

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning and Economic Development

**Subject:** Foxwood Developments (London) Inc. c/o Jay McGuffin  
1955 Jim Hebb Way

**Public Participation Meeting on: December 13, 2021**

## Recommendation

That, on the recommendation of the Director, Planning and Development based on the application of Foxwood Developments (London) Inc. relating to the lands located at 1955 Jim Hebb Way, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on December 21, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R5/R6 (h\*h-54\*h-71\*h-100\*R5-6/R6-5) Zone, and a Holding Residential R6/R9 (h-54•R6-5/R9-3•H20) Zone **TO** a Holding Residential Special Provision R5/R6 (h\*h-54\*h-71\*h-100\*R5-6(\_\_))/R6-5 Zone.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the Zoning By-law to allow residential dwellings including townhouses and back-to-back townhouse units up to three storeys in height.

### Rationale of Recommended Action

1. The recommended zoning amendment is consistent with the *Provincial Policy Statement (PPS), 2020*, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs.
2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The recommended zoning amendment permits a use, form and intensity of residential development that conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designations.
4. The recommended zoning amendment will allow for a reduced front yard depth of main building on Henrica Avenue, a reduced exterior side yard setback of to the main building on Dyer Drive & Jim Hebb Way and reduced yard encroachments to patio projection from the street line.
5. The subject development block is of a size and shape suitable to accommodate the proposal. The recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures.
6. The proposed uses, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood.

## 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

**March 26, 2012** –public meeting relating to the Draft Plan of Subdivision, Official Plan & Zoning By-law Amendment (39T-11503/OZ-7985).

**July 16, 2012** - Report on the appeals to the Official Plan and Zoning By-law amendments.

**February 4, 2014** - Report on the appeal to the Conditions of Draft Plan Approval

**August 26, 2014** - Special Provisions report to Planning Committee

**May 31, 2016** - Approval Authority approve a three-year extension of draft plan of subdivision approval.

**November 28, 2017** - Council endorsed the special provisions

**May 28, 2018** – Report to PEC for the removal of holding provisions for 110 single family lots in Registered Plan 33M-752.

##### 1.2 Planning History

This application for Draft Plan of Subdivision Approval was accepted on November 11, 2011. On January 23, 2013, the City of London Approval Authority granted draft approval for the plan of subdivision. Draft approval was appealed to the Ontario Municipal Board. On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal was withdrawn by letter dated June 25, 2013. As per Section 51 (51) of the Planning Act, the original draft approval lapse date was June 26, 2016.

The applicant registered the 1st phase of this subdivision (Plan, 33M-685), consisting of 95 single detached lots, one (1) medium density residential block, and various reserve blocks served by 1 new street and the extension of Dyer Drive and Tokala Trail on October 6, 2015.

On May 31, 2016, Council requested that the Approval Authority approve a three-year extension of draft plan of subdivision approval for this subdivision subject to revised conditions of draft approval. The draft approval expiry date is June 26, 2019.

On November 28, 2017, Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The second phase of the plan was registered on October 18, 2018, as Registered Plan 33M-752.

On May 28, 2018, the holding provisions for the second phase of this development consisted of 110 single detached lots were removed. The holding provisions h-54, h-71 and h-100 on the multi-family blocks (111 and 112) will be dealt with through the Site Plan Approval process. The proposed amendment is for Block 112 of Registered Plan 33M-752.

### **1.3 Property Description**

The property at 1955 Jim Hebb Way is situated on the west side of Jim Hebb Way, north of Fanshawe Park Road. The subject land is a vacant block within a registered plan of subdivision (Block 112, Registered Plan 33M-752). The site topography is relatively flat and devoid of vegetation. The total area of the property is approximately 11,900.0 m<sup>2</sup> (12,8090.5 ft<sup>2</sup>). Access to these lands is also available from Jim Hebb Way and Dyer Drive.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Residential R5/R6 (h\*h-54\*h-71\*h-100\*R5-6/R6-5) Zone

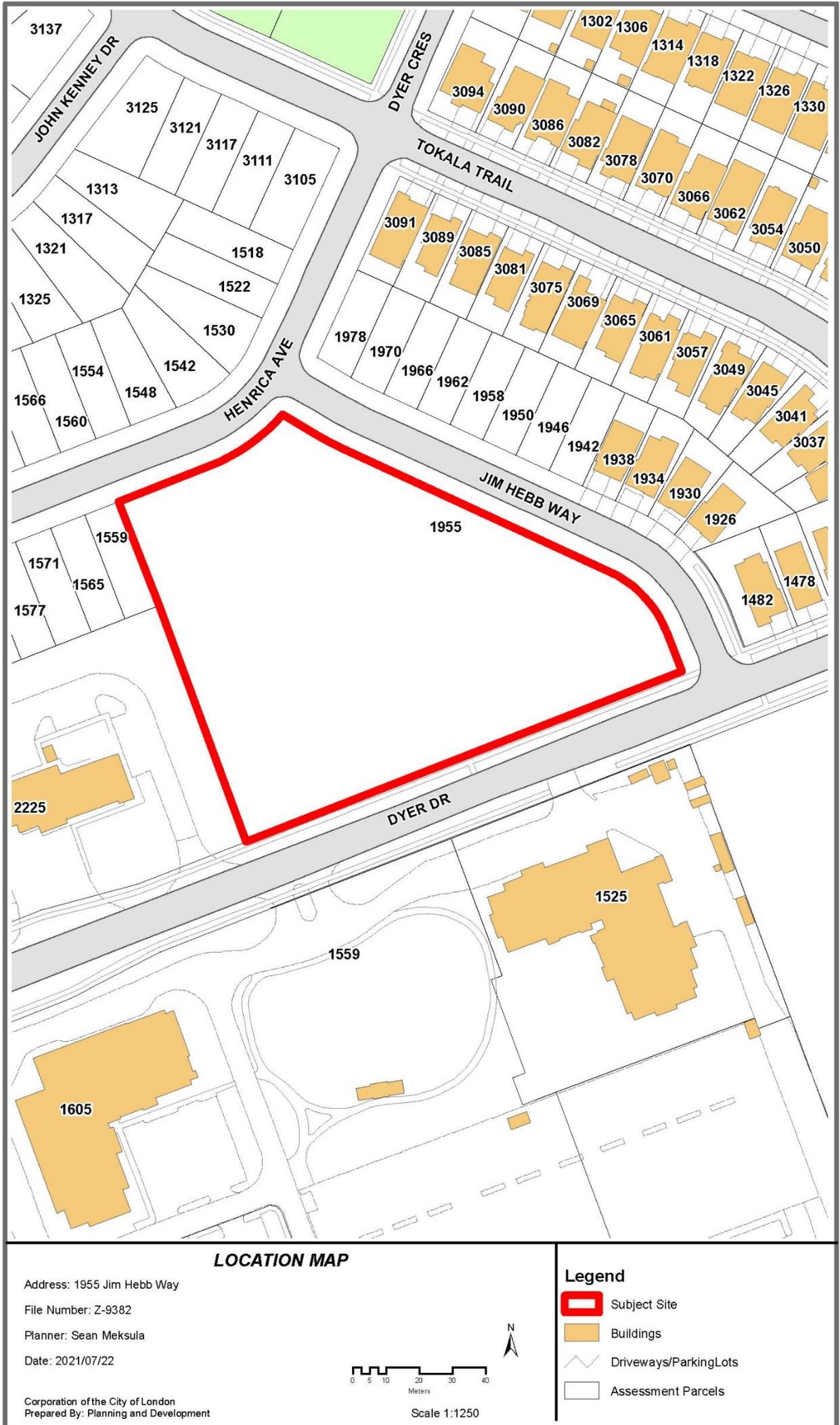
### **1.5 Site Characteristics**

- Current Land Use – single detached dwelling
- Frontage – approx. 55 m (180.4 ft) along Henrica Avenue
- Depth – approx. 378 m (1,240.2 ft)
- Area – 11,900.0 m<sup>2</sup> (12,8090.5 ft<sup>2</sup>)
- Shape – irregular

### **1.6 Surrounding Land Uses**

- North – residential
- East – residential
- South – residential
- West – residential/neighbourhood facility

## 1.5 Location Map



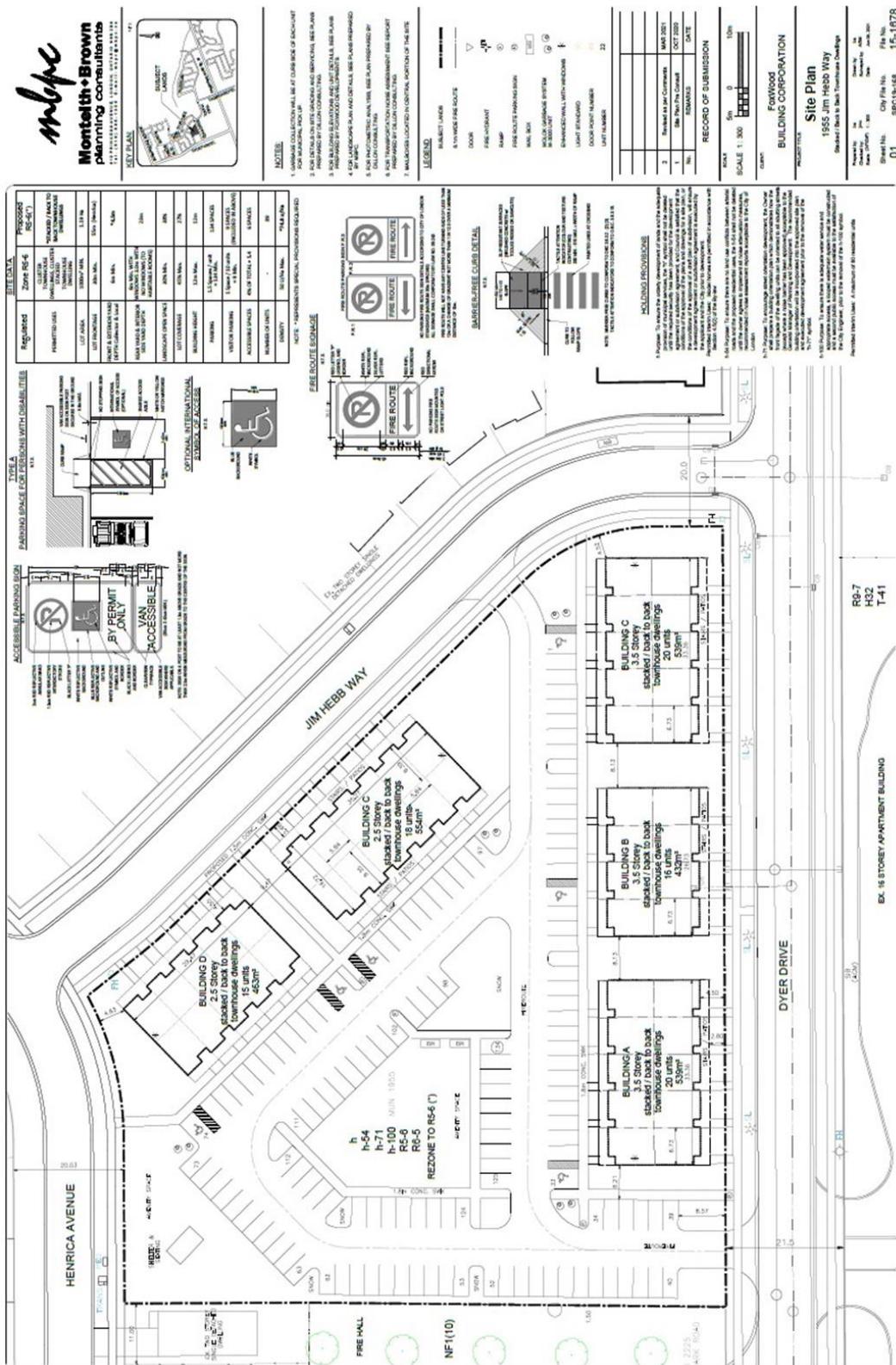
## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The proposed development is a mix of 2.5 and 3.5-storey stacked back-to-back townhouse dwellings in five building blocks fronting Jim Hebb Way and Dyer Drive. The development will have pedestrian access from Jim Hebb Way, Dyer Drive and Henrica Avenue, connecting to the existing pedestrian sidewalks, and two vehicular access points from Dyer Drive and Jim Hebb Way, respectively.

The 3.5-storey back-to-back townhouses fronting Dyer Drive, shown as Buildings 'A', 'B' and 'C' in the conceptual site plan, will be comprised of 20 residential units for Buildings 'A' and 'C', and 16 residential units for Building 'B', for a total of 56 units. The 2.5-storey stacked back-to-back townhouses fronting Jim Hebb Way, shown as Buildings 'D' and 'E', will comprise of 18 and 15 residential units, respectively, for a total of 33 units (89 total units for the site).

### 2.2 Site Concept Plan - 1955 Jim Hebb Way



## 2.2 Conceptual Building Renderings



**2.5 storey, back-to-back townhouse units**



**3.5 storey, back-to-back townhouse units**

The taller, 3.5-storey blocks are proposed along the Dyer Road frontage, while the 2.5-storey blocks are proposed along Jim Hebb Way, to provide for an appropriate transition between the higher-density, high-rise forms of housing development to the south and the lower density, low-rise forms of housing development existing and planned to the north and east.

In total, 89 residential units are proposed for the site which yields a density of 75 units per hectare. A total of 134 parking spaces are provided including 9 spaces for visitor parking, and 6 spaces for accessible parking. Parking will be provided in the interior of the site to maintain pedestrian-oriented street corridors.

## 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 Special Provision R5/R6 (h\*h-54\*h-71\*h-100\*R5-6(\_\_))/R6-5 Zone to the subject site. The Zone is consistent with that applied to Block 112 for the proposed back-to-back townhouse dwellings within the Foxwood subdivision. The zone will permit the development of townhouse dwellings, with a special provision to ensure the frontage of the site is defined as Jim Hebb Way 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, a revised Notice of Application was circulated on August 18, 2021, and advertised in the *Londoner* on August 5, 2021, and a revised Notice of Application was advertised in the *Londoner* on August 19, 2021. At the time of preparation of this report, one (1) petition with nineteen (19) signatures was received from the public with response to the Notice of Application and The *Londoner* Notice. Comments/concerns received from the community are generally summarized as follows:

- Traffic congestion
- Noise, pollution, and disturbance
- Lack of green space for recreational use
- Financial impact of residential properties in the neighbourhood
- Townhouses contribute more negatively to the neighbourhood than bringing any positive changes

## 4.3 Policy Context (see more detail in Appendix C)

### Provincial Policy Statement, 2020

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

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

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 east 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 PPS contains policies regarding the importance of promoting efficient development and land use patterns, accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents, and minimizing land consumption and servicing costs (Sections 1.1 and 1.4). The policies for Settlement Areas require that land use patterns be based on densities and mix of uses that efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; minimize negative impacts on the environment; promote energy efficiency; support active transportation; and are transit supportive where transit is planned, exists or may be developed (Section 1.1.3.2).

### 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 Neighbourhoods Place Type permits a range of residential uses including single detached and semi-detached dwellings, triplexes, fourplexes, townhouses, stacked townhouses, low-rise apartments, mixed use buildings, and small-scale community facilities. The subject lands are located on a Neighbourhood Street. The subject site's location on a \*Neighbourhood Street permits a range of housing types, in a form that can accommodate townhouse dwellings up to \*2.5-storeys in height.

*\*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 2.5 and 3.5 storeys in height. Overall, the proposed 2.5 and 3.5 storey heights of this development meet 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 Jim Hebb Way or Dyer Drive. 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 Fox Hollow Community Plan ("FHCP") 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 FHCP 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 Fox Hollow Community Plan which is to provide for an appropriate mix of housing types to allow for choice in housing within the area.

The requested Zoning By-law Amendment is subject to the requirements of a Planning Impact Analysis ("PIA"). The proposed stacked back-to-back 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. The proposed development meets or exceeds the minimum requirements in the R5-6 Zone. The proposed low-rise form is consistent with the height requirements of the Official Plan.

The proposed zoning is compatible with existing and proposed land uses in the immediate area. The Fox Hollow Community Plan and the overall policies for medium density development encourage increased densities along collector roads, such as through this application, as increased densities promote transit usage, act as a buffer between arterial roads and lower density development, can minimize access points to the arterial by design, and can improve the streetscape, as developments can be designed to minimize noise attenuation barriers. The site is of an adequate size and shape to accommodate the proposed development. Issues such as access (there is a one-foot reserve along the frontage of Dyer Drive, which will restrict access to Jim Hebb Way), building form, exterior design, and scale can be addressed at the subsequent site plan stage, this is an appropriate use at this location. 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. An excerpt from Land Use Schedule 'A' is found at Appendix D.

## **Fox Hollow Community Plan**

The subject lands are also situated within the Fox Hollow Community Planning Area. The guidelines of the Fox Hollow Community Plan can be considered when evaluating any proposed developments in this area. The Fox Hollow Community Plan was adopted by Council in April 2000 pursuant to Section 19.2.1, Area Studies, of the Official Plan. The Community Plan land use delineation for the subject site is residential and the lands to the east and north are also delineated residential.

The subject lands are identified as 'Low-Density Residential' on the Preferred Land Use Map in the FHCP, which was intended to permit detached, semi-detached and duplex dwellings. However, the land uses and planning framework on and adjacent to the subject lands has changed over the past twenty years to accommodate different residential forms and new road configurations within the Fox Hollow neighbourhood area. The proposed development does have regard for the goals of the Fox Hollow Community, most notably to provide for an appropriate mix of housing types to allow for choice in housing. The proposed use conforms to the intent of the applicable objectives and policies of the Fox Hollow Community Plan and the City of London Official Plan, as amended.

### **4.4 Issue and Consideration # 1 – Is the recommended zoning appropriate from the perspective of use, intensity and form?**

#### ***Use***

The recommended zoning results in low to medium density residential housing types (2.5 and 3.5-storey back-to-back townhouses buildings) within a predominantly low-density residential community composed of single detached homes, stacked townhouses and street townhouses. The proposed zoning change maintains an appropriate range and mix of land uses that are compatible with the surrounding neighbourhood. The mix of uses in the area is characterized by a transition from commercial and suburban development north of Fanshawe Park Road East to active agricultural uses to the west of Hyde Park Road. Future planning must take into consideration compatibility concerns and potential nuisance impacts on existing residential uses and developments which are approved or underway.

#### ***Intensity***

The site concept plans (attached) proposes a mix of 2.5-storey back-to-back townhouse dwellings in two (2) building blocks fronting with Jim Hebb Way and 3.5-storey stacked back-to-back townhouse dwellings in three (3) building blocks fronting Dyer Drive having a total of 89 units. The overall density (townhouse units combined) is approximately 74.8 units per hectare. The concept site plan demonstrates a transition in height and density with taller and denser buildings located towards Dyer Drive, and shorter, less dense townhouses on the east half of the block facing Jim Hebb Way, in proximity to the lower density and low-rise profile of existing single detached dwellings to the north and east. This provides variation to the building profile along the streetscape while also concentrating building height and mass towards the Dyer Drive and the existing apartment buildings to the south.

This zoning application included a request for density in order to facilitate the development of additional townhouse units. The proposed R5-6( ) zone permits street townhouse dwellings which would be permitted within the Multi-Family, Medium Density Residential designation and Neighbourhood Place Type. The proposed R5-6( ) zone provide the site with additional flexibility in terms of residential uses, intensity and form. The additional density would result in no new impacts on the abutting lands. The current zoning permits a maximum density of 50 uph. The proposed street townhouse dwellings which are restricted to 1 unit per 145m<sup>2</sup> would not result in a density greater than the current permissions of the Multi-Family, Medium Density Designation which is 75uph. The proposed street townhouse zone will ensure the potential level of intensity will remain compatible with the surrounding area and be in keeping with the Neighbourhood Place Type Policies.

### **Form**

The proposed development is for low-rise back-to-back townhouses which will be front facing to the surrounding public streets. The subject site is permitted heights of up to 4-storeys within the Neighbourhood Place Type and Multi-Family, Medium Density Residential Designation. The current and requested zoning permits a maximum height up to 12m resulting in no new potential impacts to the existing uses. Building massing should be designed to create a comfortable pedestrian environment which will be further enhanced through the provision of private amenity space including a connected walkway/trail system.

### **4.5 Issue and Consideration # 2 – Issues raised from the community engagement.**

Traffic:

The initial rezoning application proposed amendments to a much larger area of the Fox Hollow Subdivision and requested a wider range of permitted uses. However, the revised amendment creates the potential for a minor increase in density within this block than originally planned for which may result in a small increase in traffic. The zoning regulations now being sought are similar to the existing permissions throughout the subdivision and will result in a minimal increase in potential density. The levels of traffic planned through the Draft Plan of Subdivision will be maintained and no additional traffic impacts will occur.

Other concerns:

Additional concerns were raised about the potential loss of park blocks/open space within the subdivision. These lands were never intended to be used as a park block or open space lands through the draft plan of subdivision process. They were intended be developed for cluster townhouse dwellings or cluster stacked townhouse dwellings. The required parkland was provided in other locations of Fox Hollow Subdivision.

### **4.6 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 an existing park (Tokala Woods), pathways, and public open space opportunities being, 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 amendments are appropriate and consistent with the Provincial Policy Statement, conform to The London Plan and the (1989) Official Plan. The proposed uses and recommended zoning are considered appropriate and compatible with existing residential development in the surrounding neighbourhood.

**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

cc: Michael Pease, Manager, Site Plan

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**Appendix “A”**

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

By-law No. Z.-1-21\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1955  
Jim Hebb Way .

WHEREAS Foxwood Developments (London) Inc. has applied to rezone an area of land located at 1955 Jim Hebb Way, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1955 Jim Hebb Way, as shown on the attached map comprising part of Key Map No. A-101, from a Holding Residential R5/R6 (h\*h-54\*h-71\*h-100\*R5-6/R6-5) Zone, and a Holding Residential R6/R9 (h-54•R6-5/R9-3•H20) Zone to a Holding Residential Special Provision R5/R6 (h\*h-54\*h-71\*h-100\*R5-6(\_\_\_\_)/R6-5) Zone.
- 2) Section Number 9.4 of the Residential R5 Zone is amended by adding the following special provisions:

R5-6( )

a) Regulations:

- |      |   |            |
|------|---|------------|
| i)   | Front Yard Depth (m)<br>Main Building/Garage (m)<br>(Minimum) | 4.8 metres |
| ii)  | Exterior Side Yard<br>Depth<br>(Minimum)                      | 4.5 metres |
| iii) | Yard Encroachments<br>(Maximum)                               | 2.6 metres |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

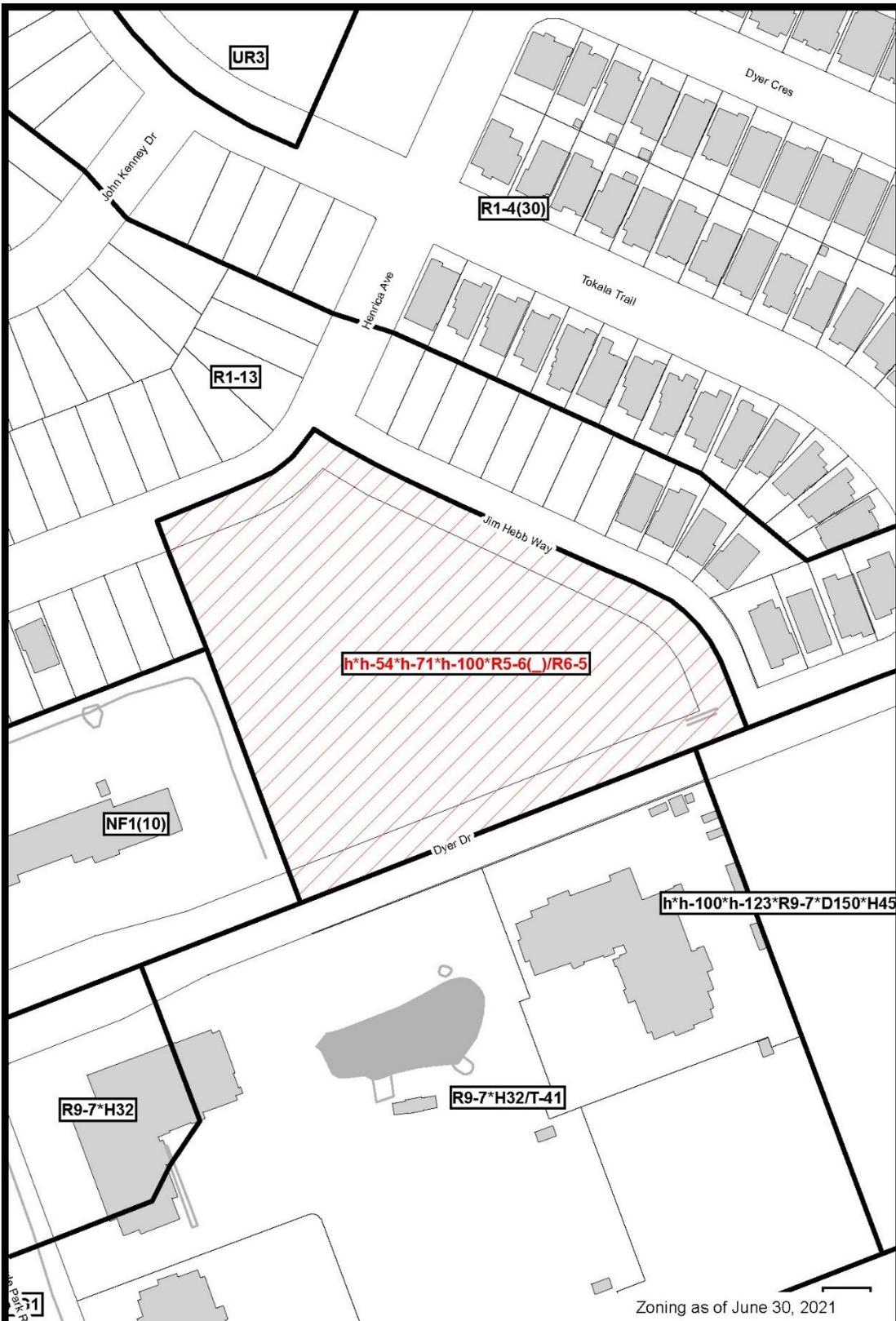
PASSED in Open Council on December 21, 2021

Ed Holder  
Mayor

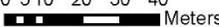
Catharine Saunders  
City Clerk

First Reading – December 21, 2021  
Second Reading – December 21, 2021  
Third Reading – December 21, 2021

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



Zoning as of June 30, 2021

<p>File Number: Z-9382                  Planner: SM                  Date Prepared: 2021/07/22                  Technician: RC                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On August 4, 2021, Notice of Application was sent to 108 property owners in the surrounding area, on August 18, 2021, a revised Notice of Application was circulated to the same 108 property owners. A Planning Application sign was erected on the site, and notice was also posted on the City of London's website. Notice of Public Meeting was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 5, 2021, and a revised Notice of Application was advertised in the *Londoner* on August 19, 2021.

**Responses:** 1 petition with nineteen (19) signatures (attached below)

### Nature of Liaison:

The purpose and effect of this application is to permit the development of residential dwellings including stacked cluster townhouse dwellings and cluster stacked "back-to-back" townhouse dwelling units up to three (3) storeys in height. Possible amendment to Zoning By-law Z.-1 to change the zoning from a Holding Residential R5/R6 (h\*h-54\*h-71\*h-100\*R5-6/R6-5) Zone to a Holding Residential Special Provision R5/R6 (h\*h-54\*h-71\*h-100\*R5-6(\_\_))/R6-5 Zone a Residential R5 Special Provision (R5-6( )) Zone to permit cluster townhouses and cluster stacked townhouses up to 75 units per hectare, together with special provisions to permit an front yard depth of 4.8m main building on Henrica Avenue, exterior side yard setback of 4.5m to main building on Dyer Drive & Jim Hebb Way and yard encroachments of 2.6m setback to patio projection from the street line.

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

- Traffic congestion
- Noise, pollution, and disturbance
- Lack of green space for recreational use
- Financial impact of residential properties in the neighbourhood
- Townhouses contribute more negatively to the neighbourhood than bringing any positive changes

## Letter of Objection

**Attention:** SEAN MEKSULA  
Planning & Development, City of London  
300 Dufferin Avenue, 6<sup>th</sup> floor,  
London ON PO Box 5035 N6A 4L9

August 30, 2021

Dear Mr. Meksula,

RE: - Planning application / zoning by-law amendment File No Z-9382

This letter is in response to the Notice of Revised Planning Application, dated August 18, 2021, received by residents of Jim Hebb Way and Henrica Ave in London. Foxwood Developments (London) Inc has submitted an application to request zoning by-law amendment. This application basically requests you to build additional 25 town houses on Jim Hebb Way

The residents of Henrica Ave and Jim Hebb Way have already gathered to discuss this notice recently and have come to an agreement that these additional townhouses will significantly affect the neighborhood negatively in following way. Please find below our concerns pertaining to the proposed development

- 1. Traffic Congestion
  - There are already 3 apartment buildings on Dyer Drive. Recently it came to our attention that in addition to these buildings, another apartment building will be constructed in the near future. These buildings are already heavily populated and vehicular traffic in the area is getting worse day by day. The local existing streets are clearly not designed to accommodate such a high volume of traffic. Moreover, the increased traffic poses a significant safety risk to the children playing or riding their bicycles in the neighborhood.
- Noise, pollution, and disturbance
  - Because of this additional vehicular traffic along with the use of equipment used in construction, there will be an increase in noise pollution in the neighborhood. Exposure to residential road traffic noise is linked to adverse health effects in children and adults such increase in blood pressure and increased susceptibility to heart disease.
- Lack of green space for recreational use
  - There will be no designated green space or a park in the neighborhood as a result of this additional development. Provision of green space in a neighborhood can provide mental health benefits to children by connecting them to natural environments which is key in promoting healthy behavior, good physical health, and overall well-being in children.
  - Financial Impact of residential properties in the neighborhood.
  - Initially when the homeowners purchased their house in this neighborhood, the builder had incorporated a designated green space such as a park across their property which is likely the area covering of Henrica Avenue and Jim Hebb Way Street it is in their original blueprints. This was one of the main appealing factors for purchasing a property in this neighborhood. Development of townhouses instead of a park or other recreational amenity negatively impacts the market value of the houses which are directly affected as a result of this proposal.

We, residents of Henrica Avenue and Jim Hebb Way, collectively voice our concern that these additional townhouses contribute more negatively to the neighborhood rather than bringing any positive changes.

We respectfully request to city officials to kindly consider including more green space/recreational facilities such as Public Park, Basketball Court, Tennis Court etc. for the health and wellbeing of the residents.

We have also attached signatures with this letter. If you have any questions regarding this, please feel free to reach out to any of us.

Regards,  
Neighborhood Residents

**NOTE: A petition signed by approximately 19 individuals is on file in the City Clerk's Office.**

## Agency/Departmental Comments:

### 1. London Hydro – August 5, 2021

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. Note: A blanket easement will be required. Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

### 2. City of London - Community Planning, Urban Design & Heritage – August 13, 2021

There are no UD comments/Concerns for zoning at this stage related to ZBA application at 1955 Jim Hebb Way. More detailed comments will be provided at site plan.

### 3. City of London - Development Engineering – August 25, 2021

No further comments from engineering on this one. Servicing is available however it is unclear how it will be achieved based on their current building layout. I don't think this affects the ZBA and can likely be dealt with through the formal SPA.

### 4. City of London - Transportation Planning & Design

Please find below Transportations comments regarding the above-mentioned Notice of Application:

- Right of way dedication of 10.75m from centre line required along Dyer Drive;
- Detailed comments regarding access design and location will be made through the site plan process.

## Appendix C – Policy Context

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

### Provincial Policy Statement, 2020

- 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

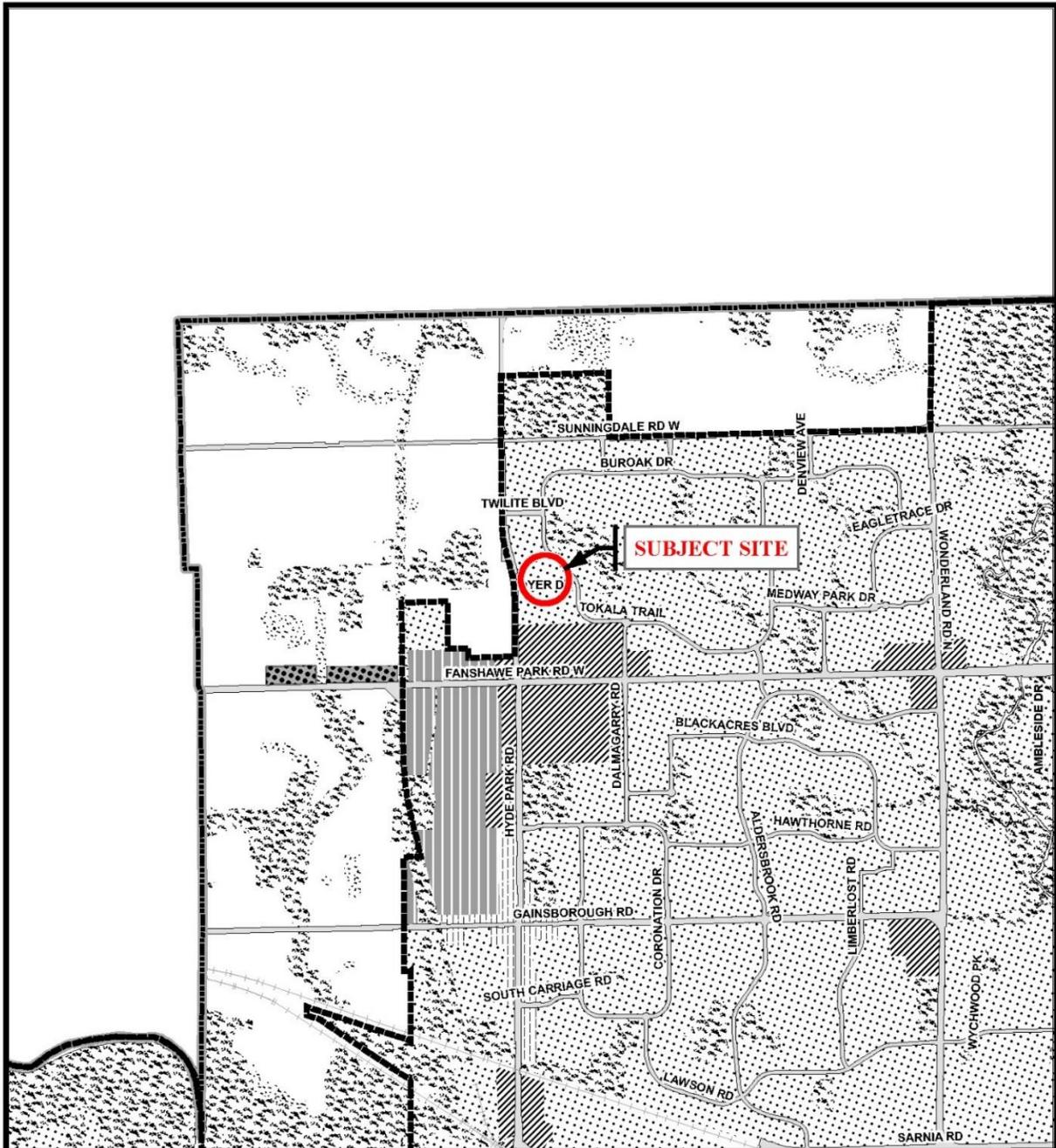
- 916 – Neighbourhood Place Type
- 921 – Permitted Uses

## Recommended Zoning

Residential R5 Special Provision R5-6( )- This zoning would be applied to Block 112 to permit the 2.5 and 3.5-storey, back-to-back townhouses up to a maximum density of 75 units per hectare and maximum height of 12 metres, a 4.8m main building front yard depth on Henrica Avenue, a 4.5m main building exterior side yard setback abutting Dyer Drive and Jim Hebb Way and a 2.6m setback to patio projection from street line yard encroachment . The area is 1.19 hectares and a total of 89 townhouse units are proposed yielding a density of approximately 74.8 units per hectare.

# Appendix D – Relevant Background

## The London Plan Excerpt



### Legend

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

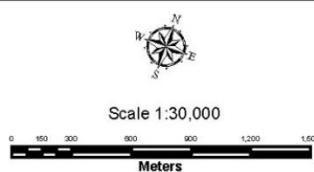
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

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

**CITY OF LONDON**  
Planning Services /  
Development Services

**LONDON PLAN MAP 1**  
**- PLACE TYPES -**

PREPARED BY: Planning Services



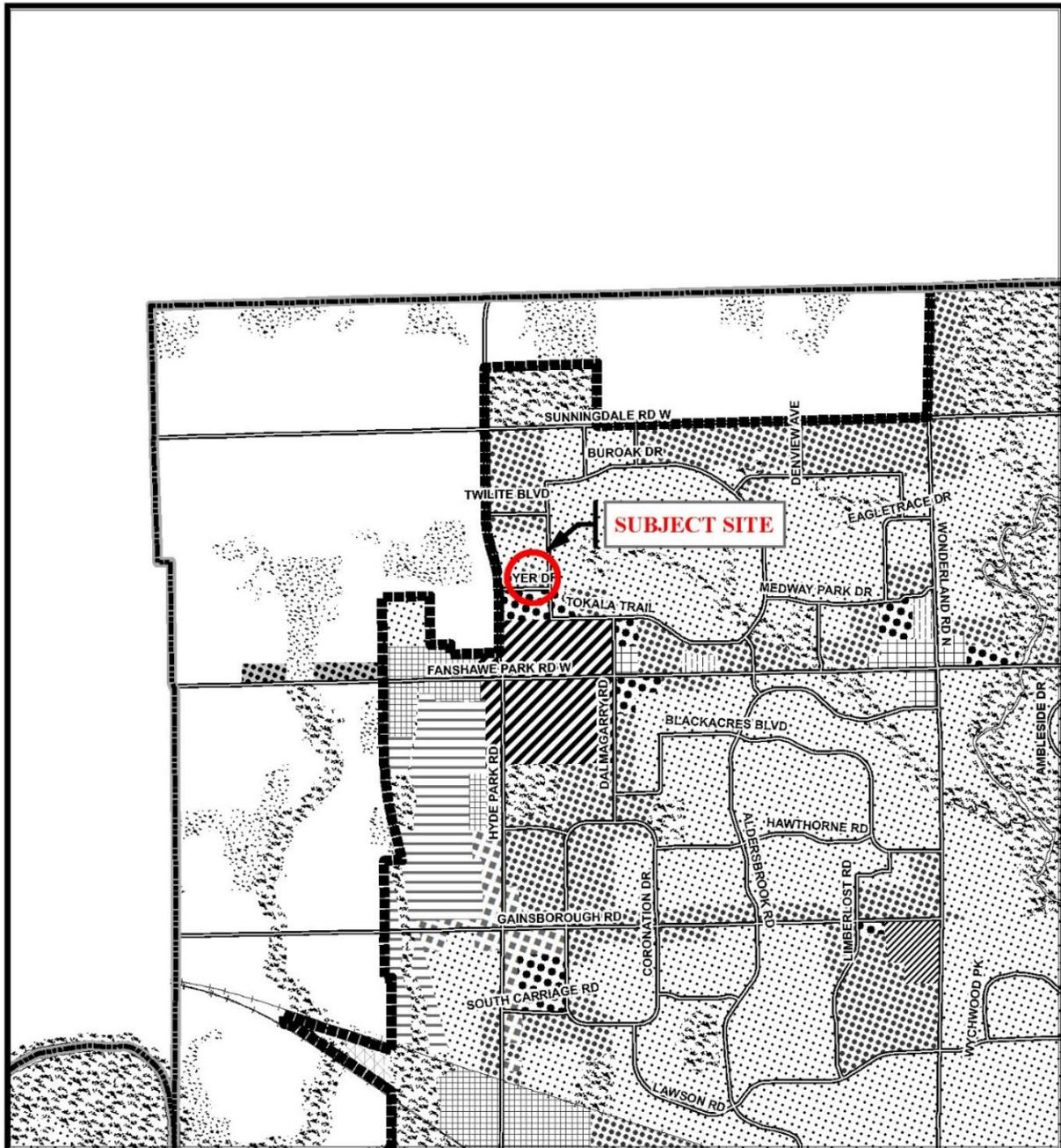
File Number: Z-9382

Planner: SM

Technician: RC

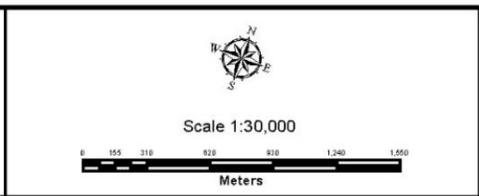
Date: July 22, 2021

# Official Plan Map Excerpt



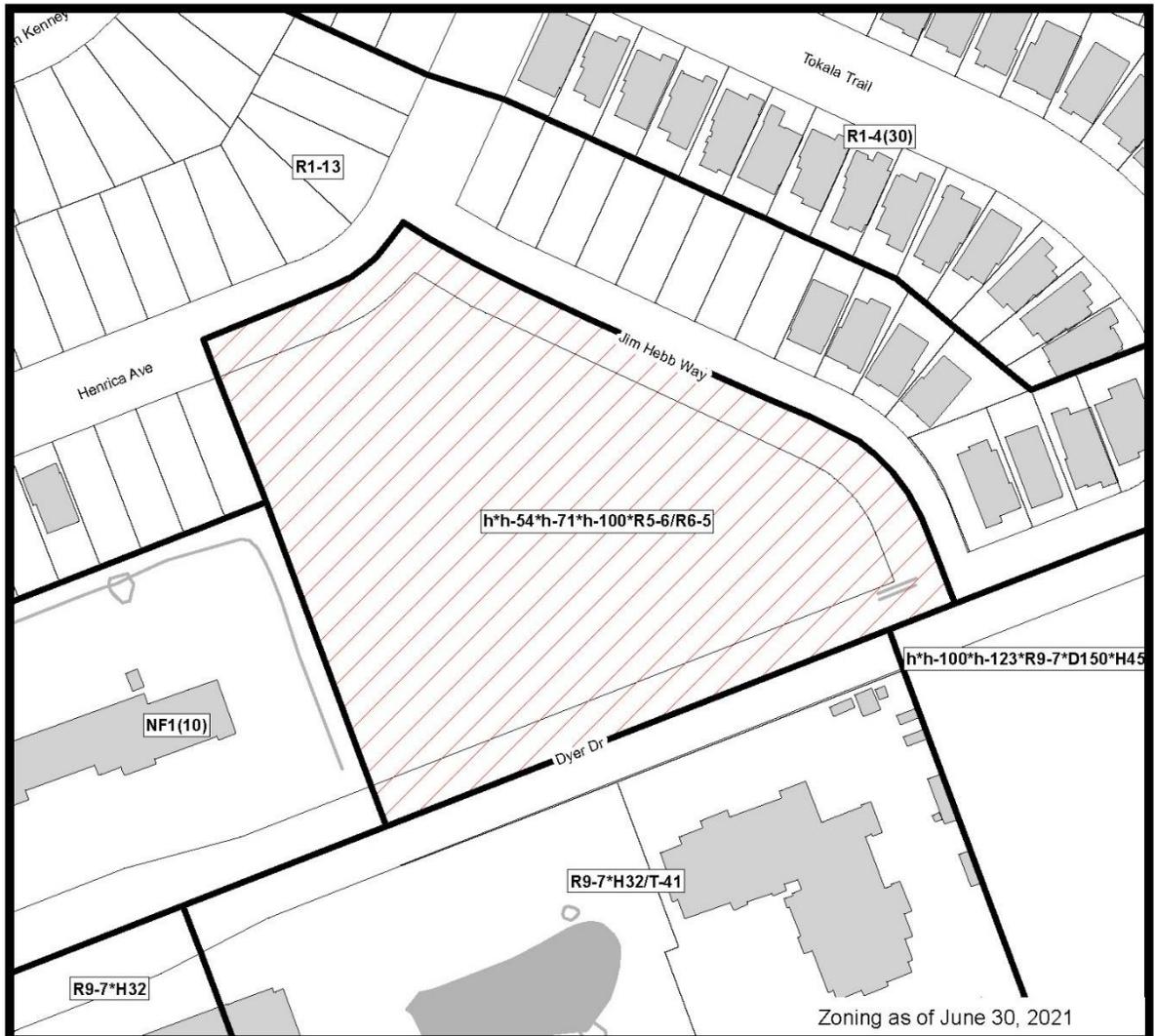
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
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:** Z-9382  
**PLANNER:** SM  
**TECHNICIAN:** RC  
**DATE:** 2021/07/22

# Zoning By-law Map Excerpt



## COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSA2(2)

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

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

## CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9382

SM

MAP PREPARED:

2021/07/22

RC

1:1,500

0 5 10 20 30 40

Meters