

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: Application by Calloway REIT (Fox Hollow) Inc.
1235 Fanshawe Park Road West
Removal of Holding Provision

Date: December 13, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Calloway REIT (Fox Hollow) Inc. relating to lands located at 1235 Fanshawe Park Road West, 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 R8 Special Provision (h-147•R8-4(39)) Zone and a Holding Residential R8 Special Provision/Associated Shopping Area Commercial Special Provision (h-147•R8-4(40)/ASA3(10)/ASA6(4)/ASA8(5)) Zone **TO** a Residential R8 Special Provision (R8-4(39)) Zone and a Residential R8 Special Provision/ Associated Shopping Area Commercial Special Provision (R8-4(40)/ASA3(10)/ASA6(4)/ASA8(5)) Zone to remove the holding (h-147) provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the “h-147” holding provision to allow a proposed 138 unit townhouse development in the form of a vacant land condominium to proceed.

Rationale of Recommended Action

1. The conditions for removing the holding (h-147) provision have been met and the recommended amendment will allow development of residential townhouse dwellings in compliance with the Zoning By-law.
2. A Site Plan will be approved and Development Agreement entered into which addresses the urban design and engineering issues identified in the previous Council Resolution.

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

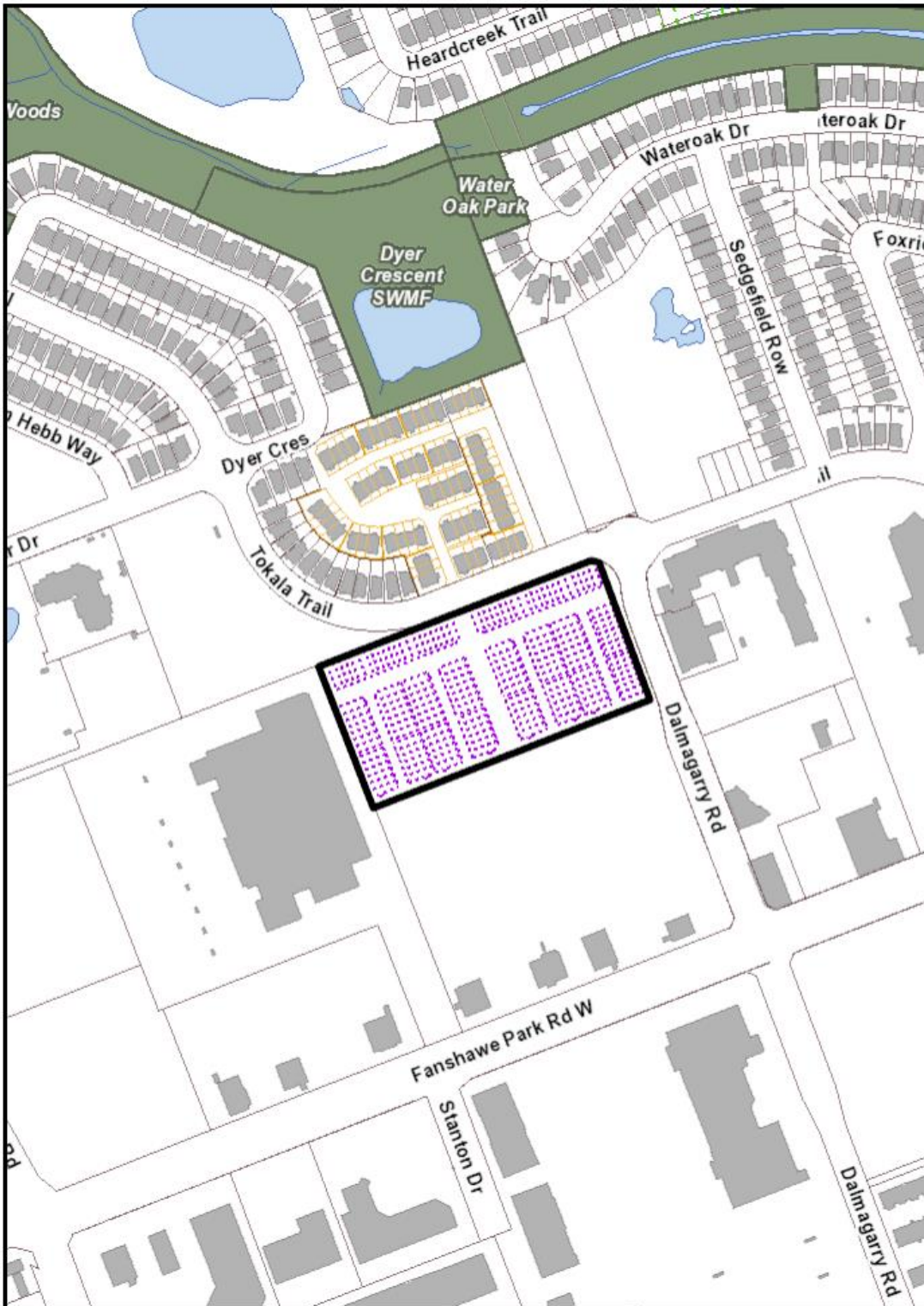
December 4, 2017 – Report to Planning and Environment Committee – 1235–1295 Fanshawe Park Road West – Application by SmartREIT for Official Plan and Zoning By-law Amendments (File No. O-8799/Z-8798).







September 27, 2021 – Planning and Environment Committee - Public Participation Meeting – 1235 Fanshawe Park Road West – Application by Tyler Peers on behalf of

Calloway REIT (Fox Hollow) Inc. for Draft Plan of Vacant Land Condominium and Site Plan Approval (File No. 39CD-21510 and SPA20-110).

2.0 Discussion and Considerations

2.1 Location Map



Location Map		Legend	
Subject Property:	1235 Fanshawe Park Road W Bldg A		Subject Property
Applicant:	Calloway Reit (Fox Hollow)		Parks
File Number:	H-9287		Assessment Parcels
Created By:	Larry Mottram		Buildings
Date:	11/22/2021		Address Numbers
Scale:	1:4000		
Corporation of the City of London			

2.4 Building Elevations – Block 6



2.5 Building Elevations – Block 16



2.6 Planning History

On December 12, 2017, Municipal Council considered an application by SmartREIT relating to the properties located at 1235 – 1295 Fanshawe Park Road West. The application was for a zoning amendment to maintain the existing Associated Shopping Area Commercial zoning and add a mix of residential and institutional uses, including apartment buildings, townhouses, stacked townhouses, nursing homes, retirement lodges, and continuum-of-care facilities. The applicant's proposal depicted a future development consisting of apartment buildings and townhouses located north of four existing commercial pads fronting the north side of Fanshawe Park Road West. A preliminary site concept plan was submitted along with the application to demonstrate how the site could be developed showing four, four storey apartment buildings with 552 residential units in the central portion of the site, supported by both underground and surface parking facilities. It also showed 130 townhouse units in the northerly portion of the site with garages and parking spaces associated with each individual unit, and visitor parking.

Design considerations included ensuring building location and orientation in relation to public streets; provision of a central outdoor amenity areas for both apartment and townhouse phases; driveway access aligned with a planned entrance to a seniors apartment/retirement residence east of Dalmagarry Road, and the entrance to a townhouse complex on the north side of Tokala Trail; and buildings and central outdoor amenity areas organized within a modified grid created by the internal drive aisles and pedestrian corridors.

Council approved the zoning amendment based on the staff recommendation to change the zoning from an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone to a Holding Residential R8 Special Provision (h-147-R8-4(39)) Zone and a Holding Residential R8 Special Provision/ Associated Shopping Area Commercial Special Provision (h-147-R8-4(40)/ASA3(10)/ASA6(4)/ASA8(5)) Zone.

Design considerations for the site plan approval stage and a holding (h-147) provision for urban design were also recommended to support the implementation of key design principles applicable to the site. Among other matters, this included specific attention to the interface of residential or mixed-use development adjacent to Lowe's Home Improvement Store, and to creating a compatible, positive and active interface with surrounding development.

This development proposal is the subject of an application for Site Plan Approval by SmartCentres c/o Tyler Peers (File No. SPA20-110).

2.7 Community Engagement (see more detail in Appendix B)

There were no responses received to the Notice of Application.

3.0 Financial Impact/Considerations

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 Conclusions

4.1 Have the conditions for removal of the holding (h-147) provision been met?

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. The purpose of the holding ("h-147") provision in the zoning by-law is as follows:

"Purpose: To ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which incorporates the design objectives as identified in the Council resolution (Z.-1-122122)."

The following is an excerpt from and responses to Clause (c) of the December 12, 2017 Municipal Council resolution granting approval of Official Plan and Zoning By-law Amendments relating to an application by SmartREIT for lands located at 1235 – 1295 Fanshawe Park Road West:

- c) *the Site Plan Approval Authority BE REQUESTED to consider the following design and engineering issues through the site plan approval process:*
 - i) *creation of a grid or modified grid internal drive-aisle hierarchy including primary internal drive aisles aligning with the driveways for 2900 Tokala Trail and 2825 Dalmagarry Drive, to provide for short and direct connections through and within the site for vehicles, pedestrians and other active mobility modes;*

The site development plan is configured on a modified grid of buildings, drive

aisles and landscaped walkways. Vehicular access is from Tokala Trail with drive aisles branching east-west and north-south from the main entrance. Alignment with the access driveway to the existing townhouses at 2900 Tokala Trail is slightly off-set; however, there were no concerns from a transportation perspective with respect to sight lines and turning movements. The alignment of a future access driveway connection to Dalmagarry Road will be part of the next phase of development. The site plan also incorporates a 1.8 metre pedestrian walkway connection running east-west at mid-block from Dalmagarry Road, continuing through the central outdoor amenity area to the westerly limit of the site. There are planned pedestrian sidewalk connections to the future development lands to the south.

- ii) *designing of primary drive aisles and driveways as local streets including parallel on-street parking where appropriate, sidewalks, pedestrian-scale lighting, and boulevard trees;*

The design for primary drive aisles is part of the future Phase 2 development plans to the south and is not part of this phase. The internal driveway circulation in this phase is intended to provide access for the condominium townhouses with its main vehicular ingress and egress from Tokala Trail.

- iii) *ensuring that the east-west primary internal drive aisle extends to the west property line to provide for a possible future vehicular connection through the Lowe's site to the public street network;*

This possible vehicular connection to the public street network will be part of Phase 2 to the south and is not applicable to this phase.

- iv) *encouraging underground parking for commercial and mixed-use development; it being noted that where underground parking is not provided, direct large surface parking areas to the side and rear of buildings and the primary internal streets and strategically screen them from view with a combination of low landscape walls and planting;*

Two parking spaces per dwelling unit are provided consisting of private garage and driveway for individual units in the townhouse condominium development which is well above the minimum requirements of the zoning by-law, plus an additional 15 visitor parking spaces. It is expected that underground parking will be required for the future phase apartment buildings to the south.

- v) *encouraging the siting of common amenity space(s) in centrally located areas that are highly visible and easily accessible from the primary internal drive aisles and form an integral part of the pedestrian mobility network on the site;*

An elongated landscaped amenity area is centrally located within the common element and forms an integral part of the pedestrian mobility network. A 1.8 metre wide walkway connection running east-west from Dalmagarry Road will connect through the central outdoor amenity area at mid-block and continue on to the westerly limit of the site. There will also be two parallel pedestrian sidewalk connections running north-south through the common amenity area and are planned to connect with the future development phase to the south.

- vi) *encouraging more intensive building forms/heights to be directed to the south part of the site, providing for a transition in height and intensity toward the low density residential neighbourhood to the north;*

The building elevations indicate all townhouse buildings will be three (3) storeys in height with a pitched roof. This will provide a transition in height and density between the future four (4) storey apartment buildings and existing commercial uses to the south and the low density residential neighbourhood to the north.

- vii) *contributing to the character of the neighbourhood by*

establishing active frontages, creating a sense of enclosure and providing a comfortable, high quality pedestrian environment, place design emphasis for all development forms on the relationship of the buildings and landscape treatments to the public streets, prominent intersections, the primary internal drive aisles and the common amenity space(s), considering such elements as:

- a) orienting buildings and main entrances to buildings to these features;*
- b) designing side elevations that are visible from the public realm to have a similar level of prominence and detail as front facades;*
- c) exploring opportunities to highlight prominent public street intersections or entrances into the development with enhanced building design;*
- d) using building and roof line articulation, appropriately scaled and located windows, and variation in materials, colours and architectural treatments to create a human-scaled rhythm, add interest and break down large facades; and,*
- e) providing high-quality landscaping in these areas;*

The site plan and building elevations show the principal building entrances oriented to the public right-of-way of both Tokala Trail and Dalmagarry Road, and incorporating covered porches, Juliette balconies, and pedestrian walkway connections to the street for each individual dwelling unit to promote an active frontage. Buildings also incorporate a similar level of architectural detail on the front and side elevations flanking public streets and walkways.

An Urban Design Brief prepared by GSP Group accompanied the application submission for Site Plan Approval. The goals and objectives as set out in the Design Brief are to achieve a site design that:

- Acts as a transition of density and scale between the commercial lands along Fanshawe Park Road West and the low-density lands north of Tokala Trail;
- Allows potential future connections to the undeveloped (Phase 2) lands towards the south;
- Orients buildings where applicable to the public road frontages of Tokala Trail and Dalmagarry Road;
- Provides for a variety and interest in the range of building styles;
- Creates pedestrian-friendly streetscapes throughout the Site through public realm and private realm considerations; and
- Provides common amenity space in a central area in which is fully visible and accessible from the internal pedestrian network.

Staff are generally satisfied that these design objectives adhere to the provisions in the Council Resolution as noted above and have been implemented through the site and building design review process.

viii) in mixed-use and apartment buildings, residential units should be designed to:

- a) providing direct access from individual units to adjacent sidewalks; and,*

- b) *providing individual private outdoor amenity space that may be delineated from and provide a transition to the adjacent communal areas through the use of grade changes, landscaping, low walls or other vertical elements that maintain views for safety;*

This provision applies to mixed-use and apartment buildings proposed to be developed in Phase 2 to the south and is not applicable to this phase.

- ix) *supporting mixed-use development, encourage additional main floor height to facilitate the use or conversion of this space for non-residential uses;*

Not applicable to this phase.

- x) *townhouses should be designed to:*
 - a) *orienting buildings (primary entrance, high level of vision glass and architectural detail) to public streets and primary internal drive aisles as a first and second priority, respectively,*
 - b) *providing for direct pedestrian access from primary entrances to the sidewalk on the public street or primary internal drive aisle;*
 - c) *discouraging the use of fencing between the front of the unit and the public street, other than low, decorative fencing intended solely to delineate private from public space; and,*
 - d) *providing sufficient useable amenity area behind buildings;*

As noted above, the site plan and building elevations show front-facing building orientation to both Tokala Trail and Dalmagarry Road with pedestrian walkway connections to the public sidewalk. Buildings incorporate a similar level of architectural detail on the front and side elevations flanking public streets and walkways. Dwelling units are also designed with a front door orientation and direct pedestrian access facing the common outdoor amenity area. Internal units will have a private outdoor amenity area with privacy screening, and units facing the common amenity area will be provided with a 1.2 metre picket fence with swing gate to delineate private from public space.

- xi) *providing enhanced landscaping/buffering for mixed-use or residential development adjacent to the existing commercial development to the west;*

The westerly property boundary will be screened by a 1.8 metre high wood privacy fence, in addition to a row of existing coniferous trees which extend all the way along the commercial property side. A single gate for access to the east-west walkway is also shown on the landscape plan.

- xii) *for units along the north property line west of Tokala Trail, considering opportunities to orient dwelling toward Tokala Trail, in conjunction with any future development proposals by others at 2975 Tokala Trail; and,*

There is a 15-storey apartment building complex planned for the undeveloped lands at 2975 Tokala Trail. The site plan submissions indicate the building is being oriented on the site so as not to interrupt the street orientation of the townhouse dwelling units along the north property line west of Tokala Trail. The site plan indicates the narrow portion of the site that forms a notch in front of the townhouses where Tokala Trail bends northward will include a driveway entrance to the apartment building and landscaped open space. The site plan also shows a 1.5 metre decorative metal fence along the southerly property line of the apartment building; however, the limit of the fence is not shown to extend beyond the front of the townhouses which face out towards the bend in Tokala Trail.

xiii) revising existing Sanitary Area plans and design sheets if required;

A design sheet and drainage area plan (marked up to support the design sheet) was submitted along with a Sanitary Servicing Brief as part of the site plan review process. The report was prepared to provide confirmation of an available sanitary outlet for this site, and that the existing sanitary sewer on Tokala Trail and related downstream infrastructure has sufficient capacity for the proposed development.

The plans and building elevations have been reviewed for compliance with the City's Urban Design policies and Placemaking Guidelines. Staff are generally satisfied that the site plan submission addresses the design and engineering issues outlined in the Council Resolution as noted above. The Site Plan drawings will be approved, and a Development Agreement will be entered into between Calloway REIT (Fox Hollow) Inc. and the City of London.

Conclusion

In the opinion of Staff, the h-147 holding provision requirements have been satisfied and it is appropriate to proceed to lift the holding symbol from the zoning map.

Prepared by: Larry Mottram, MCIP, RPP
Senior Planner, Subdivisions and Condominiums

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

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

December 3, 2021
GK/GB/BP/LM/lm

Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
remove the holding provision from the
zoning for lands located at 1235
Fanshawe Park Road West.

WHEREAS Calloway REIT (Fox Hollow) Inc. has applied to remove the holding provision from the zoning on lands located at 1235 Fanshawe Park Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

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 1235 Fanshawe Park Road West, as shown on the attached map, to remove the holding (h-147) provision so that the zoning of the lands as a Residential R8 Special Provision (R8-4(39)) Zone and a Residential R8 Special Provision/Associated Shopping Area Commercial Special Provision (R8-4(40)/ASA3(10)/ASA6(4)/ASA8(5)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

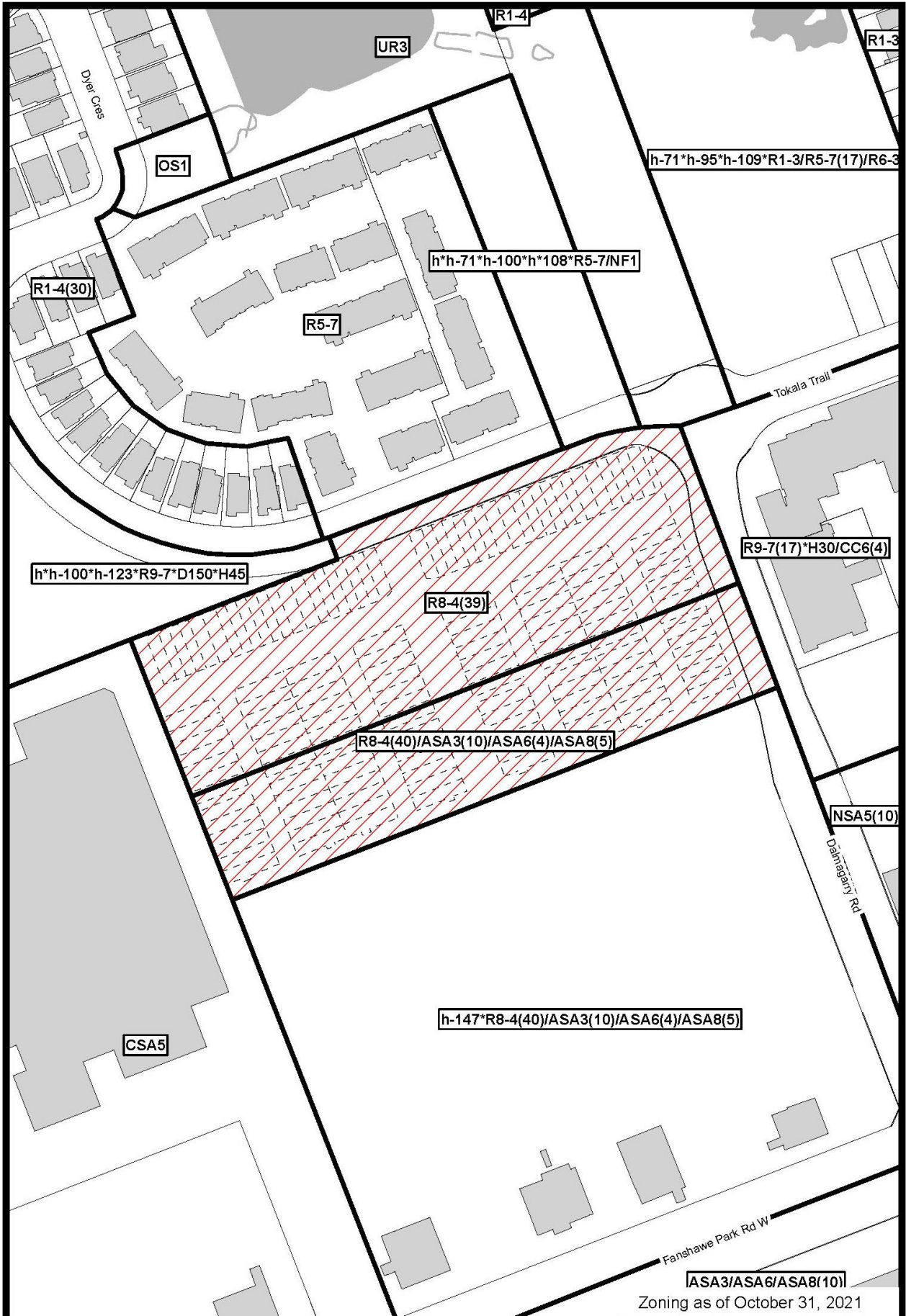
PASSED in Open Council on December 21, 2021.

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)



File Number: H-9287

Planner: LM

Date Prepared: 2021/11/22

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 17, 2020.

Responses: None

Nature of Liaison: 1235 Fanshawe Park Road West – City Council intends to consider removing the “h-147” Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to permit a cluster townhouse development fronting Tokala Trail and Dalmagarry Road. The purpose of the “h-147” provision is to ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which incorporates the design objectives as identified in the Council resolution. Council will consider removing the holding provisions as it applies to these lands no earlier than January 18, 2021.

Response to Notice of Application and Publication in “The Londoner”

Telephone:
None

Written:
None

Significant Agency/Departmental Comments:

None

Appendix C – Relevant Background

Existing Zoning Map



Zoning as of October 31, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- 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

- 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



FILE NO:

H-9287

LM

MAP PREPARED:

2021/11/22

RC

1:2,500

0 12.525 50 75 100

Meters

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