

- The proposed 259 residential units represents intensification within the Built-Area Boundary and Primary Transit Area.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The application was initially submitted in September 2020, at which time the applicant proposed to develop the site with an 18-storey mixed-use apartment building, containing 259 residential units, 491 square metres of commercial gross floor area, and 283 parking spaces. A mixed-use density of 390 units per hectare and building height of 60 metres was proposed. The site concept plan and renderings of the building, as initially proposed, are contained in Figures 3 and 4.

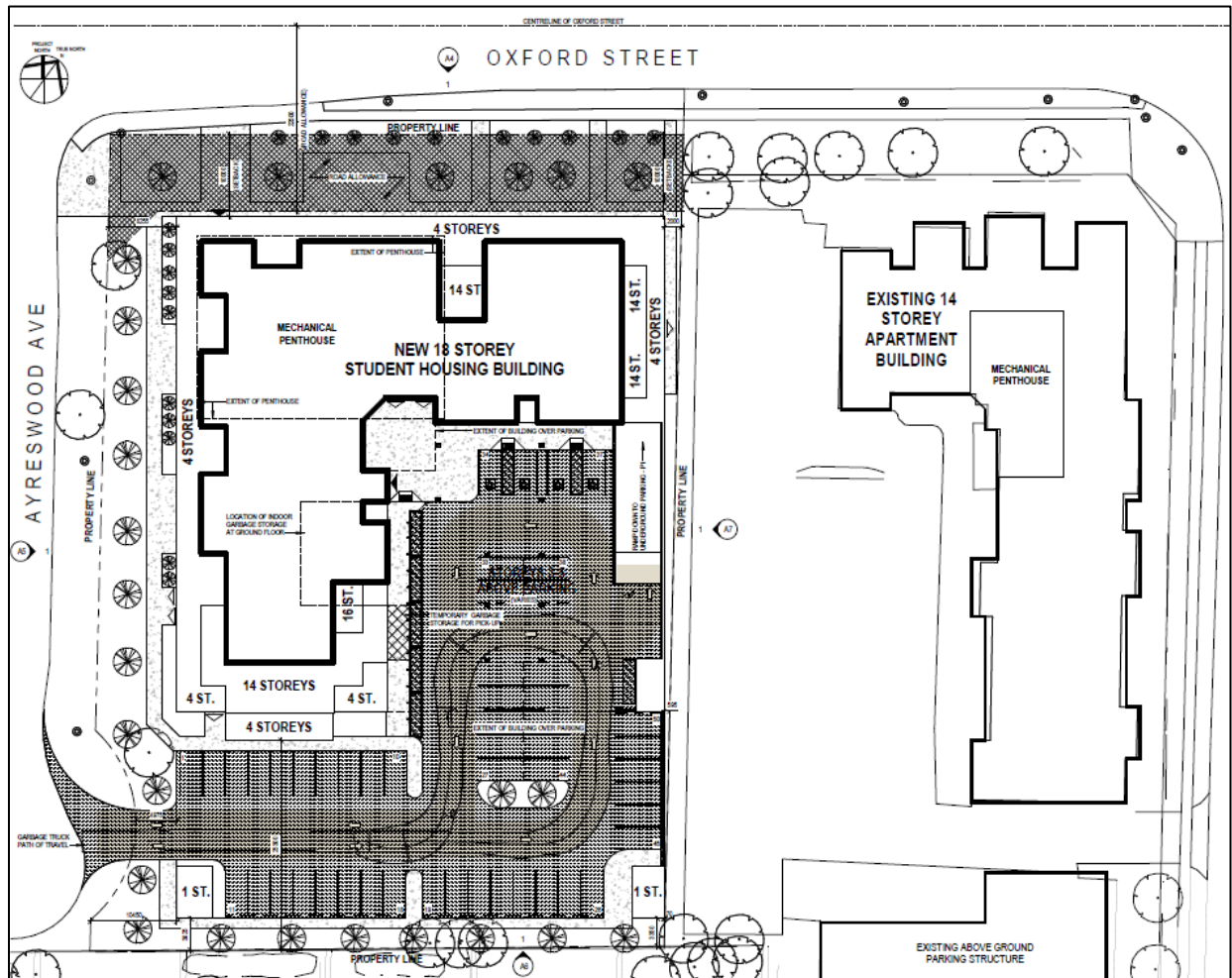


Figure 3: Site concept plan (initial proposal)



Figure 4: Rendering – view from Oxford Street East (initial proposal)

Notwithstanding the concerns raised by staff and the public in regard to the height and massing through the initial review and circulation, the applicant amended the application in May 2021 to propose a 24-storey, mixed-use apartment building containing 259 residential units, 500 square metres of commercial gross floor area, and 283 parking spaces. No changes to the unit count or parking configuration were made. While the proposed mixed-use density remained the same, the proposed building height increased to 77 metres with varying heights and setbacks provided to the tower. The current development concept is depicted in Figures 5 and 6.

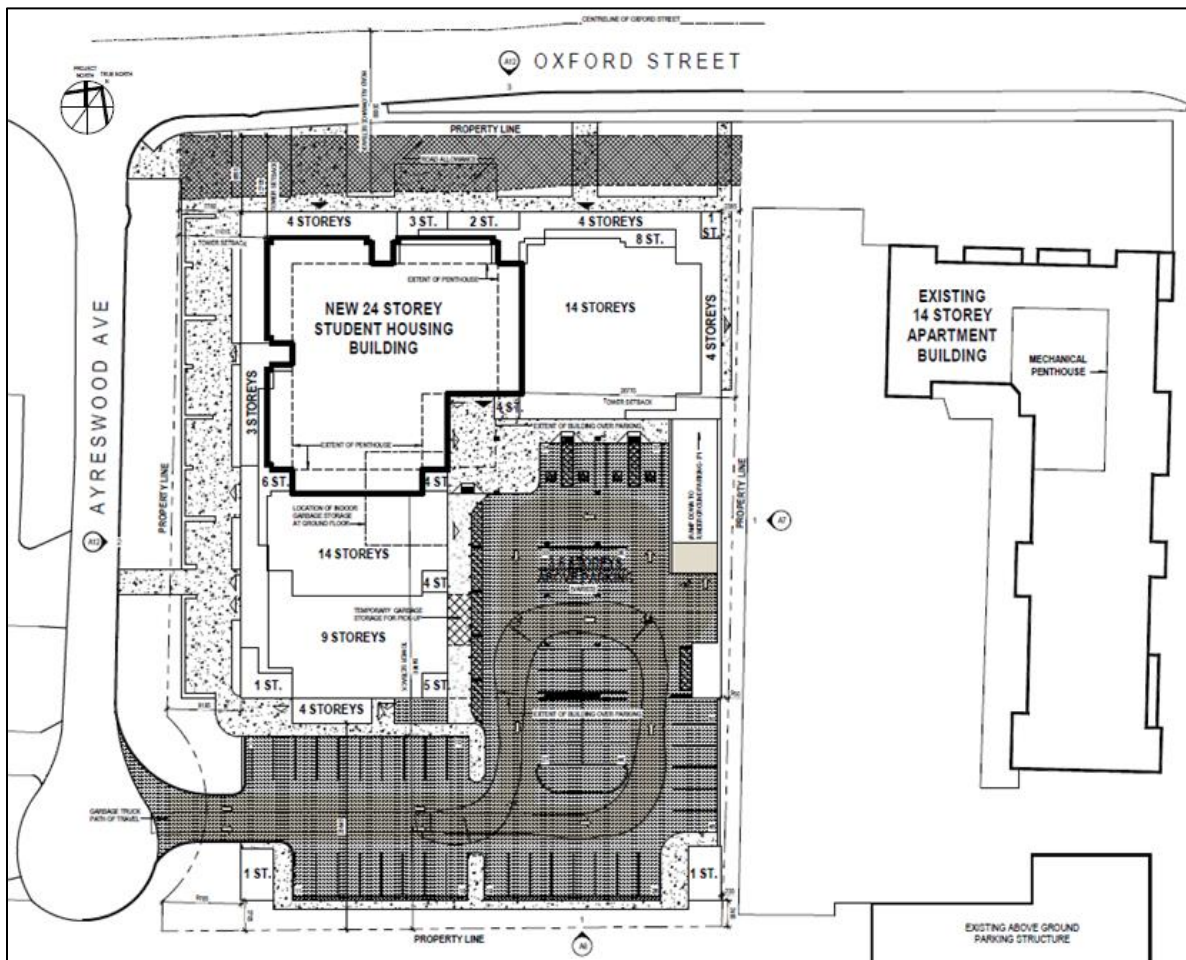


Figure 5: Site concept plan (amended proposal)



Figure 6: Rendering – aerial view of corner of Oxford Street East and Ayreswood Avenue (amended proposal)

2.2 Requested Amendment

The applicant has requested to amend the 1989 Official Plan to redesignate the subject lands from Low Density Residential to Multi-Family, High Density Residential and amend The London Plan by adding a Specific Policy to the Rapid Transit Corridor Place Type to permit a mixed-use building with a maximum intensity of 24-storeys with Type 2 Bonus Zoning. The applicant has further requested to change the zoning from a Residential R1 (R1-6) Zone and Residential R1/Office Conversion (R1-6/OC4) Zone, to a Residential R9 Bonus/Neighbourhood Shopping Area (R9-7*B-_*H77/NSA3) Zone.

The proposed bonus zone would permit a maximum building height of 77 metres and an increased maximum density of 390 units per hectare, whereas 150 units per hectare is the maximum. Special provisions through the proposed bonus zone would also permit: reduced front, exterior side, interior side, and rear yard depths; reduced landscape open space; increased maximum lot coverage; reduced parking; and reduced accessible parking. Additional details are contained in Section 4.5 of this report.

2.3 Community Engagement (see more detail in Appendix A)

Nine (9) written responses and one (1) phone call were received from nine (9) members of the public, which will be addressed later in this report. The primary concerns were related to the proposed height and density, shadow and privacy impacts, traffic and parking issues, and construction impacts.

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).

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 that must be considered to help the City effectively achieve its vision (54_). 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 plan strategically for a prosperous city by:

- Planning for and promoting strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities.
- Creating a strong civic image by improving the downtown, creating and sustaining great neighbourhoods, and offering quality recreational opportunities.
- Revitalizing our urban neighbourhoods and business areas.

- Planning for cost-efficient growth patterns that use our financial resources wisely.
- Investing in, and promoting, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners. (Key Direction #1, Directions 1, 2, 4, 11, and 13).

The London Plan provides direction to celebrate and support London as a culturally rich, creative, and diverse city by:

- Revitalizing London's downtown, urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London's cultural community.
- Developing affordable housing that attracts a diverse population to the city. (Key Direction #3, Directions 9 and 11).

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 to strategic locations - along rapid transit corridors and within the Primary Transit Area.
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods.
- 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.
- Ensuring a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 3, 4, and 5).

The London Plan provides direction for a new emphasis on creating attractive mobility choices by:

- Establishing a high-quality rapid transit system in London and strategically use it to create an incentive for development along rapid transit corridors and at transit villages and stations.
- Linking land use and transportation plans to ensure they are integrated and mutually supportive.
- Focusing intense, mixed-use development to centres that will support and be served by rapid transit integrated with walking and cycling.
- Dependent upon context, requiring, promoting, and encouraging transit-oriented development forms. (Key Direction #6, Directions 3, 4, 5, and 6).

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

- Implementing “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character. (Key Direction #7, Direction 3).

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

- Ensuring that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement.
- Avoiding current and future land use conflicts – mitigate conflicts where they cannot be avoided.
- Ensuring new development is a good fit within the context of an existing neighbourhood.
- Ensuring health and safety is achieved in all planning processes. (Key Direction #8, Directions 1, 8, 9, and 10).

The site is in the Rapid Transit Corridor and Neighbourhoods Place Types, as identified on *Map 1 – Place Types. Specifically, the four properties fronting on Oxford Street East are in the Rapid Transit Corridor Place Type while the four properties fronting on Ayreswood Avenue are in the Neighbourhoods Place Type on a Neighbourhood Street, as shown on Map 3 – Street Classifications. Rapid Transit Corridors are identified as Protected Major Transit Station Areas, as shown on Map 10 – Protected Major Transit

Station Areas (860A_). The subject lands are also located in the Near-Campus Neighbourhoods, as identified on *Map 7 – Specific Policy Areas.

1989 Official Plan

The site is designated Low Density Residential in accordance with Schedule 'A' of the 1989 Official Plan and is located in the Near-Campus Neighbourhoods. The applicant has requested to redesignate the subject lands to Multi-Family, High Density Residential (MFHDR) to facilitate the proposed development. The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted (3.2). Development shall result in net densities that range to an approximate upper limit of 30 units per hectare (3.2.2). Residential intensification may be considered up to a maximum density of 75 units per hectare (3.2.3.2).

The MFHDR designation is intended to accommodate large-scale, multiple-unit forms of residential development. The preferred locations for this designation are lands adjacent to major employment centres, shopping areas, major public open space, transportation routes, and where high density development will not adversely affect surrounding land uses (3.4). Excluding provisions for bonusing, net residential densities will normally be less than 350 units per hectare in the Downtown Area, 250 units per hectare in Central London, and 150 units per hectare outside of Central London (3.4.3).

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Rapid Transit Corridor Boundary Interpretation

The applicant has requested all eight properties be interpreted to be within the Rapid Transit Corridor Place Type, pursuant to policies 833_ to 835_ of The London Plan. The depth of the Corridor Place Types shown on *Map 1 is generally aligned with the lot fabric that is adjacent to the major street. In some instances, it may be desirable to allow for the assembly of additional lots outside of the Corridor, together with a lot that is clearly located within the Corridor identified on *Map 1, through an interpretation of the Corridor Place Type boundary (833_). Such an interpretation may allow for the consolidation of lots to create a viable development parcel, such that a property may be developed in accordance with the vision for the Corridor while managing and mitigating potential impacts on the adjacent neighbourhood (834_). In accordance with policy 835_, the following criteria will be used to guide the interpretation of the Corridor Place Type boundary:

- 1. A boundary interpretation shall only be made concurrent with the review of a zoning by-law amendment application. This will allow for considerations of planning impact and compatibility to be addressed when such interpretations are made.*
- 2. The zoning by-law amendment application will be reviewed in conformity with the Planning and Development Applications section in the Our Tools part of this Plan.*
- 3. The by-law amendment application shall demonstrate the need for lot assembly to achieve a development form that is in keeping with the vision for the Corridor Place Type and will provide justification for the boundary interpretation.*
- 4. If the site is located on a corner, the proposed front face of the building shall be oriented to the Civic Boulevard or Urban Thoroughfare, and shall not be oriented to the more minor "side-street".*
- 5. The evaluation of a development proposal will have consideration for how automobile access and circulation will be managed to mitigate potential impacts on the interior portions of the neighbourhood.*

6. *The interpretation of the Place Type boundary should not result in the creation of one or more isolated remnant lots that cannot be reasonably developed or assembled with other parcels in the Place Type to be developed in accordance with the long-term vision for the Corridor. Design concepts may be required to demonstrate how remnant lots can ultimately be developed*

The applicant is commended for assembling all eight properties, with no remnant parcels left orphaned, to facilitate a comprehensive redevelopment. However, in accordance with Policies 834_ and 835_3, boundary interpretations are only to be made where there is a demonstrated need for lot assembly to achieve a development form in keeping with the vision for the Corridor Place Type. While staff agree the assembly of these properties would facilitate a more comprehensive redevelopment, the proposed development is inconsistent with the vision of the Rapid Transit Corridor Place Type. As such, staff do not recommend the four properties in the Neighbourhoods Place Type be interpreted to be within the Rapid Transit Corridor Place Type at this time.

4.2 Issue and Consideration #2: Use

Provincial Policy Statement, 2020

The PPS promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; accommodate an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and 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 (1.1.1).

Settlement areas are directed 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).

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment; promoting 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; requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations (1.4.3).

Policy 1.6.7.4 of the PPS further encourages land use patterns, densities and a mix of uses that reduce the length and number of vehicle trips and support current and future use of transit and active transportation. Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The subject site is located in an area well serviced by existing and planned transit and is immediately south of Fanshawe College, a major institution. As such, staff agree the site would be suitable for residential intensification; however, staff are also of the opinion that residential intensification in this location needs to be of an appropriate scale and density to meet the Province's goals for a range and mix of housing options,

efficient use of land, and transit-supportive development. The application, as proposed, is not consistent with the PPS.

The London Plan

The vision for the Corridors is to be realized through a number of implementation measures, including planning for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services and allowing for a wide range of permitted uses and greater intensities of development along Corridors close to rapid transit stations (830_4 and 5). However, the interface between corridors and the adjacent lands within less intense neighbourhoods must also be carefully managed (830_6).

A range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type (*837_1). Mixed-use buildings are encouraged, and where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade (*837_2 and 4). Consistent with the general Use policies of the Rapid Transit Corridor Place Type, a range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted in the Rapid Transit Corridor Protected Major Transit Station Areas. Mixed-use buildings are encouraged (860E_).

The proposed development provides for a mixed-use building with commercial uses (retail and café) at grade and residential above. Other active uses, including a lobby and study spaces, are provided at grade to activate the street frontages. As such, staff are agreeable that the proposed uses are in conformity with the policies of The London Plan.

1989 Official Plan

The applicant has requested to redesignate the subject lands from Low Density Residential to Multi-Family, High Density Residential (MFHDR). In addition to areas predominantly composed of existing or planned high density residential development, the preferred locations for the MFHDR designation shall include areas near the periphery of the Downtown that are appropriate for redevelopment; lands in close proximity to Enclosed Regional Commercial Nodes or New Format Regional Commercial Nodes or Community Commercial Nodes, Regional Facilities or designated Open Space areas; and, lands abutting or having easy access to an arterial or primary collector road (3.4.2).

While not located on the periphery of the Downtown, the subject lands are located immediately to the south of Fanshawe College, a Regional Facility. A Community Commercial Node is located west of the site at the southwest quadrant of the intersection of Oxford Street East and Highbury Avenue North. The subject lands directly front onto Oxford Street East, an arterial road, and are located immediately adjacent to lands designated and developed for high density residential uses.

Although the site is in keeping with the locational criteria consideration must also be given to the following criteria in designating lands MFHDR:

- i) Compatibility: Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.*

The subject lands are surrounded by: Fanshawe College (a major institution) to the north; a 14-storey high density residential apartment building to the east; low density residential to the south; and low and medium density residential to the west. Further west, at the southeast corner of Oxford Street East and Highbury Avenue North, is the former London Psychiatric Hospital which is proposed for redevelopment and is subject to the specific policies of the London Psychiatric Hospital Lands Secondary Plan.

- ii) *Municipal services: Adequate municipal services can be provided to meet the needs of potential development.*

While City Engineering staff have identified sanitary capacity issues, they have also advised that higher density mixed-use development at a maximum intensity of 12 storeys, in accordance with the Intensity policies of The London Plan, could be supported.

- iii) *Traffic: Traffic to and from the location should not have a significant impact on stable low density residential areas.*

The applicant prepared a Traffic Impact Assessment (Salvini Consulting, May 2020). The findings of this report were accepted by Transportation Planning and Design staff. The subject site is located at the intersection of an arterial road and a local street with a cul-de-sac. Access to the site is proposed from the local street rather than the arterial road, which provides access to three other properties. As the street ends in a cul-de-sac, traffic from the subject lands would not be routed through the low density residential neighbourhood to the south.

- iv) *Buffering: The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.*

Collectively, the subject lands have a frontage along Oxford Street East of approximately 70 metres, a depth along Ayreswood Avenue of approximately 98 metres, and an area of approximately 0.68 hectares. While staff has concerns with the magnitude of the proposed development, it is acknowledged that the site is of a suitable shape and size to accommodate higher density development than what currently exists.

- v) *Proximity to Transit and Service Facilities: Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance.*

Oxford Street East is a planned route for the Bus Rapid Transit (BRT) system. Bus stops for existing transit services are also available along Oxford Street East and on Fanshawe College's campus.

Staff are agreeable that the site satisfies the locational criteria of the MFHDR designation and is of a sufficient size and shape to accommodate high density residential development. However, redesignation of the site is not recommended until such time as a development concept in conformity with the policies of the 1989 Official Plan and The London Plan is received.

The primary permitted uses in the MFHDR designation include low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses (3.4.1).

The proposed development includes 500 square metres of ground floor commercial space, including retail and café uses. The 1989 Official Plan generally encourages new convenience commercial uses to locate in the Commercial designations, but they may be permitted in the MFHDR by Official Plan amendment and zoning change subject to locational and scale criteria (3.4.1 ii). The requested Official Plan amendment did not include a Specific Area Policy to permit these commercial uses. In order to permit such uses, a revised application would be required along with a revised Notice of Application circulated to the public. Regardless, staff is not supportive of the high-rise apartment building as proposed and as a result, the proposed secondary commercial uses are also not supported. However, consideration could be made for a limited range of secondary commercial uses should a mixed-use building at an appropriate scale and density be proposed in the future.

4.3 Issue and Consideration #3: 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).

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 uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed, is promoted by the PPS (1.4.3d)).

Planning authorities shall 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).

Planning authorities shall ensure to identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes (1.2.4, 1.2.5).

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are available to meet current and projected needs (1.6.1 b)).

While staff agree the site is in an appropriate location to support higher intensities that would benefit from proximity to existing services, transit, and a major institution, the proposed development represents a high-rise and intense built form that is inconsistent with the established land use pattern and surrounding neighbourhood. The proposed intensity of 24 storeys is much greater than the surrounding low-rise residential development and is 10 storeys greater than the adjacent 14 storey residential apartment building, increasing risk of issues of compatibility with the surrounding context.

The applicant prepared a Servicing Feasibility Study (Strick, Baldinelli, Moniz Limited, April 2020) and a Sanitary Servicing Memo (Strick, Baldinelli, Moniz Limited, May 2021) in support of the proposed development. However, City Engineering staff have identified capacity issues in the downstream sanitary with the proposed development, as the capacity analysis has not met the City's requirements. As such, the density of the proposed development is not appropriate for the infrastructure currently available to service the site.

The London Plan

Located in the Primary Transit Area and along rapid transit routes, the Rapid Transit Corridors will be some of the most highly-connected neighbourhoods in our city and are linked to the Downtown and to the Transit Villages. Most of these corridors will be fundamentally walkable streetscapes, with abundant trees, widened sidewalks, and development that is pedestrian- and transit-oriented. Those parts of the Rapid Transit Corridors that are in close proximity to transit stations may allow for a greater intensity and height of development to support transit usage and provide convenient transportation for larger numbers of residents (827_).

Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility (*840_1). Lot assembly is encouraged within the Corridor Place Types to create comprehensive developments that reduce vehicular accesses to the street and to allow for coordinated parking facilities (*840_3).

For properties located on a Rapid Transit Corridor, the standard maximum height is 8 storeys or 12 storeys with a Type 2 Bonus Zone (*Table 9). Properties located on a Rapid Transit Corridor within 100 metres of rapid transit stations, or properties at the intersection of a Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare, are permitted a standard maximum height of 12 storeys or 16 storeys with Type 2 Bonus (*840_6 and *Table 9). However, the subject lands are not located within 100 metres of a rapid transit station, nor are they located at the intersection of a Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare. The closest rapid transit station is at Oxford Street East and London Lane as identified on Map 3, approximately 291 metres from the closest point of the site. In addition, the lands are located on a Rapid Transit Corridor intersecting a Neighbourhood Street, the lowest order street.

Each Rapid Transit Corridor Protected Major Transit Station Area will be planned to achieve a minimum number of 120 residents and jobs combined per hectare (860B_). Consistent with the general Intensity policies, the minimum building height is two storeys or eight metres and the maximum building height is 12 storeys, or 16 storeys for areas within 100 metres of a rapid transit station (860C_). The minimum density is 45 units per hectare for residential uses or a floor area ratio of 0.5 for non-residential uses (860D_).

The maximum intensity permitted on the subject site is 12 storeys, in conformity with the Rapid Transit Corridor Place Type policies and the Rapid Transit Corridor Protected Major Transit Station Area policies. The proposed building height of 24 storeys is twice the maximum permitted intensity for the site. It should also be noted that the proposed intensity is also beyond the maximum 22 storey intensity permitted (through Type 2 Bonusing) in the Transit Village Place Type, which is second only to the Downtown in terms of the mix of uses and intensity of development that is permitted (807_, *813_, 815C_).

The applicant has requested to amend The London Plan to add a Specific Area Policy to permit a 24 storey, mixed-use building with a Type 2 Bonus Zone. Staff is of the opinion that the facilities, services, and matters proposed in return for the requested increased intensity are not commensurate for the requested increase in intensity. Further, staff have significant concerns with the proposed building form and risk of over intensification of the site, given the level of departure from the maximum intensity permitted by policy. These issues are addressed in greater detail in Sections 4.4 and 4.6 of this report. The proposed intensity conflicts with the overall vision of the Rapid Transit Corridor Place Type, therefore it is recommended the requested amendment be refused.

1989 Official Plan

Net residential densities in the MFHDR designation vary by location and will normally be less than 350 units per hectare in the Downtown Area, 250 units per hectare in Central London, and 150 units per hectare outside of Central London, excluding provisions for bonusing (3.4.3). The subject lands are located outside of Central London and if redesignated to MFHDR, would normally be considered for development with a density up to 150 units per hectare. The proposed 259 residential units and 500 square metres of commercial gross floor area equate to a mixed-use density of 390 units per hectare.

In accordance with policy 3.4.3ii), Council may consider proposals to allow higher densities than would normally be permitted. Zoning to permit higher densities will only be approved where a development satisfies all of the following criteria:

- a) *the site or area shall be located at the intersection of two arterial roads or an arterial and primary collector road, and well-served by public transit;*

The subject site is located at the intersection of an arterial road and a local street, as identified on Schedule 'C'.

- b) *the development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms of housing and architectural design features;*

The proposed development does not include provision for unique attributes or amenities, such as enhanced open space and recreational facilities, innovative forms of housing, or architectural design features.

- c) *parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development;*

The majority of the parking is located in an underground parking garage, with some surface parking provided at the rear of the site. However, there is limited landscaped open space available at grade. Rooftop amenity space is provided above the fourth storey, as well as patio areas at grade along the Oxford Street East and Ayreswood Avenue street frontages.

- d) *conformity with this policy and urban design principles in Section 11.1 shall be demonstrated through the preparation of a secondary plan or a concept plan of the site which exceed the prevailing standards; and*

A full analysis of the urban design principles in Section 11.1 of the 1989 Official Plan is provided in Section 4.4 of this report. However, staff is not of the opinion that the site has been designed in a manner which exceeds prevailing standards.

- e) *the final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.*

The subject site and proposed development satisfy some, but not all, of the above criteria. Council, under the provisions of policy 19.4.4. and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities, or design features (3.4.3iv)). As such, the applicant has requested a bonus zone to permit a maximum density of 390 units per hectare and a maximum building height of 77 metres. The public facilities, amenities, and design features proposed in return for the requested height and density are addressed in greater detail in Section 4.6 of this report. Staff is of the opinion that these features are not commensurate for the proposed increase in height and density.

4.4 Issue and Consideration #4: 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)).

While redevelopment and intensification of the subject lands would contribute to achieving a more compact form of growth, it is important that intensification is done in manner which is appropriate and is sensitive to the context of existing neighbourhoods. In staff's opinion the proposed high density apartment building is seeking an intensity and built form which is inconsistent with the established land use pattern and surrounding neighbourhood and is therefore not in keeping with the PPS.

The London Plan

The Form policies of the Rapid Transit Corridor Place Type establish a number of directions for planning and development applications. These policies direct buildings to be sited close to the front lot line to create a pedestrian-oriented street wall while providing appropriate setbacks from properties adjacent to the rear lot line, break up and articulate the mass of large buildings fronting the street to support a pleasant and interesting pedestrian environment, and encourage windows, entrances and other features that add interest and animation to the street (841_2 and 841_3). Surface parking areas should be located in the rear and interior side yards; underground parking and structured parking integrated within the building design is encouraged (841_12). In general, buildings are to be designed to mitigate the impact of new development on adjacent neighbourhood areas (841_13).

In addition to the Form policies of the Rapid Transit Corridor Place Type, all planning and development applications will conform with the City Design policies of The London Plan (841_1). These policies direct all planning and development to foster a well-designed building form, and ensure development is designed to be a good fit and compatible within its context (193_1 and 193_2). The site layout of new development should be designed to respond to its context, the existing and planned character of the surrounding area, and to minimize and mitigate impacts on adjacent properties (252_ and 253_).

High and mid-rise buildings should be designed to express three defined components: a base, middle, and top (289_). High-rise buildings should be designed to minimize massing, shadowing, visual impact, and the obstruction of views from the street, public spaces, and neighbouring properties. To achieve these objectives, high-rise buildings should take the form of slender towers and should not be designed with long axis where they create an overwhelming building mass (293_).

Base

High-rise buildings will incorporate a podium at the building base, or other design solutions to reduce the apparent height and mass of the building on the pedestrian environment, allow sunlight to penetrate the right-of-way, and reduce wind impacts (929_). The base should establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, forecourts, patios, awnings, lighting, and the use of materials that reinforce a human scale (289_1).

The base of the building has been designed with many positive features, which were commended by Urban Design staff. These include: an active built form along both the Oxford and Ayerswood street edges; creation of a distinct base with an animated multi-storey podium wrapped by active uses and creative high quality material usage; locating primary patio areas along Ayerswood Avenue; and outdoor amenity areas at podium level adjacent to amenity rooms. A rendering depicting the base of the building is contained in Appendix B.

Middle and Top

The middle should be visually cohesive with, but distinct from, the base and top (289_2). The middle of the building is the portion of the building above the podium-base and consists of the residential tower. The top should provide a finishing treatment, such as roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design (289_3).

The middle of the proposed building consists of varying heights from 9 to 14 storeys at the rear, 14 storeys on the east side and along the Oxford Street East frontage, and a 24 storey tower positioned at the corner. While the varying heights provide some transition from adjacent properties, it also results in a heavy slab-like building mass that imposes on both street frontages and the surrounding neighbourhood. Building elevations are provided in Appendix B.

Staff have identified the following design refinements required to the tower portion of the building:

- Design the tower floorplate (above 8 storeys) as a slender point tower (maximum floor plate size of up to 1000 square meters) with the mass focused along Oxford Street East to reduce the "slab-like" appearance of the towers, wind tunnel effects, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces.
- Reduce the mid-rise portion to be a maximum of up to 8 storeys with terracing and step-backs to reduce shadow impacts and visual mass and to allow sunlight penetration to the streetscape.
- Provide a step-back above the lower levels (floors 3-4) at a minimum of 3 meters to create a human-scale street wall along the public streets.
- Provide a more sympathetic transition to low-density forms by lowering the rear portion of the building to be 8 storeys or less, in keeping with a mid-rise form to reduce the visual mass and privacy impacts to the single family homes to the south.
- Design the tower to include a high degree of glazing and fenestration in order to add interest and break-up the massing of the buildings.
- Design and distinguish the top of the building through an articulated roof form, step-backs, cornices, material change and/or other architectural details and screen/integrate the mechanical and elevator penthouses into an architecture of the building.

The initial application was reviewed by the Urban Design Peer Review Panel (The Panel) on November 18, 2020. The Panel commended the applicant for providing a design solution which addresses Oxford Street East and Ayerswood Avenue through an overall site organization with building frontage located along Oxford Street and Ayreswood Avenue with café, retail, and study space activating the ground floor; vehicular access off of the Ayerswood cul-de-sac with waste management, surface parking, and underground parking ramp located internal to the site and screened from view; and a clearly articulated building entrance. The Panel expressed concern with certain elements of the tower and recommended avoiding the slab typology of the neighbouring building, reducing the tower floor plate, and considering alternative approaches for distributing or reducing the density to develop a more appropriate building mass or tower form.

The amended application was reviewed by the Panel on June 16, 2021. The Panel commended the applicant for thoughtful modifications to the building design, including changes to the material palette and proportions of the building base to create a more pronounced active built edge condition along Oxford Street East. However, the Panel did question the proposed building cap and suggested it be reconsidered to present a more subtle building top that is more seamlessly integrated into the building form. In addition, the Panel commended the applicant for architectural changes that have helped to break down and redistribute the building massing in a manner that attempts to integrate with the adjacent neighbourhood areas, the existing building to the east, and the future context of the Rapid Transit Corridor. However, some panelists remained concerned about the overall volume and mass of the building relative to the planned context of the area and City policies regarding building height and massing along the Rapid Transit Corridor.

While the proposed built form offers some positive features and has addressed some of the City Design and Form policies of the Rapid Transit Corridor Place Type, there are substantial revisions required to the tower design which to date have not been addressed. Failure to incorporate these revisions into the tower design results in a very heavy building mass that is inconsistent within the context of the site and imposes on the surrounding low density residential neighbourhood.

1989 Official Plan

One of the overall objectives for the Multi-Family, High Density Residential designation is to promote the design of high density residential developments that are sensitive to

the scale and character of adjacent land uses (3.1.4.iii). The subject site abuts a low-rise residential neighbourhood to the south and west, representing a high-rise development form with significant intensity in proximity to sensitive uses. Development proposals are further guided by the urban design principles in Chapter 11 for evaluation and review, including:

- v) *Architectural Continuity: The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity or which are recognized as being of cultural heritage value or interest.*

Although the site is not located in an area with architectural significance, the proposed development represents a departure from the architectural style of adjacent uses. The area is largely characterized by existing low density residential uses, save and except the existing high density apartment building to the east of the site. The proposed development however fails to provide continuity and harmony with this adjacent high density apartment given the 10 storey difference in intensity.

- viii) *Pedestrian Traffic Areas: In pedestrian traffic areas, new development should include street-oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, landscaped setbacks and sitting areas.*

The site is located across from a major pedestrian destination point (Fanshawe College). The base of the building has made an effort to provide a pedestrian-scale environment, however Urban Design staff recommend greater tower setbacks from the edge of the podium be provided to assist in minimizing the building mass from the street level. Enhanced sidewalks and patio areas are provided along both street frontages to provide ground-level amenity areas. However, the proposed building coverage and amount of hardscaping results in limited opportunity for landscaping at grade.

- ix) *Access to Sunlight: The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. In reviewing proposed developments, access to sunlight for adjacent properties should be maximized to enhance the potential for energy conservation and the amenity of residential areas and open space areas, such as parkettes and outdoor plazas.*

A Shadow Study was submitted as part of the complete application, demonstrating little shadowing impact on the low rise residential neighbourhood to the south throughout the year. However, shadows are cast on Fanshawe College, the adjacent high density residential property to the east, and on the pedestrian environment along Oxford Street East. Images from the Shadow Study are contained in Appendix C.

- x) *Landscaping: Landscaping should be used to conserve energy and water, enhance the appearance of building setback and yard areas, contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets.*

Limited landscaping is provided at grade to buffer the proposed development from adjacent sites. Special provisions for reduced interior side yard depths further restrict the viability for landscaping.

- xiv) *Privacy: To the extent feasible, the design and positioning of new buildings should minimize the loss of privacy for adjacent residential properties.*

Privacy concerns were raised by the public through the circulation of the application. While the tallest point of the tower is oriented towards the corner

of the site, the proposed building presents concerns for overlook into private amenity spaces of adjacent properties. The 9 and 14 storey mid-portions of the building at the rear of the site constitute a tall building, and results in a significant height difference from the adjacent low rise residential properties. The building does not offer a low or mid-rise transition from these adjacent properties, resulting in an imposing mass and privacy concerns.

While efforts have been made on the site and building design, the proposed intensity and built form is not appropriate nor compatible within the context of the existing neighbourhood. Urban Design staff have provided several recommendations for design refinements to address the form-based concerns, which have not been incorporated into the design to date. In accordance with Policy 3.7, a Planning Impact Analysis is to be used to evaluate applications for an Official Plan amendment and/or zone change, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses. The Planning Impact Analysis is contained in Appendix D and addresses matters of both intensity and form.

4.5 Issue and Consideration #5: Near-Campus Neighbourhoods

Near-Campus Neighbourhoods are identified as extremely valuable city neighbourhoods that will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all (963_ and 964_; 3.5.19.3). The policies of The London Plan and 1989 Official Plan establish a number of planning goals in an effort to support this vision for these neighbourhoods (965_; 3.5.19.4.). These goals are intended to serve as an additional evaluative framework for all planning applications within Near-Campus Neighbourhoods, and include:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;
- Identifying strategic locations where residential intensification is appropriate within Near-Campus Neighbourhoods and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;
- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas and recognizing areas that have already absorbed significant amounts of intensification;
- Encourage appropriate forms of intensification that support the vision for Near-Campus Neighbourhoods and encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior of neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties.
- Encourage affordable housing opportunities; and,
- Ensure intensification is located and designed to respect the residential amenity of nearby properties.

In Near-Campus Neighbourhoods, residential intensification or an increase in residential intensity may be permitted in the Neighbourhoods Place Type and MFMDR and MFHDR designations where the following criteria is met (968_; 3.5.19.9):

- The proposed development is consistent with Tables 10 to 12 in the Neighbourhoods Place Type;
- The development provides for adequate amenity area;
- Mitigation measures are incorporated which ensure surrounding residential land uses are not negatively impacted;
- The proposal does not represent a site-specific amendment for a lot that is not unique within its context and does not have any special attributes;

- The proposal is appropriate in size and scale and does not represent over-intensification of the site; and
- The proposal establishes a positive and appropriate example for similar locations in the Near-Campus Neighbourhoods areas.

Policy 969_ of The London Plan and Policy 3.5.19.5 of the 1989 Official Plan further discourage forms of intensification within Near-Campus Neighbourhoods that:

- Are inconsistent with uses and intensity shown in Tables 10 to 12 of The London Plan;
- Are within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity;
- Require multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
- Are located on inadequately sized lots that do not reasonably accommodate the use, intensity or form of the proposed use;
- Contain built forms that are not consistent in scale and character with the neighbourhood;
- Continue an ad-hoc and incremental trend towards residential intensification within a given street, block or neighbourhood.

Residential Intensification in the form of medium and large-scale apartment buildings situated at appropriate locations in the MFMDR and MFHDR designations are preferred in Near-Campus Neighbourhoods (3.5.19.6). In areas designated MFMDR and MFHDR, planning applications to allow for Residential Intensification or Residential Intensity are directed to those areas located along arterial roads and designated accordingly (3.5.19.9).

Urban design qualities are to be incorporated into the design to ensure intensification projects contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties. Zoning is to be utilized to ensure residential intensification occurs in a manner which is appropriate in form, size, scale, mass, density, and intensity. The proposed development does not satisfy these policies, as the intensity and density far exceed the maximum contemplated by the Rapid Transit Corridor Place Type, the Rapid Transit Corridor Protected Major Transit Station Area, and the proposed MFHDR designation.

Staff is generally agreeable that redevelopment of the subject lands with higher intensity residential development aligns with the intent of the Near-Campus Neighbourhoods policies. The subject lands are located on an arterial road in a strategic location where residential intensification would be appropriate. High-rise forms of redevelopment are preferred in Near-Campus Neighbourhoods and are directed to significant transportation nodes and corridors, away from the interior of neighbourhoods. In addition, the consolidation of eight properties, currently comprised of single detached dwellings, would result in a more coordinated and comprehensive approach to redevelopment. However, the proposed form, scale, mass, density, and intensity are not appropriate for the site, as detailed in the Planning Impact Analysis contained in Appendix D of this report.

While the site is of a suitable size and shape to accommodate residential intensification, the intensity of the proposed development is too great and would result in over-intensification of the site and impacts on the residential amenity of nearby properties. As such, the proposed development does not satisfy the criteria for residential intensification in the Near-Campus Neighbourhoods.

4.6 Issue and Consideration #6: Proposed Bonus Zone

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (*1650_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy *1652_. Under the provisions of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the

Zoning By-law in return for the provision of certain public facilities, amenities, or design features (3.4.3.iv)). Chapter 19.4.4ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning. The applicant is proposing a maximum building height of 77 metres and increased maximum density of 390 units per hectare, whereas 150 units per hectare is permitted in the proposed Residential R9 (R9-7) Zone.

The applicant proposes the following facilities, services, and matters in return for additional height and density:

- i) Affordable Housing Units – 20 units at 85% market rate, for a period of 50 years.
- ii) Public Parking for BRT – 80 parking spaces for public use in the underground garage.
- iii) Exceptional building and site design, including improved streetscapes along Oxford Street East and Ayreswood Avenue.

Notwithstanding the applicant's offer of affordable housing, a recommendation letter from the Housing Development Corporation (HDC) has not been received to confirm the status of negotiations or the adequacy of the applicant's affordable housing proposal. The applicant has requested a reduction in the number of required parking spaces, as the proposed development is deficient by 82 spaces. While requesting the parking reduction, the applicant has also proposed 80 spaces dedicated for public use as a bonusable feature. Staff is of the opinion that since the proposed development is already deficient in parking, dedication of spaces for public use should not be used to support additional height and density through the bonus zone. Lastly, as detailed in Section 4.4 of this report, staff is not satisfied with the site or building design, therefore the development should not be granted additional height and density on the basis of exceptional design. Although the need for affordable housing is recognized, staff is of the opinion that the limited range of proposed bonusable features is not commensurate for an intensity twice the maximum permitted by policy.

In addition to the proposed increased height and density, the applicant has also requested a number of special provisions through the bonus zone to facilitate the proposed development:

- A reduced minimum front yard depth of 1.9m to the podium (Floors 1-4), whereas 10m is required;
- A reduced minimum front yard depth of 5.2m to the tower (Floors 5-24), whereas 16m is required;
- A reduced minimum exterior side yard depth of 7.7m (Floors 1-4), whereas 8m is required;
- A reduced minimum exterior side yard depth of 11m (Floors 18-24), whereas 13.4m is required;
- A reduced minimum exterior side yard depth to stairs leading to underground parking of 5m, whereas a minimum of 6m is required;
- A reduced minimum interior side yard depth of 1.7m (Floors 1-4), whereas 6m is required;
- A reduced minimum interior side yard depth of 4.3m (Floors 5-14), whereas 18m is required;
- A reduced minimum interior side yard depth of 26.7m (Floors 15-24), whereas 31m is required;
- A reduced minimum interior side yard depth to stairs leading to underground parking of 0.2m, whereas a minimum of 4.5m is required;
- A reduced minimum rear yard depth of 41.4m (Floor 14), whereas 43.5m is required;
- A reduced minimum rear yard depth of 54.1m (Floors 18-24), whereas 77m is required;
- A reduced minimum rear yard depth to stairs leading to underground parking of 3.1m, whereas a minimum of 6m is required;
- A reduced landscape open space of 27.9%, whereas a minimum of 30% is required;

- An increased maximum lot coverage of 33.8%, whereas a maximum of 30% is permitted;
- Reduced minimum parking of 283 spaces for all uses, whereas 365 spaces are required; and,
- Reduced minimum accessible parking of 4 spaces, whereas 10 spaces are required.

Staff have concerns with the extent of relief and number of special provisions needed to facilitate the proposed development, as this is a frequent indicator of over-development. The proposed Residential R9 (R9-7) Zone regulates setbacks based on building height, requiring increased minimum setbacks for taller buildings. Staff support the general request for reduced front and exterior side yard depths, as this enables the building to be brought closer to the public streets to achieve an activated streetscape. However, as noted previously in 4.4 of this report, staff's comments on design have identified greater setbacks should be provided above the building base to facilitate a more human-scale, pedestrian oriented streetscape.

Of greatest concern are the reduced interior side yard depths, as the proposed 1.7 metre setback leaves little opportunity for plantings and vegetative buffers, and continues to reduce as the side lot line tapers towards the rear of the site. The building is set back 0.9 metres at its closest point to the side lot line, which lends no opportunity for plantings and provides very little separation from the adjacent property. It should be noted that this reduced setback has not been captured in the revised application and would need to be addressed should Council approve the requested amendments. These narrow side yards also lead to Stormwater issues as it limits the available space for landscaping to help deal with stormwater runoff.

The Traffic Impact Assessment (Salvini Consulting, May 2020) submitted as part of the complete application includes a justification for the proposed parking reduction, which was accepted by City Transportation and Design staff with no further comments. In general, Planning and Development staff have no concerns with a parking reduction at this location, given the site's proximity to Fanshawe College and its location along a Rapid Transit Corridor. However, staff does have concerns with the requested reduction in accessible parking spaces.

Lastly, the applicant has requested an increase in building coverage and a decrease in landscaped open space. The site is largely occupied by the proposed building and hardscaping, and notwithstanding the identified rooftop amenity area, the proposed development offers no outdoor amenity area at grade on the property.

4.7 Issue and Consideration #7: Proposed Commercial Zone

To facilitate the mixed-use component of the proposed development, the applicant has requested to compound a Neighbourhood Shopping Area (NSA3) Zone with the proposed Residential R9 (R9-7) Zone. The NSA3 Zone would permit a range of commercial uses, including: bake shops; catalogue stores; clinics; convenience service establishments; day care centres; duplicating shops; financial institutions; food stores; libraries; medical/dental offices; offices; personal service establishments; restaurants; retail stores; service and repair establishments; studios; video rental establishments; brewing on premises establishment; and an apartment building with any or all of the other permitted uses on the first and/or second floor.

While staff would generally support a mixed-use development in conformity with the Use, Intensity, and Form policies of the Rapid Transit Corridor Place Type, staff have concerns with the appropriateness of the full range of uses permitted by the proposed NSA3 Zone. Further, the NSA3 Zone would not be tied to the proposed bonus zone and would not necessarily require the commercial uses to be located within a mixed-use apartment building. As such, the inclusion of an NSA3 Zone could result in a standalone commercial development on this site.

As identified in Section 4.2 of this report, the applicant has not requested a Specific Area Policy under the 1989 Official Plan to permit convenience commercial uses, and

the range of uses permitted in the proposed NSA3 Zone are not contemplated in the proposed MFHDR designation. As such, the requested NSA3 Zone is not in conformity with the policies of the 1989 Official Plan.

4.8 Issue and Consideration #8: Sanitary Servicing Constraints

As part of the complete application, the applicant submitted a Servicing Feasibility Study (Strik, Baldinelli, Moniz Ltd., April 2020) for the proposed 18 storey development. Sewer Engineering reviewed the report and expressed concern that the peak sanitary flow based on the increase in population proposed by the development would exceed the capacity of the existing sanitary sewer. Sewer Engineering further advised that exceeding the conveyance capacity of the existing sewer pipe is not supported, and there is no available capacity for the density being requested. Sewer Engineering staff advised that the owner would need to address the inadequate capacity within the downstream system on Second Street, either by way of a lower proposed density/population or by upgrading the sanitary sewers.

Following the initial circulation, the applicant subsequently amended their application to increase the proposed intensity from 18 to 24 storeys with no change to the proposed unit count. A Sanitary Servicing Memo (Strik, Baldinelli, Moniz Ltd., May 2021) was submitted in support of the amended application. Upon review of the memo, Sewer Engineering staff once again advised that the proposed development would result in an increase in population from eight people to 483 people, which would put the existing sanitary sewer downstream on Second Street over 100% capacity. Under current conditions, the existing sanitary sewer along Second Street flows at 98% of full design capacity. This requested intensification would result in a peak flow from the proposed apartment of 5.7L/s, which exceeds the available capacity of the existing sanitary sewer. Sewer Engineering staff advised that the owner must demonstrate an outlet with adequate available capacity, either by way of a lower proposed density/population or upgrades to the sanitary sewers (conveyance capacity) on Second Street and downstream system (treatment capacity).

As such, the proposed density and intensity exceeds the existing capacity of the sanitary sewer system in this area and is not supported.

Conclusion

The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations where appropriate levels of infrastructure and public service facilities are or will be available. The proposed development does not conform to *The London Plan (2016)*, including, but not limited to, the Key Directions, City Design, Intensity and Form policies of the Rapid Transit Corridor Place Type, Protected Major Transit Station Areas (PMTSA) policies, and Near Campus Neighbourhoods policies. The proposed development does not conform to the *Official Plan (1989)*, including, but not limited to, the Permitted Uses, Density and Scale, Bonusing, Residential Intensification, Urban Design, and Policies for Near Campus Neighbourhoods. The proposed development and requested zoning represent an over-intensification of the site, do not satisfy the criteria of the Planning Impact Analysis, and the facilities, services, and matters proposed through the bonus zone are not commensurate for the requested height and density. Lastly, the existing sanitary sewer that services the site does not have sufficient capacity to support the proposed density. As such, it is recommended the requested amendments be refused.

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Appendix A – Public Engagement

Community Engagement

Public liaison: On October 21, 2020, Notice of Application was sent to 218 property owners and renters in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 22, 2020. A “Planning Application” sign was also posted on the site.

On May 26, 2021, Notice of Revised Application was sent to 218 property owners and renters in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 27, 2021. A “Application Amended” applique was also applied to the on-site “Planning Application” sign.

On October 20, 2021, Notice of Revised Application was sent to 218 property owners and renters in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 21, 2021.

Nine (9) written responses and one (1) phone call were received from nine (9) members of the public. Of the written responses, five (5) expressed concern while four (4) requested clarification and/or additional information.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit the development of a 24-storey mixed-use building containing 259 residential units and 500 square metres of commercial gross floor area. Possible amendment to the 1989 Official Plan to re-designate the subject lands **FROM** Low Density Residential **TO** Multi-Family, High Density Residential. Possible amendment to The London Plan to add a specific policy to the Rapid Transit Corridor Place Type to permit a maximum intensity of 24-storeys with Type 2 Bonus Zoning. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-6) Zone and Residential R1/Office Conversion (R1-6/OC4) Zone **TO** a Residential R9 Bonus/Neighbourhood Shopping Area (R9-7*B-_*H77/NSA3) Zone to permit apartment buildings and a range of commercial uses. The proposed bonus zone would permit: a reduced minimum front yard depth of 1.9m to the podium (Floors 1-4), whereas 10m is required; a reduced minimum front yard depth of 5.2m to the tower (Floors 5-24), whereas 16m is required; a reduced minimum exterior side yard depth of 7.7m (Floors 1-4), whereas 8m is required; a reduced minimum exterior side yard depth of 11m (Floors 18-24), whereas 13.4m is required; a reduced minimum exterior side yard depth to stairs leading to underground parking of 5m, whereas a minimum of 6m is required; a reduced minimum interior side yard depth of 1.7m (Floors 1-4), whereas 6m is required; a reduced minimum interior side yard depth of 4.3m (Floors 5-14), whereas 18m is required; a reduced minimum interior side yard depth of 26.7m (Floors 15-24), whereas 31m is required; a reduced minimum interior side yard depth to stairs leading to underground parking of 0.2m, whereas a minimum of 4.5m is required; a reduced minimum rear yard depth of 41.4m (Floor 14), whereas 43.5m is required; a reduced minimum rear yard depth of 54.1m (Floors 18-24), whereas 77m is required; a reduced minimum rear yard depth to stairs leading to underground parking of 3.1m, whereas a minimum of 6m is required; a reduced landscape open space of 27.9%, whereas a minimum of 30% is required; an increased maximum lot coverage of 33.8%, whereas a maximum of 30% is permitted; reduced minimum parking of 283 spaces for all uses, whereas 365 spaces are required; reduced minimum accessible parking of 4 spaces, whereas 10 are required; a maximum building height of 77 metres; and an increased maximum density of 390 units per hectare, whereas 150 units per hectare is the maximum, in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan. The City may also consider additional special provisions and/or the use of holding provisions.

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

Concern for:

Parking:

Concern that the requested reduction in parking would exacerbate the existing parking shortage in the area.

Traffic:

Concern that the intensification will increase traffic in the area.

Loss of privacy:

Concern that the proposed development would result in overlook and loss of privacy for adjacent property owners.

Construction impacts:

Increased heavy vehicle traffic, noise, dust and pollution, and risk to foundations due to excavation.

Building height and shadow impacts:

Concern that the building is too tall and that shadows will affect access to sunlight for adjacent property owners.

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

Telephone	Written
Agnes Murray 603 First Street London, ON N5V 2A3	Ken Easton 622 First Street London, ON N5V 2A2
Shawn Harrington c/o Fanshawe College 1001 Fanshawe College Boulevard London, ON N5Y 5R6	Max Sim
	Kenny Lamizana
	Sara
	Gordon Dirk 645 Ayreswood Avenue London, ON N5V 2A7
	Shawn Harrington c/o Fanshawe College 1001 Fanshawe College Boulevard London, ON N5Y 5R6
	Anthony DiCenzo
	Ashim Nanda 1502 Howland Avenue London, ON N5V 1W7

From: Ken Easton
Sent: Friday, October 23, 2020 12:53 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 1453-1459 Oxford Street

Development Services of London
300 Dufferin Ave.

London, ON

File: OZ9269
Hi Catherine,

Being a business and home owner in the area I would like to express my concerns about the amendment that would reduced the required parking from 365 spaces to 82 spaces.

There is already a severe parking shortage in this area and this would just exacerbate the situation. An 83% reduction in parking is unacceptable and will severely stress the area.

I will appeal any decision not to hold up the required parking allotment.

--

Ken Easton
Beaumart Aluminum Limited
622 First Street
London, ON. N5V2A2

From: Max Sim
Sent: Friday, October 23, 2020 9:17 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 1453-1459 Oxford Street East & 648-656 Ayreswood Avenue

Hey Catherine, can you please send me the file for this project? design brief etc.?

Thanks.

Max Sim,

Dipl. Arch. Tech. B.C.I.N.

From: Lamizana, Kenny Olyvia G.Y
Sent: Monday, October 26, 2020 3:48 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 1453-1459 Oxford Street West & 648-656 Ayreswood Avenue

Good Afternoon,

From my understanding, the Official Plan and Zoning amendments is to allow an 18-storey mixed-use development on lands located at 1453-1459 Oxford Street West & 648-656 Ayreswood Avenue. Would it be possible to get a sun/shadow study to see and determine the impact of shadows cast by the proposed development on the surrounding properties?

Best regards,

Kenny Lamizana

Agent de Planification, Secteur de l'immobilisation, de l'entretien et de la planification
Planning Officer, Building, Maintenance and Planning Department
Conseil Scolaire Viamonde | 116 Cornelius Parkway, Toronto, ON M6L 2K5

From: Sara
Sent: Wednesday, October 28, 2020 2:02 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] OZ-9269

Good afternoon, I recently received the planning application for 1453-1459 Oxford St. I wondered if there was somewhere to look online for details on the planning application and what is going to be built?

Thank you!

DEVELOPMENT SERVICES
CITY OF LONDON
PO BOX 5035
LONDON ON N6A4L9

ATTN: CATHERINE MATON

REF FILE OZ-9269 DATED 21 OCT 2020.

DEAR CATHERINE:

1. I HAVE REVIEWED THE REF FILE AND AM PRESENTING THE FOLLOWING QUESTIONS AND CONCERNS I HAVE. A REPLY TO THESE QUESTIONS AND CONCERNS IS RESPECTFULLY REQUESTED.
 1. WHAT IS THE EXPECTED START AND FINISH DATE OF THE PROJECT?
 2. WHERE WILL THE EXIT AND ENTRANCE BE TO AND FROM THE SITE DURING AND AFTER CONSTRUCTION?
 3. WILL THERE BE A WIDENING OF AYRESWOOD AVE TO ALLOW FOR LEFT AND RIGHT TURN AND AN ACCESS LANE. WILL THERE BE TRAFFIC LIGHTS TO OXFORD ST SHOULD THE ENTRANCE AND EXIT BE OFF AYRESWOOD AVE
 4. WILL THERE BE A PROJECT TO PROVIDE MORE WATER PRESSURE IN THE AREA?
 5. I HAVE SOME CONCERN ON THE HEIGHT OF THE STRUCTURE ESPECIALLY SINCE THE HEIGHT OF BUILDINGS PROPOSED ON THE SOCCER FIELD MAY BE OF GREATER HEIGHTS ALSO

2. AN EARLY REPLY WOULD BE APPRECIATED

SINCERELY,

GORDON A DIRK
645 AYRESWOOD AVE

26 OCT 2020

From: Harrington, Shawn
Sent: Friday, January 22, 2021 9:23 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Zoning Application OZ-9269

Good morning Ms. Maton

I am inquiring about the status of the zoning application noted above. Can you give me a call at your convenience.

Regards,

M. Shawn Harrington, MAATO, CCCA, CFP
Director, Campus Planning and Capital Development

From: Anthony DiCenzo
Sent: Tuesday, March 30, 2021 2:58 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] File Status - OZ-9269 -1453-1459 Oxford Street East & 648-656 Ayreswood Avenue

Good afternoon Catherine,
I am emailing to confirm the file status for OZ-9269. I see there is a Notice of Application filed back in October 22nd, 2020. Could you confirm whether a Public Hearing date has been scheduled for this site and if any Staff Report is available at this time?

Thank you for your help.

From: ashim nanda
Sent: Monday, June 14, 2021 3:05 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Revised planning application file OZ-9269 (Applicant: Red Maple Properties) | Objection Request | Feedback

Dear Catherine Maton,

This is regarding the notice request for feedback on the revised planning application file OZ-9269 (Applicant: Red Maple Properties).

Madam, I am a resident of 1502, Howland Avenue, London N5V 1W7 which is next to the new proposed building site. I am writing this email to express my objection to the zoning law amendment that will allow the construction of 24 stories high-rise building right next to my backyard.

The primary reason for my objection is that the proposed building is next to my backyard and everything in my house will be visible from the windows of the apartments/unit facing in direction of my property. I will lose all my privacy and will feel like being watched all the time by someone. We will never be able to open our windows/blinds.

We are a newly married couple and we bought this property to stay here all the way from Toronto. The thought of being watched all the time and not having a private space in our own backyard & house makes us feel sick.

I hereby, request you to kindly consider my request and defend our right to privacy which is being taken away from us. I have also shared this request with my ward councillor Mohamed Salih.

I hope you will consider our request and help us. If needed kindly feel free to reach me at my phone or respond to this email. I would also like to participate in any future Public Participation Meeting on this amendment. So, please kindly share the invite.

Regards
Ashim Nanda

From: ashim nanda
Sent: Wednesday, June 16, 2021 10:24 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: Re: [EXTERNAL] Revised planning application file OZ-9269 (Applicant: Red Maple Properties) | Objection Request | Feedback

Hi Catherine,

I have been pondering about the other implications which will affect our life by of the construction of 24 story building with reference to file OZ-9269 (Applicant: Red Maple Properties):

Some of the other issues apart from the loss of privacy are listed below:

1. Construction Annoyances such as significantly increased heavy vehicle traffic, all day long loud noises, dust & pollution. All of these combined will degrade the quality of life to a great extent.
2. Because there will be a deep foundation dugout, what will be the impact on the foundation of adjacent houses like mine. Who will be responsible & cover for damages in case of such an event and what will be the compensation plan?
3. Shadows cast by the highrise and intense reflections will be troublesome.
4. Increased traffic in the area, there are many families with small kids in the area adjacent to the proposed construction site.

I request you to kindly add these comments to the file for consideration.

Thank you.

Regards

Ashim Nanda



Delivered by Email cmaton@london.ca

June 16, 2021

Catherine Maton
Development Service
City of London
300 Dufferin Avenue, 6th Floor
London, ON N6A 4L9

Attention: Catherine Maton

**Re: Official Plan and Zoning By-law Amendments (the "Amendments")
1453-1459 Oxford Street East & 648-656 Ayreswood Avenue (the "Subject
Property")
City File – OZ-9269
Applicant – Red Maple Properties**

Fanshawe College ("**Fanshawe**") is a comprehensive college serving the greater London region by providing flexible learning arrangements and experiential education opportunities developed in response to labour market needs. Fanshawe is one of Ontario's largest colleges - with four campuses in London, Simcoe, St. Thomas and Woodstock - Fanshawe serves close to half a million people with a promise to educate, engage, empower and excite.

Fanshawe has a significant presence in the City of London with campuses situated throughout the City including the London Campus located at 1001 Fanshawe College Boulevard situated along Oxford Street East, the Fanshawe Aviation Centre located at the London International Airport, and the Centre of Applied Transportation Technologies located at 1764 Oxford Street East. Our downtown campus includes the Centre for Digital and Performing Arts, School of Information Technology and School of Tourism, Hospitality and Culinary Arts at our two Dundas Street locations. Academic Upgrading and Community Employment Services are provided at our downtown location on Richmond Street at Carling Street as well as our Nelson Plaza location at Clarke Road and Trafalgar in the Argyle region of the City. Situated in south London is Fanshawe's London South Campus located on Wellington Road.

The proposed Amendments have considerable impacts on Fanshawe's main campus situated at 1001 Fanshawe College Boulevard. The Subject Property is situated immediately south of Fanshawe's Campus across from what is known as Fanshawe's Buildings A, B, D and T.

THE SUBJECT PROPERTY AND AMENDMENTS

The Subject Property currently consists of what appear to be detached residential dwellings which is consistent with the general character of the area. The Amendments seek to provide for the development of a 24-storey mixed use building containing 259 residential units and 500 m² of commercial gross floor area on the Subject Property. To accommodate the proposed development on the Subject Property reductions are required to the front yard depth, exterior side yard depth, side yard depth, rear yard depth, reduced landscaped open space, increased lot coverage, reduced parking, increased building height and increased maximum density of 390 units per acre. The Amendments are significant resulting in considerable impacts to the existing neighbourhood.

TRANSIT CORRIDOR AREA

The London bus rapid transit (the "BRT") system is a proposed transportation network running throughout the City's busiest corridors. The east-west corridor of the BRT runs west from the downtown area past Wonderland Road and east to Fanshawe's campus situated along Oxford Road East.

A proposed Transit Corridor station will be situated at Building A on Fanshawe's campus on Oxford Street. The Subject Property is situated approximately 300 metres to the west of the proposed Transit Corridor station.

PROPOSED AMENDMENTS

The proposed Amendments result in an increased density and height that is not consistent with the general nature and character of the area. The proposed 24 storey tower is not in-keeping nor does it reflect any other buildings situated in the general neighbourhood which is primarily low density.

Fanshawe's campus is intentionally developed in such a manner to ensure that its new five storey building (being one of the highest buildings located on the campus) is situated in the middle of the campus away from and off of Oxford Street East. Fanshawe's buildings situated along Oxford Street East are generally low-rise in character with Buildings D and T being the highest building at 3 storeys.

The proposed 259 residential units have a significant impact on Fanshawe's residences that are constructed with the specific intention of being integrated into the college and part of the college experience. The proposed development its size, massing, density and taking into account the location is tantamount to student housing.

Fanshawe's main London Campus has been situated at the Oxford Street East property for a significant period of time being approximately **54** years. The impact of the proposed development on Fanshawe needs to be taken into consideration and mitigation measures implemented to ensure no negative impacts.

Such an intense development is not in-keeping with the character and nature of the surrounding area specifically the Fanshawe College Campus.

FAILURE TO MEET APPROPRIATE POLICY FRAMEWORK

The increased density of the proposed Amendment and its failure to respect the existing character of the area appears to be inconsistent with the Provincial Policy Statement 2020 including but not limited to:

- A. Under section 2 of the *Planning Act* regard must be given to matters of provincial interest including:

- h. the orderly development of safe and healthy communities;
- p. the appropriate location of growth and development; and,

B. Policy 1.0, Building Strong Healthy Communities, the proposed Zoning By-law Amendment fails to take into consideration the impact of the proposed development on the surrounding land use patterns in the area;

C. Policy 1.1.1 of the PPS provides that healthy, liveable and safe communities are sustained by:

- c. avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;

The proposed Zoning By-law Amendment also fails to conform to The London Plan Buildings policies as it relates to the proposed development's scale, massing, materials, relationship to adjacent buildings, and other such form-related consideration, among others.

SUMMARY

The proposed development as set out in the Amendments does not represent an efficient and appropriate use of the Subject Property that is: consistent with the PPS policies supporting intensification and infill development; is not in conformity with the Official Plan; fails to comply with the City's Zoning By-law; does not represent sound land use planning; is not compatible with the surrounding land uses; fails to provide an efficient development in a compact form; and results in adverse impacts to the surrounding area.

Fanshawe, is always, and remains willing to work cooperatively with the applicant, Red Maple Properties, towards a development on the Subject Property in a manner that is consistent with the nature and character of the surrounding area.

Do not hesitate to contact us if you have any questions or wish to discuss this letter in more detail.

Regards,

Shawn Harrington, MAATO, CCCA, CEFPP
Director, Campus Planning and Capital Development
Fanshawe College

Agency/Departmental Comments (Initial Application)

November 11, 2020: Sewer Engineering

SED has reviewed the submitted Servicing Feasibility Study by SBM dated on April 16th, 2020 regarding the servicing proposal of the above-noted lands. Please note:

Based on the report submitted, servicing report indicates that the peak sanitary flow (5.7L/s) based on the increase in population proposed by this development will exceed the capacity of the existing sanitary sewer. SED do not support flows that exceed the conveyance capacity of existing sewer pipe and its constraint. As per City record (18841), It is noted there are constraints downstream in the sanitary system specifically within the 250mm diameter sanitary sewer on Second St. front of area A11 between SA6 , SA5 and SA4 (IBI Design sheet) As such, There is no available capacity for the density is being requested.

The owner will need to address inadequate capacity within the downstream system on Second St, this could be by way of a lower proposed density/population or may require the Applicant upgrade the sanitary sewers. The owner's engineer is to confirm that capacity is available in the sewer on Second St downstream that can accommodate the flows being sought all to the satisfaction of the City Engineer and at no cost to the City.

SED supports a holding provision being applied until the applicant can demonstrate adequate capacity is available all to the satisfaction of Sewer Engineering Division and the City Engineer.

November 17, 2020: Upper Thames River Conservation Authority

Dear Ms. Maton:

Re: Application to Amend the Official Plan and Zoning By-law - File No. OZ-9269
Applicant: Red Maple Properties
1453 to 1459 Oxford Street East and 648 to 656 Ayreswood Avenue,
London, ON

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2020)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the *Planning Act*.

CONSERVATION AUTHORITIES ACT

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

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

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

Thank you for the opportunity to comment.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY

Stefanie Pratt
Land Use Planner

December 3, 2020: Urban Design Peer Review Panel

The Panel provides the following comments on the submission:

- The Panel commends the applicant for providing a design solution which addresses Oxford Street East and Ayreswood Avenue through the following design features:
 - Overall site organization with building frontage located along Oxford Street and Ayreswood Avenue with café, retail, and study space activating the ground floor;
 - Vehicular access off of the Ayerswood cul-de-sac with waste management, surface parking, and underground parking ramp located internal to the site and screened from view;

- Clearly articulated building entrance;
- The Panel recommends further considerations as follows:

Tower

- The Panel is supportive of City policy directing that high-rise buildings be designed with slender towers to reduce shadow impacts, minimize obstruction of sky views, and be less imposing on neighbouring properties and public spaces. The Panel notes that the density being sought, in combination with the height and size of the proposed floor-plates creates an imposing mass. The Panel recommends the following:
 - Avoid slab typology of neighbouring building and reduce tower component to align with City Policy (i.e. tower floor less than 1000m²) and consider best practice in neighbouring mid-size cities in Southern Ontario (e.g. maximum floor plate area of 750-850m² in Kitchener, Burlington, and Hamilton);
 - Consider alternate approaches for distributing or reducing the density to develop a more appropriate building mass and tower form.

Podium

- The panel appreciates the attempt to breakdown the massing of the podium, however, is of the opinion that the masonry surrounds of the balcony insets are too heavy and detract from the desired appearance of an urban storefront condition. The Panel recommends considering a lighter appearance by using more glass and/or increasing the height at the storefront conditions to two-storveys.

Landscape

- The Panel noted discrepancies between the Landscape Plan and renderings and questioned the intent of the landscape approach, including the intensity of planting along Oxford Street where a more urban approach may be desired;
- The Panel recommended developing the Oxford Street landscaping further to take advantage of the wide setback created by the road widening allowance to create a more urban condition along Oxford with a more private Boulevard condition along Ayerswood Ave.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. In accordance with the comments and recommendations above, while the general planning of the site is well-considered, further consideration of the appropriate density and massing is strongly recommended prior to moving forward in the approvals process. The panel looks forward to the proponent's response.

Agency/Departmental Comments (Amended Application)

May 27, 2021: Enbridge Gas Inc.

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.

June 3, 2021: London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

June 18, 2021: Sewer Engineering

- The proposed will result in an additional increase in population going from 8 people to 483 people which will put the existing sanitary sewer downstream on Second Street over 100 % capacity. The servicing report as submitted doesn't

confirm adequate capacity. Under current conditions without this intensification the 250mm diameter sanitary sewer along Second Street is already at 98% flowing full design capacity. This requested intensification will result in a peak flow from the proposed apartment of 5.7L/s which will exceed the available capacity of the existing sanitary sewer. The City is not supportive of using 100% or greater of available pipe capacity. The applicant's engineer should refer to previous SED's comments provided and discussed at consultation stages as those previous comments do not appear to be reflected.

- The owner will need to demonstrate an outlet with adequate available capacity. This could be by way of a lower proposed density/population or may require the Applicant upgrade the sanitary sewers on Second St and downstream system that can accommodate the increases being sought all to the satisfaction of the City Engineer and at no cost to the City.

June 18, 2021: Transportation

- TIA is currently under review by City Staff.
- Right of way dedication of 24.0m from centre line required along Oxford Street
- 6.0m x 6.0m daylight triangle required at Oxford Street East and Ayreswood Avenue intersection corner.
- Detailed comments regarding access design and location will be made through the site plan process.

June 18, 2021: Rapid Transit

- Oxford Street East is a Rapid Transit (RT) Corridor. Construction of this corridor is tentatively scheduled for 2022-2024.
- With the implementation of RT on Oxford Street East, a raised concrete median will be constructed along the centre of the roadway. This median will restrict turning movements at driveways and unsignalized intersections to right-in/right-out only. For this property, that will mean the access restrictions will be right-in/right-out only, and as such should be analyzed further as part of the proposed TIA.
- The preliminary engineering design of the RT system within the immediate area of this property is outlined in the attached EA drawings.
- The preliminary engineering design of the RT system within the immediate area of this property is outlined in the attached EA drawing.

July 2, 2021: Urban Design Peer Review Panel

The Panel noted that this application was previously reviewed by UDPRP in November 2020 and appreciated the Applicant returning to UDPRP for a follow-up review of the revised plan.

- The Panel commended the Applicant for thoughtful modifications to the building design including the changes to the material palette and proportions of the building base to create a more pronounced, active built edge condition along Oxford Street East, across from the Fanshawe Campus and the future BRT Corridor.
- The Panel commended the Applicant for the provision of the significant outdoor amenity area located at Level 4 with strong relation and programming to the adjacent common room and fitness room as indicated on the interior floor plan of the building.
- The Panel also commended the Applicant for reversing the locations of the primary patio areas to be located along Ayerswood Avenue as opposed to Oxford Street East, resulting in a more private street frontage while still activating the ground floor uses of the building. In doing so, softening of the podium base and transition to human scale are achieved through the provision of knee walls with enhanced landscaping serving to activate the streetscape and reinforce programming of the patio areas.

- The Panel did question the design of the proposed building cap and suggested it be reconsidered to present a more subtle building top that is more seamlessly integrated into the overall building form.
- Moving forward, as the design is further refined to a site plan stage, consideration should be given to provision of appropriate soil volumes for trees as a large portion of the outdoor street frontages are proposed to be hard surfaced. As such, structural soil cells maybe a commendable design consideration to ensure long term longevity and tree health.
- It was further recommended that the Applicant and City work together to fully understand and reconcile any conflicts between the proposed ROW improvement for the BRT project and the front yard/boulevard landscape strategy for this project, noting that the future implications/interface was somewhat unclear.

Density/Massing:

- The Panel commended the Applicant for architectural changes that have helped to further break down and redistribute the building massing in a manner that attempts to integrate with the adjacent neighbourhood areas, the existing building to the east and the future context of the rapid transit corridor.
- Some panelists remained concerned about the overall volume and mass of the building relative to the planned context of the area and City policies regarding building height and massing along the rapid transit corridor. The Panel recommended the City and Applicant continue to work to reduce the overall volume of the building in line with the policies for the Rapid Transit Corridor outlined in the London Plan to ensure the building remains appropriate relative to the future context and the massing is not imposing or out of place.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief and the Applicant presentation. It is intended to inform the ongoing planning and design process and the City review of the application. The Panel reinforced that the over site design is well-considered, and the revised architectural design has resulted in a more fitting. Previously noted concerns about the density and massing remain, though have been somewhat mitigated by the revised architectural design. The Panel looks forward to the proponent's response.

July 23, 2021: Urban Design

- Urban Design staff have reviewed the submitted site development concept and elevations for the zoning by-law amendment application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel (UDPRP):
- The applicant is commended for providing a site and building design that incorporates the following design features; an active built form along both the Oxford and Ayerswood street edges, creation of a distinct base with an animated multi-storey podium wrapped by active uses and creative high quality material usage; locating primary patio areas along Ayerswood Avenue; outdoor amenity areas at podium level adjacent to amenity rooms; locating the majority of parking underground and structured within the building.
- This site is located partially within the Rapid Corridor Place Type in The London Plan [**TLP**] along a Rapid Transit Corridor which contemplates a high-rise built form of maximum building height-12 storeys with bonus. As this proposal contemplates a bonus zone, please provide elevations for all four sides of the building and include proposed materials, details and dimensions for articulation (recesses, projections, stepbacks, etc). Further comments regarding the design of the building may follow upon receipt of the drawings. Ensure the refined design incorporates the following:
- **Building Design:**
 - The overall volume, massing and height of the proposed building is beyond the policy framework of **TLP** and shall be reduced from 24 storeys to a maximum of 12 storeys in line with the form and intensity policies of

Rapid Transit Corridor Place Type. This height should only be achieved in exchange for the commensurate provision of public benefit.

- Identify and include the bonusable features for public benefits in the proposal.
- Ensure a 1-2m setback from the Oxford Street frontage in order to avoid encroachment of building elements such as canopies, opening of doors, etc...
- Consider designing the units and internal program to be flexible to convert from student residences to non-student apartments in order to be resilient to market changes.
- **Tower Design**
 - Design the tower floorplate (above 8 stories) as a slender point tower (maximum floor plate size of up to 1000 square meters with the mass focussed along Oxford Street to reduce the "slab-like" appearance of the towers, wind tunnel effects, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces.
 - Reduce the mid-rise portion to be a maximum of up to 8 stories with terracing and step-backs to reduce the shadow impacts and visual mass and to allow sunlight penetration to the streetscape.
 - Provide a step back above the lower levels (floor 3-4) on a minimum of 3 meters to create a human-scale streetwall along the public streets.
 - Provide a more sympathetic transition to low-density forms by lowering the rear portion of the building to be 8 stories or less, in keeping with a mid-rise form to reduce the visual mass and privacy impacts to the single family homes to the south.
 - Design the tower to include a high degree of glazing and fenestration in order to add interest and break-up the massing of the buildings.
 - Design and distinguish the top of the building through an articulated roof form, step-backs, cornices, material change and/or other architectural details and screen/integrate the mechanical and elevator penthouses into an architecture of the building.
- **Site Design:**
 - Provide for an urban (hardscaped) streetscape treatment with large trees in planters in the ROW between the building and Oxford Street East. Ensure provision of appropriate soil volumes(e.g. structural soil cells) within this outdoor hardscaped street frontages for long term longevity and tree health.
 - Provide an adequately sized outdoor amenity space in addition to the proposed amenity areas(fourth level) for the number of units particularly as there is no private amenity spaces (e.g. Balcony) in the building.
 - Ensure any parking areas exposed to the street are screened with a combination of landscaping and low landscape walls coordinated with the materials of the building.

August 5, 2021: Heritage and Archaeology

This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment requirements for (OZ-9269).

- Lincoln Environmental Consulting Corp. *Stage 1-2 Archaeological Assessment of 1453-1459 Oxford Street East and 648-656 Ayreswood Avenue [...]* Middlesex County, Ontario (PIF P344-0348-2019), January 2020

Please be advised that heritage planning staff recognizes the conclusion of the report 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, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received (*without technical*

review), dated Jan 10, 2020 (MHSTCI Project Information Form Number P344-0348-2019, MHSTCI File Number 0011464).

Archaeological conditions can be considered satisfied for this application.

September 1, 2021: Transportation (Updated)

The TIA was reviewed and there were no further comments.

September 1, 2021: Landscape Architecture

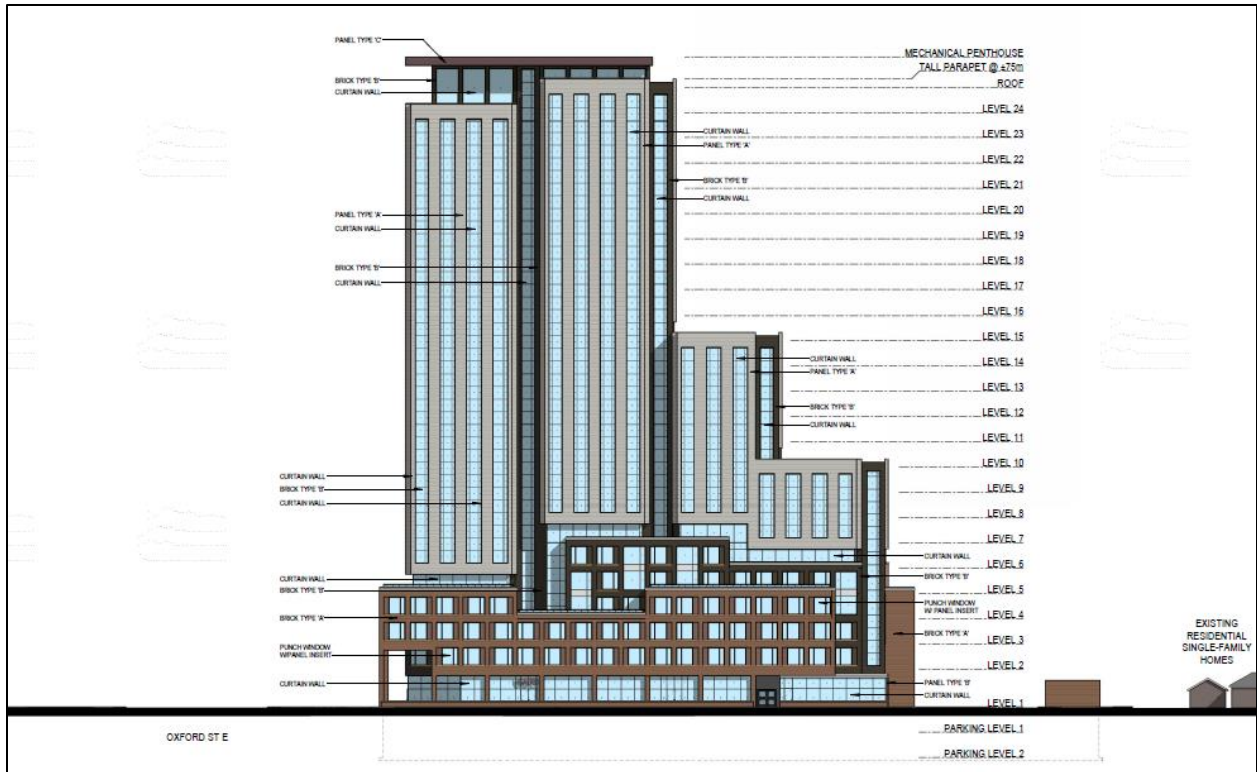
LPAT Order April 2021, approved LP Policy 399 that addresses replacement trees on development sites. CoL does not have a bylaw yet established to calculate the cash-in-lieu.

1. Development and Planning has reviewed the Tree Protection Plan and Report prepared by RKLA for 1453-1459 Oxford Street East and 648-656 Ayreswood Avenue. We have no concerns with regard to the completeness and accuracy of the tree inventory and assessment.
2. As noted in the report, the applicant will need to contact Forestry Operations, trees@london.ca, to remove tree #1317 that is growing in the Ayreswood Ave road allowance. All trees 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
3. A large number of trees are being removed from the site, a total of 1321cm dbh. London Plan Policy 399 4b requires 1 replacement tree to be planted for every 10cm dbh removed for development. Based on this number 132 trees need to be planted on the site. If the site can not accommodate this number of trees cash-in-lieu can be applied

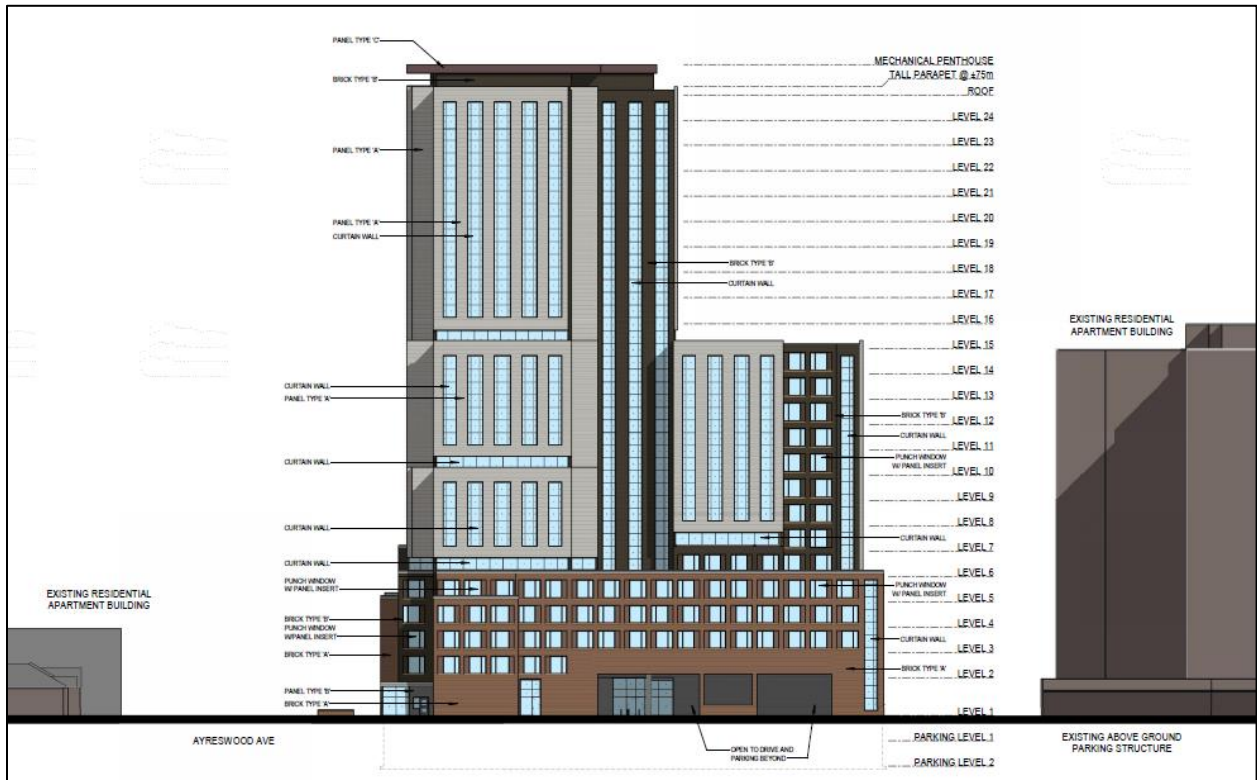
October 15, 2021: Site Plan

Based on the latest submission for special provisions and the provide SP I can offer the following comment:

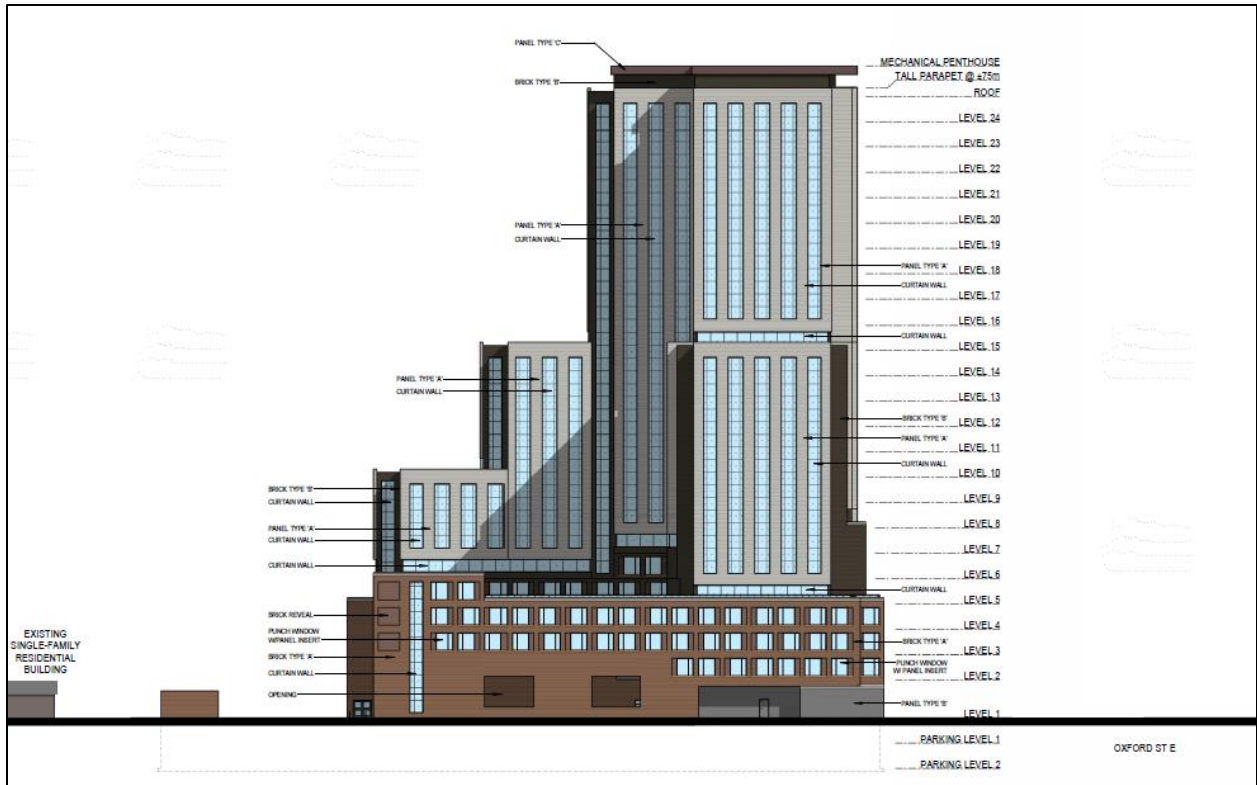
- The reduced setbacks requested for interior and rear yard, in addition the reduce landscaped open space do not allow for the required perimeter plantings under the Site Plan Control By-law. This is a concern both from a policy perspective (stated goals of tree canopy) and function (quality living environment for future residents).



Ayreswood Street (west) elevation

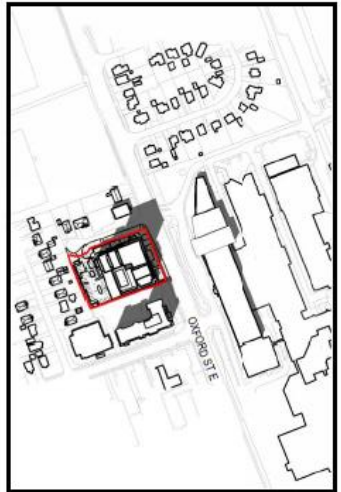


Rear (south) elevation

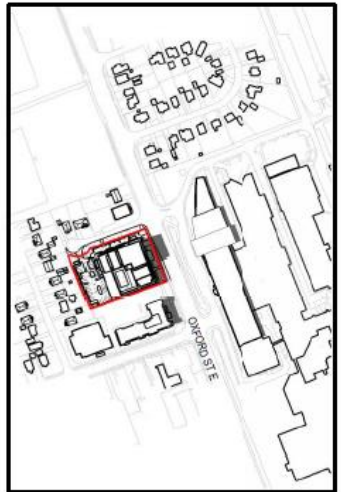


Side (east) elevation

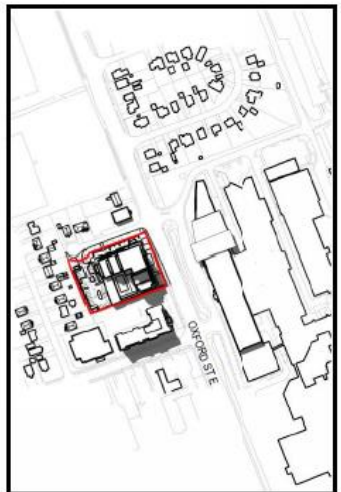
Appendix C – Shadow Study Images



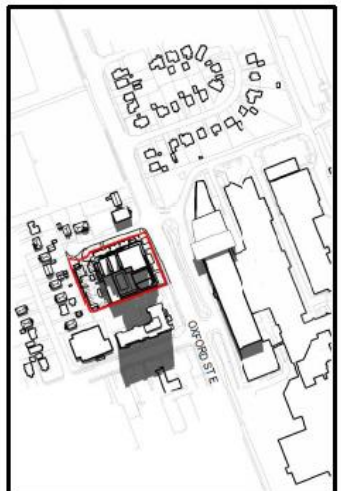
June 21 - 10am



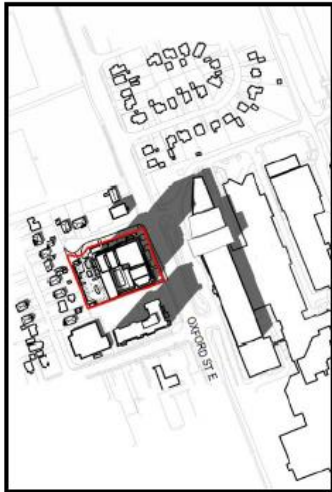
June 21 - 12pm



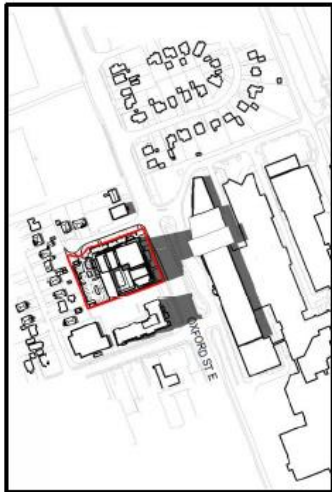
June 21 - 2pm



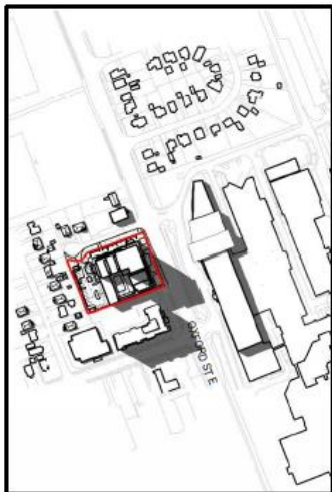
June 21 - 4pm



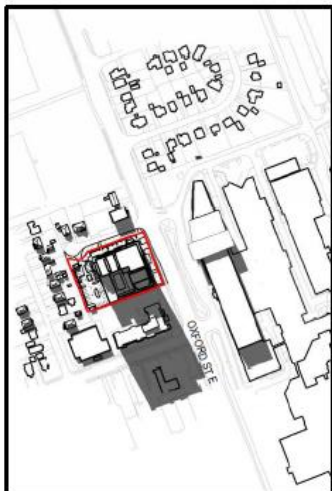
Mar/Sept. 21 - 10am



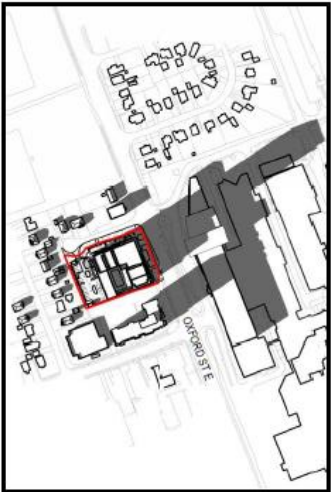
Mar/Sept. 21 - 12pm



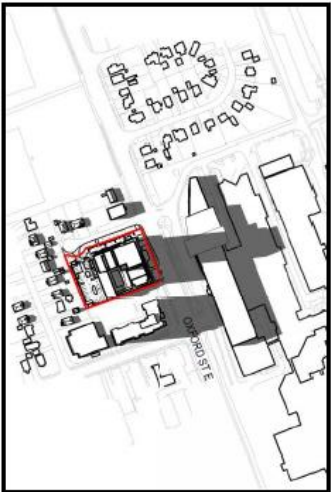
Mar/Sept. 21 - 2pm



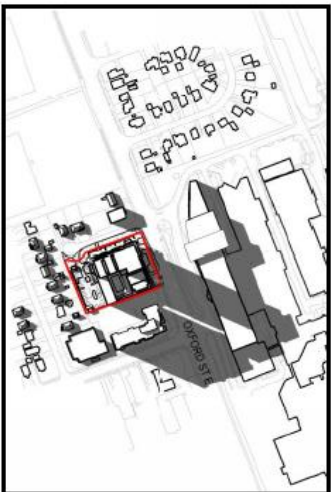
Mar/Sept. 21 - 4pm



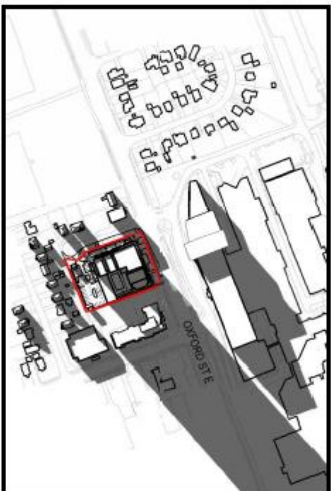
Dec. 21 - 10am



Dec. 21 - 12pm



Dec. 21 - 2pm



Dec. 21 - 4pm

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)

1.1.1 b)

1.1.1 e)

1.1.3 – Settlement Areas

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.2 – Coordination

1.2.4

1.2.5

Section 1.4 – Housing

1.4.3

1.6 – Infrastructure and Public Service Facilities

1.6.1 b)

1.6.7.4

Section 1.7 – Long Term Economic Prosperity

1.7.1 a)

1.7.1 b)

1.7.1d)

1.7.1 e)

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 55_ Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 57_ Our Strategy, Key Directions, Direction #3 Celebrate and Support London as a Culturally Rich, Creative, and Diverse City

Policy 59_ Our Strategy, Key Directions, Direction #5 Build a Mixed-Use Compact City

Policy 60_ Our Strategy, Key Directions, Direction #6 Place a New Emphasis on Creating Attractive Mobility Choices

Policy 61_ 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

193_ City Building Policies, City Design, What Are We Trying to Achieve?

252_ City Building Policies, City Design, Site Layout

253_ City Building Policies, City Design, Site Layout

289_ City Building Policies, City Design, Buildings

293_ City Building Policies, City Design, Buildings

807_ Place Type Policies, Transit Village, Role Within the City Structure

*813_ Place Type Policies, Transit Village, Intensity

815C_ Place Type Policies, Transit Village, Transit Village Protected Major Transit Station Areas

827_ Place Type Policies, Rapid Transit and Urban Corridors, Our Vision for the Rapid Transit and Urban Corridor Place Types

830_ Place Type Policies, Rapid Transit and Urban Corridors, How Will We Achieve Our Vision?

833_ Place Type Policies, Rapid Transit and Urban Corridors, Interpretation of Corridor Place Type Boundaries

834_ Place Type Policies, Rapid Transit and Urban Corridors, Interpretation of Corridor Place Type Boundaries

835_ Place Type Policies, Rapid Transit and Urban Corridors, Interpretation of Corridor Place Type Boundaries

*837_ Place Type Policies, Rapid Transit and Urban Corridors, Permitted Uses

*840_ Place Type Policies, Rapid Transit and Urban Corridors, Intensity

841_ Place Type Policies, Rapid Transit and Urban Corridors, Form

860A_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas

860B_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas

860C_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas

860D_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas

860E_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas

860F_ Place Type Policies, Rapid Transit and Urban Corridors, Rapid Transit Corridor Protected Major Transit Station Areas

963_ Place Type Policies, Neighbourhoods Place Type, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood

964_ Place Type Policies, Neighbourhoods Place Type, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods

965_ Place Type Policies, Neighbourhoods Place Type, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods

969_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Intensification and Increases in Residential Intensity in the Neighbourhoods Place Type Within Near-Campus Neighbourhoods

*1649_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 2 Bonus Zoning

*1650_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 2 Bonus Zoning

*1652_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 2 Bonus Zoning

*Table 9

*Map 1 – Place Types

Map 3 – Street Classifications

*Map – Specific Area Policies

Map 10 – Protected Major Transit Station Areas

Official Plan (1989)

Chapter 3 – Residential Land Use Designations

3.1 – Objectives for Residential Land Use Designations

3.1.1 General Objectives for All Residential Designations

3.1.2 – Low Density Residential Objectives

3.1.4 – Multi-Family, High Density Residential Objectives

3.2 – Low Density Residential

3.2.1 – Permitted Uses

3.2.2 – Scale of Development

3.2.3 – Residential Intensification

3.2.3.2 – Definition

3.2.3.2 – Density and Form

3.4 – Multi-Family, High Density Residential

3.4.1 – Permitted Uses

3.4.2 – Locations

3.4.3 – Scale of Development

3.5.19 – Policies for Near-Campus Neighbourhoods

3.5.19.3 – Vision for Near-Campus Neighbourhoods

3.5.19.4 – Land-Use Planning Goals for Near-Campus Neighbourhoods

3.5.19.5 – Encourage Appropriate Intensification

3.5.19.6 – Directing Preferred Forms of Intensification to Appropriate Locations

3.5.19.9 – Multi-Family, Medium Density Residential and Multi-Family, High Density Residential Designations

3.7 – Planning Impact Analysis

Chapter – Urban Design Principles

Schedule ‘A’ – Land Use

Schedule ‘C’ – Transportation

Figure 3-1 – Near-Campus Neighbourhoods Area

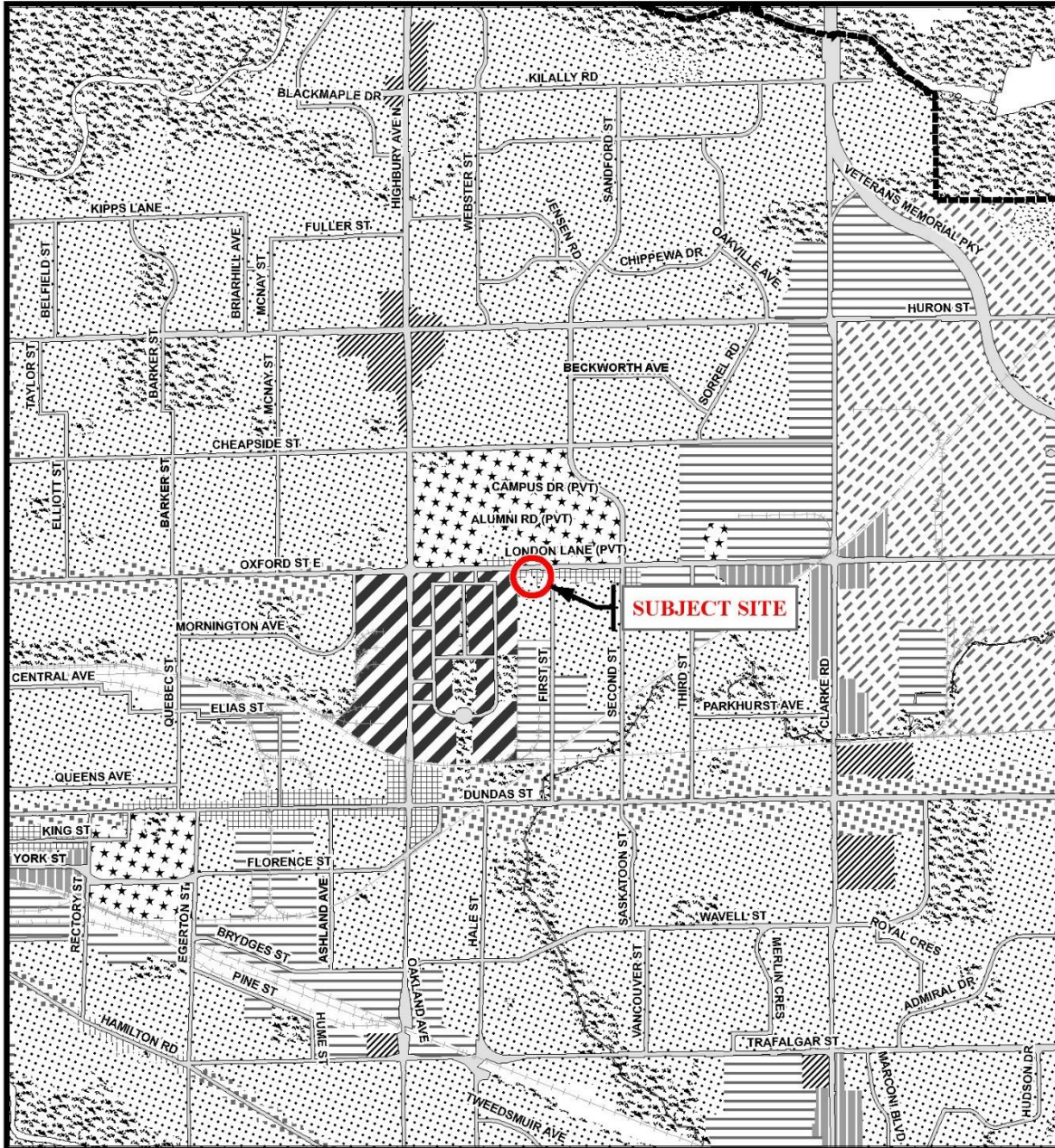
3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is not contemplated in the current Low Density Residential designation. The use is contemplated in the proposed MFHDR designation, however it exceeds the contemplated scale and density which is likely to present impacts on present and future land uses in the area, including the existing low density residential 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 is of an adequate size and shape to accommodate higher densities. However, the proposed intensity results in a number of special provisions, an indicator of over-intensification. Of the special provisions needed to accommodate the proposed development is a reduced side yard setback of 0.9 metres, which offers little opportunity for planting and buffers.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	Vacant land exists to the west of the site, at the southeast intersection of Oxford Street East and Highbury Avenue North, on the former London Psychiatric Hospital lands.

<p>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;</p>	<p>The site is not in immediate proximity to public open space and recreational facilities or community facilities. The Stronach Recreation Centre is located further north of the site at Cheapside Street and Sandford Street. Transit services are both existing and planned along Oxford Street East, by way of existing bus stops at Fanshawe College and the planned BRT system.</p>
<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 proposed development is in an area in need of affordable housing units and would provide for a mix of housing types. Affordable housing is proposed as part of the bonus zone, however an agreement has not been made with HDC.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>Staff have major concerns with the height of the proposed building. While a varying heights are provided to offer a transition from adjacent properties, the proposed 9, 14, and 24 storey components are all considered tall buildings. There is no mid-rise form provided at the rear to offer a more sympathetic transition for the existing low rise residential neighbourhood.</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>The proposed development provides very little space on site for landscaping and screening. There is no outdoor amenity space provided at grade, aside from hardscape patios. The requested side yard setback is insufficient to accommodate plantings and meaningful buffers. Some tree planting may be achievable along the south property between the proposed surface parking and existing low density residential.</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>Vehicular access is proposed from Ayreswood Avenue, a local street with a cul-de-sac. A Transportation Impact Assessment (TIA) was provided as part of the application submission. Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage. The TIA was accepted and no further comments provided.</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>Urban Design staff commend the applicant for incorporating an active built form along both the Oxford and Ayerswood street edges, creation of a distinct base with an animated multi-storey podium wrapped by active uses and creative high quality material usage; locating primary patio areas along Ayerswood Avenue; outdoor amenity areas at podium level adjacent to amenity rooms; locating the majority of parking underground and structured within the building. However, a number of revisions to the building, tower, and site design were recommended, which have not been addressed to date. Staff have concerns that the bulk and scale of the building would result in over-development and impacts on present and future land uses in the area.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>No natural heritage features are present that will be affected by the proposed development.</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>Noise from the arterial road would be required to be addressed through a future Site Plan Approval process.</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 does not conform to the policies of the 1989 Official Plan or The London Plan. A number of special provisions to the proposed R9-7 Zone are required to facilitate the proposed development, with respect to setbacks, parking, building coverage, landscaped open space, height, and density. The proposed setback reductions lend little opportunity for permitter plantings, in conformity with the Site Plan Control By-law.</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>Limited tree planting and landscaping is proposed to mitigate adverse impacts on surrounding land uses. While the tallest portion of the tower has been oriented towards the corner, staff remain concerned that the volume and bulk of the proposed building will have negative impacts on the surrounding neighbourhood and have not been sufficiently addressed.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands facilitates a transit-oriented development. Notwithstanding the requested parking reduction, no major impacts on the transportation system or transit are anticipated.</p>

Appendix E – Relevant Background

Additional Maps



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.

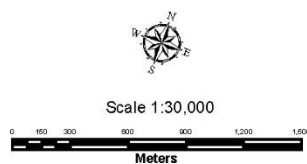
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services

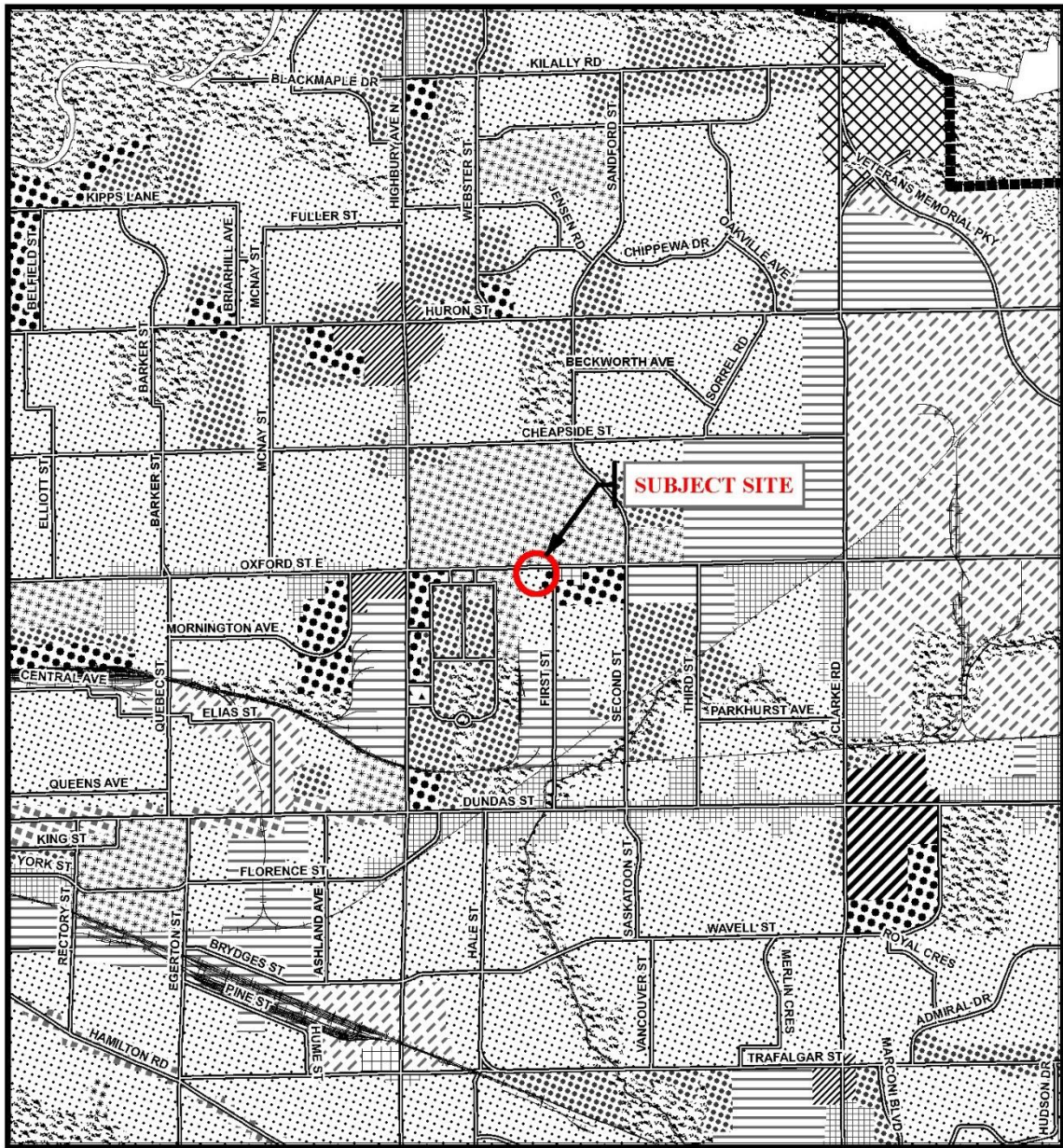


File Number: OZ-9269

Planner: CM

Technician: RC

Date: October 20, 2021



Legend

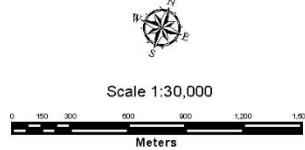
- | | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New Format 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
- LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-9269

PLANNER: CM

TECHNICIAN: RC

DATE: 2021/10/20



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9269

CM

MAP PREPARED:

2021/10/20

rc

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Meters