

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

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

Subject: Application by 2399731 Ontario Ltd. c/o Westdell
Development Corporation
689 Oxford Street West (File: O-9206 and Z-9199)

Public Participation Meeting: 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 2399731 Ontario Ltd. c/o Westdell Development Corporation relating to the property located at 689 Oxford Street West:

- a) The request to amend Zoning No. Z.-1 to change the existing Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a Residential R9 Special Provision Bonus/Highway Service Commercial Special Provision/Restricted Service Commercial Special Provision (R9-7*B-()/HS1()/HS3()/RSC2()/RSC4() Zone **BE REFUSED** for the following reasons:
 - i) The affordable housing contribution associated with the Bonus application is based upon a proposed combination of 1989 Official Plan and London Plan policies; however, the applicable Bonusing policy framework is the 1989 Official Plan bonusing policies.
 - ii) The requested special provisions for the Bonus Zone are proposed for individual buildings within the subject site, which does not meet the intent of London Plan and/or Zoning by-law Z.-1 regarding matters such as rear-lotting, yard definitions, and railway setback distance.

- b) The recommended by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 5, 2022 to amend Zoning By-law No. Z.-1, in conformity with The London Plan and the applicable policies of the 1989 Official Plan, to change the zoning of the subject property **FROM** a Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone, **TO** a holding Residential R9 Special Provision Bonus/Highway Service Commercial Special Provision/Restricted Service Commercial Special Provision (h-_*R9-7*B-()/HS1()/HS3()/RSC2()/RSC4() Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of three apartment buildings as follows: a 17-storey building of 146 units; an 18-storey building of 160 units; and a 21-storey building of 184 units. The development is an increased density of up to 396 units per hectare (490 units total). The development will substantively implement the Site Plan, Renderings and Elevations attached as Schedule "1" to the amending by-law and provides for the following facilities, services, and matters:

- 1) Provision of Affordable Housing
 - i) A total of 30 affordable housing units will be provided in the development, including a total of 10 affordable housing units in each of the three buildings (Buildings "A", "B", and "C").
 - ii) That the affordable unit mix (bachelor, 1-bedroom, 2-bedroom), is representative of the bedroom mix of the overall building within which the affordable units are contained.
 - iii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London CMA, as determined by the CMHC, at the time of building

- occupancy for the respective building the affordable units are located within;
- iv) The duration of affordability set at 50 years from the point of initial occupancy of the respective building;
- v) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- vi) These conditions to be secured through an agreement entered on title with associated compliance requirements and remedies.

2) Exceptional Design

The buildings designs shown in various illustrations contained in Schedule “1” of the amending by-law is being bonused for features which serve to support the City’s objectives of promoting a high standard of design.

- Enhanced building and site design features and setback podiums on Capulet Walk establishing a built street edge.
- Active uses potential along Capulet Walk street frontage for Building “B” and Building “C”.
- Architectural design features on the towers that will enhance the skyline and break up building mass.
- Inclusion of building step backs and varying building heights and articulated facades, including recesses, projections, and balconies, to provide depth and variation in built form and enhance pedestrian environment.
- Ground floor units along Capulet Walk to provide functional doors, walkways, connections to sidewalk on Capulet Walk.

- 3) Construction of underground parking under the second phase of development (Building “B” and Building “C”); and, a parking structure to function as an engineered crash wall for safety and impact mitigation associated with the adjacent rail line.

- c) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Use transparent glazing or active vision glazing on the ground floor of Building “B” and Building “C” on Capulet Walk and Oxford Street frontages to animate the street.
 - ii) Non-residential ground floor uses in Building “B” and Building “C” are to be oriented to the street and provide “front doors” to Capulet Walk.
 - iii) Incorporate an urban treatment between the built form fronting Capulet Walk and the City sidewalk.
 - iv) Recognize that the parking garage structure abutting the CN Rail property will be designed to a crash wall engineering standard, consistent with guidelines for development adjacent to rail lines and CN Rail requirements.
 - v) Noise attenuation clauses are to be addressed through future development agreements, with regards to mitigative building design standards and property adjacency (within 300m) to rail line operations.
 - vi) That revised sanitary area plan and design sheets from April 4, 2022 Servicing Memorandum are to be submitted to City Geomatics.
- d) That **NO ACTION BE TAKEN** regarding the application for 1989 Official Plan Amendment for consistency with in-force London Plan policies. It being noted that through Ontario Lands Tribunal (OLT) decision dated May 25, 2022, the final phase of city-wide London Plan policy appeals have been dispensed and therefore the 1989 Official Plan is repealed in accordance with Council decision dated June 23, 2016.

Executive Summary

Summary of Request

The requested amendment to Zoning By-law Z.-1 is to change the zoning of 689 Oxford Street West from a Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a Residential R9 Special Provision Bonus/Highway Service Commercial/Restricted Service Commercial (R9-7*B(_)/HS1/HS3/RSC2/RSC4) Zone to permit a two-phased development of three buildings: a 17-storey building of 146 residential units; an 18-storey building of 160 residential units; and a 21-storey building of 184 residential units. The requested amendment also includes permission for commercial uses on ground floors of buildings “B” and “C”, the provision of a 3-level parking structure on the southwestern portion of the site adjacent to the CN Rail property, and the interim use of the existing commercial plaza on the eastern portion of the site.

The City’s new official plan (The London Plan) designates the subject site Transit Village Place Type. There is no requested amendment to The London Plan.

Purpose and Effect of the Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit a high-rise development of three buildings. The buildings are up to a maximum of 146 units, 160 units and 184 units for a total of 490 residential units on the subject site. Limited non-residential space may be provided on ground floors of buildings fronting Capulet Walk (Buildings “B” and “C” of the conceptual site plan).

Rationale of Recommended Action

- i. The recommended amendments are consistent with the Provincial Policy Statement (PPS), including policies for: promotion of efficient development and land use patterns; accommodation of an appropriate range and mix of residential types in settlement areas (affordable and market-based); regeneration of settlement areas; support for transit-supportive development; promotion of intensification, redevelopment, and compact form.
- ii. The recommended amendment to Zoning By-law Z.-1 conforms with policies of The London Plan, including but not limited to: Transit Village Place Type, Key Directions, City Structure Plan, and City Design Policies.
- iii. The recommended Amendments conform with the 1989 Official Plan, including policies for Bonus Zoning designation.
- iv. The recommended amendment facilitates infill and intensification on an underutilized urban size. Infill and intensification at appropriate locations supports the City’s commitment to reducing and mitigating climate change by supporting efficient use of existing urban lands and infrastructure and regeneration of existing neighbourhoods to limit outward growth.
- v. The recommended bonus zone facilitates public benefits including the development of affordable housing units that will help to address the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024: Strategic Area of Focus 2 – Creating More Housing Stock, and the *Roadmap to 3,000 Affordable Housing Units*.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure and the regeneration of existing neighbourhoods. It also includes aligning land use planning with transportation planning

to facilitate transit-supportive developments.

Linkage to the Corporate Strategic Plan

This application supports the 'Strengthening our Community' and 'Building a Sustainable City' areas of focus in the Corporate Strategic Plan by ensuring London's neighbourhoods have strong character, sense of place, and London's growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is on the northwest corner of Oxford Street West and Capulet Walk, located west of Wonderland Road North. The parcel is approximately 1.239 hectares (3.06 acres) in size, with a commercial plaza on the east portion fronting Capulet Walk and storage and vehicle parking to the rear (west). To the south and west of the parcel is an active Canadian National (CN) Rail line. To the north is a vacant parcel, followed by a residential uses further north. To the east across Capulet Walk are automobile service and commercial uses.

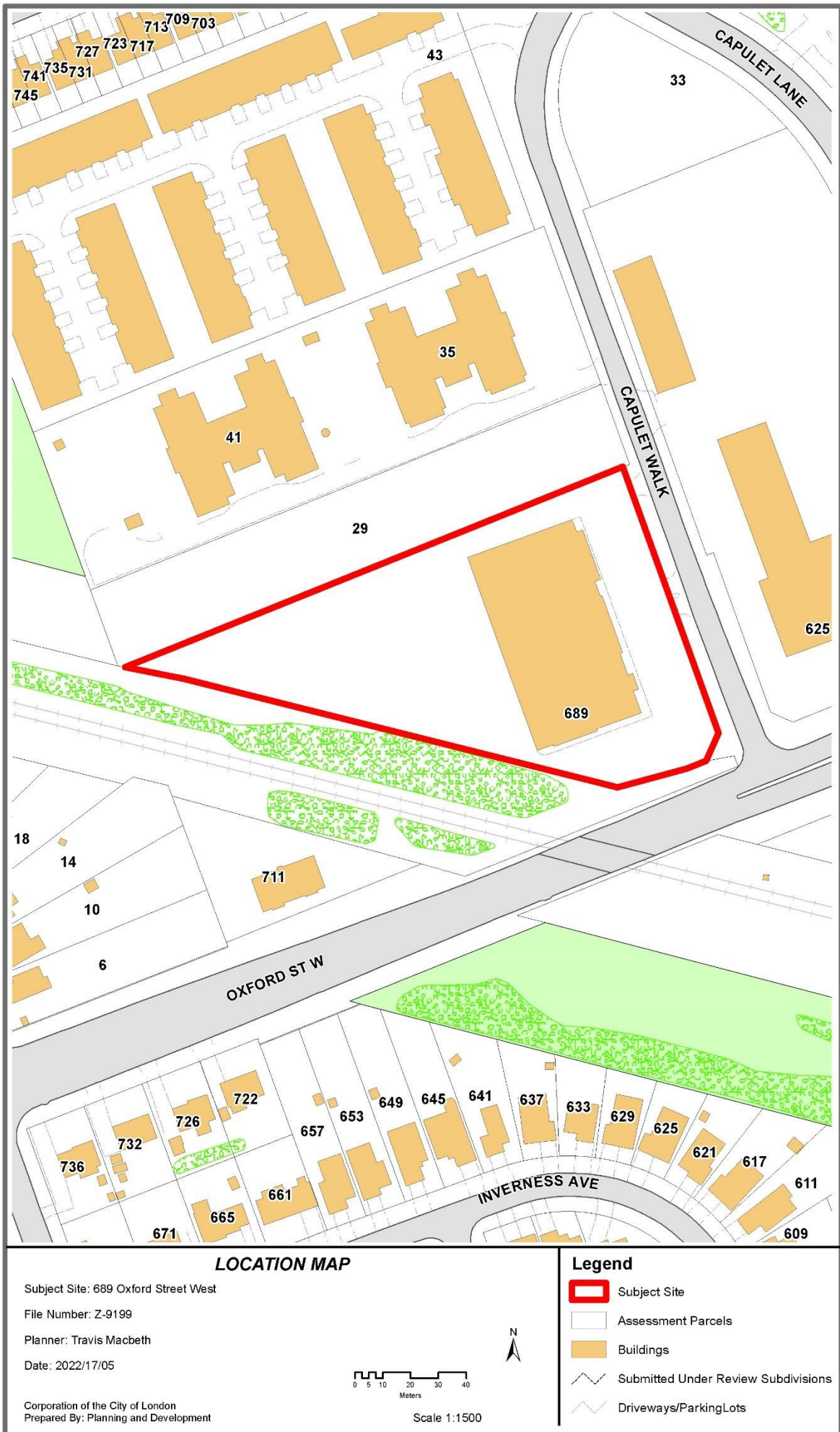
1.3 Current Planning Information (see more detail in Appendix E)

- The London Plan Place Type – Transit Village Place Type
- 1989 Official Plan Designation – Auto-Oriented Commercial Corridor
- Existing Zoning – Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone

1.4 Site Characteristics

- Current Land Use – Commercial Plaza and Open Storage
- Frontage – 101.5 m (frontage is on Capulet Walk)
- Depth – 192.5 m
- Area – 1.239 ha (3.06 acres)
- Shape – Irregular

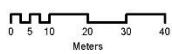
1.5 Location Map



LOCATION MAP

Subject Site: 689 Oxford Street West
 File Number: Z-9199
 Planner: Travis Macbeth
 Date: 2022/17/05

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



Scale 1:1500



Legend

- Subject Site
- Assessment Parcels
- Buildings
- Submitted Under Review Subdivisions
- Driveways/Parking Lots

1.6 Surrounding Land Uses

- North: surface parking lot to immediate north, with medium-density residential beyond to north (lands designated Multi-Family High Density Residential in 1989 Official Plan and Neighbourhoods in London Plan).
- East: automobile services and dealerships (designated Auto-Oriented Commercial Corridor in 1989 Official Plan and Transit Village in London Plan).
- South: CN Rail Line with automobile dealership across Oxford St (designated Auto-Oriented Commercial Corridor in 1989 Official Plan and Transit Village in London Plan)
- West: CN Rail Line with an office and residential neighbourhood further to west (designated Multi-Family Medium Density Residential in 1989 Official Plan and Neighbourhoods in London Plan)

1.7 Intensification

The proposed development represents intensification within the Primary Transit Area and within the Built Area Boundary.

The proposal is for development of 490 residential units (146 in Building “A”; 160 in Building “B” and 184 in Building “C”).

2.0 Description of Proposal

2.1 Development Proposal

This report is based upon a revised application. The initial proposal in February 2020 consisted of one building of 22 storeys and 166 units on the western portion of the site, with the proposed high-rise building located to the rear of the existing commercial plaza (see Figure 1 below). No redevelopment proposal was submitted for the commercial plaza building in the initial application.

The applicant submitted several revisions to designs and background materials, including a revised application in June 2021. That revised application was for a master plan for the entire site, with three buildings and revisions to building heights, densities, conceptual site plan and renderings. The June 2021 revisions resulted in a proposal of 480 units (388 units per hectare).

After further public and agency comments, another revised application was received in February 2022. It is for a similar development proposal to the June 2021 application. The final revised application of February 2022 is for 490 units (a density of 396 units per hectare), including revised site plan, building heights, and a narrower tower proposed for Building “B”. See Figure 2 below for February 2022 conceptual site plan.

The first phase proposed is a 17-storey residential building of 146 units, located on the west side of the subject site (labelled as “Serrano I” or “A” in the conceptual site plan. Hereafter referred to as “Building A”). The two buildings fronting Capulet Walk are proposed to be constructed as a second phase of development. The buildings of the second phase are 18 storeys with 160 units (Serrano II or “Building B”) and 21 storeys with 184 units (Serrano III or “Building C”). In total, 490 residential units are proposed. The existing commercial plaza is proposed to be retained in the interim until the second phase of development is constructed.

The buildings are proposed as towers of approximately 50 m in height for Building “A”, 52 m for Building “B”, and 60 m in height for Building “C”. Four-storey podiums are proposed along the Capulet Walk frontages of Buildings “B” and “C”. Buildings “B” and “C” may include commercial space on their ground floors.

A three-level parking structure is proposed adjacent to CN Rail property line on the southwestern lot line and two levels of underground parking are proposed under the second phase of development (Buildings “B” and “C”). A total of 489 parking spaces are proposed (approximately 1 space per unit).

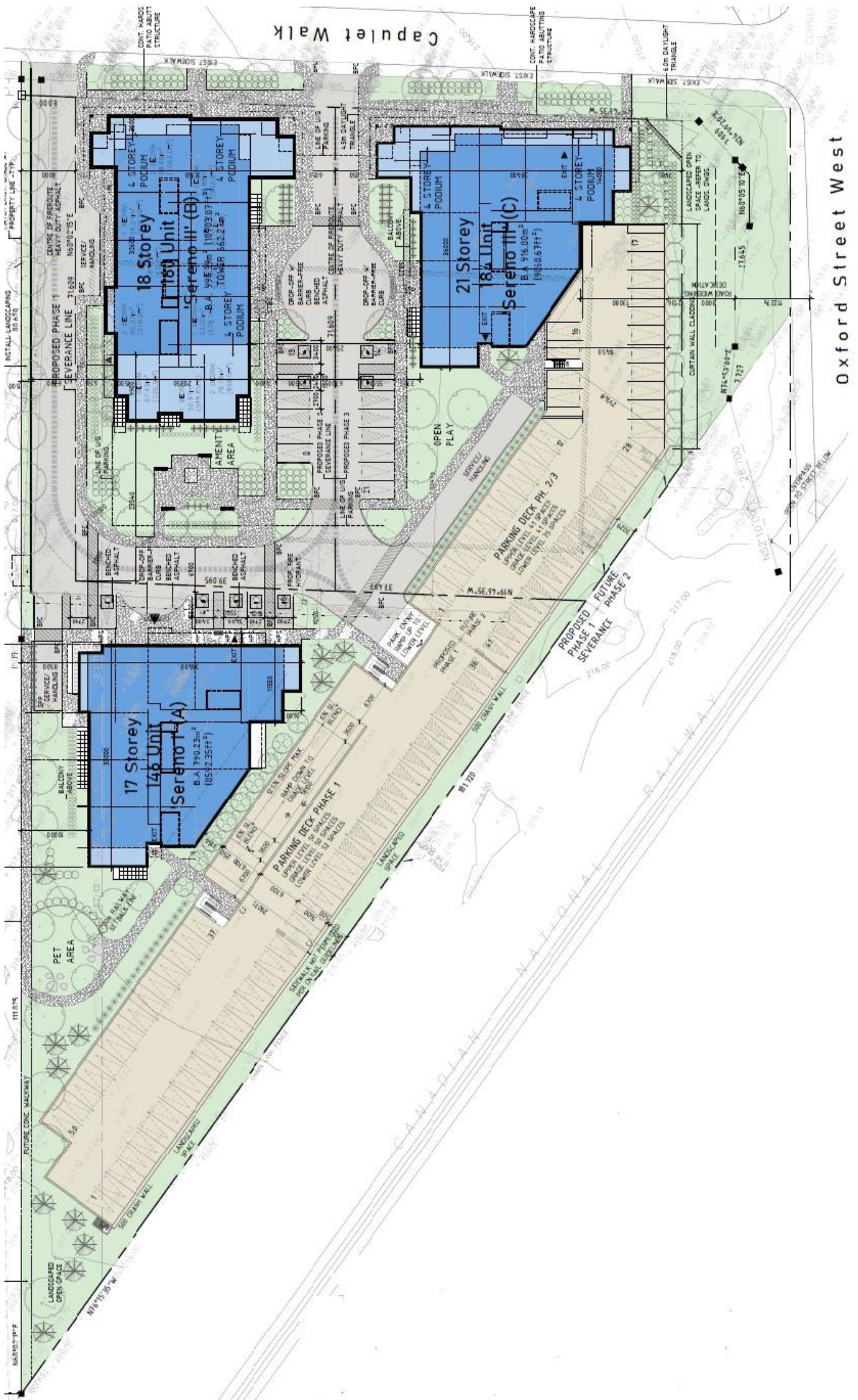


Figure 2: Conceptual Site Plan, February 2022



Figure 3: Bird's Eye view looking northeast (with CN Rail line in foreground and Building "A" on the left)



Figure 4: Rendering looking southwest (with Capulet Walk in foreground)



Figure 5: Rendering looking northwest from Oxford St. W. (Building “C” in foreground)

2.2 Requested Amendments

The London Plan designates the subject site ‘Transit Village’ Place Type. The planned use of Transit Village lands is for high-density, mixed-use urban neighbourhoods. No amendment to the London Plan is required.

The requested Zoning By-law Amendment is to change the zoning from Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a Residential Special Provision Bonus/Highway Service Commercial/Restricted Service Commercial (R9-7*B(_)/HS1/HS3/RSC2/RSC4) Zone.

An application for amendment to the 1989 Official Plan was also made for the purposes of consistency with the in force policy framework of the London Plan. The amendment to the 1989 Official Plan is from Auto-Oriented Commercial Corridor (AOCC) designation to Multi-Family High Density Residential (MFHDR) designation.

Site-specific provisions associated with the bonus include matters such as: lot coverage, setbacks, landscaped open space, density, and parking..

The proposed increase in residential density is through a Bonus Zone, in exchange for the following identified facilities, services, and matters: site and building design, underground parking, stacked parking adjacent to the railway, and provision of affordable housing.

The Highway Service Commercial and Restricted Service Commercial special provision Zones are requested to permit the interim retention of the existing commercial plaza until the second phase of construction.

2.3 Community Engagement (also see Appendix C)

Responses from 12 households were received since Notice dated July 2021. Two respondents identified themselves as representatives on behalf of condominium complexes of multiple households.

The public's concerns generally related to:

- Scale and height;
- Density and number of units;
- That west leg of Rapid Transit was not funded so should not consider London Plan land use designation of Transit Village Place Type;
- Traffic volume and safety;
- Privacy concerns;
- Green space and trees;
- Groundwater and flooding;
- Affordable housing;
- Shadowing;
- Revisions to the proposal did not address previous concerns or comments raised during the initial application for one building.

The public concerns expressed are generally consistent with comments received during the initial application for one building in 2020.

2.4 Policy Context (also see Appendix D)

Provincial Policy Statement (PPS), 2020

In accordance with section 3 of the Planning Act, all planning decisions shall be consistent with the *Provincial Policy Statement*. The PPS provides policy direction on matters of provincial interest related to land use and development.

The PPS encourages healthy, livable, and safe communities. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses (s. 1.1.1.b); promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (s. 1.1.1.e); and addressing the natural environment and preparing for climate change (s. 1.1.1.h and 1.1.1.i).

The PPS encourages areas inside the urban growth boundary (i.e. "settlement areas") to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s. 1.1.3.2).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4), and promote transit and active transportation (s. 1.6.7.4).

The PPS also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). The PPS first directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas. Then the PPS also permits outward growth to greenfield areas designated for urban land uses (s. 1.4.1.a).

To prepare for the impacts of a changing climate, land use and development patterns with compact form, mixed uses, and a structure of "nodes and corridors" must also be promoted by municipalities (s. 1.8.1).

The London Plan, 2016

The London Plan is the new official plan for the city of London. It contains objectives and policies to direct land use, growth, and development in the municipality, consistent with the PPS.

The “Our Strategy” part of the London Plan establishes key directions that serve as the foundation for the policies and place types of the Plan (London Plan, s. 54). Under each key direction a number of planning strategies are identified. These directions and strategies include, but are not limited to, regeneration and intensification, affordable housing, and environmental protection. Strategies of the key directions include:

- Investing in, and promoting, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners (policy 55_, Direction 1.13);
- Implement a city structure plan that focuses high-intensity, mixed-use development to strategic locations – along rapid transit corridors and within the Primary Transit Area (policy 59, Key Direction 5.1);
- Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward” (policy 59, Key Direction 5.2);
- Plan for infill and intensification of various types and forms to take advantage of existing services and facilitate and to reduce our need to grow outward (policy 59_, Key Direction 5.4);
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place (policy 59_, Key Direction 5.5);
- 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 (policy 61_ Key Direction 7.2);
- Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources (policy 61_, Key Direction 7.10).

The London Plan also includes a City Structure Plan that identifies the framework for growth and change over the planning horizon. Within this City Structure, the subject site is located within the urban area (within Urban Growth Boundary and Built Area) and within the Primary Transit Area (PTA). The PTA will be a focus of residential intensification and transit investment within London, and intensification will vary depending on the Place Type and will be a good fit within neighbourhoods (policy 90_). The London Plan also includes a city-wide intensification target and it is an objective of the London Plan that 75% of intensification will occur within the PTA.

The London Plan: Transit Village Place Type

The London Plan uses the term “Place Type” to identify the vision for the planned uses, intensities, and forms of development that will be permitted. Place type is used instead of the traditional planning term “land use designation”. Place Types include policies that regulate permitted uses, and the intensity and form of development (policy 748_). The intensity of a land use includes factors such as building height and density.

689 Oxford Street West is located within the ‘Transit Village’ Place Type. Transit Village lands are planned to be exceptionally designed, pedestrian-oriented, high-density, mixed-use urban neighbourhood nodes (policy 806_).

Within the hierarchy of planned growth and intensity, the Downtown and Transit Villages allow for the broadest range of uses and the most intense forms of development in the entire city (policy 789_). The Transit Village Place Type is second only to the Downtown in terms of mix of uses and intensity of development permitted.

Lands designated Transit Village are located in built-up areas that represent significant opportunities for infill, redevelopment, and overall opportunities for more efficient use of existing lands through compact forms (policy 807_ and 808_).

Official Plan, 1989

The application was submitted at a time when portions of the London Plan were still under appeal. Where London Plan policies were in force at the time, the London Plan will be the determinative policy analysis to evaluate applications. Where London Plan policies remain under appeal the London Plan is to be given consideration in the evaluation of an application, because it represents the most current policy direction for making decisions related to city building and development.

The subject site is designated Auto-Oriented Commercial Corridor in the 1989 Official Plan. The Auto-Oriented Commercial Corridor designation is intended to primarily serve commercial needs of the travelling public, including a broad range of service commercial uses that, for the most part, are not suited to locations within commercial nodes or main streets because of form, access, or exposure requirements (1989 OP s. 4.4.2). The Auto-Oriented Commercial Corridor designation permits land uses such as: hotels, motels, automotive uses and services, commercial recreation, restaurants, building supply and hardware stores, furniture and home furnishing stores, warehouses and wholesale outlets, self-storage outlets, nursery and garden stores, animal hospitals and boarding kennels, and other types of commercial uses offering service other travelling public. Certain private clubs, assembly halls, and light industrial uses may also be permitted on certain sites in the Auto-Oriented Commercial Corridor designation (1989 OP s. 4.4.2.4).

Zoning By-law Z.-1

The subject site is currently zoned Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4). This zoning implements the policy framework of the 1989 Official Plan and its land use designations.

Highway Service Commercial zones are typically located on major arterial roads with high traffic volumes. This zone provides for a range of commercial and service uses which cater to the travelling public. Highway Service Commercial zone variations applied to the subject site include a range of automobile-oriented, convenience commercial and service uses as well as larger assembly uses and commercial recreation establishments.

Restricted Service Commercial zones provide for and regulate a range of moderately intense commercial uses and trade service uses, which may require land for outdoor storage or interior building space and a location on major streets.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with the application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1 - Use

Provincial Policy Statement, 2020

The PPS 2020 encourages lands within the urban growth boundary to be the focus of growth and development. Supporting the vitality and regeneration of urban areas is also critical to long-term economic prosperity of communities (s. 1.1.3). Appropriate land use patterns within the urban growth boundary are established by providing densities and a mix of land uses that efficiently use land and resources and the surrounding infrastructure, public service facilities, and are transit-supportive, as well as minimizing impacts of climate change. To prepare for the impacts of a changing climate, a structure of “nodes and corridors” must also be promoted by municipalities,

along with mixed-use developments designed with compact forms (s. 1.8.1).

The proposed development fits within its context as regeneration within a growth node (Transit Village) planned for high-density, mixed use development.

The proposed residential development will also include affordable units that will complement an appropriate affordable and market-based range and mix of residential types in the areas (consistent with PPS s. 1.1.1.b).

The London Plan

The Transit Village Place Type is planned for high-density development and a broad range of land uses. This place type is planned as second only to Downtown with respect to intensity of land uses and the range of uses (policy 789_). Permitted uses include a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, and recreational uses (policy 811_1). Mixed-use buildings are encouraged in this place type, and where there is a mix of uses within an individual building, the retail and service uses are encouraged to front the street at grade (policy 811_2 and 811_3). The Transit Village Place Type's permitted uses policies are in force.

London Plan evaluation criteria for planning and development applications includes consistency with the PPS and applicable legislation, conformity with the goals, directions, and policies of the London Plan, consideration of guideline documents, consideration of servicing and growth management policies, and impacts of development on surroundings, including fit and impact mitigation.

The subject site is located within the Primary Transit Area and within the Urban Growth Boundary of the City. The London Plan includes key directions for infill and regeneration within urban areas. The London Plan also includes policies for creation of affordable housing units within new residential development. The proposal is for a predominantly residential land use with permission for some commercial space at grade on the Capulet Walk frontage. This is an appropriate land use that conforms with the planned uses for the Transit Village Place Type.

The proposed development conforms to the planned use of the Place Type as a high-density, mixed-use place type.

1989 Official Plan

The land uses permitted by the 1989 Official Plan are automobile-oriented commercial uses; however, the amendment to the 1989 Official Plan proposes to change the land use designation for consistency with the in-force permitted use policies of the London Plan.

The land use designation typically applied to sites planned for high-rise apartment buildings is the Multi-Family, High Density Residential (MFHDR) designation of the 1989 Official Plan. This designation contemplates large-scale, multiple-unit forms of residential development including high-rise apartment buildings, apartment hotels, and various other multiple-attached dwellings. MFHDR designations may be considered in areas such as: periphery of downtown, close proximity to larger scale commercial areas, regional facilities, or open space areas, or at locations abutting arterial or primary collector roads (1989 OP, s. 3.4.2).

Also, policies for specific areas may be applied through the 1989 Official Plan where the application of existing policies would not reflect the intent of Council with respect to future use of the lands (s. 10.1.1). Noting that planned uses for the subject site under the London Plan differ from the Auto-Oriented Commercial Corridor uses that were previously planned, an amendment to add a site-specific policy to the 1989 Official Plan is appropriate for consistency with the in-force London Plan policies.

Consistent with the PPS, the London Plan, and the 1989 Official Plan MFHDR designation, the recommended development will contribute to the planned function of the Transit Village Place Type as a growth node within a nodes-and-corridors pattern of

development. The recommended development permits a mixed-use site and is urban regeneration promoting compact form on an underutilized site. The analysis of intensity and form below demonstrate the apartment building site can be appropriately developed.

Summary of Issue #1: Use

Consistent with the PPS, the London Plan, and 1989 Official Plan, the recommended development will contribute to the planned function of the Transit Village Place Type as a growth node within a nodes-and-corridors pattern of development. The recommended development permits a mixed-use site and is urban regeneration promoting compact form on an underutilized site. The analysis of intensity and form below demonstrate the apartment building site can be appropriately developed.

4.2 Issue and Consideration #2 - Intensity

Provincial Policy Statement, 2020

The PPS 2020 requires municipalities to identify appropriate locations and promote intensification and redevelopment, taking into account existing building stock or areas, and taking into account existing or planned infrastructure (PPS s. 1.1.3.3). The PPS is also supportive of development standards that facilitate intensification, redevelopment, and compact form (s. 1.1.3.4). The proposed development contributes to the surrounding context, which includes a range and mix of housing options, including apartment buildings and townhouses, as well as commercial lands (PPS s. 1.4.3).

The proposed development meets the intent of the PPS 2020 by providing a compact form of new housing through intensification, which will efficiently use land, resources, infrastructure, and public service facilities. The development also contributes to a nodes-and-corridors pattern of development that will support transit routes on Oxford Street West, Capulet Lane, and Wonderland Road North (PPS s. 1.4.3.d, 1.4.3.e, and 1.8.1).

The proposed high-rise development provides a compact form that appropriately intensifies an underutilized site. The subject site is of a sufficient size to accommodate the increase in density and is a built form that implements the planned uses of the site.

The London Plan

The proposed development implements the London Plan's City Structure Plan, which directs more intensive forms of growth to a nodes-and-corridors pattern. In the London Plan this site is identified and planned as an appropriate location for intensification and redevelopment. It is designated Transit Village Place Type, which is planned as the area of highest intensity of use outside of the Downtown. Transit Village Place Type lands are also planned for a broad range of uses that include mixed-use development.

The London Plan promotes intensification in appropriate locations. Intensification may occur in all Place Types that allow residential uses. The most intense forms of development will be directed to the Downtown, Transit Villages, and at station locations along the Rapid Transit Corridors. Intensification will be focused in the Primary Transit Area, including the Transit Village Place Types (policies 83, 84, 86, and 90).

The London Plan uses height as a measure of intensity in the Transit Village Place Type; however, it does not generally limit density of development by Place Type. A minimum height of 2 storeys, a standard maximum height of 15 storeys and a maximum height with Type 2 Bonusing up to 22 storeys is contemplated in the Transit Village Place Type. Note that through the May 25, 2022, OLT decision the term "Bonus Zoning" has been replaced with "Upper Maximum Height" in recognition of changes to section 37 of the Planning Act that will take effect in September 2022.

Mitigation of potential site impacts associated with increased density is addressed

through the bonus zone's recommended zoning regulations and substantive implementation of the conceptual site plan.

1989 Official Plan

The subject site is designated Auto-Oriented Commercial Corridor in the 1989 Official Plan, which permits a broad range of service commercial uses. An application for amendment to the 1989 Official Plan was also made to redesignate the lands from Auto-Oriented Commercial Corridor designation to Multi-Family, High Density Residential (MFHDR) designation, consistent with the London Plan. In the 1989 Official Plan, MFHDR is the land use designation typically applied to large-scale, multiple-unit residential developments. Therefore, the policies of the Multi-Family High Density Residential designation are being considered when evaluating the intensity of proposed development. The MFHDR designation generally permits up to 150 units per hectare (UPH). MFHDR designated lands are to take into consideration surrounding land uses, including height, scale, and setback (s. 3.4.2).

This application includes an increase in permitted density to 396 UPH through the Bonus Zoning provisions found in s. 19.4.4 of the 1989 Official Plan. The 1989 Official Plan permits Bonus Zoning as a means to achieve public benefit commensurate with additional increases to building height and/or density. In return for the additional height and/or density, the "facilities, services, or matters" of public benefit are to be set out in the Zoning By-law. The provision of affordable housing units and enhanced design provide a commensurate public benefit for the additional density and meets the criteria for Bonus Zoning in the 1989 Official Plan. These features are outlined in this report's recommendation section.

In order to implement the identified items for bonus zoning, s. 19.4.4.iv) of the 1989 Official Plan states that:

"As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given."

Bonus Zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements intend to "lock in" public benefit and elements of the development that merit the bonus. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities and design features that have warranted bonus zoning have been incorporated into the agreements.

Summary of Issue #2: Intensity

The subject site is located in the western portion of the Transit Village Place Type, which is planned as the area with the broadest and most intensive land uses outside of the downtown. The subject site is well served by transportation, and a broad range of commercial and service uses. As buildings of 17, 18, and 21 storeys are proposed, the development is consistent with building heights planned for this Place Type. The intensity is also in keeping with London Plan key directions for inward and upward growth, intensification, and complete neighbourhoods with a mix of housing forms.

The 1989 Official Plan identifies preferred locations for MFHDR designation as sites with existing or planned high-density development, as well as sites in proximity to major commercial nodes or abutting or having easy access to arterial or primary collector roads. The subject site is in an area of planned high-intensity residential development. The subject site is located at the intersection of a major arterial road. Oxford Street West is classified as an arterial road in Schedule C – Transportation Corridors to the 1989 Official Plan. Oxford Street West and Capulet Walk are both classified as "Rapid Transit Boulevard" street classifications on London Plan Map 3 – Street Classifications. This street classification prioritizes through movement of vehicles, connections to transit, and high volumes of traffic (London Plan policy 371_3). The site is also in

proximity to the major commercial node located at Oxford and Wonderland.

The subject lands are of a size and configuration capable of accommodating the more intensive redevelopment, with lands currently underutilized in a planned high-intensity node. This is consistent with PPS directions for nodes-and-corridors growth and intensification within the existing settlement area.

The London Plan and 1989 Official Plan direct and support residential intensification in this area. As noted above, the London Plan applies height as a measure of intensity but does not generally limit density of development by Place Type. The proposed development contemplates fewer storeys than the maximum of 22 permitted through the London Plan height framework of Type 2 Bonus Zoning; however, the requested density exceeds the general policy permission of the Multi-Family, High Density Residential designation of the 1989 Official Plan. Bonus Zone applications may exceed the 150 units per hectare limit, considering height, scale, and surroundings (1989 OP s 3.4.2).

The subject site is an appropriate location for high density development based on the planned uses, location criteria, and the form, design and mitigation measures identified below. The requested intensity of development is recommended, subject to agreements for Bonusing and certain considerations at the site plan approval stage.

The proposed development is a suitable intensity for the site and is consistent with the PPS and conforms to policies of the London Plan and 1989 Official Plan. More discussion on the form of development is provided in section 4.3 of this report. The applicant has also proposed public facilities, amenities, and design features in return for the requested density and height, in conformity with Chapter 19.4.4 of the 1989 Official Plan.

Bonus zones are generally paired with a base zone. For the subject site the recommended base is a Residential R9 (R9-7) Zone. In Zoning By-law Z.-1 the R9 Zoning regulations include provisions for additional density as-of-right in exchange for the provision of landscaped open space features. The recommended Bonus Zone already provides for additional density. To clarify future implementation through Site Plan applications and Zoning By-law interpretations, the recommended Bonus Zone excludes the opportunity to compound the standard as-of-right bonus with the specific Bonus Zone developed for this site.

Traffic Impacts:

Public comments raised concern about the increase in vehicular traffic the proposal is expected to generate in the Oxford/Wonderland area. The area is perceived to already have significant traffic. A Traffic Impact Study (TIS) was prepared as part of the application to evaluate potential impact on the level of service on Capulet Walk, Capulet Lane, and Oxford Street West. Findings of the TIS include that: the proposed site accesses will exhibit good level of service results; that the intersection of Capulet Walk and Oxford exhibits satisfactory level of service even with the traffic expected to be generated by the proposed development; and that improvements to the left turn storage lane is recommended at the signalized intersection of Capulet Lane and Oxford Street to improve southbound automobiles' left turns eastward onto Oxford Street.

Concerns with parking on-site and potential for parking impacts in surrounding areas were also identified in public comments. 490 residential units are proposed. 489 parking spaces are proposed on the subject property through a combination of surface parking, two levels of underground parking in the "second phase" area, and a three-level parking structure adjacent to the CN Rail property. The parking rate is approximately 1 space per residential unit.

Stormwater and Servicing:

Members of the public expressed concerns regarding the impact of development on servicing and the potential for flooding.

The applicant submitted a Servicing memorandum to address servicing requirements. Through City review, final updates to the Servicing memorandum were submitted on

April 4, 2022. The report states that existing sanitary municipal infrastructure on Capulet Walk is tributary to infrastructure on Oxford Street West. The sanitary servicing of the subject property is connected to an existing 450mm sanitary sewer and there is capacity for the development, as proposed with 490 units.

With regards to flooding: during the site plan application, a geotechnical report will be required to support the underground structure, including underground parking, as well as address any high ground water or dewatering requirements consistent with municipal and provincial standards and guidelines. This includes applicant acquisition of appropriate permits and approvals. The site plan application will address stormwater surface flows and will require flows to be contained and controlled on-site.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and The London Plan. The development is of an appropriate intensity for the planned context of the area.

4.3 Issue and Consideration #3 – Form and Design

Provincial Policy Statement, 2020

The PPS supports appropriate development standards that facilitate intensification, redevelopment, and compact form (PPS s. 1.1.3.4). Long-term economic prosperity is also supported by encouraging a sense of place through well-designed built form (PPS s. 1.7.1.e).

The London Plan

Compact forms of development are encouraged for planning new growth, including “inward and upward” compact forms of development (policies 7_, 59_2, 66_, 79_). Various forms of infill and intensification are accommodated to realize the compact, inward and upward patterns of planned growth (policy 59_4).

Within the Transit Village Place Type, planning and development applications will conform with the City Design policies of the London Plan (policy 814_1). The form of development will include high-quality architectural design; massing and architecture that provides articulated facades, rooflines, accented main entries, generous use of glazing and façade treatments to support the public realm and pedestrian environment (814_9). Applications are also required to consider coordination of development relative to existing and planned development on surrounding lands within the Place Type.

The City Design policies identifies directions for the built environment, including Character, Parking, Site Layout, and Buildings. Built form and site layout are to have a character consistent with the planned vision of the place type and demonstrate fit within the existing and planned context (policies 197_, 199_, 252_). Site Layout is also to minimize impact on adjacent properties (policy 253_) and minimize visual exposure of parking areas on the public realm through means such as screening and locating parking in rear or side yards (policy 269_, 272_, 273_). High rise buildings are directed to be designed as point towers, with podiums, or other design solutions to reduce apparent height and mass, reduce shadowing, and to avoid long building axes (policies 292_ and 293). Transition between development of different intensities is to be considered through design measures (policy 298_).

The Our Tools section of the London Plan also includes considerations for the evaluation of planning and development applications (policy 1578_), some of which are building and site design considerations. Considerations for the evaluation of development applications related to building and site design include the potential impact on nearby properties and measures to mitigate such impacts. Impact mitigation may include, but is not limited to, such matters as: traffic, noise, privacy, shadowing, visuals, and other relevant matters related to land use and built form (policy 1578_6).

Development applications are also to be considered based on fit within context. Proposed developments are not required to be the same as the surrounding context, but the evaluation of “fit” includes assessment of planned policy goals for the site and

surrounding area as well as existing development. Per London Plan policy 1578_7, an analysis of fit and compatibility may include such things as:

- Policy goals and objectives for the place type;
- Policy goals and objectives expressed in the City Design chapter;
- Site and built form factors, such as height, density, massing, scale, placement of building, setback and step-back; architectural attributes; materials;
- Streetscape and Neighbourhood Character; and
- Other relevant matters related to land use, intensity and form.

The Transit Village Place Type directs that transitions in height and intensity be made between transit stations and surrounding neighbourhoods, and that building heights will step down towards adjacent Neighbourhoods (Policy 810_3 and 813_3). The intersection of Capulet Walk and Capulet Lane is identified as a station on Map 3 – Street Classifications.

1989 Official Plan

As noted above, the subject site is designated Auto-Oriented Commercial Corridor designation in the 1989 Official Plan. The Multi-Family High Density Residential (MFHDR) designation is typically applied to large-scale, multi-unit forms of residential development. The proposed development includes application for redesignation to the MFHDR designation, consistent with the policies of The London Plan. Development within the Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development, including high-rise apartment buildings. Appropriate height and density for individual MFHDR sites may be based on an application for a bonus zone, or may be based upon a conceptual site plan identifying site development and surroundings (1989 OP s. 3.4.4).

Summary of Issue #3: Form

Consistent with the Provincial Policy Statement, in conformity with the London Plan, and with consideration for the MFHDR designation of the 1989 Official Plan, the recommended intensification of the subject site would enhance the use of land and public investment in infrastructure in the area. The redevelopment and intensification of the site would contribute to achieving more compact forms of residential and mixed-use development on an underutilized site. The form of development is consistent with the planned vision for the Place Type, City Design for site layout and building types, and parking.

The location and massing of the proposed development is consistent with urban design goals. The building is proposed to be situated close to Capulet Walk, while also considering setback requirements from Oxford Street consistent with guidelines for development adjacent to railways (see sections 4.5 and 4.6 below for more discussion of railway adjacent development). The street edge adjacent to Capulet Walk encourages street-oriented non-residential uses on the ground floor of proposed Buildings “B” and “C”. The buildings along Capulet Walk are designed with podiums at a pedestrian scale. Buildings include articulation, various materials, and balconies to break up massing.

Parking is generally located to the rear of buildings “B” and “C” and along the southwest property line, adjacent to the rail corridor, and underground. This allows opportunity for an active street edge, and front doors, along the Capulet Walk frontage.

Urban Design comments also highlight various considerations that support the use of Bonus Zoning to achieve greater height and intensity for development. Those comments included:

- Support for a site and building design that incorporates a built edge along Capulet Walk, Pedestrian-scaled podium; appropriately sized tower floor plates and

locating majority of parking behind the buildings away from the street and incorporating parking into a structure.

- Demonstration from applicant that the vision of the place type can be fulfilled as well as development of properties to the north.
- Design Building “B” point tower floor plate comparable to tower of Building “A” (small point towers) to reduce east-west axis of tower and reduce shadow impact.
- Provide active frontage on Oxford Street West by limiting structure parking at southeast corner of Building “C”, and consider active outdoor landscaped amenity space at corner of Oxford Street.
- Include active ground floor uses, including principal building entrances, indoor amenity, lobby space, etc. to activate Oxford Street West.
- Provide architectural building features to southeast corner of building “C”.
- Ground floor residential units along Capulet Walk to provide functional doors, walkways, connections to sidewalk on Capulet Walk.
- Contextual analysis of how the proposal fits within the area and planned use as a Transit Village Place Type.

These considerations have been included within the Bonus Zone in conjunction with the conceptual site plan, building elevations, renderings and other drawings appended to the recommended zoning by-law amendment.

Staff are satisfied that the design of the proposed development is generally of a suitable form to meet urban design goals. Implementation of required Bonus Zone elements and targeted refinements of the conceptual site plan and building design through the site plan application will result in a development which is compatible with existing and planned context for the area as a high-intensity place type.

Shadowing

As noted above, evaluation of development applications includes consideration of context and fit, as well as consideration of existing and planned land uses, forms, and intensities for a Place Type. Development is not required to be the same as the surroundings but compatibility may be considered based on site and building form, materials, height, massing, and transitions between Place Types.

Members of the public expressed concerns about shadow that would be cast by the proposed buildings. Drawings submitted by the applicant in the April 2022 Planning Justification Report include a shadow study showing the shadows that will fall in March, June, September, and December at 9:00a.m., 12:00p.m., and 4:00 p.m. The shadow study indicates intermittent shadowing during mornings, with no shadow on northerly properties by noon to mid-afternoon, depending upon the season. No shadow is cast on properties to the immediate north of the subject site in late afternoon to early evening, regardless of season.

The buildings on the proposed development are varying heights, with the tallest (Building “C” at 21 storeys) on the south side of the property, transitioning to 18 and 17 storeys on the north half of the property. In response to urban design feedback based on an earlier iteration of the 3-tower proposal, the proposed Building “B” has been modified to a 4-storey podium and a narrower point tower to reduce a long east-west axis. This is consistent with London Plan City Design policy 293, regarding minimization of massing and shadowing by reducing long axes of buildings. The floor plate of the Building “B” tower is now similar to that of Building “A”. This results in a shortened shadow duration for Building “B”. Shadow study is identified as Appendix B to this report.

4.4 Issue and Consideration #4 – Bonusing

Through the provisions of section 19.4.4 of the 1989 Official Plan, Council may allow an increase in density above the limit otherwise permitted by the Zoning By-law in return for certain public facilities, amenities, or design features (1989 OP s. 3.4.3.iv). The proposal for bonus zoning meets the objectives of Section 19.4.4.ii, including urban design objectives, the provision of affordable housing units, and underground parking.

In their April 2022 revised Planning Justification Report, the applicant proposes twenty (20) affordable housing units. Ten units in Building “A” and 10 units in either Building “B” or Building “C”, whichever building is developed first. The applicant’s rationale for the proposal of 20 affordable units was applying a combination of the 1989 Official Plan bonusing policies and the London Plan bonusing policies.

The maximum density permitted without bonus zoning in the 1989 Official Plan is 150 units per hectare, or 186 units on the subject site. With 490 units proposed, the total bonus is for 304 units. With 10 percent of the bonus density units being provided as an affordable housing contribution, 30 affordable units would be considered appropriate, based upon the policies of the 1989 Official Plan.

The Planning Justification Report, however, also considers the London Plan Bonusing policies, which apply to buildings over 15 storeys in height for Transit Village Place Type. As there are fewer than 100 units above the 15th storey, by this metric only 10 affordable units would be warranted at 10 percent of “lift” being contributed to affordable housing units. The applicant therefore proposes 20 units and considered this a compromise between the policy frameworks of the two plans.

However, the 1989 Official Plan is the only bonusing policy framework by which to evaluate the proposed public benefits commensurate with the Bonus Zoning proposed. London Plan bonusing policies were under appeal at the time the application was made and were subsequently deleted from the Plan through an Ontario Land Tribunal (OLT) Order dated May 25, 202. Moreover, recent changes in Provincial legislation have resulted in the removal of Bonusing from section 37 of the Planning Act. The OLT decision also identifies that Bonus Zoning application may continue to proceed under the policy framework of the 1989 Official Plan, if the application for Bonus Zoning was received by the City prior to the OLT decision date of May 25, 2022.

Therefore the 1989 Official Plan is the applicable bonus zoning policy framework for this application.

Staff recommend refusal of the applicant’s proposal of 20 affordable housing units at rents of 85% of Average Market Rent (AMR) and an affordability period of 50 years.

The following is recommended for the purposes of entering into an affordable housing agreement with the applicant:

- 30 affordable housing units total.
- 10 affordable housing units in each building, with the affordable unit mix (bachelor, 1-bedroom, 2-bedroom) representative of the bedroom mix of the overall building within which the affordable units are contained.
- Rents not to exceed 80% of AMR for the London CMA (as defined by the Canada Mortgage and Housing Corporation).
- Affordable unit rents are to be established at time of occupancy of the respective building the affordable units are contained within.
- The affordability period is 50 years from time of occupancy of the respective building.
- The applicant will enter into a tenant placement agreement (TPA) to align affordable units with priority populations.

- These conditions are to be secured through an agreement registered on title with associated compliance requirements and remedies.

The recommended affordable housing provisions are consistent with recent Council approvals and consistent with the advice of the City's Municipal Housing Development division (formerly Housing Development Corporation, HDC London).

In addition to affordable housing, the proposal demonstrates enhanced building and site design. Setbacks, podiums, architectural design features on the towers enhance the skyline, and break up building massing. Varying heights of buildings, and design features such as articulated facades, recesses, projections, and balconies, provide depth and variation in built form. Through potential for non-residential uses on ground floors of Buildings "B" and "C" with principle entrances on the Capulet Walk frontage, there is potential for active uses and street animation. Location of automobile parking as underground parking and as a structure for rail safety mitigation also enhance design of the site.

Contingent upon appropriate provision of affordable housing units, Staff are satisfied the public benefits can be commensurate with the increase in density.

4.5 Issue and Consideration #5 – Railway setback and "Crash Wall"

The subject site is located adjacent to a Canadian National Rail principal main line. To ensure public health and safety and mitigate impacts between development and railway operations, setbacks are required for habitable buildings adjacent to rail rights-of-way. The Federation of Canadian Municipalities and Railway Association of Canada's *Guidelines for New Development in Proximity to Railway Operations* (May 2013) identifies a setback guidelines in conjunction with a berm or other mitigative measure.

As of the April 2022 Planning Justification Report Addendum, buildings are proposed to be a minimum 29 metres from the CN Rail right-of-way; however, a 30m setback is the minimum guideline for development in proximity to railways. Therefore the attached by-law recommends a minimum setback of 30m for dwelling units, rather than the 29 m proposed.

Additionally, the proposed parking garage is less than the minimum required setback. The parking garage is therefore required to be engineered to a "crash wall" standard, in lieu of a berm.

The applicant submitted conceptual engineering drawings for the parking garage's crash wall. These drawings have been found to conceptually meet layout and dimension requirements. Concurrent with a subsequent Site Plan Application, the applicant will be required to finalize the approval of the crash wall. This will include providing structural drawings with details of reinforcing.

A holding zone provision ("h") is recommended for the subject site in order to ensure approval of the crash wall design. The holding zone must be removed prior to development of the lands.

4.6 Issue and Consideration #6 – Noise Attenuation

A noise and vibration study was also undertaken to evaluate the impact on the development from the adjacent CN Rail Line. A revised study evaluating development of three apartment buildings was received in May 2021.

Noise testing was conducted consistent with the Provincial Environmental Noise Guideline NPC-300, which tests outdoor and indoor sound level limits associated with road and rail traffic noise. The findings of the noise testing were that noise levels can be addressed through standard mitigative measures.

The study concluded that mitigative measures recommended for all units within the development include:

- Ventilation requirements: installation of central air conditioning system and

- Exterior wall building materials: minimum sound transmission class (STC) rating of 41 for exterior walls of living rooms and minimum STC rating of 42 for exterior walls of bedrooms.
- Window materials: minimum STC rating of 28 for living room windows and minimum STC rating of 29 for bedroom windows.

Development agreements prepared through a subsequent Site Plan Application process will also identify standard noise attenuation clauses which may be required for agreements of purchase, sale, or lease, or offers of purchase. Clauses may include identification of the central air conditioning system as a noise attenuation measure, and identification of the CN/VIA Rail line and its operations within 300 metres of the property.

The results of the vibration testing were that vibration levels will not exceed the standards specified by CN Rail and VIA rail. No abatement for railway vibration is required for the proposed development.

Conclusion

The recommended zoning by-law amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the London Plan policies including but not limited to Key Directions, the City Structure Plan, growth frameworks, City Design policies, and the Transit Village Place Type. The recommended amendment is also in conformity with in-force policies of the 1989 Official Plan, including the Bonus Zoning policies. The recommended amendment will facilitate an infill and intensification development of an underutilized site within the Built-Area Boundary and the Primary Transit Area, with land uses, intensity, and forms that are appropriate for the site through the use of Bonus Zoning.

Prepared by:	Travis Macbeth, MCIP, RPP Senior Planner, Long Range Planning & Research
Reviewed by:	Justin Adema, MCIP, RPP Manager, Long Range Planning & Research
Recommended by:	Gregg Barrett, AICP Director, Planning & Development
Submitted by:	Scott Mathers, MPA, P.Eng. Deputy City Manager, Planning and Economic Development

Appendix A – Zoning By-law Amendment

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

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 689 Oxford Street West.

WHEREAS 2399731 Ontario Limited c/o Westdell Development Corporation has applied to rezone an area of land located at 689 Oxford Street West, as shown on the map attached to this by-law;

AND WHEREAS this rezoning conforms to the London 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 689 Oxford Street West, as shown on the attached map comprising part of Key Map No. A101, from a Highway Service Commercial/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone to a holding Residential R9 Special Provision Bonus/Highway Service Commercial Special Provision/ Restricted Service Commercial Special Provision h-_*R9-7*B(_)/HS1(_)/HS3(_)/RSC2(_)/RSC4(_)
Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B- 689 Oxford Street West

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of three (3) residential apartment buildings comprising: one 17-storey building of 146 residential units; one 18-storey building of 160 residential units; and, one 21-storey building of 184 residential units, for a combined total of 490 units and a maximum density of 396 units per hectare, in general conformity with the Site Plan, Renderings, and Elevations attached as Schedule "1" to the amending by-law, and provides the following:

a) Provision of Affordable Housing:

- i) A total of thirty (30) affordable housing units, with ten (10) affordable housing units provided in each building constructed.
- ii) That the affordable unit mx (bachelor, 1-bedroom, 2-bedroom) is representative of the unit mix of the overall building within which the affordable units are contained.
- iii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy of the respective building.
- iv) The duration of affordable units will be set at 50 years from the point of initial occupation of the respective building.
- v) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- vi) These conditions to be secured through agreements registered on title with

associated compliance requirements and remedies.

b) Exceptional Building and Site Design

- i) Enhanced building and site design features and setback podiums on Capulet Walk establishing a built street edge.
- ii) Active uses potential along Capulet Walk street frontage for Building “B” and Building “C”.
- iii) Architectural design features on the towers that will enhance the skyline and break up building mass.
- iv) Inclusion of building step backs and varying building heights and articulated facades, including recesses, projections, and balconies, to provide depth and variation in built form and enhance pedestrian environment.
- v) Ground floor units along Capulet Walk to provide functional doors, walkways, connections to sidewalk on Capulet Walk.
- vi) Parking within structured parking that will function as an engineered rail safety measure adjacent to the abutting railway line, and underground parking.

The following special provisions apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Additional Permitted Uses

- i) Commercial uses may be permitted on the ground floors of the 18-storey building (Building “B”) and the 21-storey building (Building “C”).

b) Regulations:

- i) Height, Building “A” (Maximum) 17 storeys or 50 metres (164.04 ft)
- ii) Height, Building “B” (Maximum) 18 storeys or 52 metres (170.6 ft)
- iii) Height, Building “C” (Maximum) 21 storeys or 60 metres (196.85 ft)
- iv) Density (Maximum) 396 units per hectare
- v) North Interior Side Yard, Apartment Building (Minimum) 8.0 metres
- vi) North Interior Side Yard, Parking Structure (Minimum) 3.0 metres
- vii) West Rear Yard, Parking Structure (Minimum) 3.0 metres

viii)	South Interior Side Yard, Apartment Building (Minimum)	8.0 metres
ix)	South Interior Side Yard, Parking Structure (Minimum)	3.0 metres
x)	Front Yard Depth (Minimum)	1.0 metres
xi)	Lot Coverage (Maximum)	50%
xii)	Parking structure setback from Railway Right-of-Way (Minimum)	3.0 metres
xiii)	Dwelling setback from Railway Right-of-Way (minimum)	30.0 metres
xiv)	Off-street parking (Minimum)	489 spaces
xv)	Bicycle parking (Minimum)	330 spaces

3) Section Number 27.4 of the Highway Service (HS) Zone is amended by adding the following Site-Specific Provisions:

a) 27.4 b) HS1() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

b) 27.4 d) HS3() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

4) Section Number 28.4 of the Restricted Service Commercial (RSC) Zone is amended by adding the following Site-Specific Provisions:

a) 28.4 b) RSC2() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

b) 28.4 d) RSC4() 689 Oxford Street West

a) Permitted Use:

i) Permitted uses shall be restricted to the building existing as of the date of passing of the by-law.

b) Regulation:

i) Existing number of parking spaces.

5) Section Number 3.8.2) of the Holding "h" Zones section is amended by adding the following Holding Zone:

h-__ 689 Oxford Street West

Purpose: to ensure the parking garage adjacent to the Canadian National (CN) Railway main line is designed to a crash wall standard, including structural drawings with details of reinforcing. The crash wall designs must be to the satisfaction of the Deputy City Manager, Planning and Development or designate prior to development of the lands and removal of the "h-__" symbol.

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.

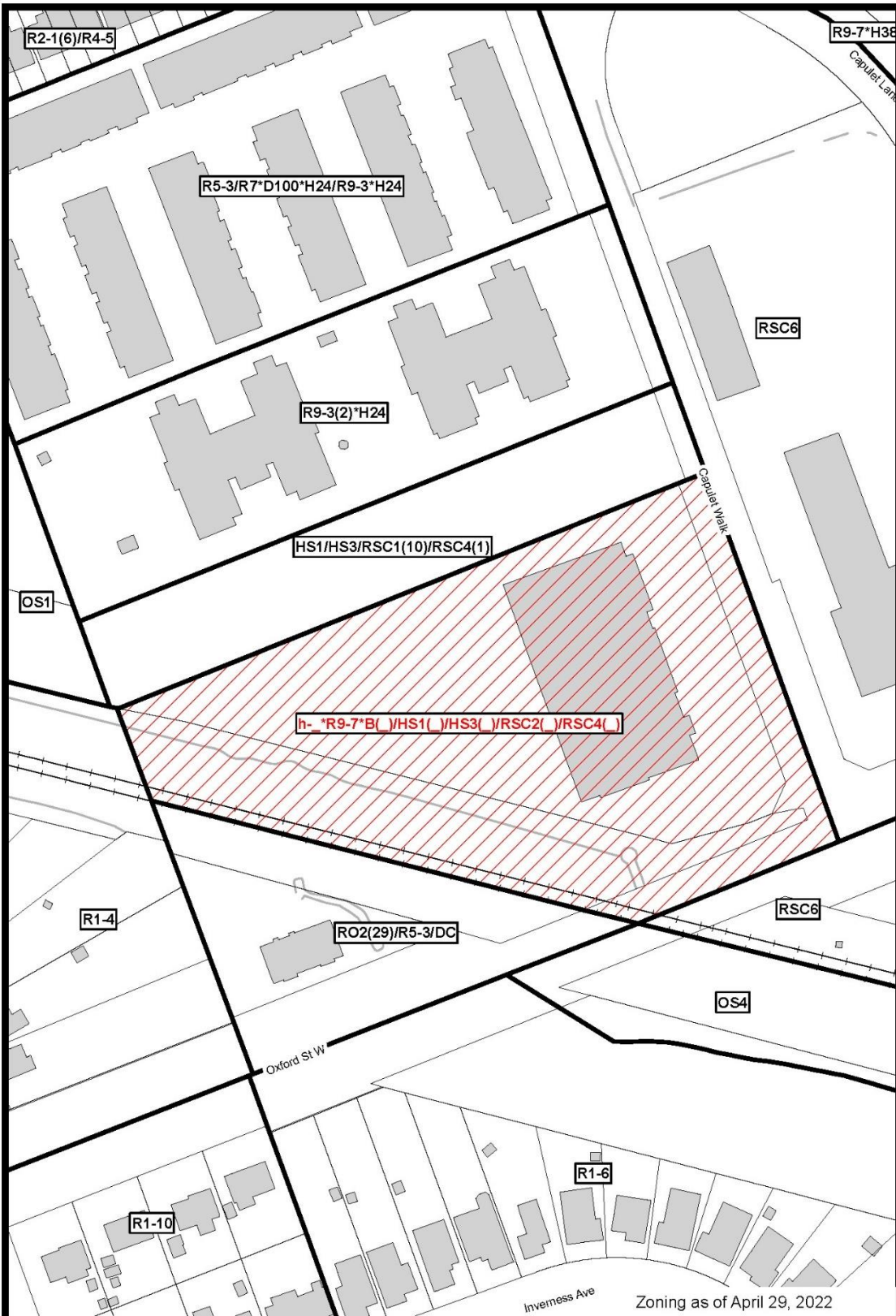
PASSED in Open Council on July 5, 2022.


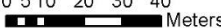

Ed Holder
Mayor

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)



<p>File Number: Z-9199 Planner: TM Date Prepared: 2022/05/17 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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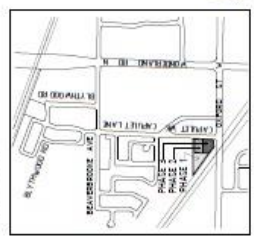
Schedule "1"

Site Plan



Site Plan
SCALE: 1" = 30'

SHORTEST DIMENSION TAKEN FROM PROPERTY LINE TO CENTERLINE OF ROADWAY. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. THIS PLAN IS TO BE CONSIDERED AS AN APPROXIMATE GUIDE ONLY. FOR EXACT DIMENSIONS AND ALL REQUIREMENTS, REFER TO THE CITY OF LONDON PLANNING DEPARTMENT. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.



Site Data, Phases 1, 2, 3

PROPOSED	LOT AREA (FULL PARCEL, PHASE 1, 2 & 3)	115,529 m ² (1,237,741 sq ft)
	LOT FRONTAGE	785.12 m (2,577 ft)
	COVERAGE	36.00%
	LANDSCAPED OPEN SPACE	42,500 m ² (456,644 sq ft)
	HEIGHT (ACCURATE TO 0.1m)	210 m (689 ft)
	ACCOMMODATION DATA	315 UNITS (171 APARTMENTS, 144 TOWNHOMES)
	DENSITY	2.72 UNITS PER 1,000 M ² (2.5 UNITS PER 1,000 SQ FT)
	PARKING (MINIMUM REQUIRED)	437 SPACES
	BICYCLE STORAGE (MINIMUM REQUIRED)	315 SPACES
	NOTES	- DATA CALCULATIONS BASED ON CITY OF LONDON PLANNING DEPARTMENT'S 2018 ZONING BY-LAW AND ZONING BY-LAW AMENDMENT 2018-01-01.

Legend

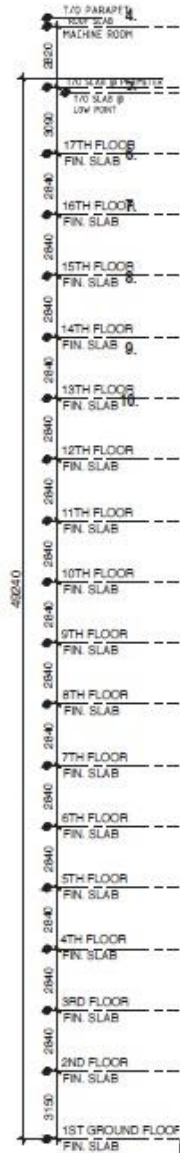
- SPP: SHORTEST DIMENSION TAKEN FROM PROPERTY LINE TO CENTERLINE OF ROADWAY.
- SPR: SHORTEST DIMENSION TAKEN FROM PROPERTY LINE TO CENTERLINE OF ROADWAY.
- SPR: SHORTEST DIMENSION TAKEN FROM PROPERTY LINE TO CENTERLINE OF ROADWAY.
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PHASE 1 & 2 SURVEY INFO
"PART 1"
PLAN OF SURVEY
OF PART OF
LOTS 1 & 2
IN THE
REGISTERED PLAN NO. 243(C)
CITY OF LONDON
COUNTY OF MIDDLESEX

MASTER MATERIAL LEGEND

- | | | |
|---|---|--|
| <p>1. Podium:
Masonry – Ground Floor
Pernacon Cardiff Smooth Stone
Colour: Limestone Smooth</p> <p>2. Podium:
Masonry – 2nd to 4th Floors
Pernacon Melville Norman Brick
Colour: Rockland Black</p> | <p>3. Concrete beyond Podium:
Textured finish in 3 colour tones –
Off-White/Medium Grey/Dark Grey</p> <p>4. Entry Canopies:
12" Steel Channel
Colour: Dark Grey</p> <p>5. Aluminum Window Glazing:
Clear Glazing
Gun Metal Grey Frame</p> <p>6. Window Wall Spandrel Glazing:
Colour: 'Steel Wool' (Light Grey)</p> | <p>7. Glazed Balcony Guards:
Gun Metal Grey Rails/Framing
Light Blue Tempered Glazing</p> <p>8. Solid Concrete Balcony Guards/
Vertical Panels
Colour: Off-White</p> <p>9. All Prefinished Metal Cap Flashing
Colour: Match adjacent surface</p> <p>10. Mechanical Penthouse:
Agway Horizontal Corrugated Metal Cladding
Colour: Dark Grey</p> |
|---|---|--|



BUILDING A - EAST



BUILDING A - NORTH



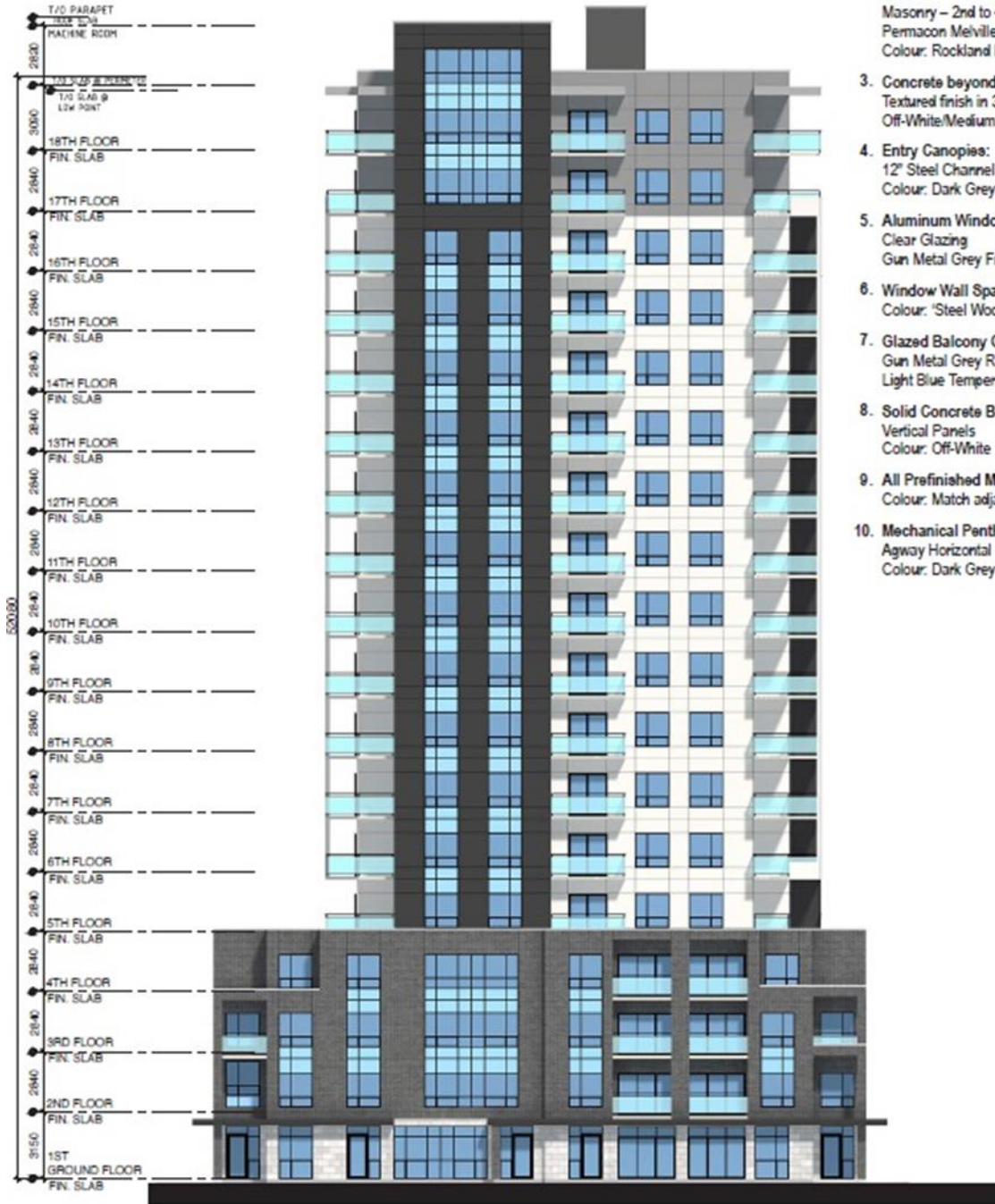
BUILDING A - SOUTH



BUILDING A - WEST

MASTER MATERIAL LEGEND

1. Podium:
Masonry – Ground Floor
Permacon Cardiff Smooth Stone
Colour: Limestone Smooth
2. Podium:
Masonry – 2nd to 4th Floors
Permacon Melville Norman Brick
Colour: Rockland Black
3. Concrete beyond Podium:
Textured finish in 3 colour tones –
Off-White/Medium Grey/Dark Grey
4. Entry Canopies:
12" Steel Channel
Colour: Dark Grey
5. Aluminum Window Glazing:
Clear Glazing
Gun Metal Grey Frame
6. Window Wall Spandrel Glazing:
Colour: 'Steel Wool' (Light Grey)
7. Glazed Balcony Guards:
Gun Metal Grey Rails/Framing
Light Blue Tempered Glazing
8. Solid Concrete Balcony Guards/
Vertical Panels
Colour: Off-White
9. All Prefinished Metal Cap Flashing
Colour: Match adjacent surface
10. Mechanical Penthouse:
Agway Horizontal Corrugated Metal Cladding
Colour: Dark Grey



BUILDING B - EAST



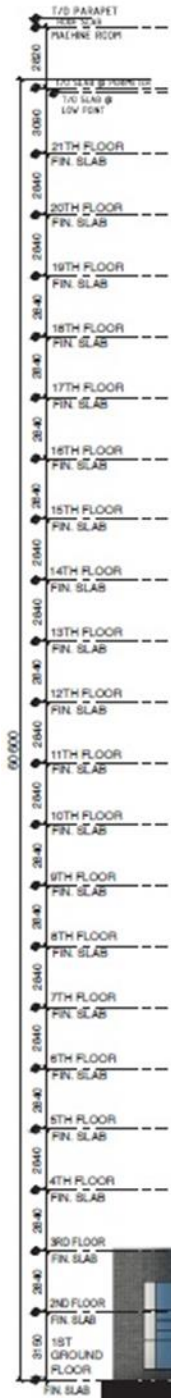
BUILDING B - SOUTH



BUILDING B - NORTH



BUILDING B - WEST



MASTER MATERIAL LEGEND

1. Podium:
Masonry – Ground Floor
Permacon Cardiff Smooth Stone
Colour: Limestone Smooth
 2. Podium:
Masonry – 2nd to 4th Floors
Permacon Melville Norman Brick
Colour: Rockland Black
 3. Concrete beyond Podium:
Textured finish in 3 colour tones –
Off-White/Medium Grey/Dark Grey
 4. Entry Canopies:
12" Steel Channel
Colour: Dark Grey
 5. Aluminum Window Glazing:
Clear Glazing
Gun Metal Grey Frame
 6. Window Wall Spandrel Glazing:
Colour: 'Steel Wool' (Light Grey)
 7. Glazed Balcony Guards:
Gun Metal Grey Rails/Framing
Light Blue Tempered Glazing
 8. Solid Concrete Balcony Guards/
Vertical Panels
Colour: Off-White
 9. All Prefinished Metal Cap Flashing
Colour: Match adjacent surface
 10. Mechanical Penthouse:
Agway Horizontal Corrugated
Metal Cladding
Colour: Dark Grey
- PARKING DECK (@Building C)**
- Masonry Veneer
 - Clear Vision and Spandrel Glazing
 - Agway Corrugated Metal Cladding
 - Painted Concrete Accents
 - All colours to match towers

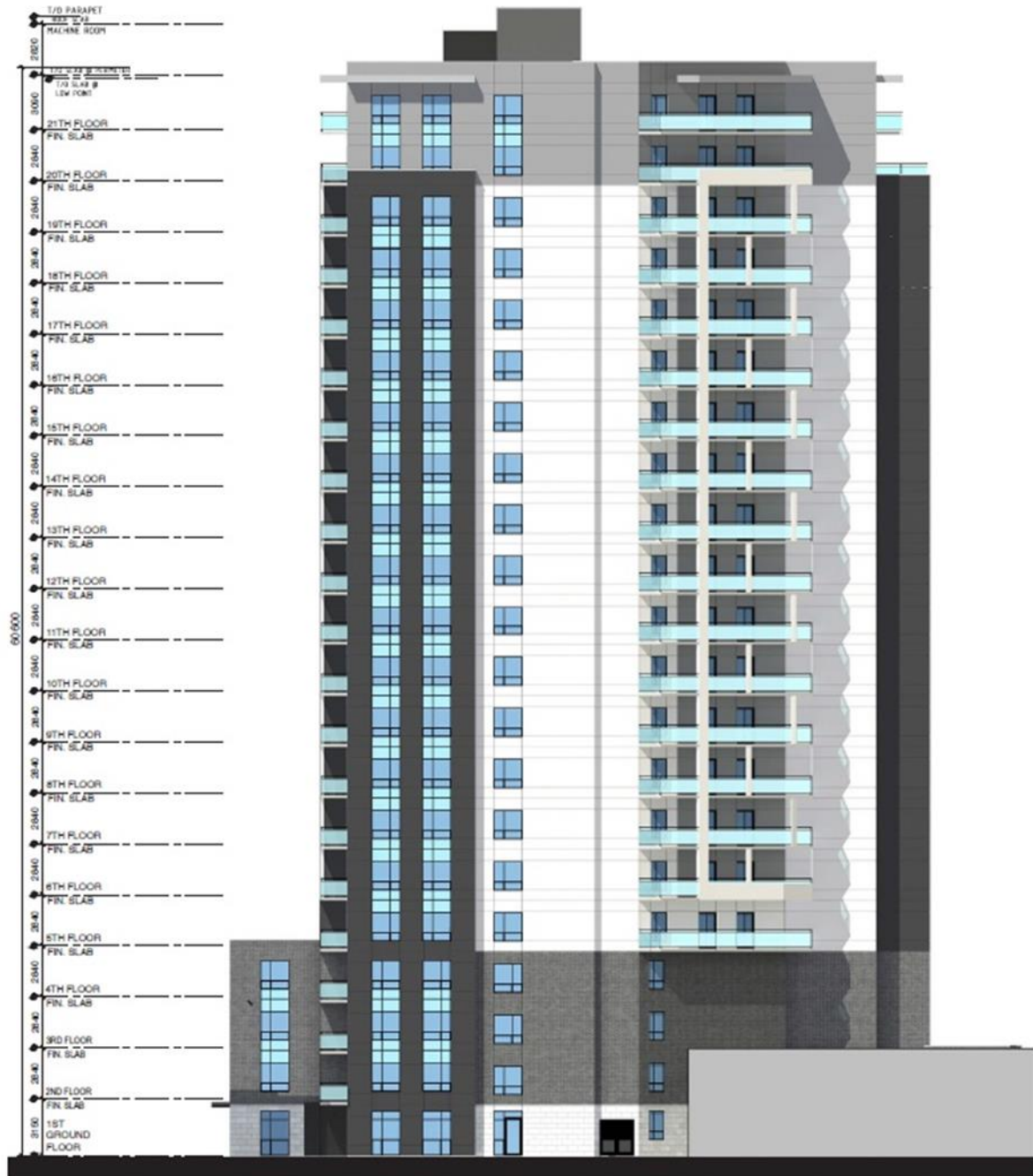
BUILDING C - EAST



BUILDING C - NORTH



BUILDING C - SOUTH



BUILDING C - WEST







Appendix B – Shadow Study

1. March 21st, 9:00 a.m.



SHADOW STUDY - March 21st, 9:00 am

2. March 21st, 12:00 p.m.



SHADOW STUDY - March 21st, 12:pm

3. March 21st, 4:00 p.m.



SHADOW STUDY - March 21st, 4:00 pm

4. June 21st, 9:00 a.m.



SHADOW STUDY - June 21st, 9:00 am

5. June 21st, 12:00 p.m.



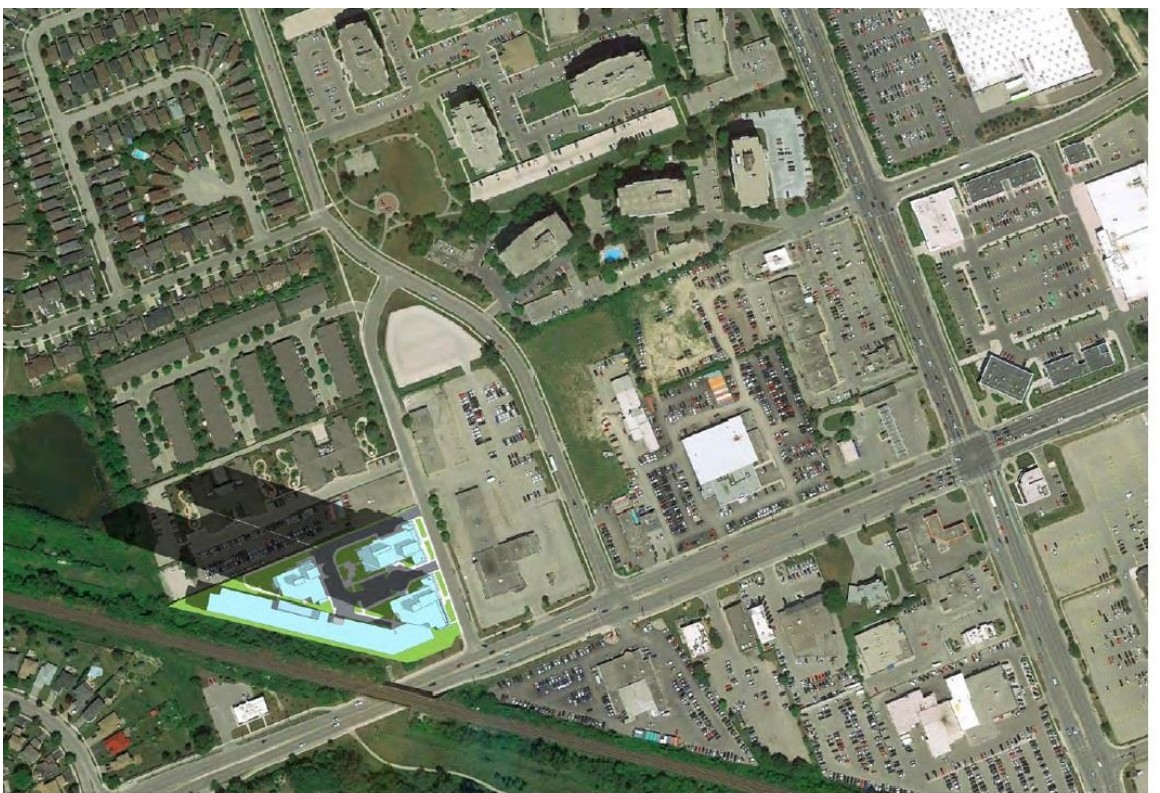
SHADOW STUDY - June 21st, 12:00 pm

6. June 21st, 4:00 p.m.



SHADOW STUDY - June 21st, 4:00 pm

7. September 21st, 9:00 a.m.



SHADOW STUDY - September 21st, 9:00 am

8. September 21st, 12:00 p.m.



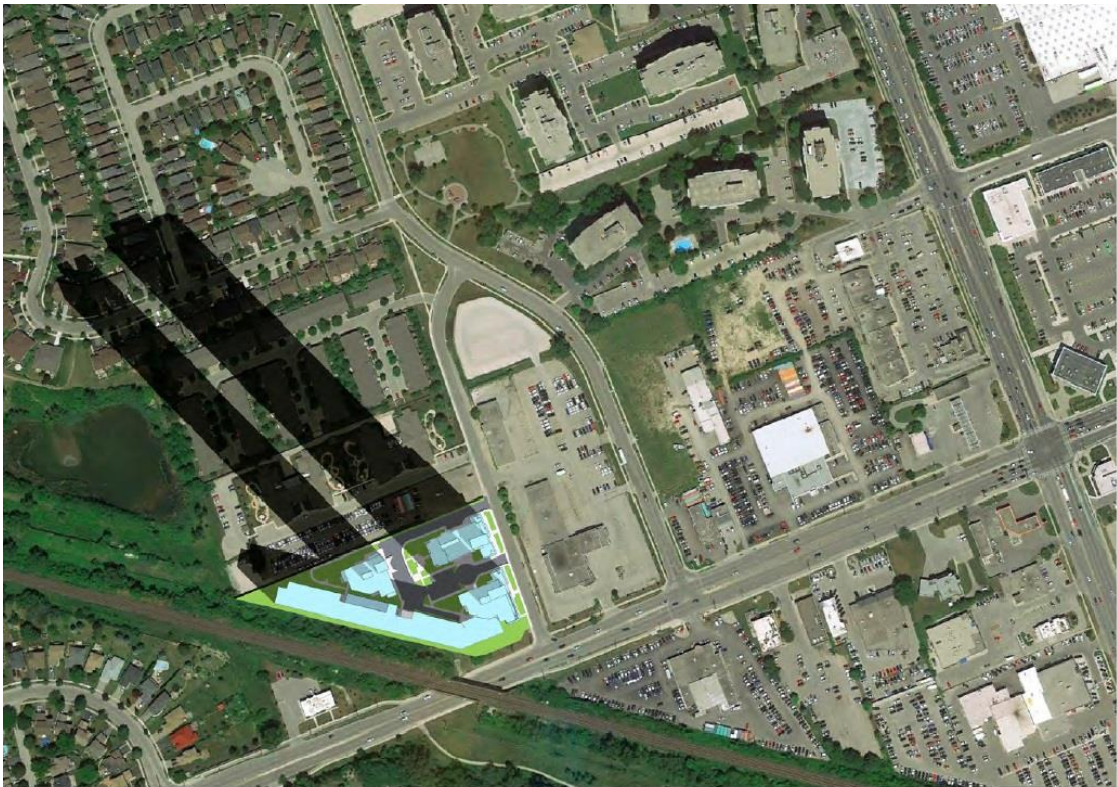
SHADOW STUDY - September 21st, 12:00 pm

9. September 21st, 4:00 p.m.



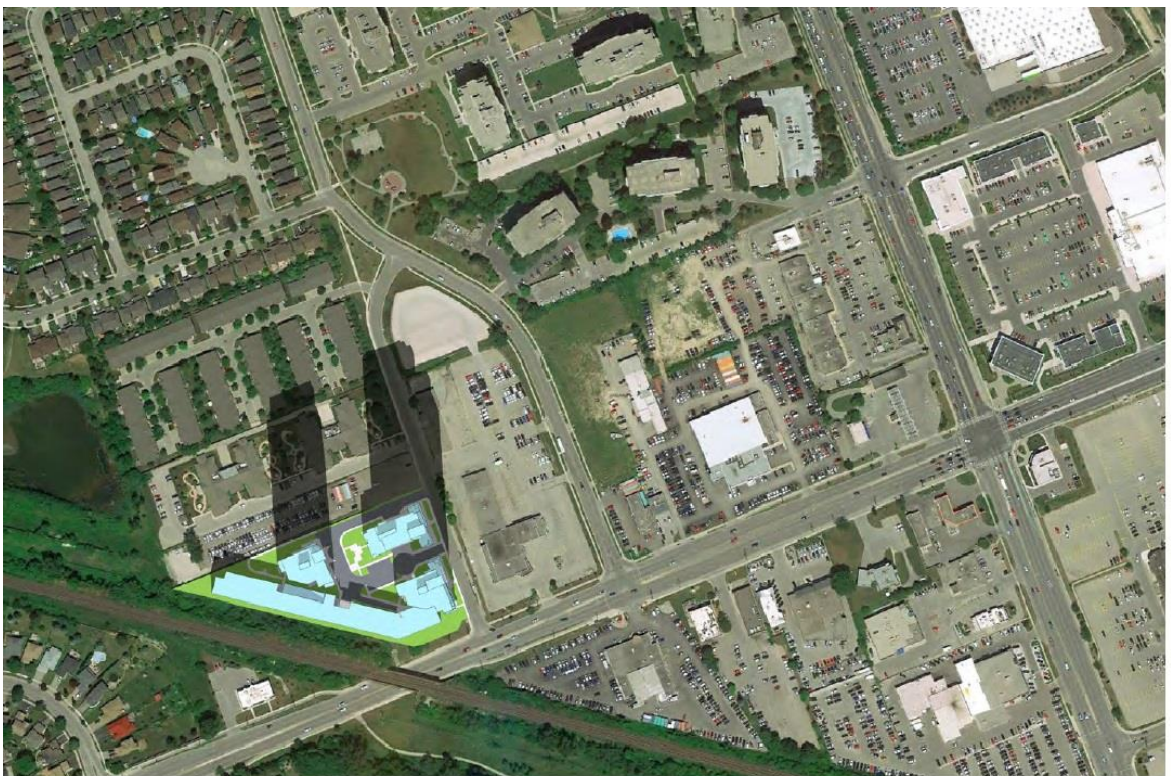
SHADOW STUDY - September 21st, 4:00 pm

10. December 21st, 9:00 a.m.



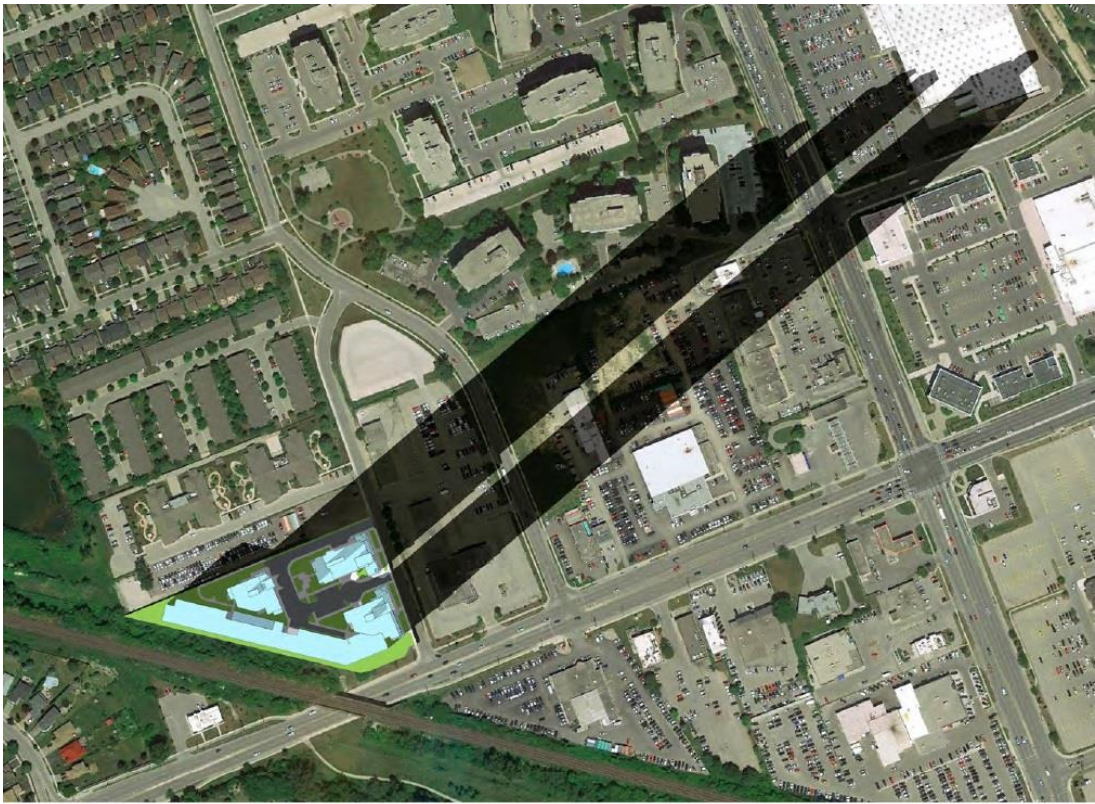
SHADOW STUDY - December 21st, 9:00 am

11. December 21st, 12:00 p.m.



SHADOW STUDY - December 21st, 12:00 pm

12. December 21st, 4:00 p.m.



SHADOW STUDY - December 21st, 4:00 pm

Appendix C – Public Engagement

Community Engagement

Public Liaison: On May 19, 2020, Notice of Application (for one building) was sent to prescribed agencies, City departments, and property owners in the surrounding area. On May 21, 2020, Notice of Application was published in *The Londoner*.

Following revisions to the proposal for a 3-building development, a Notice of Revised Application was sent to prescribed agencies, City departments, and sent to interested parties and surrounding properties owners. The Notice of Revised Application was sent on July 7, 2021. The Revised Notice of Application was published in *The Londoner* on July 8, 2021. A “Planning Application” sign was also posted on the site.

12 replies were received regarding the July 2021 notice of revised application for 3 buildings. Additionally, 46 replies were received in 2020 regarding the initial application for one 22-storey building.

Nature of Liaison for Revised Application, July 8, 2021:

689 Oxford Street West – The purpose and effect of the application to amend the Official Plan and Zoning By-law is to permit development of three (3) high-rise residential buildings in two phases of development. The first proposed phase is one building of seventeen (17) storeys in height. The second proposed phase is one building of seventeen (17) storeys and one building of nineteen (19) storeys. A total of 480 units is proposed (388 units per hectare). Interim retention of the existing commercial plaza is proposed.

Possible amendment to Zoning By-law Z.-1 **FROM** Highway Service/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone **TO** Residential Special Provision Bonus (R9-7*B-()) Zone and Highway Service/Restricted Service Commercial Special Provision (HS1/HS3/RSC2/RSC4) Zone. The proposed increase in density through the residential Bonus Zoning is in exchange for eligible facilities, services, and matters outlined in Section 19.4.4 of the Official Plan (1989). Other matters such as setback, lot coverage, and parking requirements may be considered through the re-zoning process as part of the Bonus Zone. Also, possible amendment to the Official Plan (1989) **FROM** Auto-Oriented Commercial Corridor designation **TO** Multi-Family, High Density Residential designation to align the Official Plan (1989) as it applies to these lands with the Transit Village Place Type of the London Plan.

Nature of Liaison, Revised Application and PPM, June 2, 2022:

689 Oxford Street West – The purpose and effect of the application to amend the Official Plan and Zoning By-law is to permit development of three (3) high-rise residential buildings in two phases of development. The first proposed phase is one building of 17 storeys in height. The second proposed phase is one building of 18 storeys and one building of 21 storeys. A total of 490 units is proposed (396 units per hectare). Interim retention of the existing commercial plaza is proposed.

Possible amendment to Zoning By-law Z.-1 **FROM** Highway Service/Restricted Service Commercial (HS1/HS3/RSC2/RSC4) Zone **TO** Residential Special Provision Bonus /Highway Service Commercial Special Provision/Restricted Service Commercial Special Provision (R9-7*B-()/HS1()/HS3()/RSC2()/RSC4()) Zone. The proposed increase in density through the residential Bonus Zoning is in exchange for eligible facilities, services, and matters outlined in Section 19.4.4 of the Official Plan (1989). Other matters such as setbacks, lot coverage, and parking requirements may be considered through the re-zoning process as part of the Bonus Zone. Also, possible amendment to the Official Plan (1989) **FROM** Auto-Oriented Commercial Corridor designation **TO**

Multi-Family, High Density Residential designation to align the Official Plan (1989) as it applies to these lands with the Transit Village Place Type of the London Plan.

Responses:

A summary of the various comments received included concern for the following:

- Scale and height is excessive for the area;
- Affordable housing proposed is insufficient;
- West leg of Rapid Transit was not funded by Council so Council should not consider the land use designation of the London Plan in determining appropriate use or intensity of development;
- Increased automobile traffic volume in area and traffic circulation;
- Parking on-site;
- Loss of privacy;
- Shadow impact;
- Insufficient natural and green areas; lands should be used for parks/green space;
- Flooding, over-land water flow and stormwater requirements;
- Property values.

Responses to Public Liaison, Notice of Revised Application July 2021

Telephone	Written
Peter Stavrou	Rick Coates
Rick Coates	Juan Cardona
	Mary Kosta
	Roger Meadows
	Barb Lounsbury
	Mike Wallace, London Development Institute (LDI)
	Edgar Cooke
	Brenda Philp
	Brian Gallant
	Barbara Cates and Kelley Cates
	Gail Stark

From: Coates, Rick
 Sent: July 16, 2021
 To: Macbeth, Travis
 CC: Lyons, Sheila; York, Alvin; Bowman, Lorna; Philp, Brenda; Coates, Rick; Lehman, Steve; Blazak, Gary
 Subject: 689 Oxford Street West – Zoning Amendment Request – 2399731 Ontario Limited c/o Westdell Development Corporation

Mr. Macbeth.... Our community, MSCC #526 (Oakridge Glen) located at 43 Capulet Walk has received the Revised planning application in connection with the above noted project. Last year the original application was managed by Ben Morin in the Planning Department. Please advise why he is no longer on the file?

At that time our community submitted several petitions (copies attached for your ease of reference) objecting to the application which contained our principal reasons for objecting. Those reasons still stand. The subject application has received little modification from the original application.

You should still have our information and documentation on file. Please confirm this is the case.

I would like to discuss this current application and I can be reached on my cell phone at [number redacted].

The Board of our condo of which I am a Director will be meeting to discuss this recent application next week and we will no doubt provide our current position although it is not anticipated that it will change dramatically from that previously submitted to Mr. Morin.

I have been on the City website to investigate the current application and to see if there has been any new information submitted by the applicant to justify the revised request. I did not see any new documentation. Can you please advise. We are particularly interested in any updated Traffic studies as the first one was completed in June which is a lower traffic time of year. Traffic on Capulet Walk is a major concern for this new development. Also the proposed building structures are still significantly larger than the maximum height provided for the Transit Village in the London Plan. Also the revised plan does not appear to give much consideration to the comments of the Urban Design Peer Review Panel of June 17, 2020 (concern about Tower in Park approach rather than creating the urban design desired by the London Plan).

You will note that I have copied our Ward Councillor, Mr. Steve Lehman, on this email.

I look for to your call...

Regards,

...Rick

Rick Coates
41-43 Capulet Walk
London, ON N6H 5V5
Canada

[Attached to the email: Petitions (approx. 71 households) signed in opposition to the initial application for one residential building of 22-storeys.]

From: Cardona, Juan
Sent: July 21, 2021
To: Macbeth, Travis
Subject: Comments to Official plan and zoning by-law amendment, file 0-9206 - Z-9199

Hello Travis

Please see attached letter with my comments to 689 Oxford Street West proposed 3 mega 17 to 19 storey buildings in a two storey houses area. Please confirm you received this letter.

I also want to raise a complaint for such a short time window for comments. I request a time extension for comments.

Thanks,
Juan Cardona

Copy to Steve Lehman, Ward 8 Councilor

July 21, 2021

Mr. Travis Macbeth
City Planning, City of London
206 Dundas Street
London ON N6A 1G7

Re: Comments to official plan and zoning by-law amendment, file 0-9206& Z-9199

Mr. Macbeth

We wish to make you aware of a number of strong objections that we have with regard to the proposed development for **689 Oxford Street West**, file number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

1 Loss of privacy and overlooking

New developments will be expected to provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties.

The proposed site development with 3 towers with excessive 22 storeys, is at such height that the primary amenity area of our backyard, garden, and a raised deck with seating, and pond view would be severely overlooked from the top rooms of the new development, resulting in a serious invasion of our privacy.

In the London Plan, the transit village place type also states that the Maximum height storeys is 15. Why is then the proposed height 22 stories?

We believe that the proposed development is a direct contravention of Policy 9 of the London Plan (Specific policies for the transit village place type). The design of the proposed development does not afford adequate privacy for the occupants of the building or of adjacent residential properties, particularly with regard to their right to the quiet enjoyment of garden amenities. We would urge you to consider the responsibilities of the council under the Human Rights Act in particular Protocol 1, Article 1 which states that a

person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life.

Human Rights Act

It may also be worth citing in this point of objection the responsibilities of the council under the Human Rights Act, in particular Protocol 1, Article 1. This states **that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land.**

Additionally, Article 8 of the Human Rights Act states that **a person has the substantive right to respect for their private and family life.** Private and family life therefore encompasses not only the home but also the surroundings.

2 Overshadowing and loss of light

The 22 storeys 3-tower building proposed development is within 100 meters of my house at 785 Silversmith Street. The close proximity combined with the excessive height (22 Storeys) will substantially overshadow and bring loss of light to my home, seriously affecting my family's wellbeing.

Based on the previous and as part of the developer's Shadow Study application, the building shadow will have negative impact thorough the year for all properties around, and completely overshadow my property and others around in the months of critical low light levels such as December.

3 Detrimental impact upon residential amenities

We believe that the proposed development is a direct contravention of any reasonable city plan. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding dwellings, and would be entirely out of the character of the area, to the detriment of the local environment. The properties along Capulet Road are typically row houses or semi-detached houses characterised by normal plots with some spacing between them.

The proposed dwelling would be just meters away from the train tracks. The proposed dwelling is a 22 storey building, yet its land proportions are smaller than the neighbouring semi-detached properties around.

The proposal would demonstrably harm the amenities enjoyed by local residents, in particular, valuable green space, privacy (see point 1) and the right to enjoy a quiet and safe residential environment.

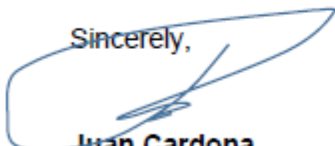
4 Negative road traffic Impact

The developer's traffic impact study application does not mention the critical adverse effect of approximately new 530 vehicles added to the area traffic and roads. (22 storeys x 4 apartments per storey x 2 people average per apartment owning cars x 3 towers)

We would also like to request that, should the application be approved, the council consider using its powers to reduce the number of building storeys and the number of buildings in the project, so that it help mitigate the negative effects in our quality of life such as: loss of privacy, overlooking, loss of light, traffic, overshadowing. The proposed site of development will multiply the density of a neighbourhood that is characterized by row-houses and semi-detached homes.

In conclusion, we believe the proposal to contravene this guidance as it is to the detriment of the quality, character and amenity value of the area, by means of overshadowing, loss of light, loss of privacy, overlooking, negative road impacts and a general detriment upon the neighbourhood's quality of life.

We would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections at first hand.

Sincerely,

Juan Cardona
785 Silversmith Street
London ON N6H 5T4

Copy: Councillor Ward 8, Steve Lehman

From: Kosta, Mary
Sent: July 14, 2021
To: Macbeth, Travis; Lehman, Steve
Subject: Proposed development at 689 Oxford Street West

Dear Mr. Macbeth and Mr. Lehman,

Re.: File O-9206 & Z-9199

I am strenuously opposed to further development in this already extremely high-density area. What we need are not more high-rise apartments, but more green space. It takes me over 30 minutes to walk to a park from where I live at 810 Capulet Lane. Put a park where you are proposing to put yet another high-rise apartment building.

Furthermore, I am extremely upset that so much development is taking place to build more for-profit rentals instead of affordable housing. We have far too many people who cannot afford to buy a home, and cannot afford the high rents in this city, and as a result, either must move away or become homeless. As a senior, I can barely afford the rent I pay, and have not possibility of buying a house with the absurd housing market

which seems just to benefit speculators and developers. The city should be working to develop affordable housing, especially for those on fixed incomes.

Lastly, I see the proposed development includes a parking structure. Once again, instead of putting in place measures to combat climate change and reduce the reliance on vehicles that depend on fossil fuel, this is short-sighted of the city. This city has made little effort to do anything concrete after its climate emergency declaration. Where are the dedicated bicycle lanes? How has public transit, which is overcrowded and unreliable, improved? Where are the outlets at new housing developments (such as 810 Capulet Lane) for electric vehicles?

This proposed development does not meet the needs of the citizens of London. It is just a way for the developers to make a profit. We need green space, bicycle lanes, improved public transit, and affordable housing to make this a livable city for everyone.

Sincerely,

Mary Grace Kosta
208 810 Capulet Lane
London, Ontario N6H 0G9

From: Meadows, Roger
Sent: July 14, 2021
To: Macbeth, Travis
Subject: Apartment Buildings File O-9206 and Z-9199

Dear: Travis Macbeth

I have lived in Oakridge Acres for 51 years and I am totally opposed to the erection of 3 apartment buildings let alone two at 17- stories and one at 19- story at the corner of Capulet Walk and Oxford Street West.

To begin with, these apartment buildings would be totally out of proportion height wise with the rest of the apartment buildings that are to the north east on Capulet Lane which are 10 to 12 stories. Being at a height of 19 and 17 stories and so close to residential areas, it is going to be so imposing that it definitely will not fit in with the surrounding landscape. Because these apartment buildings will be much closer to mature residential areas than the others, it will take away privacy no matter what height they are to so many of the neighbourhood residents. The property values of the single family homes and condos in the area will be depreciated because of these 3 apartment buildings. Put yourself in the position of one of the residents of a single family home or condo in the area with these three apartment buildings going up. Are you going to be happy with the loss of privacy, more road congestion and your property value being negatively affected? The traffic in this area is now a nightmare at times especially the Wonderland and Oxford Street area and adding 3 more high rises is just going to compound the problem. I recommend that this area be developed the same as what is currently in the area just off Capulet Walk condos and single family homes. The official plan and zoning by-law amendment for 689 Oxford Street West be rejected.

Thanking you in advance for your co-operation concerning this matter.

Sincerely
Roger Meadows
469 Dunedin Drive
London.

From: Lounsbury, Barb
Sent: July 14, 2021
To: Macbeth, Travis
Subject: 689 Oxford St W

As a resident of Oakridge I would like you to please consider how congested this corner of Oxford St is going to become when you decide on its fate. I am not in favour of this development going forward.

The traffic along Capulet and Oxford is busy enough now without adding three additional high rise buildings to the area. Not to mention having to drive past a construction site for two or more years with cranes and cement trucks, etc. closing the roads and disrupting traffic. As we all know, traffic in this area is very busy with so many apartment buildings, plazas, and businesses.

Why must we fill every available empty lot in this city? The cityscape would be much more appealing to have more trees and green spaces along these busy roadways.

Thank you for your time.

Barb Lounsbury
533 Cayley Drive

From: Wallace, Mike
Sent: July 16, 2021
To: Macbeth, Travis
Subject: 689 Oxford St West application

Hi Travis

Can you confirm if the above application is within a Transit Village or in the TV but along the Rapid Transit Corridor. As Table 8 in the LP has two different bonus max. heights allowed depending on where the site is in the Transit Village.

Thanks Mike

Mike Wallace
Executive Director
London Development Institute (LDI)

From: Cooke, Edgar
Sent: July 22, 2021
To: Macbeth, Travis
CC: Lehman, Steve
Subject: 689 Oxford St. West Planning Application

Mr. Macbeth, on behalf of the Board and owners of Condominium Corporation 624 I wish to express our opposition to the proposed plan for development for 689 Oxford . We are of the opinion that this revised proposal does nothing to alleviate our concerns as expressed in regard to the original proposal made in 2020. This proposal in effect requests an even higher density than the last request with a similar number of units in each building and a minimal reduction in building heights. Presumably this reflects only a reduction in unit sizes not necessarily the number of inhabitants. A proposed concentration of 480 living units on this site is overwhelming. We still object to the overall heights of these proposed structures in that they far exceed what has been the proceeding development heights throughout the neighbourhood. I would suggest that

infill redevelopment of this nature should conform to the surrounding neighbourhood rather than try to redefine it!

We are still at odds with the proposed sound attenuation requirements in relation to what has been foisted on our owners. The proposed two storey parking structure is minimal when compared to a berm the height of the railcars on the tracks to the south topped with an additional high wooden fence. The requirement that our development maintain this fence along the perimeter of a Stormwater Retention Pond now City of London property is ludicrous and an obvious perversion of reasonable treatment. This requirement is a source of ongoing resentment amongst our owners as apparently none of which were made aware of it by the developer when their unit were originally purchased!

Thank You, Ted Cooke, Board Chairman

From: Philp, Brenda

Sent: July 28, 2021

To: Lehman, Steve; Macbeth, Travis; City of London, Mayor; van Holst, Michael; Lewis, Shawn; Helmer, Jesse; Salih, Mo Mohamed; Cassidy, Maureen; Squire, Phil; Morgan, Josh; Hopkins, Anna; Van Meerbergen, Paul; Turner, Stephen; Peloza, Elizabeth; Kayabaga, Arielle; Hillier, Steven.

Subject: 689 Oxford Street West – Revised Planning Application -File O-9206 and Z-9199

Hi Councillor Steve Lehman,

I live at 43 Capulet Walk which is a low rise condominium complex of 53 one storey units. We are situated just north of the site of the revised proposed Zoning amendments to allow a two phased development that includes a 17-storey building of 146 units, a 17-storey building of 167 units and a 19-storey building of 167 units as well as a 3-level parking structure at 689 Oxford St, West.

File: O-9206 & Z-9199

Applicant: 2399731 Ontario Limited c/o Westdell Development Corporation

I wrote to you in June of 2020 regarding the original proposal and am now writing to you in protest of the revised Application.

I have several concerns with this revised proposal. There seems to be very little changed for the better and the primary concerns still exist.

One of my main concerns is the proposed height of the 3 buildings. The addition of two 17-storey and one 19-storey towers is not appropriate to the existing community. To the west of Capulet Lane, it is all one or two-storey single family residences. To the east of Capulet Lane there are about 13 multi-unit residential buildings that are 12-storey buildings.

The original proposed plan indicates it was to providing only 1 parking space per unit instead of the standard 1.25 parking spaces per unit. The revised plan allows for .95 parking spaces per unit. This is unrealistic as there is no available parking in the neighborhood for the overflow of parking requirements that the residents would need. (I note that they are allowing for 375 bicycles?)

I am also very concerned about the effect on the traffic in the area. Both Capulet Lane at Oxford and Beaverbrook at Wonderland are very congested and when the school buses are on Capulet Lane, there is often a traffic holdup of more than 5 minutes on Capulet Lane.

I live on Capulet Walk where it intersects with Capulet Lane. With the 480 homes added to Capulet Walk, the ability to safely make a turn would be greatly impeded. The southbound traffic on Capulet Lane has a high percent failure to signal their right hand turn onto Capulet Walk and are often speeding. There have been more than one

occasion of cars speeding around the curve and spinning off into our complexes' fencing and brick pillars. There are also a number of southbound motorists who make illegal left hand turns exiting out of Capulet Walk onto eastbound Oxford, There is a good likelihood of this increasing in frequency with the large addition of cars exiting the neighborhood.

The shadow study indicates a very intrusive shadow for the entire neighborhood. This will affect a large number of single family homes to the north of the 3 towers. Highview Residences, which is the neighbor to the immediate north of 689 Oxford St. W., specializes in dementia and elder care and it appears they will have a large loss of sunlight to their home. (I personally find this unconscionable.)

I believe the plan is to have "loading, garbage and other service areas" on the north side of 698 Oxford as the immediate neighbor to Highview Residences.

I am also sending this to Mr. Travis Macbeth, Mayor Ed Holder and the other Councillors.

Sincerely,

Brenda Philp
1-43 Capulet Walk,
London, Ontario N6H 5V4

From: Gallant, Brian
Sent: July 30, 2021
To: Macbeth, Travis; Lehman, Steve
CC: Gallant, Brian
Subject: Comments File# O-9206 and Z-9199 689 Oxford Street W

Travis,

I am providing comments and concern regarding the planning application for 689 Oxford Street West.

I am the currently the owner of 711 Oxford Street West and was part of the planning and building process for this property. At that time, I was concerned about the ground water and storm water construction for 711 Oxford Street West and voiced concerns to the city about the movement of water for 711. Since the construction, we have had several floods on the east side of the building when we have significant rainfall.

Here is a link of a video showing a situation in March 2021 (the file is large that is why I had to provide a link). You will see a culvert that brings water from the north side of the train tracks onto the property at 711 Oxford St West as well as the flooding on the east side of the building.

[Video link]

My concern for the new development at 689 Oxford Street West is around the plan for moving rainfall, ground water and the storm water system and how that will be addressed and constructed. I believe that the planning process should limit severely the amount of water that comes from the north side of the tracks to prevent flooding at 711 Oxford St West.

I ask that you provide a response that you have received this message as well as a discussion around my concerns above.

Sincerely,

Brian Gallant

From: Stormwater Engineering
Sent: August 3, 2021
To: Gallant, Brian
CC: Lehman, Steve; Gallant, Brian; Macbeth, Travis

Hi Brian,

Travis passed your message along to me. Thank you for bringing this to my attention.

FYI, the culvert that discharges onto your lands drains flows from the north side of the CN railway lands, and not directly from 689 Oxford. No runoff from 689 Oxford should be entering the CN railway north ditch, however it is possible that some flow escapes the property and contributes to the discharge of the culvert.

Part of my role here at the City is review of the storm water management component of new development applications. During our Site Plan review process I will ensure that the design of the development at 689 Oxford street contains all flows on site, and discourage the consultant from any strategy that involves drainage to the CN railway ditch. Hopefully this will alleviate some of the runoff to your property via the culvert, and minimize flooding issues you are having.

For the subject Official Plan and Zoning applications, the direction I have already provided the applicant is as follows:

- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.

I will enforce these stipulations as the project moves forward through the stages of the site plan approval, with consideration of your concern.

For clarity: I'll ensure the development of this site does not contribute flows to the CN railway lands and subsequently your property. However, it is possible you may not see a reduction in flows from the culvert post-construction, as I do not believe the site in it's current state contributes very much to the outflow of the culvert.

From: Cates, Barbara; Cates, Kelley
Sent: July 30, 2021
To: Macbeth, Travis
Subject: Official Plan and Zoning By-law Amendment-689 Oxford Street West File: 0-9206 and Z-9199

Good morning Mr. Macbeth,

I have attached my original letter of objection sent to Ben Morin on June 28, 2020 and his response on June 30, 2020 in which he advised he would look into the flooding concerns. To date, I have not received any communication from anyone on the issue of flooding. Meanwhile, I am shocked and even more gravely disturbed now to learn that the proposal is to build 3 buildings at the same time, rather than 1 building which was stated on the original planning application only one year ago. I also find it concerning that this time last year Westdell stated online that the other 2 buildings would be part of "future development." I see this is not the reality of the situation especially given Ben Morin's positive response which gave us hope that the second development may never occur. I very much hope that my serious concerns regarding flooding are taken into account before the city considers approving this project as there is plenty of risk for

homeowners on Laurel Street who could suffer the consequences if this issue is not adequately addressed. There has been a huge turnover of houses on Laurel Street which would be directly impacted by the development. I am sure you will not hear from those new homeowners who are unaware of potential flooding problems as they are new to the area. I would sincerely appreciate an update on the flooding issue as promised by Ben Morin. Thank you.

Sincerely,

Barabara and Kelley Cates

Good evening Mr. Morin,

I am a co-owner of 30 Laurel Street. My family and I wish to go on record now to state that our Covington built home was plagued by basement flooding issues from the time we took possession until many years later when it was finally fixed. One of our biggest concerns presently would be, during any proposed construction, the possibility of disturbing the underground water so precariously close to our home. Unfortunately, basement flooding was never disclosed to us at the time of the purchase of our home in October 1999. Needless to say, we spent many years hiring experts to repair the water issues by installing inside and outside weeping tiles which failed and then had to be re-done several more times at an astronomical cost to us. During that time, we reached out to the city for help with our water problem many times, but were denied any assistance. While those officials who visited our home admitted that there have always been countless issues with basement flooding in this neighbourhood, they never the less denied us the installation of a catch basin in our backyard even though they told us a catch basin would immensely help the issue. The problem in this area is that there are lily ponds on this land which posed quite a problem for the construction of 7 Covington homes built at the end of Laurel Street south ending at Oxford which included ours. We found this out later from our neighbours. There is also an extremely high water table under our foundation which should not be disturbed. With substantially improved repair technology, our flooding issue was eventually solved and it is vital to us that it is kept that way. As already stated, we deeply fear that should construction be approved for the high rise, the disturbance of the land with digging could pose a disaster if the water table was disrupted. Therefore, we feel it only fair that we be given a guarantee from the Planning Committee that should the Westdell proposed project proceed, there will be no water flooding threat to our property at any point now and into the future. May we say that we were shocked, appalled, outraged and heart broken to receive notification of the proposed Westdell Zoning By-Law Amendment change to permit the construction of not only a 22 storey apartment building a mere 120 metres from our home in Huntington, but also "Multi-family, High Density Residential." We have lived in and enjoyed our home for 20 years which we bought with the intention of myself eventually retiring here as it is a one floor home perfect as you reach retirement age. We love the location of our home which is close to my workplace, high school, shopping, entertainment, restaurants and, of course, COSTCO. My mother, who co-owns the home, has health and mobility issues so this property accommodates her physical needs. We could not even afford to try and re-locate to a similar home in this neighbourhood due to the astronomical home prices not to mention having to uproot her life, my life and my teenage son's life. This would be unimaginable. More to the point, my mother is physically incapable of being moved. We originally bought this property specifically for the large private tree lined backyard which backs onto the railroad track. It is similar to having our very own private park in our backyard. There is an abundance of wildlife animals and birds that frequent our property including blue herons, hawks and turkey vultures. In the spring, a family of ducks parade their ducklings through our backyard as they make their way to a neighbouring pool. All nature would immediately vanish from our green space and seek refuge elsewhere should construction begin. Obviously, we spend and enjoy a great amount of time outdoors on our patio, as do our neighbours, but that would be impossible with the noise, pollution, dirt, dust, fumes and total aggravation that construction would literally bring with it. We would then be forced to begin a new chapter in our lives living in an unwanted,

unnecessary fish bowl with our privacy stripped away. Our dream home would be turned into a nightmare with the proposed construction of a 22 storey high rise literally in our backyard, just across the railway track 120 metres from our home. We would potentially have thousands? of apartment dwellers staring down into our backyard, our kitchen and back bedroom 24/7. We would then be forced to keep our drapes drawn permanently for privacy which is not our style and definitely unacceptable. To say the very least, the project would be an outrageous and unacceptable intrusion into our way of life, not to mention the noise, pollution, lack of any privacy and the increased traffic this would impose on our quiet Oakridge neighbourhood. We are curious to know how the massive amount of increased traffic on Capulet Walk would be safely guaranteed when there are no lights at Oxford and Capulet Walk and no left turns permitted onto Oxford Street. All of those extra drivers from the proposed high rises would have to turn right onto Oxford and then make U turns around the existing burb on Oxford Street near Laurel Street if they want to go east on Oxford Street. Drivers already doing this have already increased the safety for drivers from our subdivision who make time consuming valiant tries at making left hand or right hand turns from Laurel St. onto Oxford St. every minute of the day and night. As it is, all of the residents in our subdivision have to be always prepared for lengthy waits at Oxford St. and Laurel St. to go east or west onto Oxford Street. We have always been denied traffic lights at Laurel St. and Oxford St. by City Hall. Drivers exiting Capulet Walk are already forced to make these dangerous U Turns on Oxford St. near Laurel Street if they want to travel east. This already presents a huge problem of heavy traffic flow with drivers trying to get turned around to drive east on the always busy Oxford Street which endangers all of our lives every day. Capulet Walk was never designed to withstand massive traffic flow from even one to say nothing of three 22 storey apartment buildings as it is only a "Walk" and not a viable roadway intended for heavy traffic. How would this work with thousands? of more drivers exiting Capulet Walk and turning right onto Oxford Street with the proposed plan? How would drivers exiting from Laurel St. even be able to make any kind of safe turn onto Oxford Street under the proposed project? We would no longer be able to open our windows during the day and night to enjoy the natural cool breeze, but would be forced to use AC as the air flow would be blocked by this monster building. Significant increased noise and disturbance from the apartment residents and 3 storey parking garage would also add to the problem forcing the closure of our windows. Natural light would disappear forcing us to have lights on day and night. We, the home owners would then be forced to pay those increased Hydro costs which is also not environmentally friendly or fair. We find it incredulous to believe that City Hall Planners could even remotely consider the Westdell project in Oakridge Acres to be built so close to our homes. There aren't any buildings of this height in the entire neighbourhood. These type of apartment buildings do not belong in subdivisions and are best suited for the downtown area where they already exist and don't infringe on single-family homes that exist in long established residential neighbourhoods like Huntington in Oakridge. We could never have envisioned Capulet Walk being re-zoned to accommodate massive high rises. There is a difference between constructing apartment buildings in subdivisions where initially the public are free to find out before they buy a home, that the area may in the future include new apartment construction versus suddenly proposing to re-zone an area to include high rises adjacent to a long standing residential neighbourhood with no apartment buildings. This obscene surprise is not correct or acceptable. Worst of all, the value of our home would automatically significantly drop should we have new apartment neighbours occupying the land adjacent to ours and obliterating the skyline. Should this project proceed, who then would compensate us for our great financial loss down the line? We were further shocked when we read Westdell's future proposal on-line for 689 Oxford Street West which in fact, in our interpretation, includes a plan to build 2 future additional high rises on the site. Why wasn't this total and vital information not clearly disseminated to us on the Notice of Planning Application which was sent to our home, rather than our having to research the actual details of the proposed development? What was the reason for withholding this key piece of extremely important information from my family who are among the most negatively affected homeowners in this critical situation? We are requesting that the Planning Committee truly re-consider the entire Westdell proposal in light of the fact that Oakridge Acres was never designed and built to host the future onslaught of high rises in resident's

backyards and the ruination of their properties. My family and I vehemently oppose every aspect of the proposed Westdell 689 Oxford Street West development now and in the future. We also kindly request to be kept informed as this case moves along and notified of decisions made along the way.

Sincerely,

Kelley Cates and Barbara Cates
30 Laurel Street
London N6H 4W4

Dear Kelley and Barbara Cates,

Thank you for your comments; they will be considered during the application review.

Thank you for also bringing the flooding and stormwater concerns to my attention. I will follow up with my colleagues in Stormwater Engineering and provide you with any information I receive.

Regarding the way the development phasing is described on the Notice of Application, the applicant has decided to apply to rezone a portion of the site and to retain the commercial plaza for an indeterminate amount of time. Any potential later phases are therefore not part of this application and are not being considered by Council at this time. Given the nature of the planning process, the applicant may significantly revise the later phase as expressed in their urban design brief, or decide to not pursue a second phase at all.

The City is currently determining timing for [Public Participation Meetings](#) (PPM) for this file and others. In the meantime I've attached a file containing our updated PPM procedures in response to COVID-19. As soon as I know more, I'll be sure to reach out to you.

Please do not hesitate to contact me for any additional information.

Regards,
Ben Morin
Planner I

From: Macbeth, Travis
Sent: August 16, 2021
To: Cates, Barbara and Cates, Kelley
Subject: RE: Official Plan and Zoning By-Law Amendment-689 Oxford Street West
File: 0-9206 and Z-9199

Good morning Mses. Cates,

The follow information has been provided by the City's Stormwater Engineering department, with regards to flooding and groundwater review:

In order to inform the design of the development, and facilitate the construction of subsurface structures, the owner's consultant will provide geotechnical analysis, which will often include hydrogeological components. These studies will review soil properties, identify ground water elevations, and propose methods of ground water management during and after construction. Structures with basements, parking structures, or other underground infrastructure may require temporary dewatering during construction, as well as permanent methods of achieving safe and dry subsoils post-construction (weeping tiles, sump pumps, etc.). The City reviews any and all projects with hydrogeological components to ensure that the consultant's methods of management of the ground water levels, and discharge from dewatering, is in line with municipal and

provincial standards and guidelines, including acquisition of appropriate permits and approvals. Furthermore, after construction is completed and temporary construction dewatering has ceased, groundwater levels are typically anticipated to recover at or near their pre-construction levels. New development typically has a net benefit to the surrounding water table as ground water pumping can be a on going process to protect the designed buildings and infrastructure, drawing the water table down.

Regards,
Travis Macbeth, MCIP, RPP

From: Stark, Gail
Sent: July 30, 2021
To: Lehman, Steve
CC: Macbeth, Travis
Subject: 689 Oxford St., W., London.

Good afternoon Steve.

You and I spoke about the original application for this property which I considered inappropriate for the area for many reasons.

I see that the application is now asking for 3 apartment buildings with even more apartments.

This is absolutely ludicrous for this property. The height of these buildings would certainly affect the single family homes just across the railway line. It would be 480 apartments in an area that cannot withstand that amount of traffic. The "30 affordable units" at 85% of current rent does not make them affordable at all.

I vehemently object to the changes requested and hope that a public meeting will be held to enable proper consideration and discussion.

Thank you

Gail Stark
837 Silversmith St, London, ON N6H 5T4

Agency/Departmental Comments

City of London: Development Services – Archaeological Assessment, May 14, 2020

Re: Archaeological Assessment – Complete Application Requirements
689 Oxford Street West (Z-9199)
Development Services Heritage Comments

This memo is to confirm that I have reviewed the following and find the report's analysis, conclusions and recommendations to be sufficient to fulfill archaeological assessment requirements for complete application (Z-9199):

- AECOM. *Stage 1 Archaeological Assessment 689 Oxford Street West* [...] London, Ontario (P438-0167-2018), March 25, 2019.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "AECOM's Stage 1 background study for the proposed development at 689 Oxford Street West has determined that the potential for the recovery of both First Nation and Euro-Canadian archaeological resources within parts of the current study area is high. However, as a result of extensive land alteration associated with commercial development, the entire study area has been previously disturbed and archaeological potential has been removed. Based on these findings, no further archaeological assessment is required." (p i)

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received, dated May 8, 2019 (MTCS Project Information Form Number P438-0167-2018, MTCS File Number 0010176).

Archaeological assessment requirements can be considered satisfied for this application.

City of London: Transportation Planning & Design, July 23, 2021

- The transportation impact assessment is accepted, note that the owner shall implement all recommendations outlined in the transportation impact assessment;
- There are no further comments [for] the zoning and official plan application for 689 Oxford Street West, Z-9199, O-9206.

Environment and Infrastructure: Sewer Engineering – April 8, 2022

- Sewer Engineering Division are satisfied with the April 4, 2022 analysis and the populations presented and is sufficient to confirm capacity in order to receive the proposed development.
- It is acceptable to show that the existing 350mm sanitary on Oxford will be at 100% flowing full as a result.
- Consultants are to submit revised sanitary area plan and design sheet to City Geomatics.

London Hydro – Revised Application Response, July 8, 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, maintaining safe clearances from [London Hydro] 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

Urban Design Peer Review Panel Memo – October 1, 2021

RE: Zoning By-law Amendment Application, 689 Oxford Street W, September, 15 2021.

The Panel appreciated the opportunity to review the revised materials submitted for this application. The Panel also continued to acknowledge the Applicant's suggestion regarding the importance of the site as part of the creation of a future transit village around the Oxford and Wonderland intersection. Unfortunately, the materials provided for review by the Panel were incomplete and not conducive to fully understanding the rationale behind the overall design strategy. In turn, evaluating the project from an urban design perspective was challenging. Notwithstanding the lack of contextual analysis provided, the Panel provided the following comments/recommendations to help inform next steps.

The Panel understands, from the *Transit Village* policies, that individual planning applications should demonstrate how the proposed development can be coordinated with existing, planned and potential development on surrounding lands within the Transit Village Place Type. In cases where a secondary plan does not exist, the applicant is required to show, through the use of a concept plan that considers the subject site and surrounding lands, how the proposed development will support and not undermine the long-term vision for the Transit Village.

- It is recommended that a fulsome contextual analysis be carried out to better understand how this site and project fits into the "big picture" future of the transit village.

- Although the proposed density may be appropriate and has been rationalized in the materials, building orientation, site layout, architectural design and landscape design are also key considerations at this stage and should work in harmony to create a high-quality pedestrian-oriented place, focused around public transit. Further contextual analysis is needed to understand how the project achieves this goal.
- For example, the design interface along Oxford Street (an urban gateway to the Transit Village) includes a substantial proportion of “blank wall” associated with the above grade parking structure. The structural importance of Oxford Street in the context of the Transit Village would suggest a much more urban/active interface condition is warranted.
- The Panel recommends exploring additional opportunities to soften topographical grade changes of the raised parking structure and enhancement of some parking structure facades through architectural upgrades, material finishes, terracing and/or buffer planting.
- Opportunities to eliminate one of the two proposed access points onto Capulet Walk should be considered to provide a stronger built form edge and actively programable streetscape.
- Opportunities to refine the layout and orientation of buildings on site with respect to one another should be further explored such that opportunities for relationships between landscape and amenity spaces on site are developed. For example, this may include opportunities to relocate the landscape area from the west side of Building A to the east side such that indirectly a larger, centralized courtyard is created between the amenity areas of the three buildings.
- Reorientation of Building C to the corner of Oxford Street West and Capulet Walk may assist in framing the street corner while allowing opportunities for an immediate connection between the parking garage and residences of Building C.
- Opportunities to increase the width of the landscape strip along the north edge of the property (specifically the North-East portion) should be considered to allow for additional landscaping. This may be achieved through a reduction in the overall width of the travel lane or elimination of one of the two vehicular access points proposed off Capulet Walk. In doing so provision of additional space dedicated to landscaping will assist in providing an enhanced public realm, encourage activation of the ground floor uses and buffer the presence of the travel lane as the site transitions to adjacent land uses.
- Additional design development and detailing surrounding the landscape areas on site was sought by the Panel. Programming of specific landscape nodes on site was not shown in sufficient detail to determine the landscape elements of each sub-area, their intended program, relation to the built form and the overall site.

The Transit Village policies direct that building heights will “step down” from the core of the Transit Village to adjacent neighbourhood areas.

- The materials do not show the spatial relationship of the site/development in relation to the core of the transit village and the future planned context of the area. Massing models showing contextual relationships between core elements of the transit village and the proposed building heights should be submitted.
- Shadow studies should be provided to help inform building heights/shapes.
- The applicant is commended for providing relatively slender tower floorplates, however, the orientation, shape and positioning of the towers requires further refinement in order to address their context.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Substantial further contextual analysis is warranted in order to inform revisions to the proposed design. This site is an important piece of the future Transit Village and necessitates an exceptional response to set a standard for higher density development in the area. The panel looks forward to the proponent’s response.

Appendix D – Policy Context

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

Provincial Policy Statement, 2020

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1.a, b, d, g; and 1.1.2
- 1.1.3 Settlement Areas
 - 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, and 1.1.3.5
- 1.4 Housing
 - 1.4.3
- 1.5 Public Spaces, Recreation, Parks, Trails and Open Space
 - 1.5.1.a and b
- 1.6 Infrastructure and Public Service Facilities
 - 1.6.1, and 1.6.3
- 1.6.7 Transportation Systems
- 1.7 Long-Term Economic Prosperity
- 1.8 Energy Conservation, Air Quality and Climate Change

The London Plan

Our Strategy

Key Directions – policies 55 to 62

Our City: City Structure Plan (Growth Framework)

Intensification – policies 79 to 87

Primary Transit Area – policies 88 to 92 and Figure 3

Downtown, Transit Villages and Rapid Transit Corridors – policies 95 to 98 and Figure 5

Our City: City Structure Plan (Economic Framework)

Downtown, Transit Villages and Rapid Transit Corridors – policies 127 to 130 and Figure 14

Our City

City Structure Plan Composite – policy 146 and Figure 20

City Building Policies – policies 189 to 306

General Framework of Urban Place Types – policies 788 and 789

Transit Village Place Type

Our Vision for the Transit Village Place Type – policy 806

Role within the City Structure – policies 807 to 809

How Will We Realize Our Vision? – policy 810

Permitted Uses – policy 811 and 812

Intensity* - policy 813 (*Note: policy 813 under appeal at LPAT)

Form – policy 814

Transit Village Protected Major Transit Station Areas (including density, height, permitted uses) – policies 815A to 815F

Our Tools – policies 1566 to 1683 and 1795

London Plan Maps 1 through 10

1989 Official Plan

Section 3.4 Multi-Family, High Density Residential

Section 3.4.1 Permitted Uses

Section 3.4.2 Locations

Section 3.4.3 Scale of Development

Section 19 Implementation

Section 19.4.4 Bonus Zoning

Z.-1 Zoning By-law

Section 3: Zones and Symbols

Section 4: General Provisions

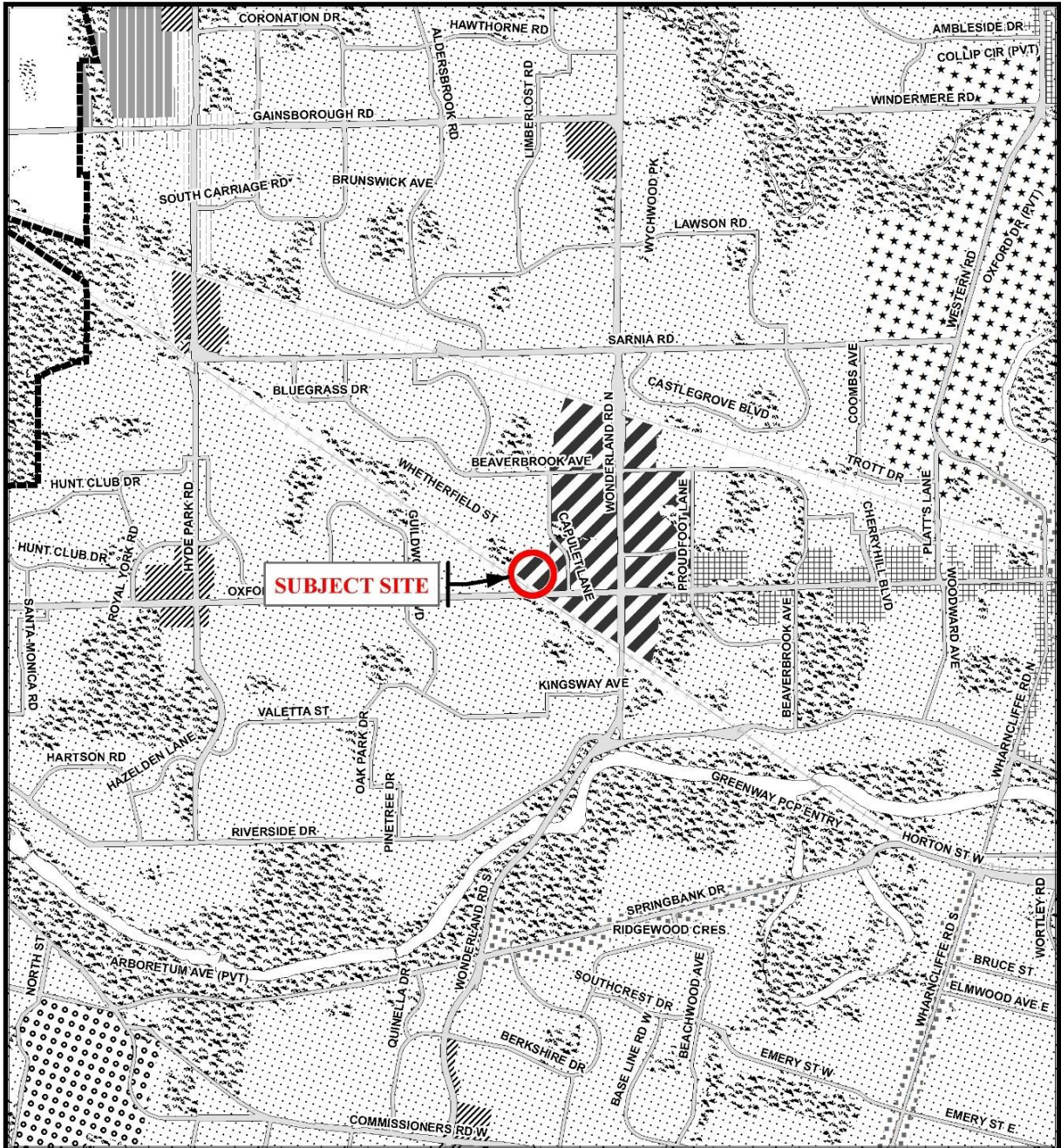
Section 13: Residential R9

Section 27: Highway Service Commercial (HS) Zone

Section 28: Restricted Service Commercial (RSC) Zone

Appendix E – Relevant Background (Additional Maps)

The London Plan: Map 1 – Place Types



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	

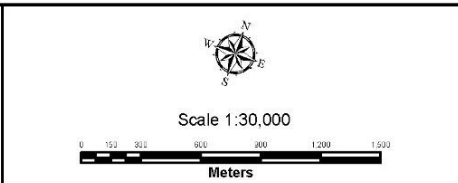
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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



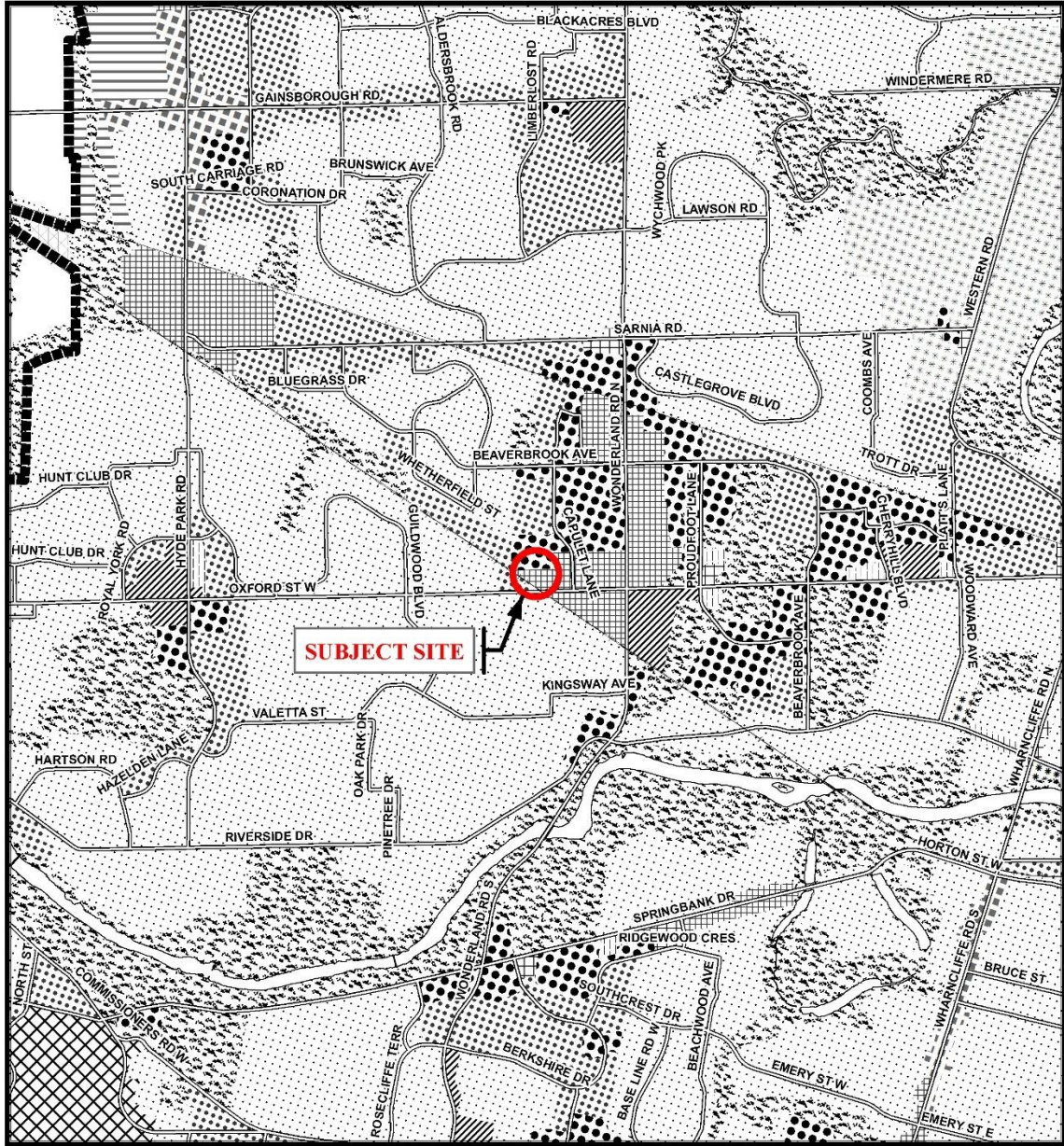
File Number: Z-9199

Planner: TM

Technician: RC

Date: May 17, 2022

1989 Official Plan: Schedule A – Land Use



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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-9199</p> <p>PLANNER: TM</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/05/17</p>
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Zoning By-law Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "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-9199

TM

MAP PREPARED:

2022/05/17

RC

1:2,000

0 10 20 40 60 80
Meters