

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, MPA, P.Eng.,  
Deputy City Manager, Planning and Economic Development  
**Subject:** 2425293 Ontario Inc.  
2009 Wharncliffe Road South  
**Public Participation Meeting on: July 25, 2022**

## Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of 2425293 Ontario Inc. relating to the property located at 2009 Wharncliffe Road South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend section 1565\_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by **ADDING** a policy to section 20.5.9.4 "Bostwick Residential Neighbourhood – 2009 Wharncliffe Road South", to permit a maximum mixed-use density of 176 units per hectare, through Bonusing;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend Zoning By-law No. Z.-1, in conformity with the London Plan for the City of London as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Residential R9 Special Provision Bonus (R9-1( )\*B( )) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality mixed use commercial/office and residential apartment building, with a maximum height of 22.5 metres (6 storeys), 372 square metres of first floor commercial/office uses, 45 dwelling units and a maximum mixed-use density of 176 units per hectare, which substantively implements the Site Plan, Renderings, Elevations and Views, attached as Schedule "1" to the amending by-law and provides for the following:

- a) Exceptional Building and Site Design
  - i) A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.
  - ii) A built form that addresses the corner orientation at the intersection with Savoy Street.
  - iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
  - iv) A setback of 1-2m minimum, from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
  - v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
  - vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
  - vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and

provide interest and human-scale rhythm along the street frontages.

viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

- i) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.
  - ii) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk.
  - iii) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.
  - iv) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central 'snow storage' area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.
  - v) Ensure common outdoor amenity space at ground level.
- b) Provision of Affordable Housing
- i) A total of three (3) one-bedroom units will be provided for affordable housing;
  - ii) 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;
  - iii) The duration of affordability set at 50 years from the point of initial occupancy;
  - iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
  - v) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

## Executive Summary

### Summary of Request

The owner has requested an amendment to the Southwest Area Secondary Plan to add a specific policy to the Bostwick Residential Neighbourhood for the site, to permit a maximum mixed-use density of 176 units per hectare, with Bonusing.

The owner has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from an Urban Reserve (UR4) to a Residential R9 Special Provision Bonus (R9-1( )\*B( )) Zone with the intent of constructing a six (6) storey, mixed use commercial/office and residential apartment building with 45 residential units and 372 square metres of commercial/office gross floor area at ground level. The requested base zone (R9-1( )) would permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities. Zoning special provisions were requested to include additional

permitted uses, limited to the first floor: Animal Clinic; Bake shops; Clinics; Convenience service establishments; Convenience Store; Financial institutions; Food stores; Laundromats; Medical/dental offices; Offices; Personal service establishments; Restaurants; Retail stores; Studios; a maximum height of 4 storeys or whereas the height is to be established on the zone map; a maximum density of 75 units per hectare; a reduced minimum front yard depth of 1.95 metres, whereas 10 metres is required; a reduced minimum exterior side yard depth of 1.41 metres, whereas 10 metres is required; and a reduced minimum parking requirement of 62 spaces, whereas 75 spaces are required.

The applicant requested the use of Bonus provisions to allow the increase in density whereas the applicable policies of the existing Medium Density Residential designation under the Southwest Area Secondary Plan for the Bostwick Residential Area would allow residential intensification up to a maximum of 75 units per hectare. The facilities, services and matters proposed by the applicant to support Bonus Zoning include the building design and affordable housing.

### **Purpose and Effect of Recommended Action**

The recommended zoning is a Residential R9 Special Provision Bonus (R9-1( )\*B-( )) Zone, providing for:

- a base zone that would apply in the event development occurs without the use of bonusing, to allow a four storey (18 metre) apartment building at a maximum density of 75 units per hectare with a reduced minimum front yard depth of 1.95 metres, and a reduced minimum exterior side yard depth of 1.41 metres to provide a suitable alignment towards Savoy Street and Wharnccliffe Road South.
- a Bonus Zone to facilitate the development of the subject lands with a six (6) storey, mixed use commercial/office and residential apartment building with 372 square metres of commercial/office uses limited to the first floor, 45 residential units, and up to 62 parking spaces, of which 50 are to be provided in an underground parking structure. The Bonus Zone will establish a maximum density of 176 units per hectare.

### **Rationale of Recommended Action**

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type;
3. The recommended amendment conforms to the in-force policies of the Southwest Area Secondary Plan, including but not limited to the Medium Density Residential policies within the Bostwick Residential Neighbourhood;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development; and
5. The recommended amendment secures units for affordable housing through the bonus zone

## **Linkage to the Corporate Strategic Plan**

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

## 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 efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None.

#### 1.2 Property Description

The subject site is comprised of a lot located at the northwest corner of the intersection of Wharncliffe Road South and Savoy Street. The site has a frontage of 45.7 metres along Wharncliffe Road South, a depth of 60.9 metres along Savoy Street, and a total area of 0.28 hectares. The existing lot is currently developed with a single detached dwelling. The site is relatively flat.

Wharncliffe Road South is an arterial road/civic boulevard with an average annual daily traffic volume west of Dearness Drive of 20,500 vehicles per day. Savoy Street is a local road/neighbourhood connector.



Figure 1 - House at 2009 Wharncliffe Road (view from Savoy Street)



Figure 2 - House at 2009 Wharncliffe Road (view from Wharncliffe)

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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type fronting a Civic Boulevard
- Southwest Area Secondary Plan (Bostwick Residential Neighbourhood) – Medium Density Residential
- Existing Zoning – Urban Reserve (UR4) Zone

### 1.4 Site Characteristics

- Current Land Use – one single detached dwelling
- Frontage – 45.7 metres
- Depth – 60.9 metres
- Area – 0.28 hectares
- Shape – rectangular

## 1.5 Location Map

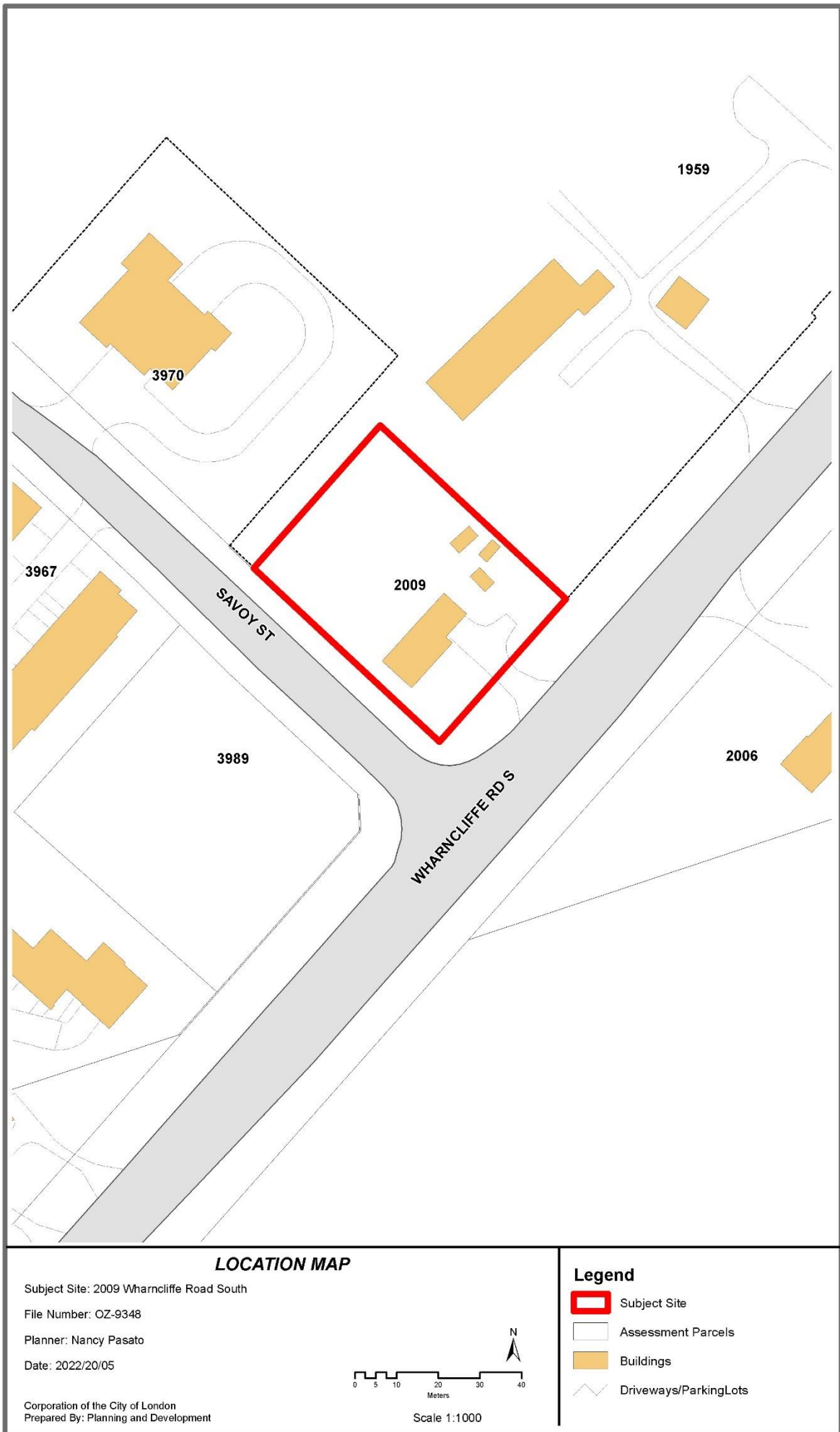






Figure 4 - View from intersection of Savoy Street and Wharncliffe Road (March 2021)



Figure 5 - View from Wharncliffe Road (March 2021)

## 2.2 Revised Development Proposal (Spring 2022, and June 2022)

In April, 2022, the applicant requested a revision to the application in response to concerns raised by City staff. The revised proposal is for a six (6) storey, mixed use apartment building with 40 residential units and 372 square metres of commercial/office space on the ground floor, 62 parking spaces, 12 of which are to be provided as surface parking and the remainder of which are to be provided in an underground parking structure. The revised site concept is shown in Figure 7. Revised building renderings are shown in Figures 8 and 9.

Key changes to the proposal include:

- A decrease in the height of the building, from 9 storeys to 6 storeys, and a decrease in the number of dwelling units from 55 to 40;
- A reduction in the mixed-use density from 216 units per hectare, to 159 units per hectare.



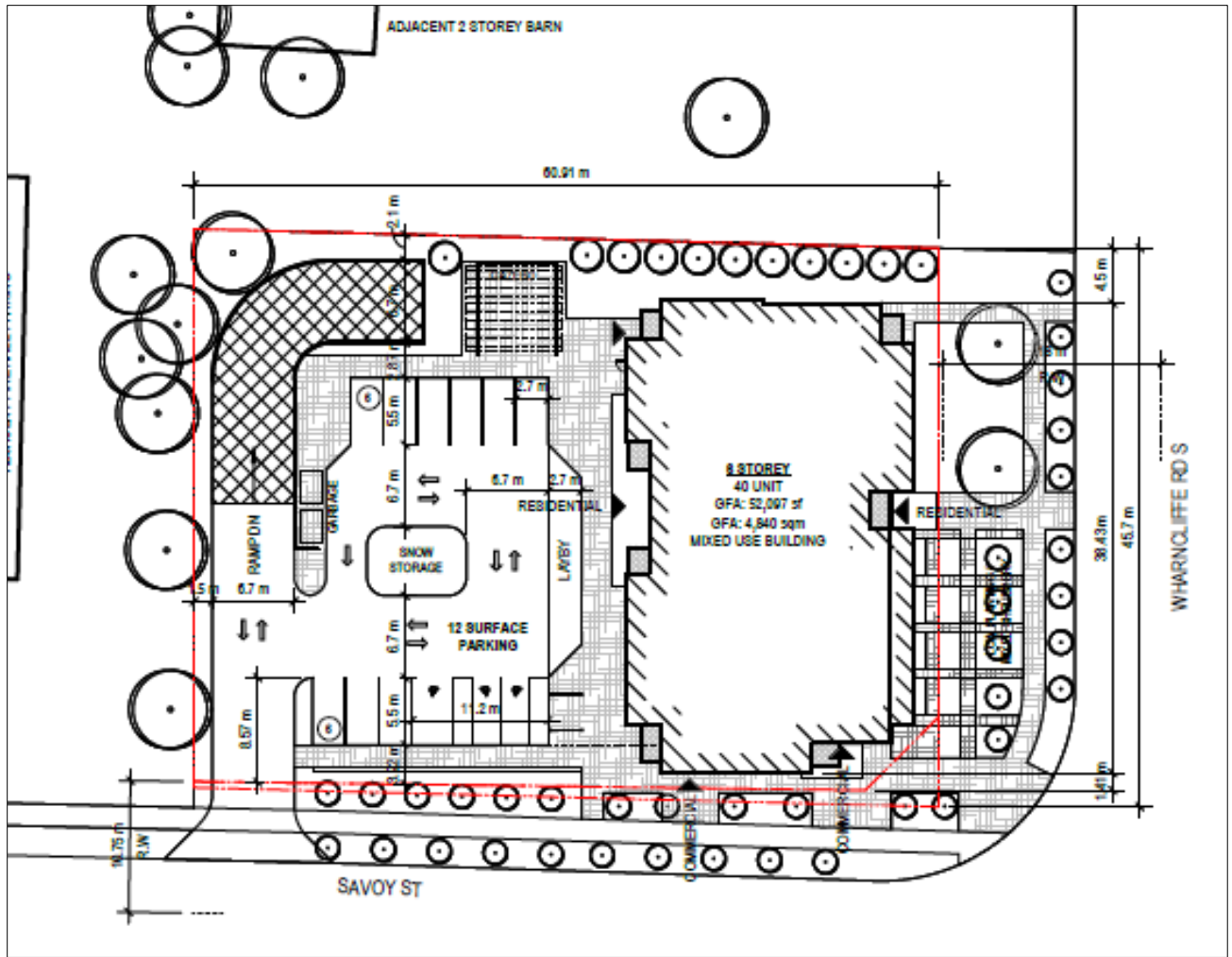


Figure 6 - Revised site concept (April 2022)

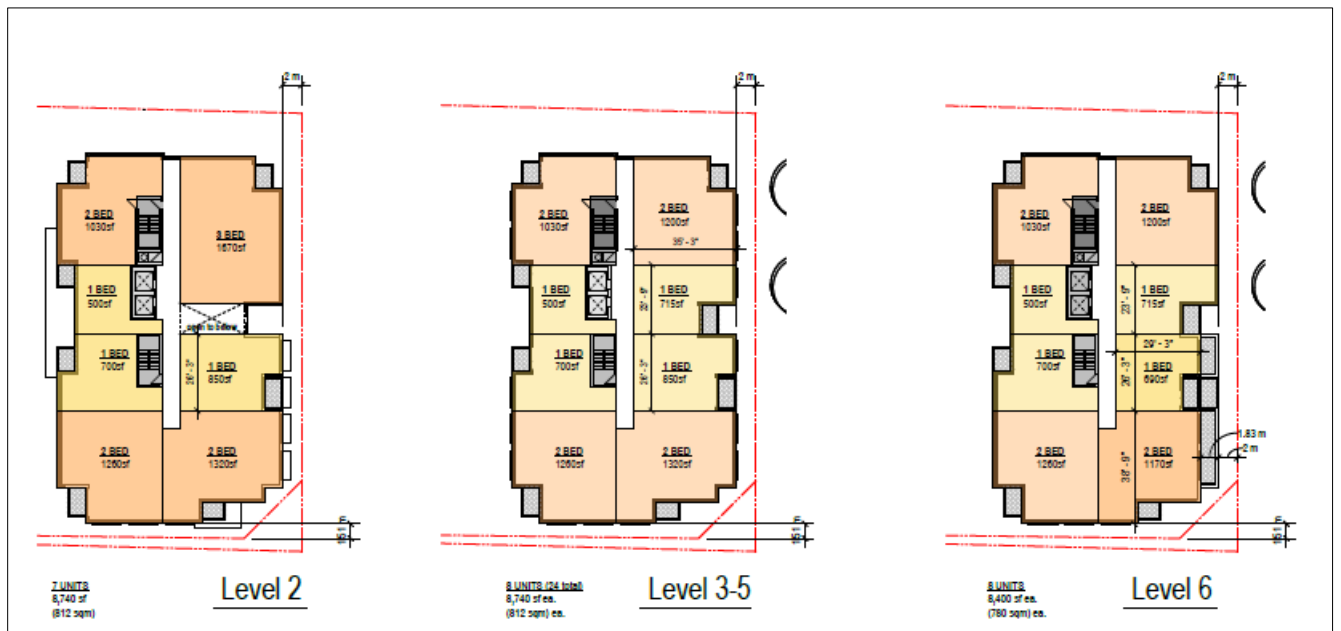


Figure 7 - Revised floor plans (April 2022)



Figure 8 - Revised view from intersection of Savoy Street and Wharncliffe Road



Figure 9 - Revised view from Wharncliffe Road

The applicant provided a revised architectural package in June 2022. There are no substantial changes to the site concept plan or drawing elevations and renderings. The revisions are to the floor plans, which now show an additional 5 residential units, which results in a revised mixed-use density of 176 units per hectare. The revised concept plan is shown in Figure 10, and floor plans are shown in Figure 11.

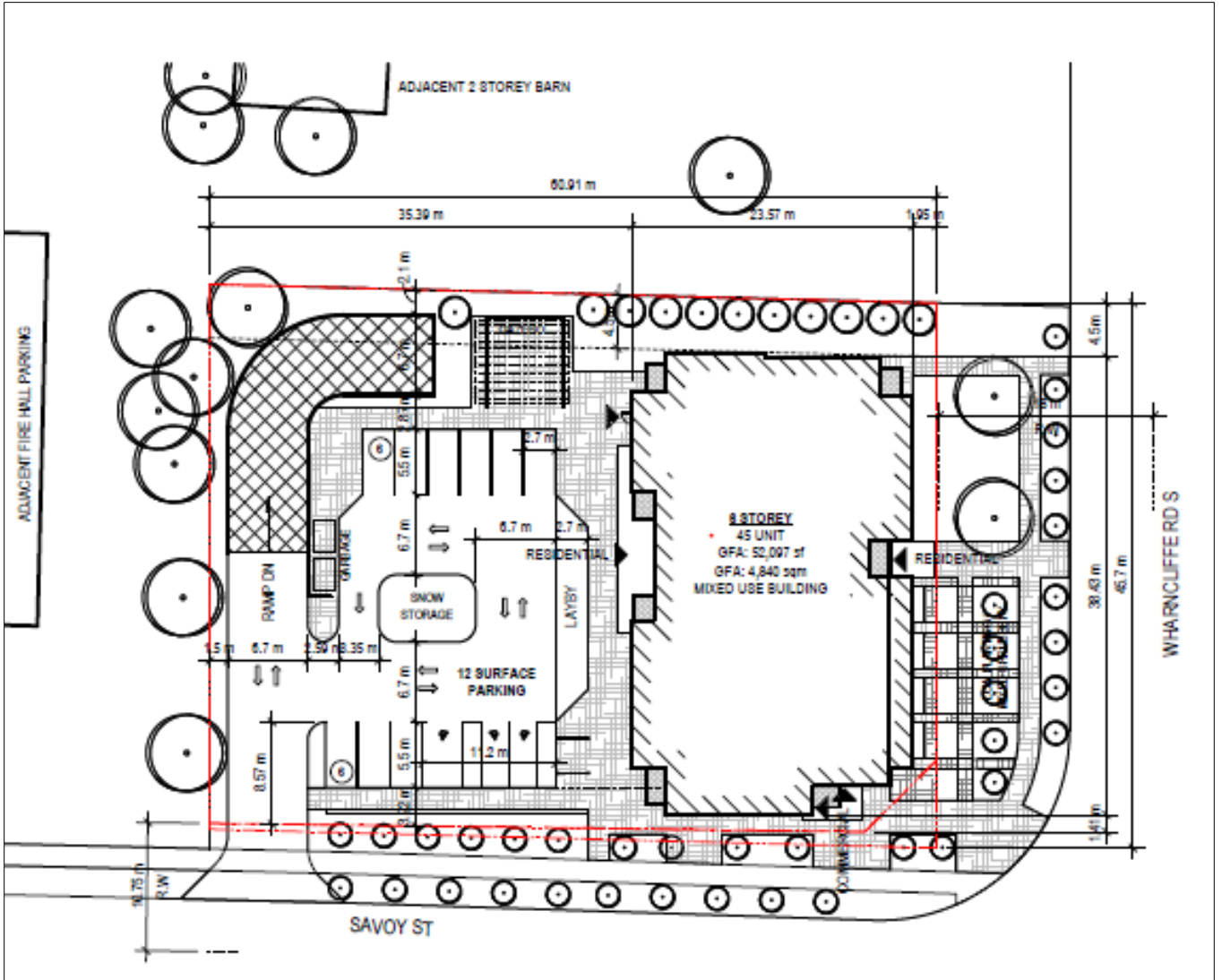


Figure 10 - Revised concept plan with 45 units



Figure 11 - Revised floor plans (June 2022)

## **2.4 Original Requested Amendment (March 2021)**

The applicant originally requested to amend the 1989 Official Plan, the Southwest Area Secondary Plan and the London Plan to add a Specific Area Policy to permit a mixed-use building with a maximum height of 9-storeys, 477 square metres of commercial gross floor area, and a maximum mixed-use density of 216 units per hectare. The applicant also submitted a request to amend the zoning by-law on the subject site from a Urban Reserve (UR4) Zone, to a Business District Commercial Special Provision Bonus (BDC( )\*B-( )) Zone. The BDC Zone is typically applied to corridors with a main street character. This Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City and in hamlets or small business areas in rural areas. Special provisions were requested for:

- a maximum front yard depth of 3.9 metres;
- a minimum interior side yard depth of 1.2 metres;
- a minimum parking rate of 1 space per residential unit;
- and a minimum parking rate of 1 space per 40 square metres of any permitted non-residential use.

A Bonus Zone was requested to permit a maximum density of 216 units per hectare and a maximum height of 9 storeys (31 metres). The facilities, services and matters proposed by the applicant to support Bonus Zoning included building design, and affordable housing.

## **2.5 Revised Requested Amendment (Spring 2022 and June 2022)**

In Spring, 2022, the applicant revised their application in order to implement the revised concept plan and design response. The applicant was requesting a Residential R9 Special Provision Bonus (R9-7( )\*B-( )) Zone, with revised zoning special provisions as follows:

- additional permitted uses, limited to the first floor: Animal Clinic; Bake shops; Clinics; Convenience service establishments; Convenience Store; Financial institutions; Food stores; Laundromats; Medical/dental offices; Offices; Personal service establishments; Restaurants; Retail stores; Studios; at a maximum gross floor area of 372 square metres;
- a reduced minimum front yard depth of 1.95m, whereas 10m is required;
- a reduced minimum exterior side yard depth of 1.41m, whereas 10m is required;
- a reduced minimum parking requirement of 62 spaces, whereas 75 spaces are required.

The requested Bonus Zone was revised to permit a maximum density of 159 units per hectare, and a maximum height of 6 storeys (22.5 metres).

As part of the Applicant's resubmission in June, 2022, the applicant is now requesting a Residential R9 Special Provision Bonus (R9-1( )\*B-( )) Zone, with revised zoning special provisions as follows:

- additional permitted uses, limited to the first floor: Animal Clinic; Bake shops; Clinics; Convenience service establishments; Convenience Store; Financial institutions; Food stores; Laundromats; Medical/dental offices; Offices; Personal service establishments; Restaurants; Retail stores; Studios (no change from April submission);
- a reduced minimum front yard depth of 1.95m, whereas 10m is required (no change from April submission);
- a reduced minimum exterior side yard depth of 1.41m, whereas 10m is required (no change from April submission);
- a reduced minimum parking requirement of 62 spaces, whereas 75 spaces are required (no change from April submission).

The requested Bonus Zone was revised to permit a maximum density of 176 units per

hectare (revised from April submission).

## 2.7 Community Engagement (see more detail in Appendix C)

Written responses were received from 4 households through the original application (March 2021) circulation.

The public's concerns generally dealt with the following matters:

- Lack of notification
- Traffic
- Changes to the area
- Too intense

Written responses were received from 1 person through the revised circulation May 2022).

The public's concerns generally dealt with the following matters:

- Too tall
- No apartments in Lambeth
- Against the application

## 2.8 Policy Context

### *Provincial Policy Statement, 2020*

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

### *The London Plan*

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal* (LPAT) (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (\*) throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT).

The London Plan provides Key Directions (54\_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within Primary Transit Area;

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Planning for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard (Wharnclyffe Road South) with a Neighbourhood Connector (Savoy Street), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within the Neighbourhoods Place Type at this location include a range of low rise residential uses, such as townhouses, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 2 storeys, and the maximum permitted height is 4 storeys, with the potential to bonus up to six storeys. (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

#### *1989 Official Plan*

The subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The Multi-Family, Medium Density Residential designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report, or subject to a site-specific zoning by-law amendment and/or bonus zoning provisions. Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre).

#### *Southwest Area Secondary Plan*

The subject site is located within the Southwest Area Secondary Plan, Bostwick Residential Neighbourhood. The Bostwick Neighbourhood will provide for residential development with the highest intensity of all of the Residential Neighbourhood Areas in the Southwest Planning Area, to support activities in the Wonderland Boulevard Neighbourhood. The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood (20.5.9.i)). The residential areas will develop as traditional suburban neighbourhoods, with characteristics similar to those found in the older areas of the city, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day to day living experience (20.5.9.ii)).

The subject site is located with the Medium Density Residential designation. The primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan will be permitted in the Low and Medium Density Residential designations, including low density forms such as single detached, semi-detached and

duplex dwellings, triplexes and fourplexes. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may be permitted within the Medium Density Residential Designation (20.5.9.1 ii)). Within the Medium Density Residential designation, new residential development shall have a minimum density of 35 units per hectare and a maximum density of 75 units per hectare. Building heights shall not exceed six storeys and shall be sensitive to the scale of development in the surrounding neighbourhood. A residential density exceeding 75 units per hectare (up to a maximum of 100 units per hectare) may be considered in accordance with Section 3.3.3 ii) of the Official Plan (20.5.9.1iii)b).

Generally, the objective of the Southwest Area Secondary Plan is to provide for a range of land uses including residential, open space, public, commercial, office and mixed-uses and community facilities. Mixed use developments are generally permitted within the Southwest Secondary Planning Area.

### **3.0 Financial Impact/Considerations**

There are no direct municipal financial expenditures associated with this application.

### **4.0 Key Issues and Considerations**

#### **4.1 Issue and Consideration #1: Use**

*Provincial Policy Statement, 2020*

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached dwellings, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes 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 (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

*The London Plan*

Policy 916\_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918\_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed six (6) storey mixed use apartment building would contribute to the existing mix of housing types currently available in the area.

The subject site is in the Neighbourhoods Place Type of The London Plan and is located at the intersection of a Civic Boulevard (Wharncliffe) and a Neighbourhood

Connector (Savoy). Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921\_). At this location, a range of low-rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments, as well as mixed-use buildings are permitted.

### *Southwest Area Secondary Plan*

The principles of the SWAP include providing for a range of land uses including residential, open space, public, commercial, office and mixed-uses and community facilities (20.5.1.4 a)). SWAP is based on a design in which one of the key goals is to maximize the potential for sustainable development, which can be achieved through such features as enhanced connectivity to transit, mixed-use development, a modified grid road system, and a connected open space system (20.5.3.2 i)).

The primary permitted uses in the Multi-family, Medium Density Residential designation of the 1989 Official Plan will be permitted in the Low and Medium Density Residential designations, which includes apartment buildings. A limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may be permitted within the Medium Density Residential Designation (20.5.9.1 ii)). Policies specific to the Bostwick Neighbourhood focus on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may also be permitted (20.5.9.1. ii)).

### *1989 Official Plan*

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii). The subject property is designated Multi-family, Medium Density Residential (MFMDR) in accordance with Schedule 'A' of the 1989 Official Plan. The MFMDR designation contemplates multiple-attached dwellings, such as row houses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged. Development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3).

### Analysis:

Consistent with the PPS, The London Plan, and the Southwest Area Secondary Plan, the recommended mixed use low-rise apartment building will contribute to the existing range and mix of housing types in the area, which consists of mostly one and two-storey single detached dwellings, with townhouse units located to the west. The proposed use will provide choice and diversity in housing options for both current and future residents. No new roads or public infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to nearby open space, community facilities and shopping areas as further detailed in Appendix D of this report. It is within walking distance of transit options along Wharnccliffe and on Wonderland Road. While the recommended mixed use apartment building has a different intensity and built form than the existing surrounding development, the analysis of intensity and form below demonstrates that the apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood. Development of mixed-use forms with small-scale commercial or retail uses on the main floor and residential development above, is generally encouraged in



the SWAP.

## **4.2 Issue and Consideration #2: Intensity**

### *Provincial Policy Statement, 2020*

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

### *The London Plan*

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (83\_, 937\_, 939\_ 2. and 5., and 953\_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84\_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard. (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953\_3.).

### *Southwest Area Secondary Plan*

Within the SWAP, specifically, the Bostwick Residential Neighbourhood, lands in the MDR designation shall have a minimum density of 35 units per hectare and a maximum density of 75 units per hectare. Building heights shall not exceed six storeys and shall be sensitive to the scale of development in the surrounding neighbourhood (20.5.9.1 iii) b)). A residential density exceeding 75 units per hectare (up to a maximum of 100 units per hectare) may be considered in accordance with Section 3.3.3 ii) of the Official Plan.

### *1989 Official Plan*

Development in the Multi-Family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3). Locational criteria for development in Multi-family, Medium Density Residential development shall take into account surrounding land uses in terms of height, scale and setbacks, and the adequacy of municipal services. Traffic to and from the location should not have a significant impact on stable, low density residential areas, and the site or area should be of a suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses (3.3.2).

### Analysis:

The evaluation of appropriate intensity should be relative to both the existing and planned function of surrounding land uses. The recommended six (6) storey mixed use apartment building would represent a suitable transition in intensity from the potential future redevelopment of neighbouring lands, adjacent development at 2-3 storeys (townhomes), and to the low density traditional suburban subdivision to the south and west. The subject lands have frontage on a Civic Boulevard (Wharncliffe Road), which is a higher-order street, to which higher-intensity uses are directed.

When consolidated, the subject lands are of a size and configuration capable of accommodating a more intensive redevelopment on an underutilized site within a settlement area. The proposed development is of an appropriate scale and height for its location along a major road. As the site is currently developed with one single detached dwelling, the proposed development represents an appropriate form of intensification through infill redevelopment. Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. The increased intensity of development on the site will make use of existing and planned transit services, nearby recreational opportunities, local and regional institutional uses, and shopping, entertainment and service uses.

The subject lands are sited in an area where both the 1989 Official Plan, Southwest Area Secondary Plan and The London Plan direct and support some degree of residential intensification and redevelopment. While the proposal complies with the maximum height in the SWAP, the requested density of development exceeds that permitted by the Medium Density Residential designation of the SWAP.

More specifically, the proposed development of 45 new apartment units and 4 commercial units (for a total of 49 "units") equates to 176 units per hectare and does not conform to the maximum permitted density of 100 units per hectare which may be achieved using the intensification policies, and the Bonusing provisions of the SWAP. Staff are satisfied that the subject site is an appropriate location for this form of development based on the above locational and evaluative criteria. Additional policy permissions are required to achieve a bonusable mixed-use density of 176 units per hectare within this designation. The London Plan does not contain policies that use density as a measure of intensity, but rather focuses on an appropriate form of development to inform intensity for a site. For this proposed development, the form is appropriate as per the SWAP (low rise apartment building) and can achieve the intensity without requiring major site special provisions (such as increased site coverage, decreased landscape opens space). It is for this reason that an amendment to the SWAP has been recommended.

Overall, the proposed development is not expected to contribute a significant amount of traffic to the existing road network or generate any unacceptable noise impacts on surrounding properties. A noise study was not required for the Zoning By-law amendment application but will be required at the site plan stage to address the mitigation of impacts of road noise on the new development. The proposed parking reduction is minor (6 spaces overall as per the requirements of the zoning by-law) and most parking is located in underground which will help to minimize surface parking issues and impacts on adjacent properties. It is not anticipated that overflow parking will affect local streets.

The proposed development will not generate noxious emissions and lighting details will be addressed at the site plan approval stage. It is a site plan standard that directional lighting fixtures be used to minimize light spill onto abutting properties. Garbage, storage inside the building is a standard requirement for apartment forms, while external garbage facilities where garbage is to be placed outside on collection day should be screened from the public realm. The proposed development situates the proposed apartment building as far from abutting properties as possible to reduce impacts of the proposed building height. In addition to the spatial separation between the buildings and the lot lines, the provision of a combination of privacy fencing and enhanced landscaping will help soften the property boundaries and provide screening from the proposed building to neighbouring properties. Minor shadowing may impact adjacent and nearby properties in the early morning or late afternoon, depending on the season.

Enhanced landscaping, articulated building design, and architectural details and materials to be implemented through Bonus Zoning are expected to have a positive visual impact on the area. There are no view corridors to significant features or landmarks to be affected by the proposed building. The development will result in the loss of some trees and canopy cover in order to achieve a more compact form of development within the built-up part of the City. At the site plan stage, a complete landscape plan will be developed to provide for new tree planting and screening from adjacent land uses.

Staff are also recommending a special policy within the SWAP to allow for additional density for this development. The requested intensity of development contemplated is recommended on the lands, subject to density bonusing and certain considerations at the site plan approval stage. The proposed development is of a suitable intensity for the site and is consistent with the PPS and the in-force policies of the City's Official Plans.

Floor area limits for retail, services and offices uses are shown on Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type. The proposed 372m<sup>2</sup> of ground floor commercial/office uses are considered minor and appropriate, given the location of the development along a Civic Boulevard and Neighbourhood Connector.

### **4.3 Issue and Consideration #3: Form**

#### *Provincial Policy Statement, 2020*

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

#### *The London Plan*

The London Plan encourages compact forms of development as a means of planning and managing for growth (7\_, 66\_). The London Plan encourages growing "inward and upward" to achieve compact forms of development (59\_ 2, 79\_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59\_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59\_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953\_ 2.a. to f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578\_).

#### *Southwest Area Secondary Plan*

All development shall be designed in a form that is to be compact, pedestrian oriented and transit friendly. Mixed-use developments are generally encouraged. A hierarchy of civic, institutional and commercial uses shall be established in locations which form part of mixed-use areas (rather than isolated in single-use complexes) which allow them to serve as focal points for the Planning Area as a whole (20.5.3.9 i)a),b)). Where commercial development is permitted it will be encouraged in a "main street" format where retail and service commercial uses are oriented to the street creating a pleasant, pedestrian shopping environment, whether in stand-alone stores or in the ground floor of mixed-use buildings (20.5.3.9.iii)b)). Buildings on corner lots at the intersections of

arterial and collector roads shall be sited and massed toward the intersection (20.5.3.9.iii)c).

### *1989 Official Plan*

Development within the recommended Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development. Normally height limitations will not exceed four storeys.

### Analysis:

Consistent with the PPS and conforming to the recommended amendment to the SWAP, the proposed intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Located within the Built Area Boundary, it is a target of the London Plan that a minimum of 45% of all new residential development will be achieved within this area. The redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed mixed-use apartment building represents a more compact form of development than the single detached dwelling that currently occupies the site.

The location and massing of the proposed building is consistent with urban design goals as the building is situated close to the intersection of Wharnccliffe Road and Savoy Street, defining the street edge and encouraging a street-oriented design with ground floor commercial entrances facing the street. The building design includes building articulation, rhythm, materials, fenestration, and balconies along both street frontages.

The parking area is located behind the building and does not extend into the exterior side yard beyond the building façade. Adequate space is provided along the sides and front of the parking lot and the ramp to the underground parking to provide for appropriate screening of the parking from the street.

The proposed building is taller than the nearby single detached dwellings and townhomes to the northwest but will not be as tall as the future development to be located to the north of the site (9 storey apartment buildings). As previously discussed, the proposed building placement provides for a suitable separation between the development and nearby community facility (fire hall) and future development ranging from townhomes to apartment buildings to the north. Sufficient space is available to provide for appropriate fencing and/or vegetative screening.

### ***R9-1 Zone Considerations for Intensity***

Bonus zones are usually paired with a base zone that establishes the maximum regulations within which development must occur if the requirements of the more permissive Bonus (B-\_) Zone are not met. The original R9-7 Zone request would permit a maximum density of 150 units per hectare without bonusing and is not an appropriate base zone. The Residential (R9-1) Zone would allow a maximum density of 75 units per hectare, which more closely aligns with the policies of the SWAP within the MDR designation. The Residential R9 Zone variations also rely on maximum heights established on a site-specific basis. In the event future development is contemplated without the use of bonus zoning, City staff recommend a maximum permitted height that is the lesser of 18 metres or four (4) storeys. This is reflected in the recommended special provision to the Residential R9 (R9-1) Zone to ensure an attempt is not made to construct a fifth storey with residential occupancy. The recommended 4 storeys is in line with the maximum permitted height within the London Plan.

A reduced front yard setback of 1.95m and reduced exterior side yard setback of 1.41m whereas 10m is required for both was requested by the Applicant. These special provisions are recommended to ensure that any development will provide a suitable alignment towards Wharnccliffe Road and Savoy Street and direct development away from the existing and planned residential uses to the north and west, while also allow sufficient room for patios, additional landscaping, overhangs and door openings. In addition, the reduced front and exterior side yard depths were included in the special

provisions for the base R9 (R9-1) as it is also considered an appropriate yard depth if the property develops without benefit of the recommended Bonus Zone.

#### 4.4 Issue and Consideration #4: Bonusing

##### *The London Plan*

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (1650\_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy 1652\_. A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below.

##### *1652\_1: Exceptional site and building design:*

- Building design and site layout incorporate architectural themes and design elements that creates a strong street wall and sets the context for a comfortable pedestrian environment.

Comments from Urban Design staff and the Urban Design Peer Review Panel highlighted various considerations supporting the use of Bonus Zoning to achieve greater height and intensity for the development. They include the following:

- a) Exceptional Building and Site Design
  - i) A built form located along the Wharnccliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.
  - ii) A built form that addresses the corner orientation at the intersection with Savoy Street.
  - iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharnccliffe Road South frontage and at the intersection providing a human-scale along the street(s).
  - iv) A setback of 1-2m minimum, from the property line along Wharnccliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
  - v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
  - vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
  - vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
  - viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

- vi) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharnccliffe Road South and Savoy Street in order to activate the street edge.
- vii) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharnccliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance

include direct access from the commercial unit(s) fronting the street to the City sidewalk.

- viii) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.
- ix) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central 'snow storage' area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.
- x) Ensure common outdoor amenity space at ground level.

b) Provision of Affordable Housing

- vi) A total of three (3) one-bedroom units will be provided for affordable housing;
- vii) 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;
- viii) The duration of affordability set at 50 years from the point of initial occupancy;
- ix) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- x) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

These have been included as requirements of the Bonus Zone in conjunction with the site concept, building elevations, renderings and other drawings attached to the recommended zoning by-law amendment. The proposed development is of a suitable form to meet high level urban design goals. Implementation of the required Bonus Zone elements and targeted refinements of the site and building design will result in a development that is compatible with, and a good fit, with the existing and planned context of the area.

*1652\_12: Affordable housing:*

- *Under Type 2 Bonus Zoning, additional height or density may be permitted in favour of affordable housing.*

The applicant worked with the Housing Development Corporation (HDC) London through the application process for the provision of affordable housing. The HDC has recommended the following:

- A total of three (3) one-bedroom units will be provided for affordable housing;
- 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;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies

*1989 Official Plan*

Under the provisions of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. iv)). Chapter 19.4.4. ii) of the

1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning. The applicant's bonus proposal meets the objective of providing affordable housing and exceptional urban design, as detailed above.

#### *Bonus Zone Considerations for Intensity*

With respect to the policies of the SWAP, the applicant has applied for a mixed-use density of 176 units per hectare which exceeds the maximum of 75 units per hectare contemplated by the Medium Density Residential designation of the SWAP. The SWAP contains policies on density that default to the density considerations under the 1989 Plan.

The proposed 45 units in a six (6) storey building, as shown in the site concept, elevations and renderings submitted with the revised application, are considered appropriate on the subject site and within the surrounding area. The proposed six (6) storey building has been designed in a manner which will fit within the existing and planned scale and character of the surrounding streetscape.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

#### **4.5 Issue and Consideration #5: Agency Concerns**

##### Floodplain and Dry Access

Through the review of the application, the Upper Thames River Conservation Authority (UTRCA) confirmed the site is not regulated and a Section 28 permit is not required for the proposed development. However, while UTRCA staff confirmed there were no objections to the application from a regulatory perspective, conceptual floodline mapping for the Dingman Subwatershed (dated October 2021) was provided to City staff for review. Based on this conceptual mapping, the site would have no flood-free access through the surrounding road network. As a result, the proposed development would be inconsistent with PPS policy 3.1.2 which states "development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards."

Through discussions with the UTRCA, it was determined that flood-free access (based on the conceptual October 2021 mapping) to Wharncliffe Road will become available via future roads constructed through the subdivisions to the north and west. Based on the current approved Map 6 (Hazards and Natural Resources) within the London Plan, safe and dry access is available. On this basis, and since both the 2018 and 2021 mapping are conceptual at this time, staff are satisfied that flood-free access is currently available to the site.

## **Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type. Further, the recommended amendment is in conformity with the Southwest Area Secondary Plan, including but not limited to the Medium Density Residential designation. The recommended amendments will facilitate the development of the subject lands with a range of uses, intensity, and built form that is appropriate for the site.

**Prepared by:** Nancy Pasato, MCIP, RPP  
Senior Planner, Development Services

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

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

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



## Appendix A

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London Plan, the Official Plan for the City of London, 2016 relating to 2009 Wharnccliffe Road South (within the Southwest Area Secondary Plan).

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on August 2, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – August 2, 2022  
Second Reading – August 2, 2022  
Third Reading – August 2, 2022

**AMENDMENT NO.**  
**to the**  
**LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change Policy 1565\_ List of Secondary Plans, 5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan), by adding a new special policy to Section 20.5.9, Bostwick Residential Neighbourhood, to permit a maximum mixed-use density of 176 units per hectare, through Bonusing.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 2009 Wharncliffe Road South in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, The London Plan and the Southwest Area Secondary Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise mixed use apartment building, located at the intersection of a high-order street and collector street at the edge of an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type, providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

D. THE AMENDMENT

The Southwest Area Secondary Plan for the City of London is hereby amended as follows:

1. To change Policy 1535\_5. Southwest Area Secondary Plan of the London Plan for the City of London, Section 20.5 (Southwest Area Secondary Plan), by adding a new special policy to Section 20.5.9, Bostwick Residential Neighbourhood, as indicated on "Schedule 1" attached hereto, as follows:

2009 Wharncliffe Road South

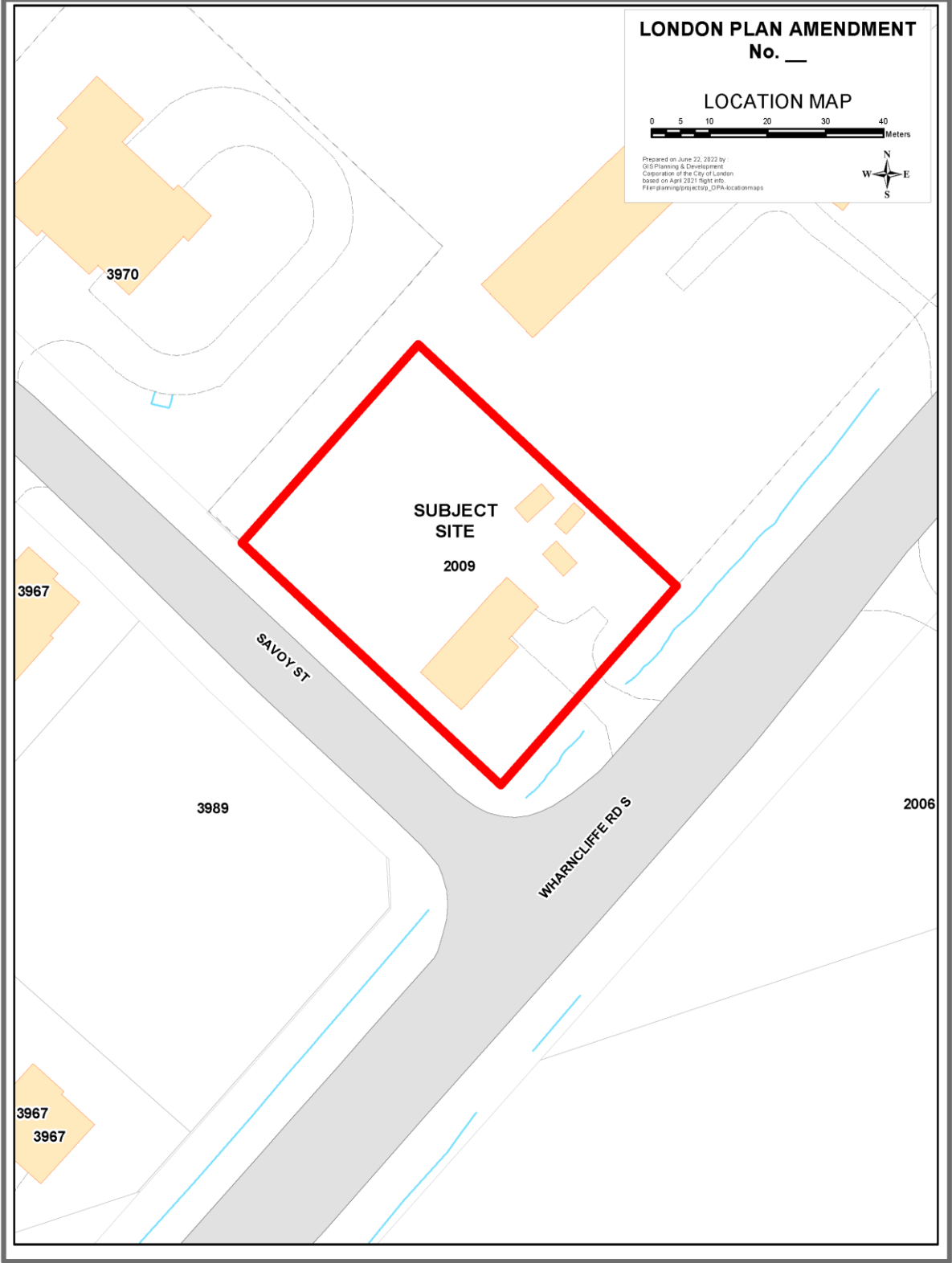
- 20.5.9.( ) At 2009 Wharncliffe Road South, a mixed commercial/office and residential apartment building may be permitted within the Medium Density Residential designation, at a maximum mixed-use density of 176 units per hectare, through Bonusing.

**LONDON PLAN AMENDMENT  
No. \_\_**

**LOCATION MAP**



Prepared on June 22, 2022 by  
GIS Planning & Development  
Corporation of the City of London  
based on April 2021 flight info.  
File: planning/projects/09\_CPA-locatmaps



## Appendix B

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

By-law No. Z.-1-22\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2009 Wharncliffe Road South.

WHEREAS 2425293 Ontario Inc. have applied to rezone an area of land located at 2009 Wharncliffe Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2009 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone **TO** a Residential R9 Special Provision Bonus (R9-1( )\*B-( )) 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-\_\_\_\_\_ 2009 Wharncliffe Road South

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed use commercial/office and residential apartment building, with a maximum gross floor of 372 square metres of commercial/office uses, limited to the first floor, a maximum height of 6 storeys measuring up to 22.5 metres and a maximum mixed use density of 176 units per hectare, in general conformity with the Site Plan, Renderings, Elevations and Views attached as Schedule "1" to the amending by-law, and provides for the following:

- a) Exceptional Building and Site Design
  - i) A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.
  - ii) A built form that addresses the corner orientation at the intersection with Savoy Street.
  - iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
  - iv) A setback of 1-2m minimum, from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
  - v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
  - vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
  - vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.

- viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

- xi) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.
  - xii) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk.
  - xiii) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.
  - xiv) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central 'snow storage' area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.
  - xv) Ensure common outdoor amenity space at ground level.
- b) Provision of Affordable Housing
- xi) A total of three (3) one-bedroom units will be provided for affordable housing;
  - xii) 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;
  - xiii) The duration of affordability set at 50 years from the point of initial occupancy;
  - xiv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

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

- a) Additional permitted uses, limited to the first floor
  - i) Animal Clinic
  - ii) Bake shops
  - iii) Clinics
  - iv) Convenience service establishments
  - v) Convenience Store
  - vi) Financial institutions
  - vii) Food stores
  - viii) Laundromats
  - ix) Medical/dental offices

- x) Offices
- xi) Personal service establishments
- xii) Restaurants
- xiii) Retail stores
- xiv) Studios

b) Regulations

- a) Regulations
  - i) Gross Floor Area for Commercial and Office Uses (Maximum) 372 square metres (4004.2 square feet)
  - ii) Density (Maximum) 176 units per hectare
  - iii) Building Height (Maximum) 6 storeys up to 22.5 metres (73.8 feet)
  - iv) Parking (Minimum) 62 spaces

(a) Section Number 13.4 of the Residential R9 (R9-1) Zone is amended by adding the following Special Provision:

) R9-1( ) 2009 Wharnccliffe Road South

- a) Additional permitted uses, limited to the first floor of an apartment building
  - i) Animal Clinic
  - ii) Bake shops
  - iii) Clinics
  - iv) Convenience service establishments
  - v) Convenience Store
  - vi) Financial institutions
  - vii) Food stores
  - viii) Laundromats
  - ix) Medical/dental offices
  - x) Offices
  - xi) Personal service establishments
  - xii) Restaurants
  - xiii) Retail stores
  - xiv) Studios

- b) Regulations
- |   |  |
|---|--|
| i) Front Yard Depth<br>(Minimum)          | 1.95 metres (6.4 feet)                     |
| ii) Exterior Side Yard Depth<br>(Minimum) | 1.4 metres (4.6 feet)                      |
| iii) Height<br>(Maximum)                  | the lesser of 18.0 metres,<br>or 4 storeys |

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.

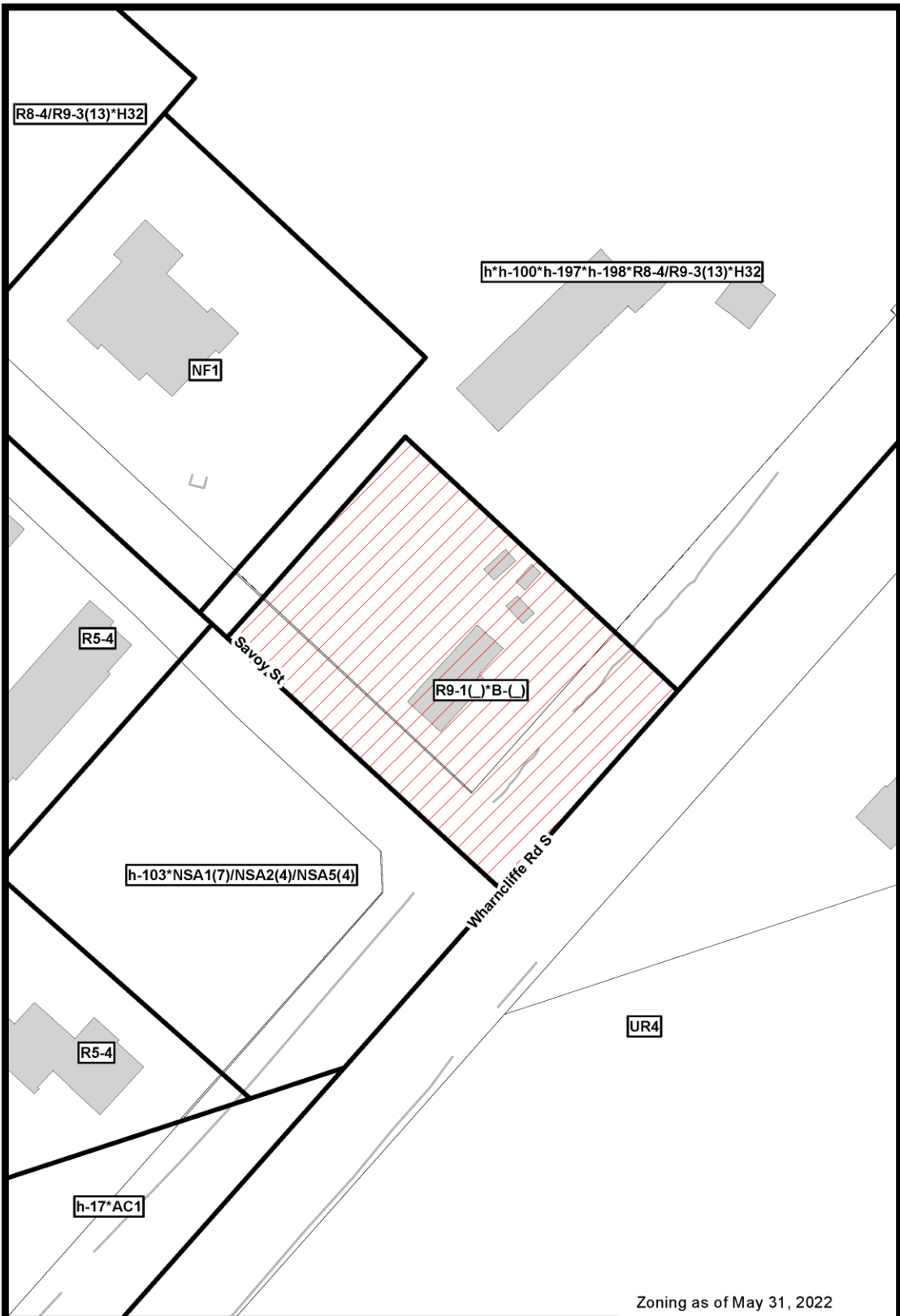
PASSED in Open Council on August 2, 2022.

Ed Holder  
Mayor


Michael Schulthess  
City Clerk

First Reading – August 2, 2022  
Second Reading – August 2, 2022  
Third Reading – August 2, 2022

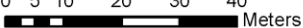
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: OZ-9348  
 Planner: NP  
 Date Prepared: 2022/06/22  
 Technician: rc  
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters 













SOUTH EAST

SOUTH WEST



NORTH WEST

NORTH EAST



SAVOY - WHARNCLIFFE INTERSECTION



LOOKING SOUTH - WHARNCLIFFE





SAVOY - REAR

## Appendix C – Public Engagement

### Community Engagement

#### Notice of Application (May 12, 2021):

On May 12, 2021, Notice of Application was sent to 180 property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 13, 2021. “Planning Application” signs were also posted on the site.

Replies were received from 4 households, none of which could be identified as being from within the 120 metres circulation radius.

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit the development of a 9-storey mixed-use apartment building containing 55 residential units and 477 square metres of commercial gross floor area. Possible Official Plan Amendments to the 1989 Official Plan, The London Plan, and the Southwest Area Secondary Plan to ADD site-specific policies to permit a mixed-use building with a maximum height of 9-storeys, 477 square metres of commercial gross floor area, and a maximum mixed-use density of 216 units per hectare. Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone TO a Business District Commercial Special Provision Bonus (BDC( )\*B- ) Zone. Special provisions would permit a maximum front yard depth of 3.9 metres; a minimum interior side yard depth of 1.2 metres; a minimum parking rate of 1 space per residential unit; and a minimum parking rate of 1 space per 40 square metres of any permitted non-residential use. The proposed bonus zone would permit a maximum building height 31 metres and a maximum mixed-use density of 216 units per hectare, in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan. City Council may consider an alternative zone variation(s) to facilitate the requested development other than those identified above.

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

#### **Concern for:**

- Lack of notification
- Traffic
- Changes to the area
- Too intense

#### Revised Notice of Application (May 11, 2022):

On May 11, 2022, Notice of Revised Application was sent to 183 property owners and tenants in the surrounding area who were either within the 120 metre circulation radius, or who had provided comments and their Canada Post mailing address. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 12, 2022.

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit the development of a 6-storey mixed-use apartment building containing 40 residential units and 372 square metres of commercial/office gross floor area. Possible Official Plan Amendments to the 1989 Official Plan, The London Plan, and the Southwest Area Secondary Plan to ADD site-specific policies to permit a mixed-use building with a maximum height of 6-storeys and a maximum mixed-use density of 159 units per hectare. Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone TO a Residential R9 Special Provision Bonus (R9-7( )\*B- ) Zone. Special provisions would permit a minimum front yard depth of 1.95 metres, a minimum exterior side yard depth of 1.41 metres; a reduced minimum parking requirement of 62 spaces. The proposed Bonus zone would permit a maximum building height 22.5 metres and a maximum mixed-use density of 159 units per hectare, in return for eligible facilities,

services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan. City Council may consider an alternative zone variation(s) to facilitate the requested development other than those identified above.

**Responses:** No responses received.

**Responses to both Public Liaison Letter and Publication in “The Londoner”**

Telephone	Written
Christian Criel 6649 Beattie Street London ON N6P 1T6	Teresa McGuire 2078 Westpoint Heights
	Elli Westeinde Chair of Lambeth Community Association.
	Sean Eden Land Development Planner Magnificent Homes 425 Newbold Street
	Dave Douglas 2195 Wharncliffe Road S London ON N6P 1K9

**Responses provided through May 2021 circulation:**

Re: Applicant 2425293 Ontario Inc request for planning approval

Here we go again this City proposing another generic superfluous mixed residential and commercial nine story building at the beginning of my subdivision.

First of all here is just another example of how this City communicates any proposed changes to residents in Foxwood Crossing a through a billboard posted on Wharncliffe Rd South. Instead of providing notification through a letter to residents who own their property we have to learn about this ludicrous proposal through noticing this billboard while driving by. Is this your way of ensuring that you will receive no resistance to your push to continue to over-developed this area. In fact I recently talked to a 'renter' who resides in Wonderland Path who advised me that she was notified of this proposal. So to get this straight planning advises renters who have no vested interest in the long-term development of this subdivision to possible future land changes but not to land owners and taxpayers.

I would also like to draw your attention to the fact that I have owned my property in this subdivision from its conception and there is written documentation confirming that I should be notified of any proposed changes to the subdivision 'plan'. Unfortunately, there has been a real disconnect regarding what the subdivision was suppose to be and what has actually occurred over the last 15 years. First of all the Site Plan (when I originally purchased my property in 2006) was to have one floor Condos in front, that changed to two story townhouse rentals. There was no Fire Station coming into the subdivision (this I also learned through a billboard) and attempted to challenge to no avail. Lately, the City has allowed the new 'Towns of Savoy' which will overwhelm this subdivision. Not only is there no room for parks or schools, but there is no traffic plan. Savoy street is the only way in and out of the subdivision and the sign that states 'future through street' just sits there with no sign that this goal will ever be achieved.

As stated earlier, I would like to be advised of any proposed changes and strongly disagree with the proposed Planning Application approval as put forth by 2425293 Ontario Inc. in relation to 2009 Wharncliffe Rd South OZ-9348



In regards to my submission I will be sending more information once I have the chance to sort through prior correspondence I have acquired over the years (earlier administration in the City of London at least had the decency to advise residents of any changes that could effect their overall housing decisions and quality of life, not obtain their information via a billboard or through the Londoner which I never received until just recently).

Teresa McGuire  
2078 Westpoint Heights

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Why does the city of London continue to entertain applications requesting variations to the "London Plan" when we already have a designated "Enterprise Zoning" on Wonderland Rd. which would permit such variations? When individuals want to cut a tree or improve their homes we are restricted by City bylaws and obstructed by City Staff while Developers constantly ask for changes and remove trees and woodlands which in turn lowers our confidence and respect for Council and City Hall.

Respectfully,

Elli Westeinde  
Chair of Lambeth Community Association.

---

**Responses provided through May 2022 circulation:**

- Don't want tall buildings in Lambeth
- Against application

Christian Criel  
6649 Beattie Street

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**Departmental and Agency Comments – First Submission May 2021**

Archaeological (August 5, 2021)

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 the archaeological assessment requirements for (OZ-9348; SPC21-034):

Lincoln Environmental Consulting Corp. Stage 1-2 Archaeological Assessment of 2009 Wharncliffe Road South [...] Middlesex County, Ontario (PIF P1289-0011-2020), January 2021.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended." (p 2) An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated Feb 19, 2021 (MHSTCI Project Information Form Number P1289-0011-2020, MHSTCI File Number 0013702).

Archaeological conditions can be considered satisfied for this application.

Engineering (June 17, 2021)

***Sewer Engineering:***

- There is a 200mm diameter municipal sanitary sewer on Savoy St. Foxwood Crossing Subdivision identified some external land east of Savoy for commercial uses with a design allocation of 100 people per hectare. As such the subject lands is 0.28 Ha would be allocated an equivalent population of 28 people.
- As per the SPC submission, SED noticed that the proposed number of units and commercial area differ from the proposal at the Pre-consultation and zoning

amendment stage. If the applicant would like to proceed with the updated population as per the SPC, SED will require a capacity study in order to assess downstream capacity on Beattie St. The owner's consultant engineer is to submit their maximum population and expected peak flows proposed based on the proposed Zone requested.

- A holding provision may be requested if the above cannot be demonstrated.

**The following items are to be considered during the development application stage:**

**Storm Water Engineering:**

Comments Specific to the Site

- The site is within the UTRCA's Dingman Creek Screening Area and therefore the applicant is encouraged to engage with UTRCA as early as possible to confirm any requirements/approvals for this site.
- The site falls within the Dingman Subwatershed. The Dingman EA requires the control hierarchy for the 25 mm event to be considered in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- As per As-con., 27292, the site is not tributary to the existing 300mm storm sewer on Savoy Street. Therefore, the consultant is to provide a SWM functional report indicating how the site is proposed to be serviced (e.g. on-site controls, LID, etc.).
- However, as per as-con 19341, the City cannot confirm a storm pdc exists to service the property
- As per the Drainage By-law, the consultant would be required to provide for a storm pdc ensuring existing peak flows from the 2 through 100 year return period storms are maintained pre to post development with any increase in flow being managed onsite. The servicing report should also confirm capacity in the existing sewers.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- The proposed land use of a medium density residential & commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Dingman Creek Subwatershed

- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- 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.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECF requirements, as well as current industry. This plan is to include

measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report and drawings issued for construction.

**Transportation:**

- Right of way dedication of 18.00m from centre line required along Wharncliffe.
- Right of way dedication of 10.75m from centre line required along Wharncliffe.
- 6.0m x 6.0m daylight triangles required at all the intersection at Wharncliffe Rd S and Savoy St.
- Detailed comments regarding access design and location will be made through the site plan process.

**Water Engineering:**

- Water is available from the 300mm watermain on Savoy St and the 600mm Conc watermain on Wharncliffe Rd. Water service connection to be determined through SP Consultation

London Hydro (May 15, 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 L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Urban Design (July 26, 2021)

- Urban Design staff have reviewed the submitted site development concept and elevations for the zoning by-law amendment application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel(UDPRP);
- The applicant is commended for providing a site and building design that incorporates the following design features: provides a continuous built form along Wharncliffe Road S defining the street edge and addressing the corner orientation at the intersection with Savoy Street; locates individual unit entrances along Wharncliffe Road South and Savoy Street; includes variety of materials, colour and rhythm to activate the pedestrian environment; locating majority of the parking underground, away from the street frontage and internal to the site and building.
- This site is located fully within the Neighbourhood Place Type in The London Plan [**TLP**] along a Civic Boulevard and the Bostwick Residential Neighbourhood of Southwest Area Secondary Plan [**SWASP**]. Both **TLP** and **SWASP** contemplates the proposed form-medium density up to a maximum building height of 6 storeys and maximum density of 75 units per hectare (uph), with a possibility to go up to 100 uph [**SWASP 20.5.9.1 iii b&c**] and as such the form and site design polices of the plan apply:
  - Consider compact mid-rise forms(up to six storeys) as opposed to the proposed nine-storey built form to be in line with form and intensity policies of the **TLP and SWASP**.
- Building Design:
  - Provide for a step back or terraces of minimum 3m above 3<sup>rd</sup> or 4<sup>th</sup> storeys along both street frontages, to create a human-scale streetwall.
  - Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.

- For any ground floor commercial units, provide for a store-front design for any commercial units proposed along either street frontage. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance [**SWASP 20.5.3.9 iii b**] include direct access from the commercial unit(s) fronting the street to the City sidewalk.
- Provide a height element and massing towards intersection to emphasize the south-west corner, and explore opportunities to location the primary residential lobby or a commercial units directed towards to intersection. Ensure adequate setbacks from the corner sight triangle to avoid encroachment of canopies, footings, etc.
- Ensure adequate setbacks and buffer from neighbouring properties(particularly properties towards North East along Wharnccliffe Road South) are provided to accommodate the viable redevelopment of the neighbouring properties.
  - Provide further articulation, relief and step-backs along the North Eastern Boundary
- Explore opportunities to better screen and/or incorporate the mechanical penthouse into the design of the building.
- Site Design:
  - Consider redesigning the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area.
    - Explore opportunities to remove the central 'snow storage' area and consolidate the drive aisles.
    - Explore opportunities for a drop-off layby off of Savoy Street to allow more convenient access to a street-facing main entrance.
  - Explore opportunities to incorporate and strengthen the relationships between interior amenity areas and exterior amenity spaces (outdoor gazebo) and the streetscape along Wharnccliffe Road South.
  - Provide for an urban (hardscaped) streetscape treatment in the ROW between the building and Wharnccliffe Road S. Continue a modified version of the landscape treatment along the north portion of the Wharnccliffe Road South frontage to provide for a more consistent streetscape as the properties redevelop along Wharnccliffe Road South.
  - Screen surface parking exposed to Savoy Street with a combination of landscape walls and enhanced landscaping.

Urban Design Peer Review Panel (July 12, 2021) (see Appendix F)

UTRCA (November 23, 2021)

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*.

**PROPOSAL**

The applicant is proposing to construct a 9-storey mixed-use apartment building containing 55 residential units and 477 m<sup>2</sup> of commercial gross floor area. The proposed development will be accessed via Savoy Street before connecting to Wharnccliffe Road South.

**CONSERVATION AUTHORITIES ACT**

As shown on the attached mapping, the subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The subject lands do not contain any natural hazard features and are not located within the regulation limit of the UTRCA.

## **RECOMMENDATION**

As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required for the proposed development.

While the UTRCA has no objections to this application from a regulatory perspective, we recommend that City of London staff examine the updated floodline mapping for the Dingman Subwatershed, October 2021, when reviewing this application. A copy of this mapping has been attached for review.

It appears that there currently may not be flood-free access to these lands from the surrounding road network. As per policy 3.1.2 of the PPS, *development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards*. City Planning staff need to satisfy themselves that this requirement of the PPS has been met.

## **Departmental and Agency Comments – Revised Submission May 2022**

### Ecology (June 8, 2022)

This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

### Major issues identified

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

### Ecology – complete application requirements

- None.

### Notes

- None.

### Engineering (June 21, 2022)

Engineering has no concerns related to the proposed rezoning. The below are comments that will need to be addressed as part of a future site plan application:

### **Sanitary Servicing**

1. Sanitary servicing is available for the subject site via the municipal 200mm sanitary sewer on Savoy Street.

### **Water Servicing**

2. Water is available for the subject site via the municipal 300mm watermain on Savoy Street.

### **Storm Water Management**

3. The site is within the UTRCA's Dingman Creek Screening Area and therefore the applicant is encouraged to engage with UTRCA as early as possible to confirm any requirements/approvals for this site.
4. The site falls within the Dingman Subwatershed. The Dingman EA requires the control hierarchy for the 25 mm event to be considered in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.
5. As per attached As-con.; 27292, the site is not tributary to the existing 300mm storm sewer on Savoy Street. Therefore, the consultant is to provide a SWM functional report indicating how the site is proposed to be serviced (e.g. on-site controls, LID, etc.).
6. However, as per as-con 19341, the City cannot confirm a storm pdc exists to service the property

7. As per the Drainage By-law, the consultant would be required to provide for a storm pdc ensuring existing peak flows from the 2 through 100 year return period storms are maintained pre to post development with any increase in flow being managed onsite. The servicing report should also confirm capacity in the existing sewers.
8. Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
9. The proposed land use of a medium density residential & commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010.
10. Additional SWM related comments will be provided upon future review of this site.
11. The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
12. 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.
13. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
14. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
15. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP requirements, as well as current industry. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report and drawings issued for construction.

### **Transportation**

16. Right of way dedication of 18.00m from centre line required along Wharncliffe.
17. Right of way dedication of 10.75m from centre line required along Wharncliffe.
18. 6.0m x 6.0m daylight triangles required at all the intersection at Wharncliffe Rd S and Savoy St.
19. Detailed comments regarding access design and location will be made through the site plan process.

### **Parks Planning (June 9, 2022)**

Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

### **Site Plan (June 20, 2022)**

- With the NE corner of the building which is labeled as a 2 bed on page 4 of the design package. This doesn't seem reflected in the elevations and I don't think it would function for residential. Given the shortage for amenity area (it's barely acceptable) using this as an internal amenity area for residents would be a good use of the space if their intention is not to use it as commercial space.
- The trees shown on the plan are, with the exception of the N property limit, outside the site boundaries. If the applicant cannot provide evidence that these trees are being proposed for planting by the landowners (including City) or an agreement is in place to have the applicant plant these, a larger setback for

building and site elements (3.0m of space is standard) is required to accommodate required tree planting.

#### Urban Design (June 13, 2022)

The design of the site should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.

- A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses like amenity areas along those frontages.
- A built form that addresses the corner orientation at the intersection with Savoy Street.
- A step-back and terracing of minimum 2m above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
- A setback of minimum 1-2m from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
- A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
- Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- Common outdoor amenity space at ground level.
- Locates majority of the parking underground, behind the building and screened away from the street.

As this application contemplates a bonus zone, please include the following revisions and improvements consistent with the previous staff and panel comments:

- Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
- Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.
  - We acknowledge the principal entrances, ground-floor residential unit with walkway connections to city sidewalk along Wharncliffe Road South.
  - For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance [SWASP 20.5.3.9 iii b] include direct access from the commercial unit(s) fronting the street to the City sidewalk.
    - The store front design and higher proportion of vision glazing and increased ground floor height is acknowledged.
    - Provide functional primary entrances( double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.
- Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area.
  - Remove the central 'snow storage' area and consolidate the drive aisles and explore opportunities for a drop-off layby off of Savoy Street to allow more convenient access to a street-facing main entrance.

#### UTRCA (May 11, 2022)

Thank you for circulating the revised application. The UTRCA has nothing further to add to the comments that were provided on November 23, 2021 [attached].

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the Planning Act as per our Conservation Authority Board approved policies contained in Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006).

#### PROPOSAL

The applicant is proposing to construct a 9-storey mixed-use apartment building containing 55 residential units and 477 m<sup>2</sup> of commercial gross floor area. The proposed development will be accessed via Savoy Street before connecting to Wharncliffe Road South.

#### CONSERVATION AUTHORITIES ACT

As shown on the attached mapping, the subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. The subject lands do not contain any natural hazard features and are not located within the regulation limit of the UTRCA.

#### RECOMMENDATION

As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required for the proposed development. While the UTRCA has no objections to this application from a regulatory perspective, we recommend that City of London staff examine the updated floodline mapping for the Dingman Subwatershed, October 2021, when reviewing this application. A copy of this mapping has been attached for review.

It appears that there currently may not be flood-free access to these lands from the surrounding road network. As per policy 3.1.2 of the PPS, development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards. City Planning staff need to satisfy themselves that this requirement of the PPS has been met.

Should additional information be required pertaining to the flood depths and velocities affecting this neighbourhood, please contact Chris Tasker, Manager - Watershed and Information Management Unit.

#### London Hydro (May 13, 2022)

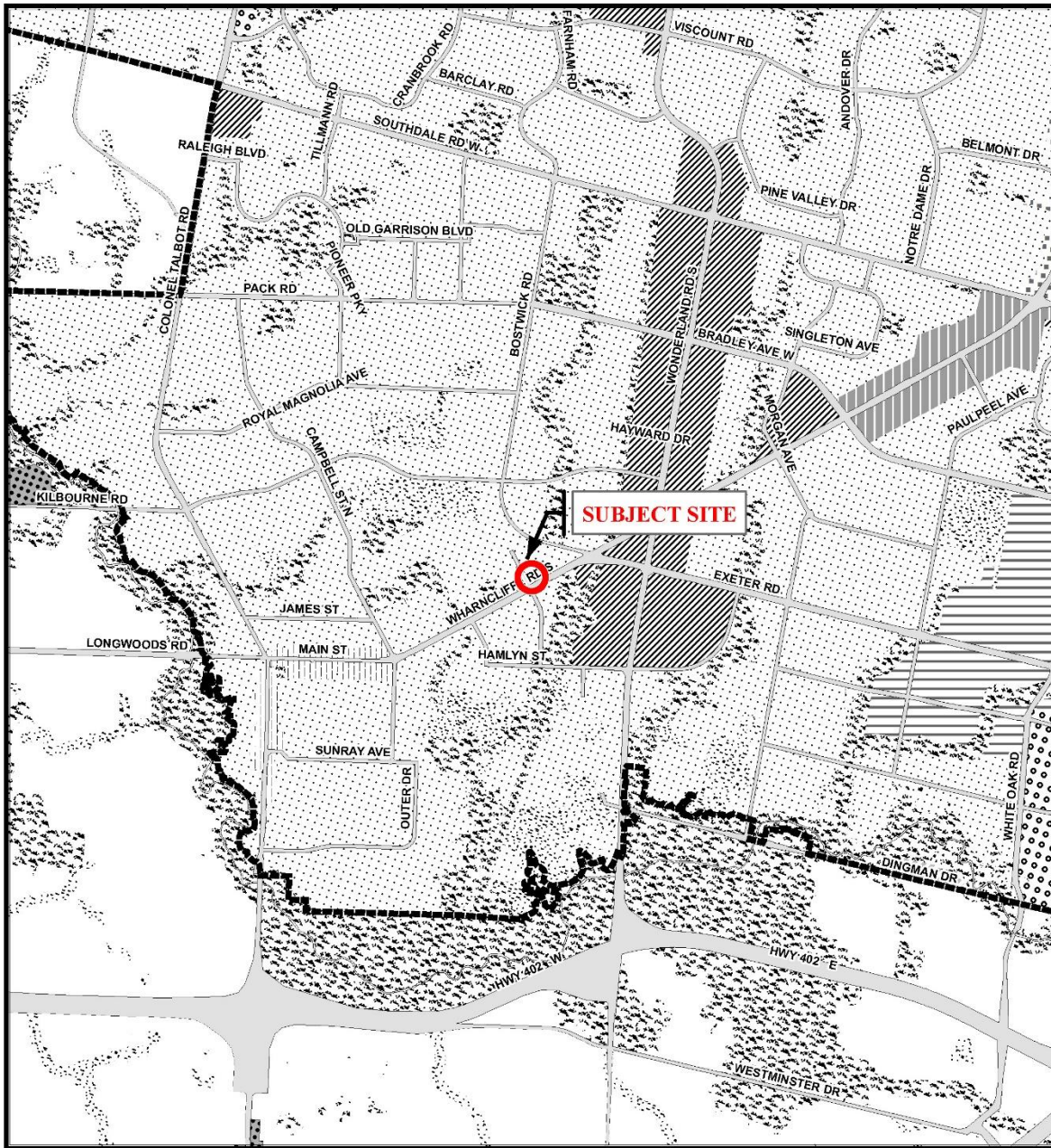
Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering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

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.



# Appendix D – Relevant Background

## The London Plan



### Legend

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

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

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

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



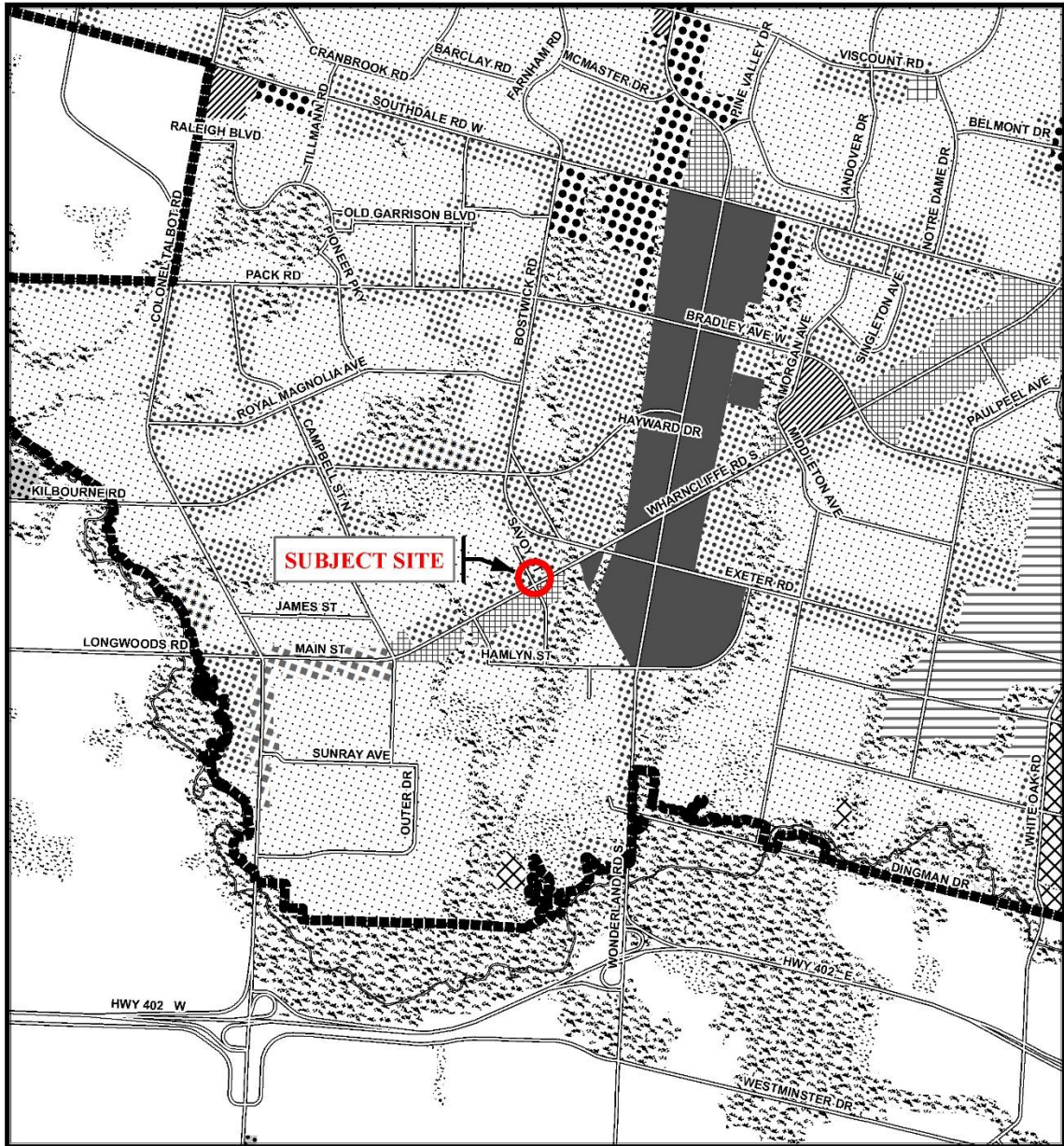
File Number: OZ-9348

Planner: NP

Technician: RC

Date: May 20, 2022

# 1989 Official Plan – Schedule A – Land Use



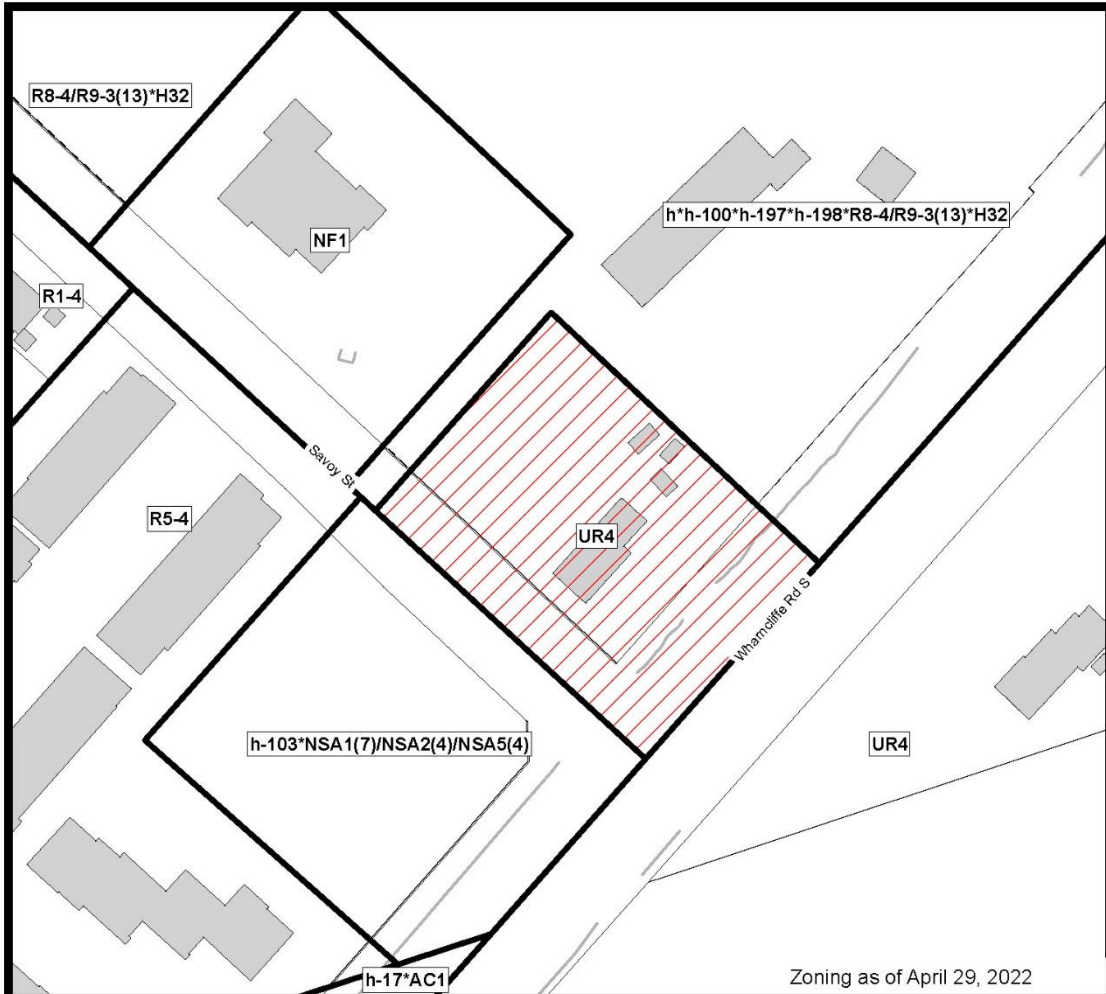
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
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><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9348</p>
		<p>PLANNER: NP</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/05/20</p>

PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consolid00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

**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
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
  
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "h" - HOLDING SYMBOL
- "d" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9348

NP

MAP PREPARED:

2022/05/20

RC

1:1,250

0 5 10 20 30 40

Meters

## Appendix E – Applicant’s Reply to UDPRP Comments

<b>Comment:</b>
The panel commends the applicant for the submission of a comprehensive urban design brief, including clear and detailed graphic representations.
<b>Applicant Response:</b>
Noted, and thank you

<b>Comment:</b>
The panel commends the applicant for positioning the building to define the street edge and to address the exterior corner condition.
<b>Applicant Response:</b>
Noted, and thank you

<b>Comment:</b>
The panel commends the applicant for the use of colour and rhythm to activate the building’s restrained massing.
<b>Applicant Response:</b>
Noted, and thank you

<b>Comment:</b>
The panel is concerned the minimal side yard setback and unarticulated mass of the north east corner indicates a possible future for Wharncliffe Road South of a monolithic nine storey street wall without relief between buildings/lots, and with little regard for step backs.
<b>Applicant Response:</b>
The setback of the building from the easterly side property line has been increased from 1.5 m to the required minimum interior side yard depth of 4.5 m. The height of the building has been reduced from 9-storeys to 6-storeys, to conform with the heights contemplated in the SWAP.

**Comment:**

The panel questions whether the proposed partial step back should instead occur on the northeast end of the Wharncliffe Road South frontage, and the vertical mass should serve to mark the southwest corner. With the step back occurring to the northeast, it may set a better precedent for, and integrate with a future urban street wall context that includes relief in the street wall through articulation.

**Applicant Response:**

The reduced height from 9-storeys to 6-storeys, the reduced footprint, along with enhanced articulation on all elevations, provides for a building that integrates appropriately and positively contributes to the existing and emerging streetscape.

**Comment:**

The panel questions the appropriateness of the snow storage design within the overall site plan.

**Applicant Response:**

The proposed centralized snow storage area is considered appropriately located to service the site. There are also areas on the periphery of the surface park area that could be used for storage, if needed. It is anticipated that in extreme snow events excessive amounts of snow would be transported off-site by a private contractor.

**Comment:**

The panel recommends the proponent continue the landscape treatment north along Wharncliffe Road South to contribute to the definition of the street wall and provide the foundation for a consistent streetscape as adjacent properties develop.

**Applicant Response:**

The latest site plan confirms that the Wharncliffe Road frontage, in addition to all property lines, is capable of providing for a comprehensive and robust landscape scheme. Detailed landscaping design will be further refined and reviewed through the future site plan approval process.

**Comment:**

Consideration should be given to further refining and strengthening the relationships and programming between interior and exterior amenity spaces, in particular the relationship between the interior amenity area, the streetscape, and the proposed outdoor gazebo.

**Applicant Response:**

The indoor amenity area has been relocated to the north easterly corner of the building, with a clear and direct pedestrian connection to the rear outdoor amenity. The rear amenity area provides safe and secured space for residents whilst being partially shielded from road noise by the proposed building. With the building being pulled back from the easterly property line, there are clear lines of sight from the outdoor amenity area through to Wharncliffe Road South, and there is sufficient space between the property line and the building to provide a pedestrian access, if desired.

**Comment:**

Opportunities for screening of the surface parking area from Savoy Street should be investigated by means of enhanced landscape treatments and/or provision of architectural landscape walls. Inclusion of deciduous trees and plant material within the surface parking area is also recommended to provide a vertical element to

soften/subdivide the parking area, transition to the 9-story building, and reduce the urban heat island effect.

**Applicant Response:**

The proposed surface parking area is relatively small and the inclusion of trees is not considered necessary or practical given that the area sits above the underground parking garage, where providing the required soil depths would be challenging. Notwithstanding this, the latest site plan confirms that the Savoy St frontage, in addition to all property lines, is capable of providing for a comprehensive and robust landscape scheme. Detailed landscaping design will be further refined and reviewed through the future site plan approval process.