

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P.Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Applewood Subdivision
911 and 945 Kleinburg Drive (formerly 660 Sunningdale Road East)
Application for Zoning By-law Amendment

Public Participation Meeting on: June 20, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Applewood Market Place Inc. to portions of the lands located at 911 and 945 Kleinburg Drive (formerly 660 Sunningdale Road East), the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on August 10, 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 Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone **TO** a Business District Commercial Special Provision BDC2(__)*H23 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m.

Executive Summary

Summary of Request

The requested change refers to (Block 4 and Part of Block 5) whereby staff have included provisions in the Business District Commercial Zoning (BDC2(__)) to permit ground floor residential to the rear of commercial/office uses along Appletree Gate, within an apartment building as defined in the revised by-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended is to amend the Zoning that applies to Block 4 and Part of Block 5 by adding additional special provisions that permit apartment buildings within a mixed use building restricted to the rear portion of the ground floor or above with any or all of the permitted uses in the front portion of the ground floor. The zoning amendments will provide residential and commercial uses on the site in the form of a mixed-use development while providing a gateway design envisioned for the Applewood subdivision byway of Appletree Gate.

The conditions for removing the holding provisions have been met, as the required security has been submitted and the subdivision and development agreement has been signed, water looping has been installed and a secondary access provided, and the urban design guidelines have been implemented through the subdivision agreement. All issues have been resolved and the holding provisions are no longer required.

Rationale of Recommended Action

1. 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 and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods Place

Type.

3. The proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential.
4. The policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts. The addition of residential to the rear meets the policies of the Official Plan and the London Plan and will help support the construction of the main street as envisioned by the plan.
5. The zoning reflects the optimum building type that would be contemplated (apartment buildings) and defines the type of dwelling units that can be located to the rear of commercial for this site.
6. The conditions for removing the ((h*h-100*h-173) holding provisions have been met and the recommended amendment will allow the construction of commercial/residential mixed-use buildings in compliance with the Zoning By-law.

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

March 2, 1999 - Municipal Council resolved that the lands be excluded from the Uplands Community Plan and be added to the Stoney Creek Community Plan be refused.

May 12, 1999 - 6th Report of the LACH, Report of the Stewardship Sub-Committee of the LACH, re: discussion of 660 Sunningdale barns.

January 30, 2002 - Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

February 27, 2002 - Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

June 12, 2002 - Monthly Report of the Heritage Planner to LACH Members, re: 660 Sunningdale Road East.

April 30, 2003 - Report of the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

May 7, 2003 - Memorandum from the Stewardship Sub-Committee of the LACH, re: Uplands North Area Plan.

June 9, 2003 - Report to the Planning Committee recommending adoption of the Uplands North Area Plan.

August 7, 2007 - Report to Planning Committee regarding 660 Sunningdale Road East (39T-99513/Z-5723).

March 11, 2009 - 4th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

May 6, 2009 - Report to the Planning Committee regarding tree cutting on the property.

June 22, 2009 - Report to the Planning Committee regarding the status of the subdivision/file.

October 10, 2010 - 3rd Report of the LACH. Re: Notice, 660 Sunningdale Road East.

October 8, 2013 - Report to the PEC. 39T-09501/OZ-7683.

March 12, 2014 - 4th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

April 9, 2014 - 5th Report of the LACH. Re: Notice, 660 Sunningdale Road East.

July 28, 2014 - Report to the PEC. 39T-09501/OZ-7638.

July 12, 2017 - Report to the LACH. Request for Demolition of Heritage Listed Property at 660 Sunningdale Road East by: Peter Sergautis.

July 17, 2017 - Report to the PEC. Request for Demolition of Heritage Listed Property at 660 Sunningdale Road East by: Peter Sergautis.

January 22, 2018 - Report to the PEC: Application by Extra Realty Limited, 660 Sunningdale Road East, Applewood Subdivision, Public Participation Meeting.

April 11, 2018 - Report to the LACH: Demolition Request of Heritage Designated Property at 660 Sunningdale Road East by: Peter Sergautis.

April 16, 2018 - Report to the PEC: Demolition Request of Heritage Designated Property at 660 Sunningdale Road East by: Peter Sergautis.

April 30, 2018 - Report to the PEC: Application by Extra Realty Limited, 660 Sunningdale Road East, Applewood Subdivision Phase 1 – Special Provisions.

September 10, 2018 - Report to the PEC. Passage of Heritage Designating By-law for 660 Sunningdale Road East.

October 29, 2018 - Report to the PEC. 660 Sunningdale Road East, Stormwater Management (SWM) Facility Land Acquisition Agreement.

December 14, 2020 - Report to the PEC. 660 Sunningdale Road East, Zoning By-law Amendment, Request for Revisions to Draft Plan of Subdivision.

1.2 Planning History

The proposed redline-revisions apply to the Applewood Subdivision which was originally accepted on January 27, 2009. After the submission and review of a number of modified versions of the Plan, the Approval Authority granted draft approval on September 9, 2014. The owner requested a three (3) year extension of draft approval in April of 2017. Draft approval was extended to February 21, 2021.

On January 30, 2018 City Council requested that the Approval Authority approve the request for revision and a three-year extension of the draft plan of subdivision approval for this subdivision subject to the revised conditions of draft approval. On February 21, 2021, this draft plan was approved by the Approval Authority.

Phase 1A was registered on August 17, 2018 as 33M-749. It consisted of which eight (8) single detached lots, one (1) multi-family residential block, and one 0.3 m reserve, all served by the extension of Kleinburg Drive. Phase 1B consists of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 1B was registered on June 20, 2019 as 33M-764. It consisted of one (1) commercial/mixed use block, served by the extension of Blackwater Road.

Phase 2A was registered on September 14, 2020 as 33M-787. It consisted of one (1) commercial block, two (2) commercial mixed use residential blocks, two (2) multi-family residential blocks, one (1) open space block, four 0.3 m reserves served by the extensions of Blackwater Road and Kleinburg Drive.

1.1 Property Description

The subject lands are located in the northeast quadrant of the City and are included in the Uplands North Area Plan. The proposed amendments apply to Block 4, and portions Blocks 5, south of Kleinburg Drive and East of Appletree Gate. These locations have been highlighted in the location map in Section 2.1 below.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – “Main Street and Neighbourhoods”
- Official Plan Designation – “Main Street Commercial Corridor and Multi-Family, Medium Density Residential”
- Existing Zoning – Holding Business District Commercial Special Provision h*h-100*h-173BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27) Zone

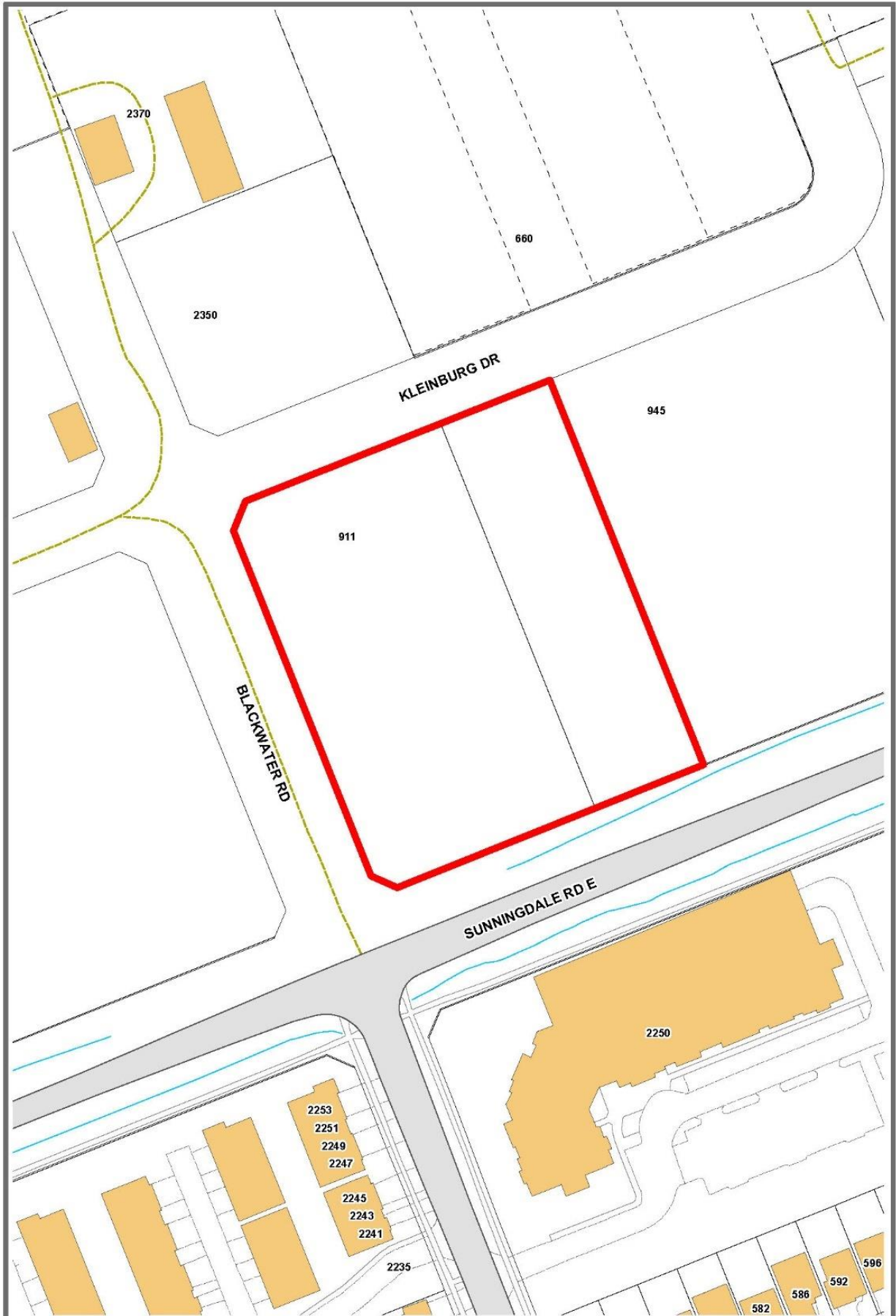
1.3 Site Characteristics

- Current Land Use – vacant/undeveloped
- Frontage – 117.193 metres
- Depth – 116.68 metres
- Area – 1.14 hectares
- Shape – rectangular

1.4 Surrounding Land Uses

- North – Future Residential
- East – Future Residential
- South – Residential
- West – Residential

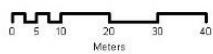
1.5 Location Map



LOCATION MAP

Subject Site: 911 Kleinburg Drive
 File Number: H-9320
 Planner: Sean Meksula
 Date: 15/03/2021

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:1250



Legend

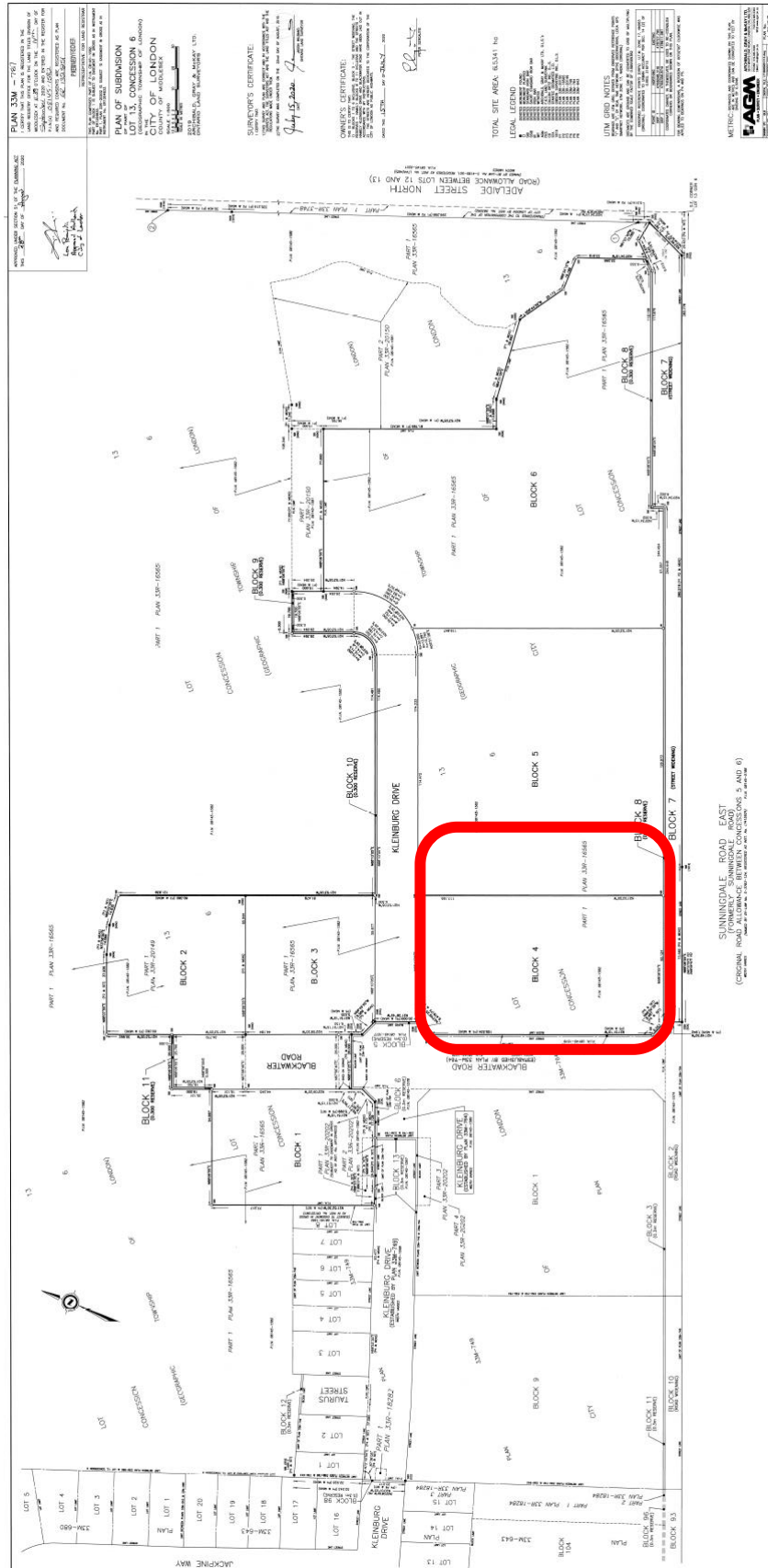
- Buildings
- Parks
- Submitted Under Review Subdivisions
- Driveways/ParkingLots

2.0 Discussion and Considerations

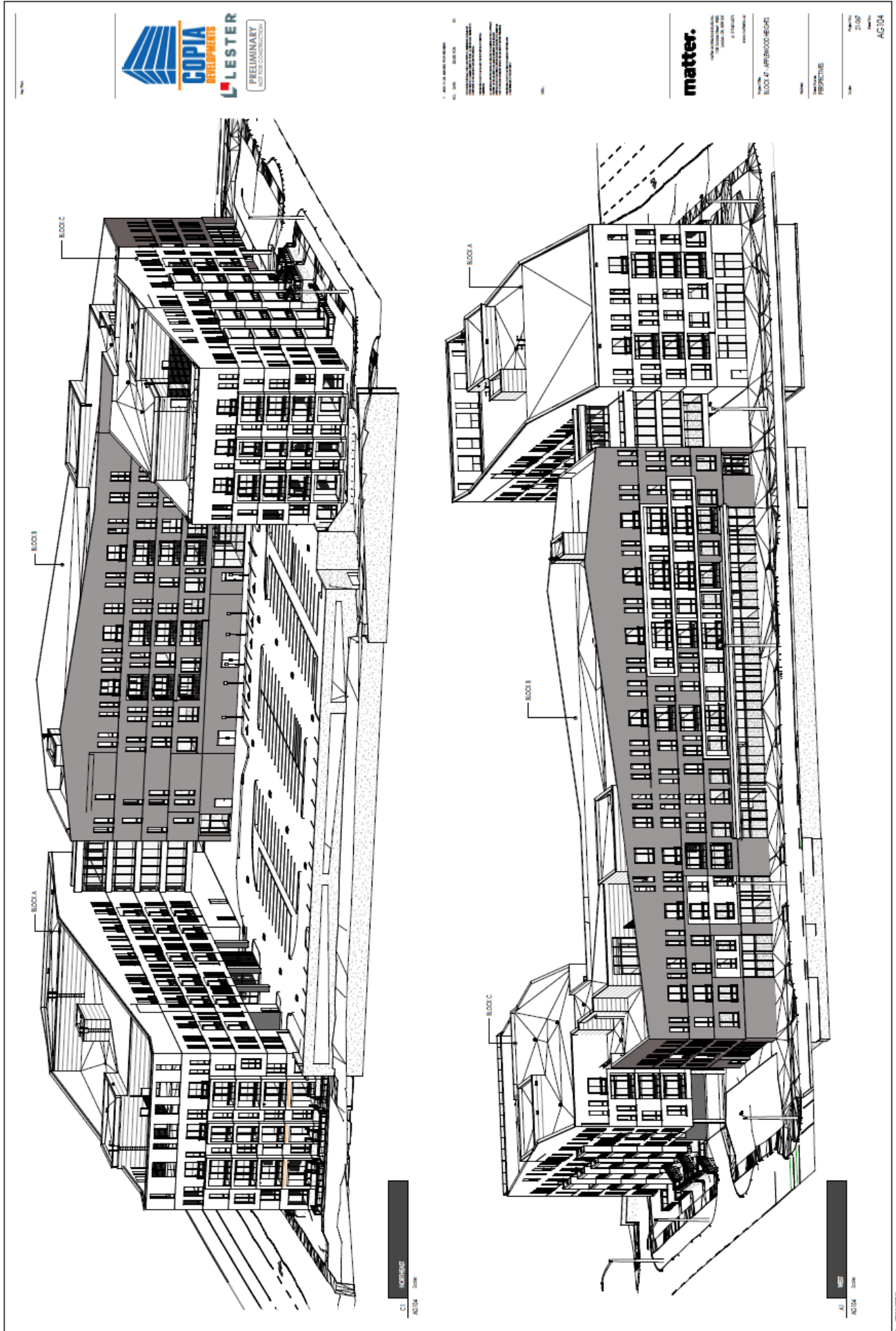
2.1 Development Proposal

The applicant is proposing to make minor adjustments to Blocks 4 and Part of Block 5, Registered Plan 33M-787 by severing a portion of Block 5 and conveying it to Block 4. The intent is to sever and rezone approximately 33m of land from the west portion of Block 5 and merge this parcel with Block 4. By doing so, the owner will be able to mirror a development currently under construction (BDC mixed-use in Phase IB - Block 1 33M-764) on the west side of Blackwater Road. The additional land is required to accommodate the development. This would then provide the gateway design envisioned for the Applewood subdivision as Blackwater Road is the main entry access to the development.

2.2 Current Draft-Approved Plan



2.5 Proposed Concept Plan



C1 INTERIOR
A2/04 Scale

A1 REF
A2/04 Scale



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matter.
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PROJECT NO. 2024-001
BLOCK 47 - AIRWOOD HEIGHTS

DATE: 10/20/24
DRAWN BY: JACOB
CHECKED BY: JACOB
PROJECT: AIRWOOD HEIGHTS

SCALE: AS SHOWN
SHEET: A2/04
TOTAL SHEETS: 10

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 Considerations

4.1 Requested Amendment

The commercial lands are intended to provide for commercial uses geared towards the larger neighbourhood/area needs. The Applicant has requested additional height (23m) through this application to facilitate mixed use multi-level development. Special provisions have been requested for the commercial lands to accommodate the proposed development, such as a Gross Leasable Floor Area (GLFA) of 1022m², whereas 1000m² is currently permitted, a total of 260 parking spaces whereas 274 are required, and remove the word "primary entrance" from the existing zone 25.4(b)(iii) and replace with "provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage" to ensure that the development creates a strong street wall and is pedestrian oriented as required through the plan of subdivision.

The Applicant has requested a zoning by-law amendment to rezone the lands to a Business District Commercial Special Provision BDC2(10)*H23 Zone to the subject site in the form of a mixed-use development. The requested zone is the same zone that has been used within the Applewood draft plan of subdivision (39T-09501). This Zone permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m. The Applicant has also applied for consent, to sever the portion of lands from Block 5, which will then be added Block 4 for the proposed development.

4.2 Community Engagement (see more detail in Appendix B)

The requested amendment was circulated to the public on March 31, 2021 and advertised in the Londoner on April 1, 2021. A revised noticed was circulated to the public on April 13, 2022 and advertised in the Londoner on April 14, 2022. At the time of preparation of this report no responses were received from the public in response to the Notice of Application and The Londoner Notice.

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

4.4 Policy Context Summary (A more detailed policy analysis is provided 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 south 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 or 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 subject lands are located within the Neighbourhoods Place Type in The London Plan. The Neighbourhoods Place Type (Table 10)* permits a range of uses, such as single detached, semi-detached, duplex, triplex, and fourplex dwellings; townhouses; low-rise apartments; small-scale community facilities; and emergency care establishments. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

The subject site is also located within the Main Street Place Type in The London Plan. The London Plan envisions both the creation of new Main Streets and the regeneration of historic Main Streets throughout the City (Policy 905). The Main Street Place Type allows for appropriate forms of intensification at suitable locations to support the sustainability of Main Streets (Policy 907). The Main Street Place Type permits a broad range of residential, retail, service, and office uses (Policy 908).

1989 Official Plan

These lands are designated “Multi-family, Medium Density Residential” on Schedule ‘A’ of the 1989 Official Plan. This designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings.

The subject site are also located within the “Main Street Commercial Corridor” land use designation in the Official Plan. Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. Uses are encouraged that provide for and enhance the pedestrian nature of the Main Street Commercial Corridor (Policy 4.4.1.2). Main Street Commercial Corridors are intended to provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors with one or more of a broad range of permitted uses at a scale which is compatible with adjacent development (Policy 4.4.1.1).

Permitted uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings (Policy 4.4.1.4). An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

Zoning By-law No.Z.-1

The proposed Business District Commercial Special Provision BDC2(10) Zone for Block 4 and the proposed severed portion of Block 5, known as Phase 2a, was registered on August 28, 2020 in the Applewood subdivision. The Business District Commercial (BDC) Zone is normally applied to implement the Main Street Commercial Corridor designation. While the BDC Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City.

Through the zoning by-law amendment request, the applicant has requested an increase in height for these lands to 23.0 m. These lands are zoned BDC2(10), which provides for a wide range of commercial and office type uses. The BDC2(10) zone variations with the

exception of Dwelling Units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor. Apartment Buildings, within a mixed-use building restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor fronting on the primary collector.

Although a height of 23.0m is not encouraged through the London Plan policies, the current Official Plan has no such restriction on heights related to the Main Street Commercial designation. The Applicant had indicated through discussions that they may wish to optimize the “residential” component of the BDC Zone and build minimal commercial/office uses on the ground floor.

The policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts. The addition of residential to the rear meets the policies of the Official Plan and the London Plan and will help support the construction of the main street as envisioned by the plan. The zoning reflects the optimum building type that would be contemplated (apartment buildings) and defines the type of dwelling unit that can be located to the rear of commercial. Since the site is limited in size, and no additions will be permitted, any use(s) are limited in Gross Leasable Floor Area (GLFA) of 1022m², so no potential impact on traffic and adjacent development is anticipated. Adequate on-site parking can be accommodated on the lands.

The BDC2(10) for this block encourages street-oriented development with special provisions for the primary entrance for individual tenants to be oriented toward the primary collector. By removing the term "primary entrance" from the existing zone and replacing it with "provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage, allows for multiple entrances and facilitates units flanking Appletree Gate opportunities for the commercial uses to interact (through the use of outdoor seating, pedestrian walkways, patios fronting, etc.). Staff therefore recommend proposed amendment. All other special provisions in the zone remain unchanged.

The Applicant requested an increase in height from 18.0 m to a maximum height of 23.0 m for this site. The BDC2(10) Zone, provides for a wide range of commercial and office type uses. In order to help facilitate mixed use buildings and a gateway design for the subdivision at this location, an increase in building height is supported and would be consistent with the adjacent lands within the Applewoods Subdivision. The Main Street is intended to provide larger scale commercial uses to serve the immediate area and the broader public, and to provide commercial uses within true mixed-use buildings which is supported by the change to 23.0m in height, not to provide mostly residential uses on the ground floor with minimal commercial uses. Encouraging mixed use buildings is a key tenant of the Main Street policies of the London Plan.

4.5 What is the purpose of the “h” holding provision and is appropriate to consider its removal?

The “h” holding provision states:

“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.”

The Applicant has provided the necessary security and has entered into a subdivision agreement with the City. As well, the Applicant has now entered into a development agreement for the proposed development, and has provided the necessary security for the site. This satisfies the requirement for the removal of the “h” holding provision.

4.6 What is the purpose of the “h-100” holding provision and is appropriate to consider its removal?

The purpose of the holding (“h-100”) provision in the Zoning By-law is as follows:

Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: A maximum of 80 residential units.

The Applicant has recently installed the watermain looping which connects to Sunningdale Road via Blackwater Road. The Applicant has also constructed Appletree Gate to Kleinburg Drive, which ensures a secondary access. These works have been inspected by the City and conditional approval has been granted. The holding “h-100” provision in this instance have been met.

4.7 What is the purpose of the “h-173” holding provision and is it appropriate to consider its removal?

The “h-173” holding provision states that:

“Purpose: To ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.

Permitted Interim Uses: Existing Uses.”

The Owner has entered into a subdivision agreement, and the urban design guidelines for this phase were implemented through the subdivision agreement. This satisfies the requirement for the removal of the “h-173” holding provision.

4.8 Amendments to the Zoning By-law

Any applications for amendments to the City of London Zoning By-law shall be subject to the applicable policies of the City of London Official Plan. Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis as described in the applicable designation of the Official Plan. Further to this, The London Plan requires amendments to consider the Use, Intensity and Form for any new development.

Although the policies of the Main Street Commercial (Official Plan) and Main Street (London Plan) permit residential units on the ground floor to the rear of commercial/store fronts, This Main Street is intended to provided larger scale commercial uses to serve the immediate area and the broader public, and to provide commercial uses within true mixed-use buildings (supported by the change to 23.0m in height), by the restriction to prohibit any residential uses on the ground floor of this BDC(10) Zone variation for this development. The site plan for these blocks do not create viable opportunities for residential uses on the ground floor of a mixed-use building and are not consistent with the intent and overall vision of this development. The regulations in this BDC Zone will restrict residential units above the first floor and permit access from commercial ground floor units to the public sidewalk along Appletree Gate frontage for the mixed-use building in this development. This ensures there are no “ambiguities” in the zoning to permit forms of residential uses that are not compatible with development objectives for this subdivision as well as multiple commercial unit entrances along Appletree Gate. Encouraging mixed use buildings is a key occupier of the new Main Street policies of the London Plan.

Staff is recommending approval of this height increase, Gross Leasable Floor Area (GLFA), reduction in parking and commercial unit access to Appletree Gate as they are in similar to or greater than the existing permissions on the neighboring lands to the west and will not result in any land use conflicts in the area. The amendment will create the visioned gateway entrance into the Applewood Subdivision via Appletree Gate.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020, the Official Plan, and is in keeping with the London Plan. The proposed modifications of the Business District Commercial Special Provision BDC2(10) Zone will implement an appropriate commercial and mix-use form consistent with 1989 Official Plan and The London Plan policies. The subject lands are of a suitable size and shape to accommodate the development as proposed through the concurrent consent application.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Subdivision Planning

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 660 Sunningdale Road East.

WHEREAS Applewood Market Place Inc. has applied to rezone an area of land located at 660 Sunningdale Road East, 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 portions of the lands located at 660 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A.102, from a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone to a Business District Commercial Special Provision, BDC2(10)*H23 Zone.

2) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(10) and replacing it with the following new special provision:

10) BDC2 (10)

- (a) Prohibited Uses

- i) Dwelling Units on the ground floor, only for the building fronting Appletree Gate.

- (b) Regulations

- i) Front & Exterior Side Yard Setback
(Minimum) 2 metres (6.6 feet)
(Maximum) 4 metres (13.1 feet)

- ii) Gross Leasable Floor Area
(Maximum) 1022 m² (11,000 ft²)

- ii) Parking for all uses
(Maximum) 274 Spaces

- i) The primary entrances for the majority of the individual commercial/retail/office tenants shall be oriented to the primary collector road and provide direct walkway access from commercial ground floor units to the public sidewalk along Appletree Gate frontage. and a range of commercial uses on the first floor with residential use above, will only be required for the buildings fronting Appletree Gate.

- iv) Notwithstanding the provisions of Section 2 "LOT LINE, FRONT", the frontage for this lot will be deemed to be along the primary collector.

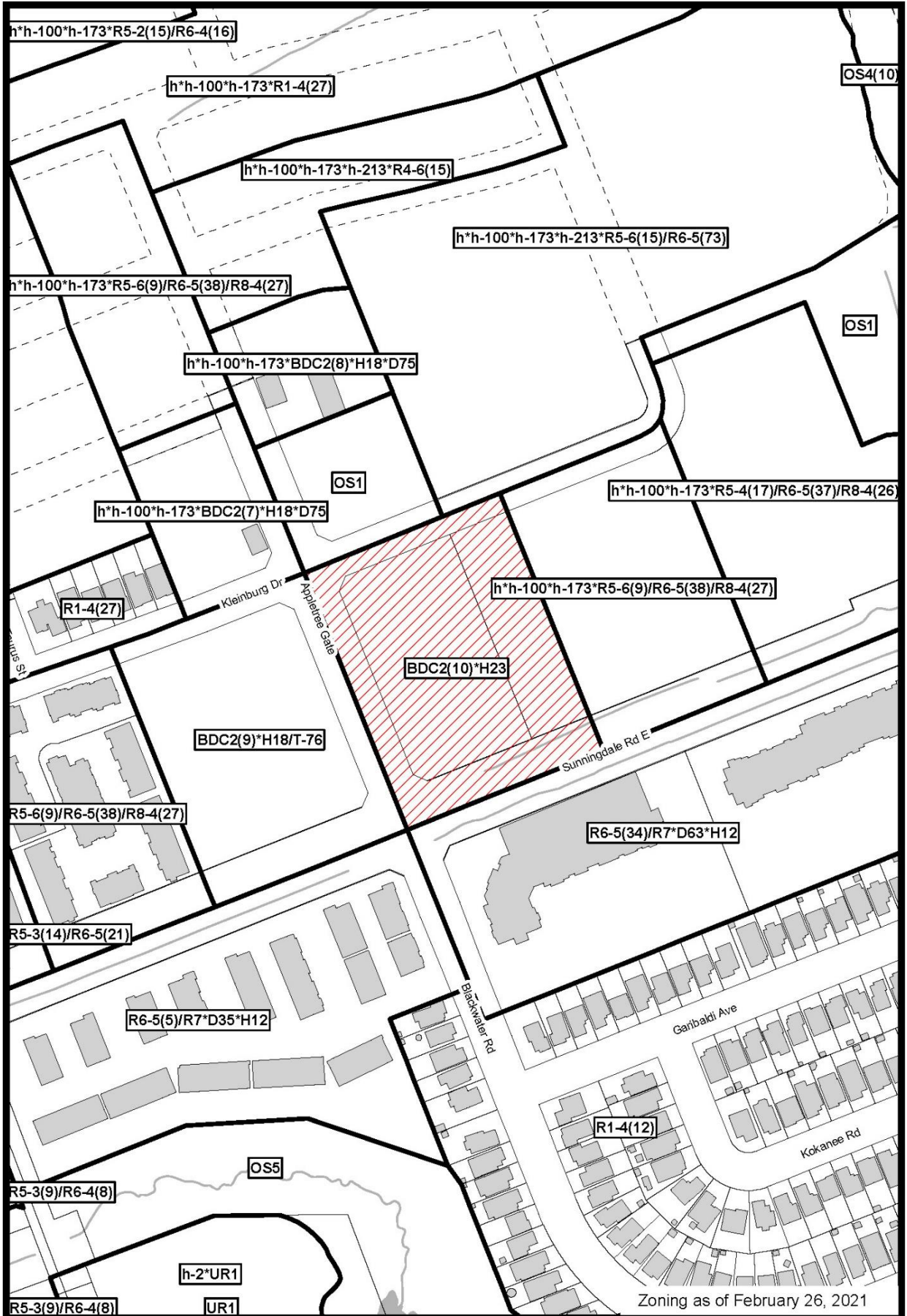
PASSED in Open Council on August 10, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – July 5, 2022
Second Reading – July 5, 2022
Third Reading – July 5, 2022

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



File Number: Z-9321
 Planner: SM
 Date Prepared: 2021/05/06
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



Appendix B – Public Engagement

Community Engagement

Notice of Application (March 24, 2021):

Public liaison: On March 24, 2021, Notice of Application was sent to 52 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 25, 2021.

Responses: No responses were received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone **TO** a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H21 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 21m.

Notice of Revised Application (April 13, 2022):

Public liaison: On April 13, 2021, Notice of Application was sent to 52 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 14, 2021.

Responses: No responses were received.

Nature of Liaison: Possible change to Zoning By-law Z.-1 **FROM** a Holding Business District Commercial Special Provision h, h-100, h-173, BDC2(10)*H18 Zone and a Holding Residential R5/R6 Special Provision (h*h-100*h-173*R5-6(9)/R6-5(38)/R8-4(27)) Zone **TO** a Business District Commercial Special Provision BDC2(__)*H23 Zone, which permits a range of commercial uses on the first floor with residential uses above, to a maximum height of 23m.

Agency/Departmental Comments:

London Hydro – April 16, 2021 and April 13, 2022

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

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

Canadian National Railroad – March 26, 2021

Thank you for circulating CN the proposed project mentioned in subject. This is to confirm that we have reviewed the information and site location. CN Rail does not have any comments or objections to this application.

Development Engineering – April 12th, 2021

Development Services - Engineering has completed its review of the first submission of engineering drawings prepared by Stantec Consulting and submitted as part of the above noted site plan application. Items to be addressed are outlined below and identified on the attached red-lined drawings.

Technical Comments for the Applicant

General

1. Kleinburg Road from Blackwater to the SWM Pond, shall be constructed, conditionally approved by the City and fully operational in order to provide OLF conveyance to the SWM Pond. This shall be completed prior to final site plan approval.
2. Blackwater Road shall be conditionally approved by the City and fully operational in order to provide a secondary access to the site. This shall be completed prior to final site plan approval.
3. All the municipal outlets for the site (storm/sanitary) and the watermain shall be conditionally approved by the City and deemed operational prior to final site plan approval.
4. Subdivision Drawings are to be updated to reflect the changes (Drainage area plans, design sheet and profiles, etc.) to the Applewood Phase 2. Please submit the drawings through the DS Subdivision group and this shall be done prior to SPA.

Servicing/Grading

5. Ensure adequate fire protection is provided per part 3.25.16 in the building code.
6. Ex Hydrant on Kleinburg to have 3.0m of clear space
7. Proposed water service to comply with W-CS-31 (valve not required at PL).

SED

8. The Applewood Subdivision Phase 2A drawings shall be superseded per comment #4 in conjunction with this application as submissions at assumption or as-constructed stage is too late. This is to assist track the over 30 ha of area remaining which will follow with future phases and applications directed at the same outlet.
9. Please provide a breakdown of the 155 Residential units into the high density (1.6ppl/unit) for the apartment and medium density (2.4ppl/unit) for the townhomes. Revise the total population accordingly.
10. Please provide design flows for the commercial space based on the proposed commercial floor area, equivalent bedroom count or fixture count to reflect the actual proposed population for accuracy. The proposed floor plans will assist in verifying the information provided.
11. The City does not support designing to make use 100% of the sewer capacity as is for MH108-110. Further to the above, please ensure there is surplus available for site design flexibility and future undeveloped external areas (future applewood subdivision and comfort land) that directs flow to the same outlet.

SWM

12. The proposed development suggests revisions to the lotting fabric of the subdivision, comp c values, etc... The consultant is to ensure any impacted subdivision drawings are superseded to reflect the proposed revisions.
13. An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed stormwater management controls i.e. OGS.
14. An erosion and sediment control plan that effectively conveys a control strategy for the construction activities related to the proposed site should be provided. The E&SC Plan shall identify all erosion and sediment control measures for the subject site and will be in accordance with City of London and MECP standards and requirements. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the drawings and Storm/Drainage Servicing Report. Please see Section 10 of the Design Specifications & Requirements Guideline and the 2019 TRCA ESC Guide for Urban Construction for further detail.

When all comments as set-out above and on the red lined mark-up have been addressed in their entirety the drawings could be resubmitted for our review.

Bell – April 13, 2022

Thank you for your circulation on Z-9321 Notice of REVISED Planning Application - 911 and 945 Kleinburg Drive - Clawson Group (WARD 5) - Planner: Sean Meksula. Your email has been received and relayed to Bell staff for review. The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications

infrastructure. Bell Canada also appreciates the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments/input be required on the information included in the circulation. Bell Canada kindly requests to always be circulated on any future materials related to this development project or infrastructure/policy initiative. Please note that Bell Canada does not generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

If you have any questions, please contact planninganddevelopment@bell.ca directly. *Please note that this circulations email account is managed by WSP on behalf of Bell Canada. All reviews and responses are always undertaken by Bell Canada.*

Ecology – April 25, 2022

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

UTRCA – April 26, 2022

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

Accordingly, the UTRCA has no objections to this application and a Section 28 permit application is not required.

Parks – April 29, 2022

- Parkland dedication has been satisfied through Subdivision 33M-787.

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

The proposal must be consistent with 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.
- Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.3 Settlement Areas
 - 1.1.3.2
 - 1.1.3.6
 - 1.4 Housing
 - 2.0, 2.1.1, 2.1.8, 2.1.4, 2.1.5, 2.1.6
 - 3.0

In accordance with section 3 of the Planning Act, all planning decisions 'shall be consistent with' the PPS

Z.-1 Zoning By-law

Site Plan Control Area By-law

The London Plan

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning by-law amendment and red-line revisions contributes to achieving those policy objectives, including the following specific policies:

59_, 61_, 62_, 172_, *921_, *935_, *936_, *937_, *1688

Our Strategy

Key Direction #5 – Build a mixed-use compact city

2. *Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
4. *Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*
7. *Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- 2. Design 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.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

City Building and Design Policies

*197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage. **

The proposed zoning will continue to permit a both single detached residential dwellings and street townhouses which are compatible with adjacent residential development, in keeping with the character of the neighbourhood, and consistent with the planned vision of the Neighbourhood Place Type. The proposed residential blocks will maintain a consistent lot pattern and continuity of the streetscape along Moon Street and Kleinburg Drive.

*212_ The configuration of streets planned for new neighbourhoods will be of a grid, or modified grid, pattern. Cul-de-sacs, deadends, and other street patterns which inhibit such street networks will be minimized. New neighbourhood street networks will be designed to have multiple direct connections to existing and future neighbourhoods. **

The street configuration represents a grid pattern that includes a street facing townhouses along Moon Street and Kleingburg Drive, with multiple direct connections to the existing neighbourhood to the west and south as well as the future developemtn to the north..

*216_ Street networks, block orientation, lot sizes, and building orientation should be designed to take advantage of passive solar energy while ensuring that active mobility and other design criteria of this chapter are satisfied. **

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Moon Street and Kleingburg Drive. The street network will be required to incorporate sidewalks and sidewalk links, which helps to promote active mobility in the neighbourhood.

Neighbourhoods Place Type

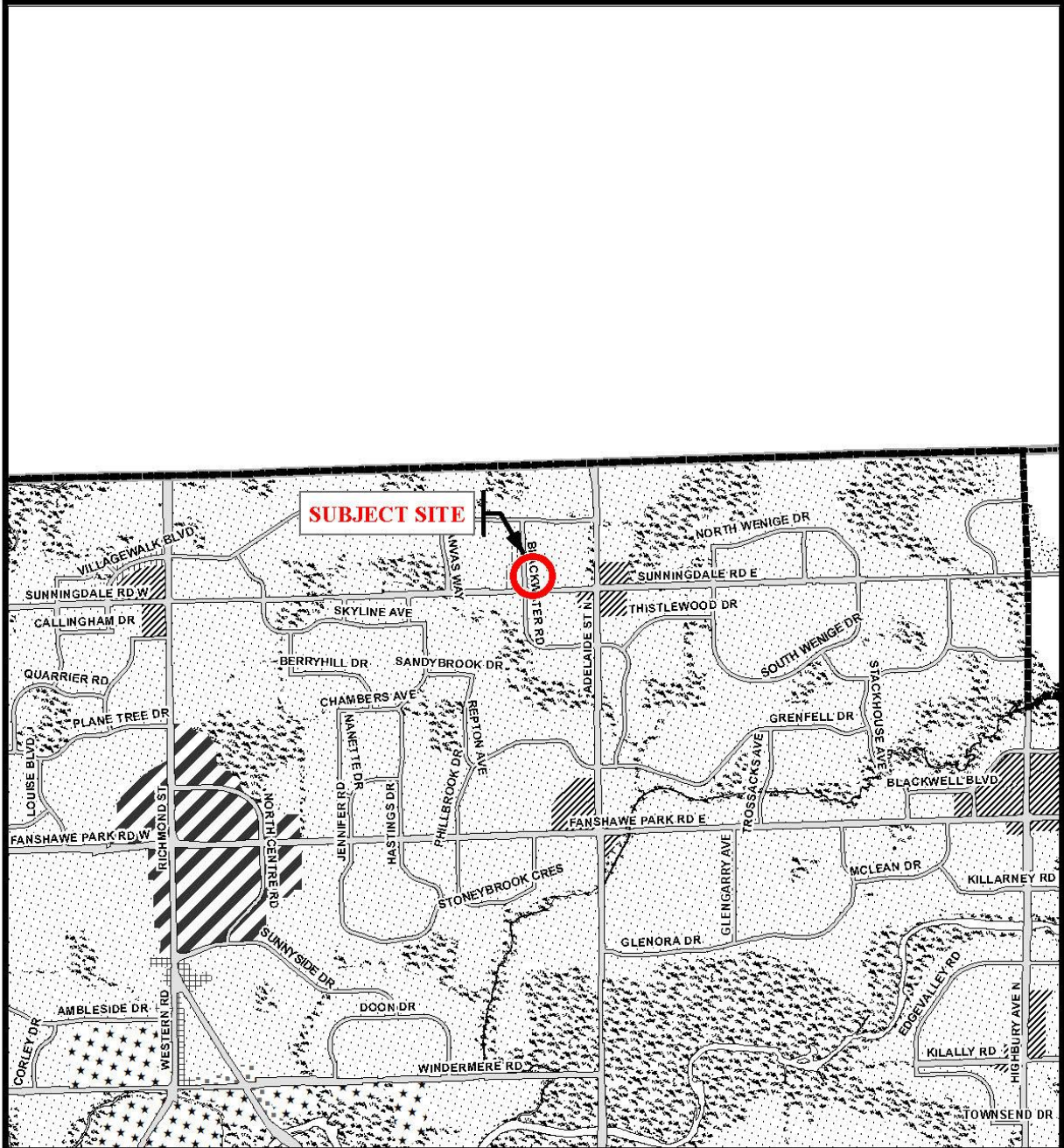
The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of street townhouses and cluster townhouses are, anticipated to be a minimum 2 and 2.5 storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

1989 Official Plan

These lands are designated as Multi-family, Medium Density Residential under Section 3.3 which permits primarily multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding and houses; emergency care facilities; and small-scale nursing homes, rest homes, and homes for the aged, as the main uses. These areas may also be developed for single detached, semi-detached, and duplex dwellings. The recommended zone variations are consistent with the Official Plan designation and range of permitted uses.

Appendix D – Relevant Background

London Plan Map 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

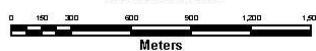
Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



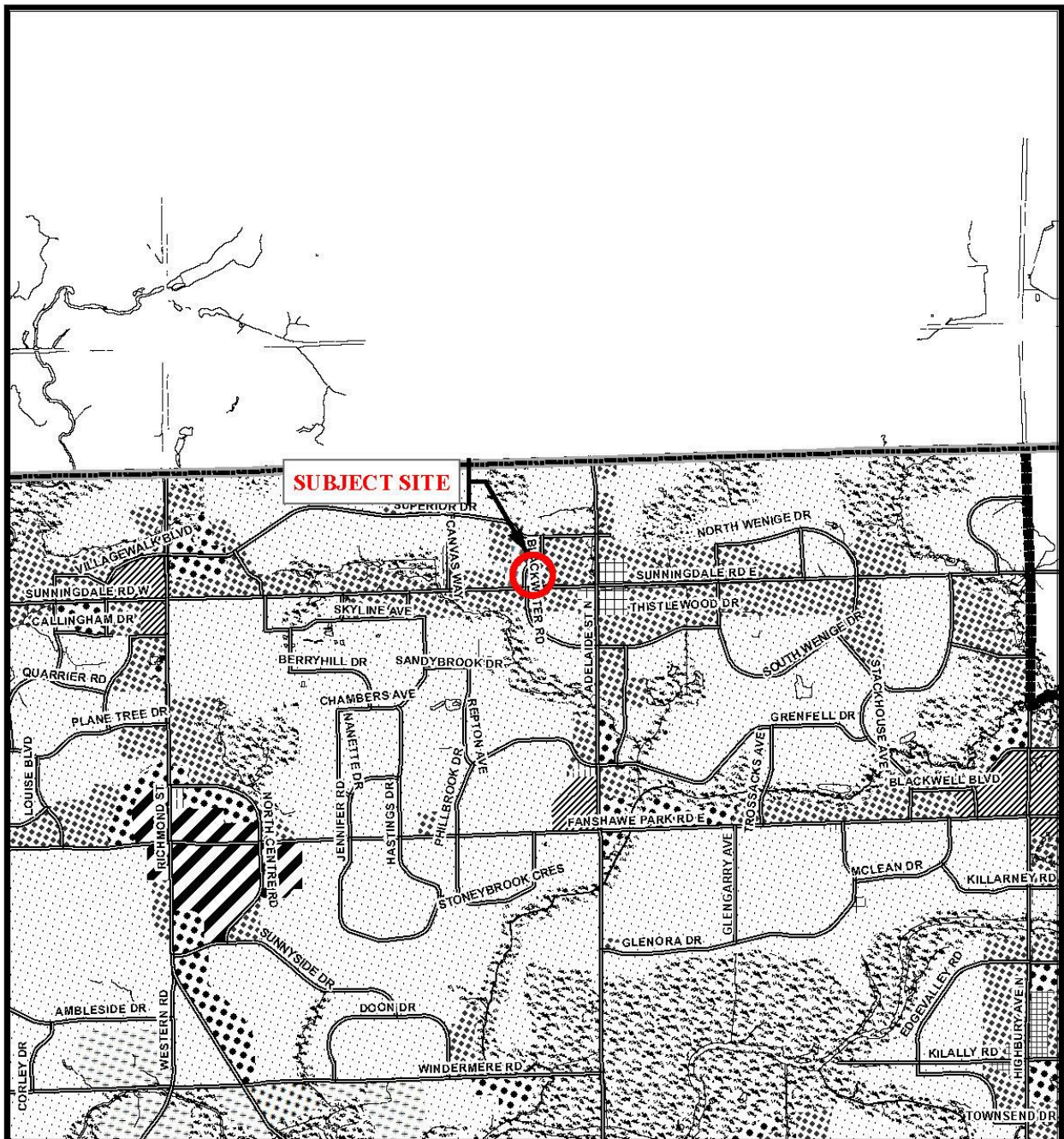
File Number: Z-9321

Planner: SM

Technician: RC

Date: March 15, 2021

Official Plan Map Excerpt



Legend

- | | |
|--|-----------------------------------|
| Downtown | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |
| | Enterprise |

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



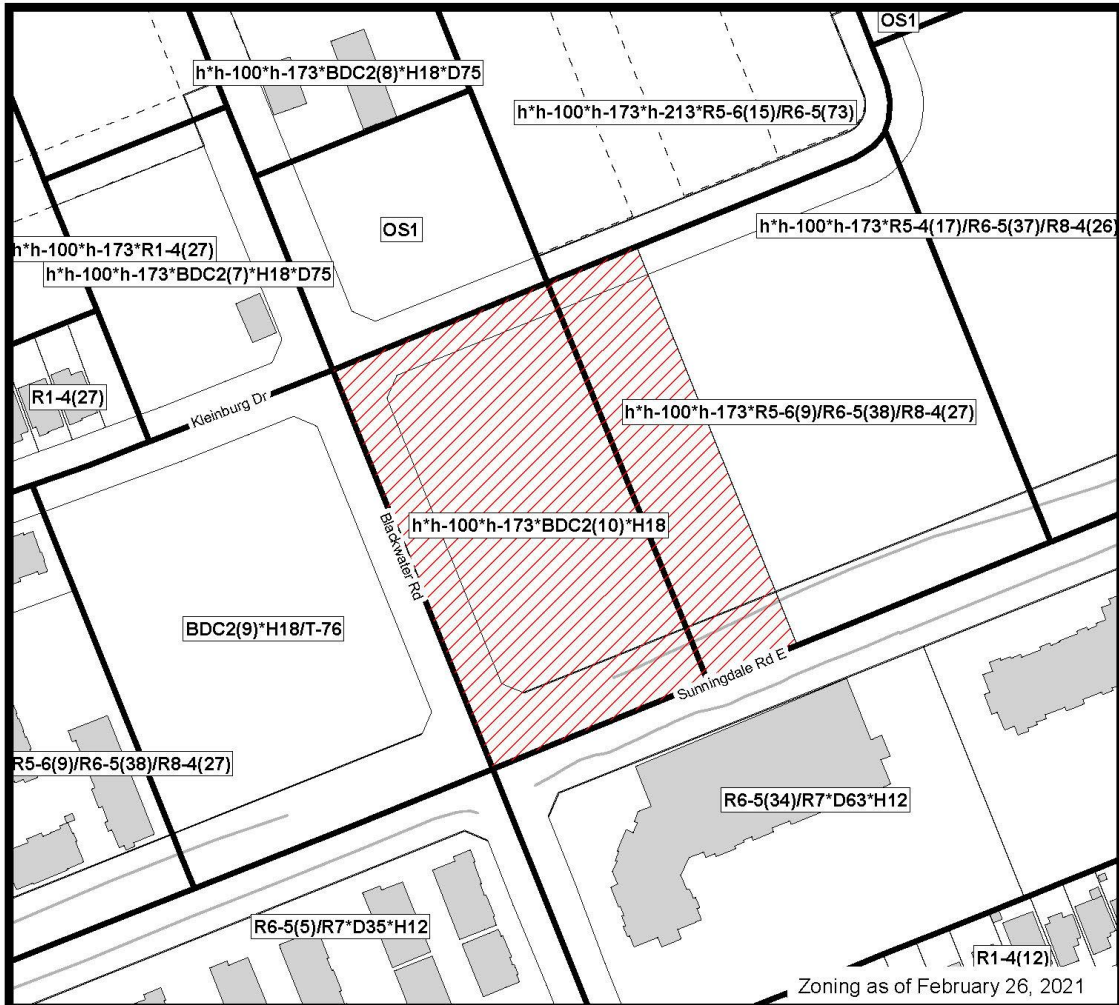
FILE NUMBER: Z-9321

PLANNER: SM

TECHNICIAN: RC

DATE: 2021/03/15

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9321

SM

MAP PREPARED:

2021/03/15

RC

1:2,000

0 10 20 40 60 80

Meters