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: 2831570 Ontario Inc. c/o Scott Allen, MHBC

3103 Petty Road and 3047 White Oak Road

Meeting on: November 22, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development with respect to the application of 2831570 Ontario Inc. relating to the property located at 3047 White Oak Road, the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 7, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R1 (R1-10) Zone, **TO** a Holding Residential R1/Residential R6 Special Provision Residential R8 Bonus (h*h-100*h-161*h-227*R1-10/R6-5(59)/R8-4(46)*B60) Zone.

Executive Summary

Summary of Request

The requested amendment will permit three (3) buildings containing 33 dwelling units, within multiple townhouses with a new private road providing access from Petty Road.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to zone the lands at 3047 White Oak Road to permit townhouse dwellings. It is the intention of the applicant to consolidate these lands with the adjacent lands, Block 74 of Registered Plan 33M-795, to allow for the development of three multi-unit buildings to create 33 townhouse dwelling units in the Whiterock Village subdivision.

Rationale of Recommended Action

- The recommended amendment is consistent with and will serve to implement the
 policies of the Provincial Policy Statement, 2020 which encourage infill and
 intensification and the provision of a range of housing types, and efficient use of
 existing infrastructure.
- 2. The proposed residential uses and scale of development are consistent with the policies of the London Plan, the 1989 Official Plan, the Southwest Area Secondary Plan and the North Longwoods Area Plan policies.
- 3. The subject lands are of a suitable size and shape to accommodate the development proposed.

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

Background Information

1.1 Previous Reports Related to this Matter

May 12, 2003 – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

April 26, 2010 - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

June 4, 2019 - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980).

1.2 Planning History

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharncliffe Road South, Southdale Road East, White Oaks Road, and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area and re-designated the lands from "Urban Reserve – Community Growth". At the time, the subject site was designated as "Restricted Service Commercial".

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The subject site appears to have been redesignated through the SWAP. The lands are currently designated Low Density Residential.

A draft plan of subdivision (file 39T-18505/1/Z-8980) was submitted for the lands located at 3087 White Oak Road (to the north of the subject site) on December 10, 2018. Municipal Council approved the plan and the associated zoning by-law amendment, and the Approval Authority granted draft approval on July 22, 2019. The approved draft plan consists of 72 single detached lots, 2 medium density blocks, 2 future development blocks, 3 road widening blocks, and 2 x 0.3m reserves, all serviced by the extension of four existing public streets (Petty Road, Bateman Trail, Lemieux Walk, and Biddulph Street).

The subject site encompasses 3047 White Oak Road and Block 74 in registered plan 33M-795.

1.3 Property Description

The property at 3047 White Oak Road is situated on the west side of White Oak Road south of Southdale Road. This vacant rectangular property has approximately 35 meters of street frontage onto White Oak Road and a lot depth of approximately 58 meters. The White Oak Road frontage of the property is divided into two by a London Hydro substation and associated hydro poles.

The subject site also includes a portion of the draft approved plan of subdivision 39T-18505 (Block 74), which is currently vacant. The total area of the two properties is

approximately 6,932.5 m² (74,620.81 ft²). Access to these lands is also available from Petty Road.

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

- Official Plan Designation Low Density Residential
 The London Plan Place Type Neighbourhoods Place Type
- Existing Zoning Residential R1 (R1-10) Zone

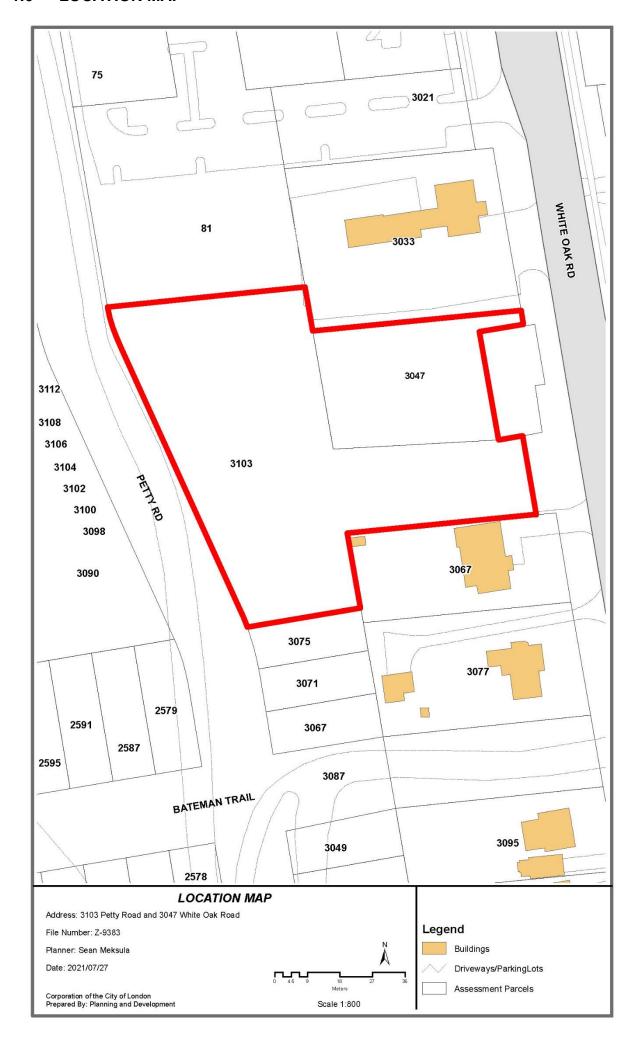
1.4 **Site Characteristics**

- Current Land Use single detached dwelling
- Frontage approx. 35 m (114.8 ft) along White Oak Road
- Depth approx. 58 m (190.28 ft)
- Area 1,622.4 m² (17,355.73 ft²)
- Shape rectangular

Surrounding Land Uses 1.5

- North –residential
- East residential
- South residential
- West residential

1.6 LOCATION MAP



2.0 Discussion and Considerations

2.1 Development Proposal

The subject site includes Block 74 from Registered Plan 33M-795 (see subject site below). In total, the consolidated site would measure approximately 6,932.5 m² (74,620.81 ft²) in area and would have approximately 51.5 m of frontage on Petty Road.

The applicant is proposing to develop the site with 33 townhouse units contained in 3 buildings all separated by internal roads (see below). Access to the development will be internal to the subdivision from Petty Road. The site contains 3 landscaped amenity areas for the residents that will also provide additional privacy and buffering from abutting uses.

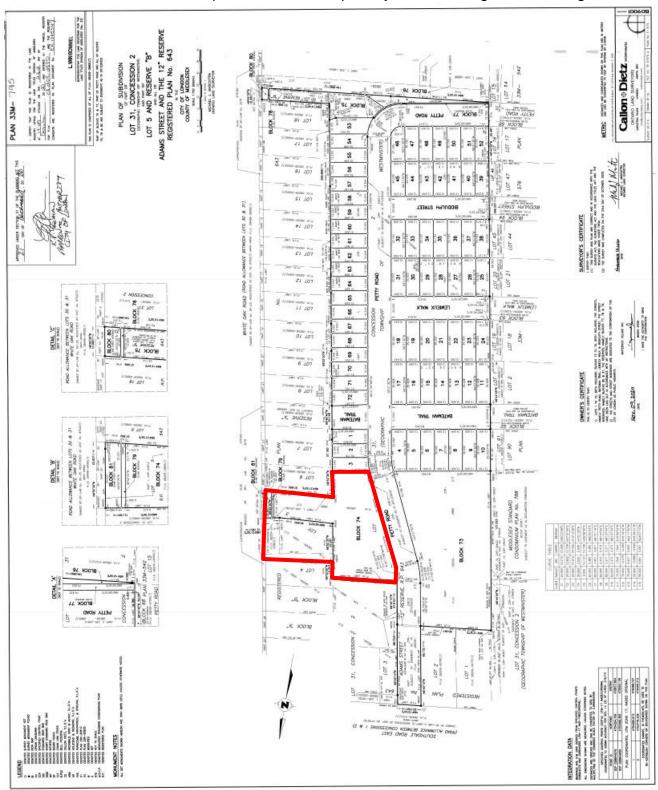


Figure 1 – Registered Plan 33M-795

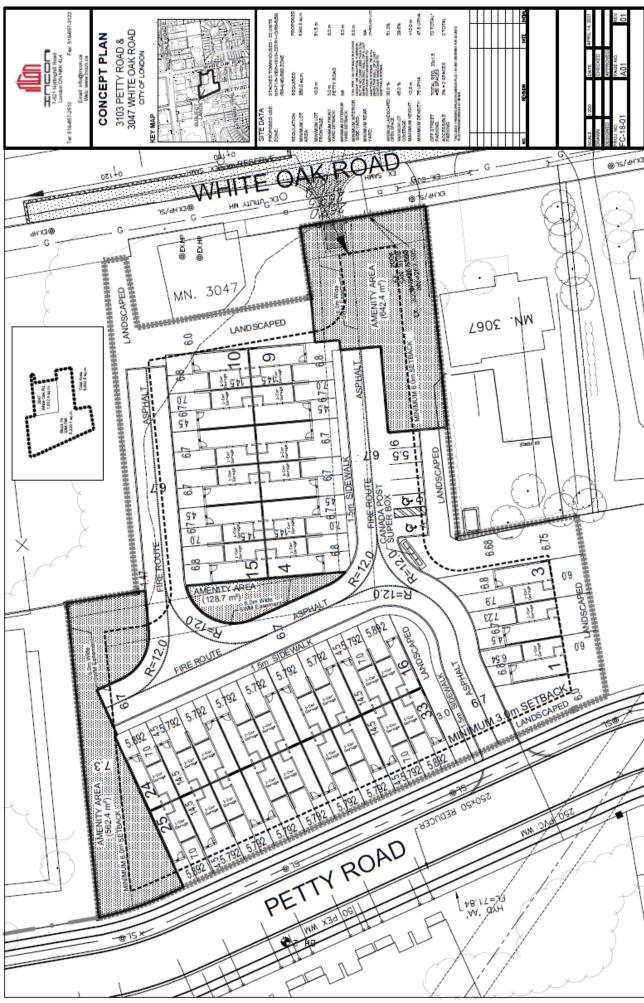


Figure 2 - Concept Plan

The Applicant has requested a zoning amendment for the consolidated subject site to permit single detached dwelling, semi-detached dwelling, duplex dwelling, Triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment buildings, and fourplex dwellings. The requested zones are consistent with the zone applied to Block 74 in the Whiterock Village to permit the proposed townhouse development. These zones include special provisions to ensure the front lot line shall be interpreted as Petty Road with a minimum front yard depth 3m (9.8ft) and a maximum density of 75 units per hectare.

The Bonus Zone B60, is intended to facilitate a high-quality development which substantively implements through the required development agreement(s), the Site Plan, Elevations and Concept Landscape Plan. Enhanced landscaping along White Oak Road with wrought iron (or similar) fencing and provision of a pedestrian pathway from Petty Road to White Oak Road.

3.0 Financial Impact/Consideration

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

4.0 Key Issues and Considerations

The proposed Zoning By-law Amendment was evaluated to determine whether it was compatible with the surrounding neighbourhood.

4.1 Requested Amendment

The Applicant has requested a zoning by-law amendment to zone the lands to a Holding Residential R1/Residential R6 Special Provision Residential R8 Bonus (h*h-100*h-161*h-227*R1-10/R6-5(59)/R8-4(46)*B60) Zone to the subject site. The Zone is consistent with that applied to Block 74 for the proposed townhouse dwellings within the Whiterock Village subdivision. The zone will permit the development of townhouse dwellings, with a special provision to ensure the frontage of the site is defined as Petty Road and will have a minimum front yard depth 3 meters (9.8ft) and a maximum density of 75 units per hectare.

4.2 Community Engagement (see more detail in Appendix B)

The requested amendment was circulated to the public on August 4, 2021 and advertised in the Londoner on August 5, 2021. At the time of preparation of this report, one (1) response was received from the public in response to the Notice of Application and The Londoner Notice. Comments/concerns received from the community are generally summarized as follows:

- It was agreed not to rezone around our existing property and only single-family homes comparable to our home and other homes on White Oak Road would be built.
- We were concerned at that time and apparently still need to be concerned about our property values when we receive mail such as this from you.
- I will not agree with this amendment and there is no reason at all to grant this amendment.
- Why not place these townhomes in an area where there are more amenities such as grocery and/or convenience stores?
- This is not keeping with your promise.
- The residents of White Oak Road agree that the same type of single-family homes need surround our existing homes.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

4.3 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (PPS), 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The proposed development meets objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient and resilient development patterns and accommodating an appropriate range and mix of low and medium density residential uses to meet long-term needs. These lands are adjacent to existing built-up areas to the north and west and located within the City's Urban Growth Boundary. Development will efficiently utilize full municipal services which are currently available, under construction, or will be available through future extension.

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 also provides direction to build strong, healthy, and attractive neighbourhoods for everyone by designing complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services. (61_2)

The subject lands are located within the *'Neighbourhoods' Place Type in the London Plan and are located on a future Neighbourhood Street. The subject site's location on a *Neighbourhood Street permits a range of housing types, in a form that can townhouse dwellings up to *2.5 storeys.

*Use

The recommended amendment to permit the development of single detached dwellings is consistent with the vision of the Neighbourhoods Place Type (*Table 10). Townhouse dwellings are a permitted use along neighbourhood streets.

*Intensity

*Policy 935_ 1. and *Table 11 provides the range of permitted heights in the Neighbourhoods Place Type based on street classification. A maximum height of 2.5 storeys is supported. The Applicant has indicated these townhomes will generally be two storeys in height. Overall, the proposed two storey height of this development meets the intensity requirements for the subject site.

*Form

*Policy 936_ discourages rear lotting and noise walls to protect amenity areas. The proposed uses will not rear lot or side lot onto White Oak Road. The design of the lots will be in keeping with similar proposed single detached dwellings. A special provision to discourage garage dominated streetscapes will be implemented.

The London Plan policies are in addition to the Southwest Area Secondary Plan ("SWAP") policies that also provide guidance on form issues, such as building form, parking locations, landscaping, etc. When considering the two policy documents, the more detailed or alternative policy direction in SWAP would supersede the policies in the London Plan.

1989 Official Plan

The subject site is located within the Multi-family, Medium Density Residential (MFMDR) designation in the 1989 Official Plan. The MFMDR permits a range of low to mid-rise

residential uses. The site is also within the North Longwoods Community Specific Policy Area which addresses compatibility between sensitive and industrial uses. The subject site is outside of the 300m range affected by existing industrial uses.

The requested Zoning By-law Amendment is subject to the requirements of a Planning Impact Analysis ("PIA"). The proposed townhouse dwellings provide a housing form that is compatible with the planned surrounding residential land uses. The subject site is of a sufficient size and configuration to accommodate the proposed development when combined with Block 74. The proposed development meets or exceeds the minimum requirements in the R1-10/R6-5/R8-4 Zones. The proposed low-rise form is consistent with the height requirements of the Official Plan. The subject site is removed from any natural heritage features. The development proposal will serve to strengthen the future transit and transportation system for the area.

Southwest Area Secondary Plan

Both The London Plan and the 1989 Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558*). The subject site is within the North Longwoods Residential Neighbourhood, and within the Multi-family Medium Density Residential (MFMDR) designation. The Secondary Plan serves as a basis for the review of planning applications, which will be used in conjunction with the other policies of the Official Plan. Residential areas are to accommodate a diversity of dwelling types, building forms and heights, and densities in order to use land efficiently, provide for a variety of housing prices, and to allow for members of the community to "age-in-place".

The SWAP Medium Density Residential designation is intended to provide for a higher intensity of residential development than typically occurs in traditional medium density areas. This is achieved by requiring a minimum density of development and encouraging the integration of the permitted range of housing types within individual developments and with the adjacent developments within the Neighbourhood Area. The applicant is proposing a density of 47.5 uph.

SWAP further encourages enhanced pedestrian design and building heights to be less than six storeys. From an urban design perspective, the applicant will be required to provide enhanced side elevations for units 1, 9, 10, 25 and additional projections, wraparound elements, etc. The inclusion of safe sidewalk connections for all units, including walkway access to White Oak Road, will be provided during the Site Plan process. The applicant is proposing townhouse units less than 3 storeys in height.

Zoning By-law No.Z.-1

The subject site is currently zoned Residential R1 (R1-10), which permits single detached dwellings on lots with a minimum frontage of 22 metres and a minimum lot area of 925 square metres.

Block 74 of the White Rock Subdivision is currently zoned with Residential R6 Special Provision/ R8 Special Provision R6-5(59)/R8-4(46) Zone. The Residential Special Provision R6/R8 R6-5(59)/R8-4(46) Zone provides for and regulates medium density residential development on the lands. The Applicant has requested a zoning amendment for the consolidated subject site to permit single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment buildings, and fourplex dwellings. The requested zone is consistent with the zone applied to Block 74 in the Whiterock Village to permit townhouse dwellings. The zone includes special provisions to ensure the front lot line shall be interpreted as Petty Road with a minimum front yard depth of 3m (9.8ft) and a maximum density of 75 units per hectare.

The Bonus Zone B60, is intended to facilitate a high-quality development which is

substantively implemented through the required development agreement(s), the Site Plan, Elevations and Concept Landscape Plan. These will include enhanced landscaping along White Oak Road accompanied with a wrought iron or similar fencing, provision for a pedestrian pathway from Petty Road to White Oak Road, the lot frontage to be interpreted as Petty Road, a minimum front yard depth 3 meters (9.8ft), a maximum density of 75 units per hectare and a maximum height of four storeys 16 meters (52.5 ft) for apartment buildings.

The Applicant requested the Residential R1-10 Zone be retained on 3047 White Oak Road to ensure a single detached dwelling could be constructed on the lands if the townhouse development does not proceed. Staff feel the retention of the R1-10 zone for the existing lands is appropriate and would not require a zoning by-law amendment in the future if circumstance were to change. The existing holding provisions and bonus zone that were added to the Zone through the subdivision application process will be retained for the subject site.

4.4 Planning Impact Analysis

As per Section 3.7 in the Official Plan, where a zone change application is being considered, a variety of criteria may be considered when evaluating the proposal with respect to the appropriateness of a change in land use, and in minimizing potential adverse impacts on abutting uses. The proposed Zoning By-law Amendment is consistent with Section 3.7 as:

- the proposed use of the lands, being townhouse dwellings, was contemplated through the subdivision process, and is compatible with surrounding uses.
- the lots created through the Plan of Subdivision are of sufficient size and shape to accommodate the proposed use.
- the intensity of the use is not being increased as part of this application. The form as proposed will not create impacts on surrounding land uses.
- the proposed multi-family medium density residential development is located in close proximity to a future park and public open space opportunities, as well as the Primary Transit Area, and two transit stops.
- no potential impact is anticipated on surrounding natural features and heritage resources.

Conclusion

The recommended zoning by-law amendment is consistent with the Provincial Policy Statement, 2020, the Official Plan, and is in keeping with the London Plan. The proposed addition of the Residential R6 Special Provision/ Residential R8 (R6-5/R8-4) Zones will implement an appropriate housing form that is consistent with the 1989 Official Plan, The London Plan and SWAP policies. The subject lands are of a suitable size and shape to accommodate the development proposed through a future assembly of these lands.

Prepared by: Sean Meksula, MCIP, RPP

Senior Planner, Subdivision Planning

Reviewed by: Bruce Page, MCIP, RPP

Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP

Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.

Deputy City Manager,

Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

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cc: Michael Pease, Manager, Site Plan

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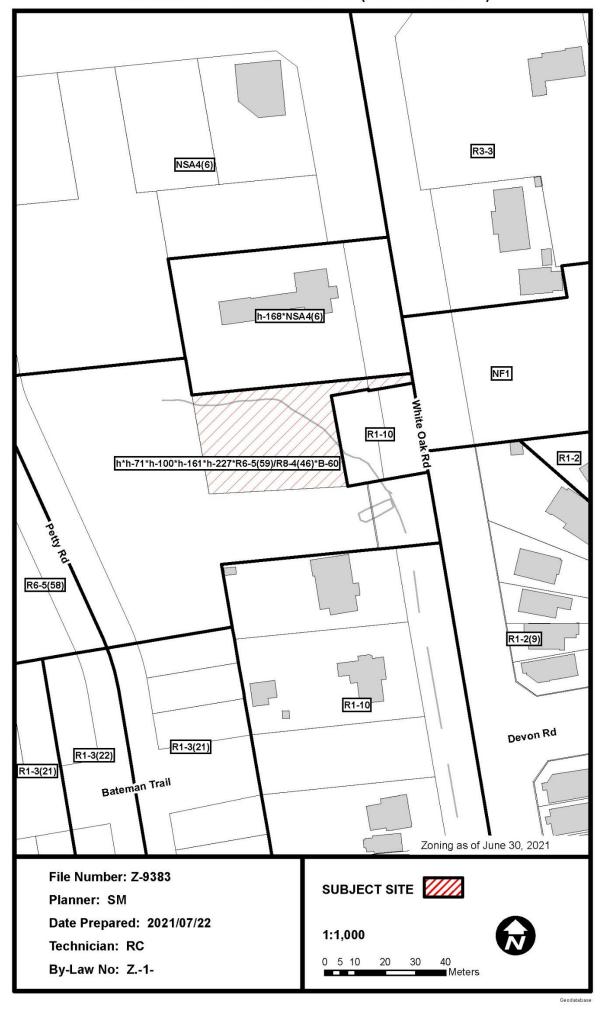
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Appendix A	
	Bill No.(number to be inserted by Clerk's Office) 2021
	By-law No. Z1-21
	A by-law to amend By-law No. Z1 to rezone an area of land located at 3047 White Oak Road.
	ario Inc. has applied to rezone an area of land nown on the map <u>attached</u> to this by-law, as set
AND WHEREAS this rezo	oning conforms to the Official Plan;
THEREFORE the Municip London enacts as follows:	pal Council of The Corporation of the City of
applicable to lands located at 3047 W comprising part of Key Map No. A-111,	No. Z1 is amended by changing the zoning white Oak Road, as shown on the attached map from a Residential R1 (R1-10) Zone, to a Holding Provision/ Residential R8 Bonus (h*h-100*h-160) Zone.
•	aw of imperial measure along with metric measure nly and the metric measure governs in case of any ures.
accordance with Section 34 of the Pla	into force and be deemed to come into force in anning Act, R.S.O. 1990, c. P.13, either upon the southerwise provided by the said section.
PASSED in Open Counci	il on December 7, 2021.
	Ed Holder Mayor

Mayor

Catharine Saunders City Clerk

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On August 4, 2021, Notice of Application was sent to (80) property owners in the surrounding area. On August 5, 2021, Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner.* A "Planning Application" sign was also posted on the site.

One (1) response was received.

Nature of Liaison:

Consideration of a possible amendment to the Zoning By-law to change the zoning from a Residential R1 (R1-110) Zone to a Holding Residential R1, Residential R6 Special Provision, Residential R8 Bonus (h*h-100*h-161*h-227* R1-10/R6-5(59)/R8-4(46)*B60) Zone would permit a front yard depth of 3m (9.8ft) (Minimum) from Petty Road.

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

Telephone or In Person	Written
	Frank & Julie Minifie 3077 White Oak Road London, ON N6E 1L7

Attn: Sean Meksula

Re Notice of Planning Application

Zone By-Law Amendment

3103 Petty Road and 3407 White Oak Road

File: Z-9383

Applicant: 2831570 Ontario Inc.

We remember when we originally had a city hall meeting before construction started behind our property when it was agreed not to rezone around our existing property and only single family homes comparable to our home and other homes on White Oak Road would be built. We were concerned at that time and apparently still need to concerned about our property values when we receive mail such as this from you. We have owned our home for over 20 years and are not willing to compromise the worth of our home.

So now an amendment is being requested to change the zoning to allow three buildings containing 33 cluster townhouse units beside us. I will not agree with this amendment and there is no reason at all to grant this amendment. I will seek legal counsel if necessary.

Why not place these townhomes in an area where there are more amendities such as grocery and/or convenience stores.

This is not keeping with your promise. The residents of White Oak Road agree that the same type of single family homes need surround our existing homes. I'm not willing to jeopardize the value of my home. Put yourself in our position. That is completely not fair.

Please reach out with any further questions.

Frank & Julie Minifie 3077 White Oak Road London, ON N6E 1L7

Agency/Departmental Comments

Development Services – Engineering

The applicant will need to ensure proper separation from our storm sewers/easement in a future site plan application.

Urban Design

- Provide enhanced side elevations for unit 1, 9, 10, 25 and ensure that zoning permits additional projections, wraparound elements, etc.
- Include safe sidewalk connections for all units, including walkway access to White Oak Rd.
- More detailed comments will be provided at Site Plan.

London Hydro

Servicing the above proposal should present no foreseeable problems. Any new and/ or relocation of existing infrastructure will be at the applicant's expense, maintaining save clearances from L.H. infrastructure is mandatory. **Note:** Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, bylaws, and legislation are identified as follows:

Provincial Policy Statement, 2020

1.1.1 c – avoid land use conflicts

1.1.3.1 – settlement areas

1.1.3.2 - efficient use of land

1989 Official Plan

Chapter 3: Multi-Family Medium Density Residential

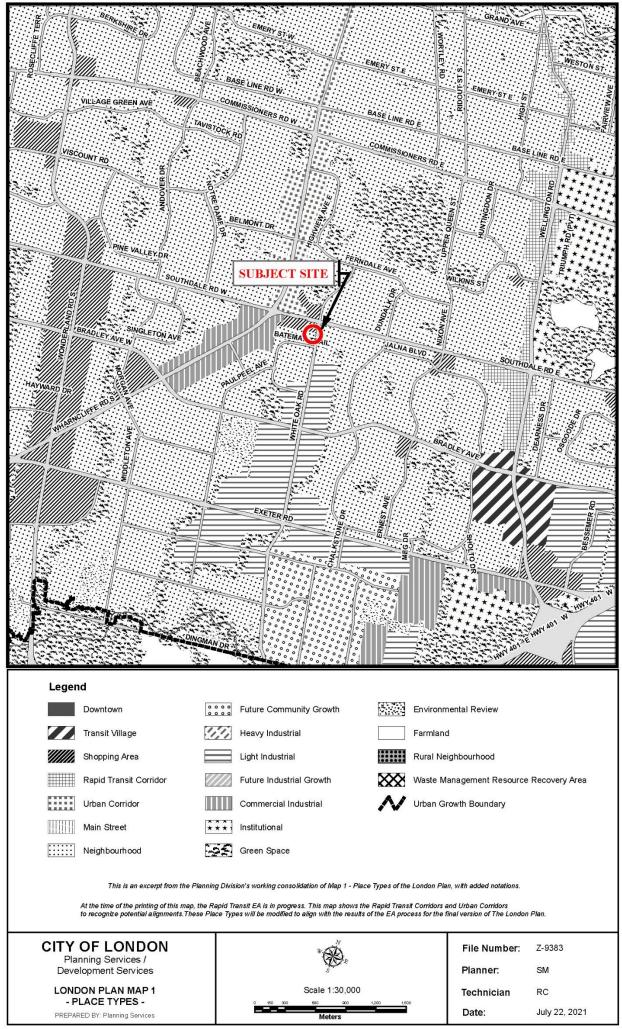
The London Plan

916 - Neighbourhood Place Type

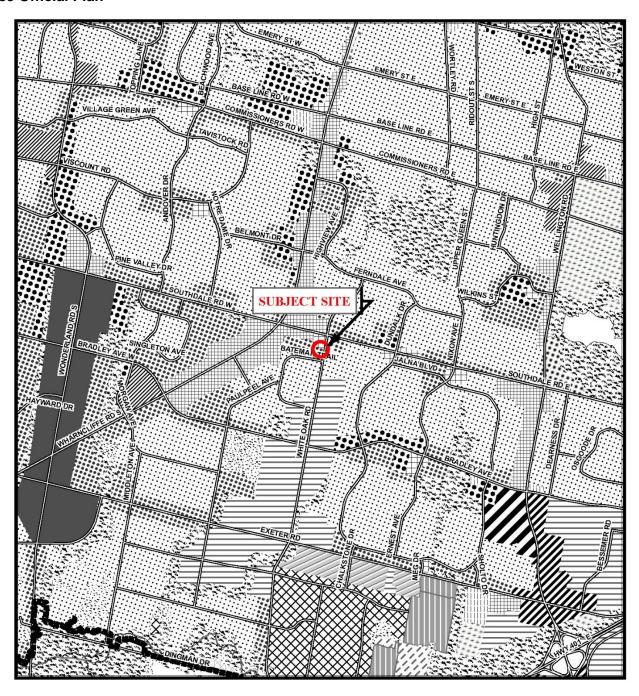
921 – Permitted Uses

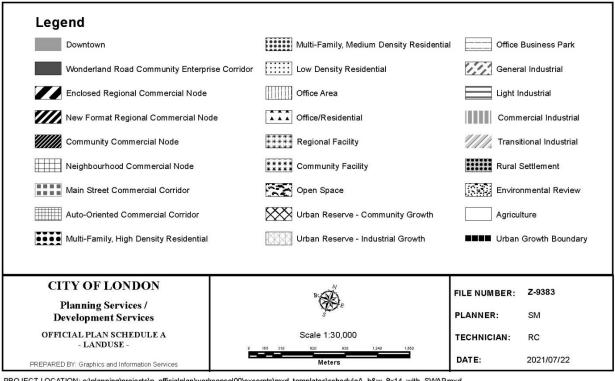
Appendix D - Relevant Background

The London Plan



1989 Official Plan





Existing Zoning

