

## 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:** Drygas Properties Inc.  
1033 Dundas Street  
Public Participation Meeting  
**Date:** October 05, 2022

## Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of Drygas Properties Inc. relating to the property located at 1033 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Business District Commercial (BDC) Zone, **TO** a Holding Business District Commercial Special Provision (h-(  )\*BDC(  )) Zone.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to the Zoning By-law to change the zoning of the subject lands to permit the construction of a mixed-use (commercial and residential) building with a maximum height of five (5) storeys, 120m<sup>2</sup> of commercial space on the first floor, and a maximum mixed-use density of 140 units per hectare. The requested Holding Business District Commercial Special Provision (h-(  )\*BDC(  )) Zone would permit a range of retail, restaurant, neighbourhood facility, office, and residential uses.

The requested special provisions would permit a reduced minimum front yard setback of 0.0 metres, whereas 3.0 metres is required; a maximum mixed-use density of 140 units per hectare; and a maximum height of 16.5 metres (5 storeys), whereas 12.0 metres maximum is permitted.

The applicant had requested a special provision to accommodate 10 parking spaces whereas 22 spaces are required. However, since the Parking Standards Review (2022) coming into effect, this special provision is no longer needed as the proposed number of parking spaces adhere to the updated parking standards and meet the minimum requirement.

Staff are also recommending a holding (h-(  )) provision to address Canadian National (CN) Rail comments and require a noise assessment from a qualified professional as part of the Site Plan Approval process.

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a mixed-use five (5) storey, 15-unit building. Special provisions establish a minimum front yard setback of 0.0 metres; a maximum mixed-use density of 140 units per hectare; and a maximum height of 16.5 metres (or 5 storeys). The recommendation also includes site design matters that were raised during the application review process.

### Rationale of Recommended Action

1. The recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, which encourages intensification, redevelopment, and a

compact form in strategic locations to minimize land consumption and servicing costs. The amendment will provide for a range of housing types and densities within the area to meet projected requirements of current and future residents, by promoting a land use pattern, density, and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes.

2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Rapid Transit Corridor Place Type, City Building and Design, Our Tools, and all other applicable policies, to facilitate a built form that contributes to achieving a compact, mixed-use City.
3. The recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor (MSCC).
4. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood.
5. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development.

## **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 located on the south side of Dundas Street, east of Egerton Street. The site has a frontage of 23.8 metres along Dundas Street, a depth of 51 metres, and a total lot area of 1,214 square metres. The site currently consists of a semi-detached residential dwelling that would be demolished and removed. The remaining lands are generally flat and predominantly covered by gravel.

Dundas Street is an arterial road/rapid transit boulevard with an average annual daily traffic volume of 16,000 vehicles per day. Public sidewalks are currently available along Dundas Street.

The surrounding area is considered to be in transition as large areas of land were formerly used for light industrial uses (McCormicks (1156 Dundas Street) and Kellogg’s (100 Kellogg Lane) Sites), but the future land use direction envisions the development of commercial and residential uses. The subject site is surrounded by low-density residential uses to the south, commercial/low density residential uses to the north,

commercial uses to the west (Tim Hortons), and a low-rise residential apartment to the east.



Figure 1. 1033 Dundas Street, Facing South (Aug 2022)



**Figure 2. 1033 Dundas Street, Facing Southeast (Aug 2022)**

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

- 1989 Official Plan Designation – Main Street Commercial Corridor
- The London Plan Place Type – Rapid Transit Corridor fronting a Rapid Transit Boulevard
- Existing Zoning – Business District Commercial (BDC) Zone
- Special Planning Area – Primary Transit Area

### **1.4 Site Characteristics**

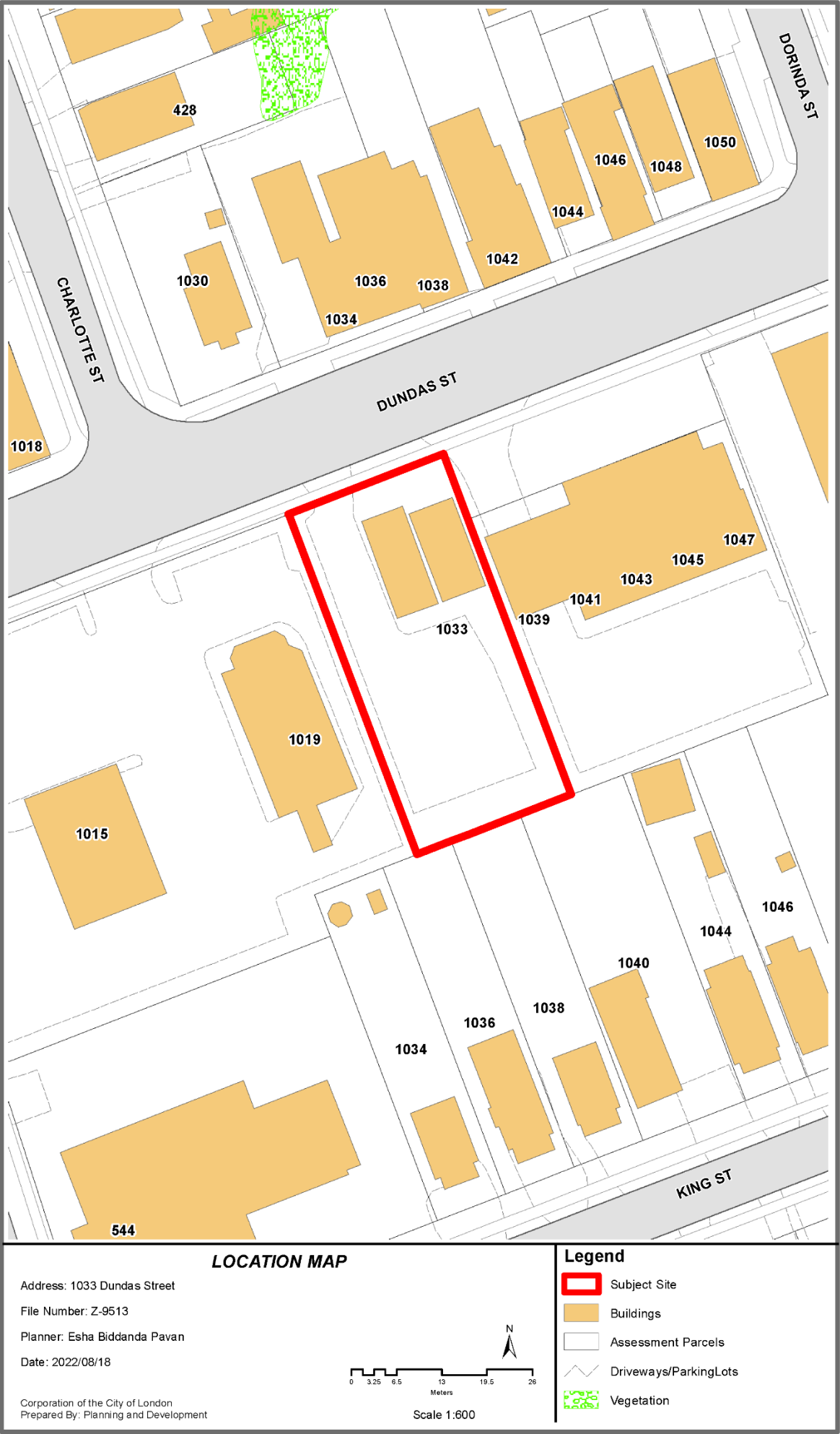
- Current Land Use – Residential (semi-detached dwelling)
- Frontage – 23 metres (Dundas Street)
- Depth – 51 metres
- Area – 1,215 square metres (approximately)
- Shape – Rectangular

### **1.5 Surrounding Land Uses**

- North – Residential, Commercial
- East – Residential
- South – Residential
- West – Commercial



1.6      Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

In May 2022, the applicant submitted a zoning by-law amendment application for a five (5) storey, mixed use apartment building with 15 residential units and commercial/office space on the ground floor, with a total of 10 surface parking spaces, at a mixed-use density of 140 units per hectare.

Recently the applicant has made some minor changes to the proposal as part of a response to the Urban Design Peer Review Panel Comments, to add transom windows to the side doors, clad the pillars along the driveway in brick and widen the metal cladding between the first and second floors to provide a more pronounced separation. The site concept is shown in Figure 3. Building rendering and elevations are shown in Figures 4, and 5.

ZP

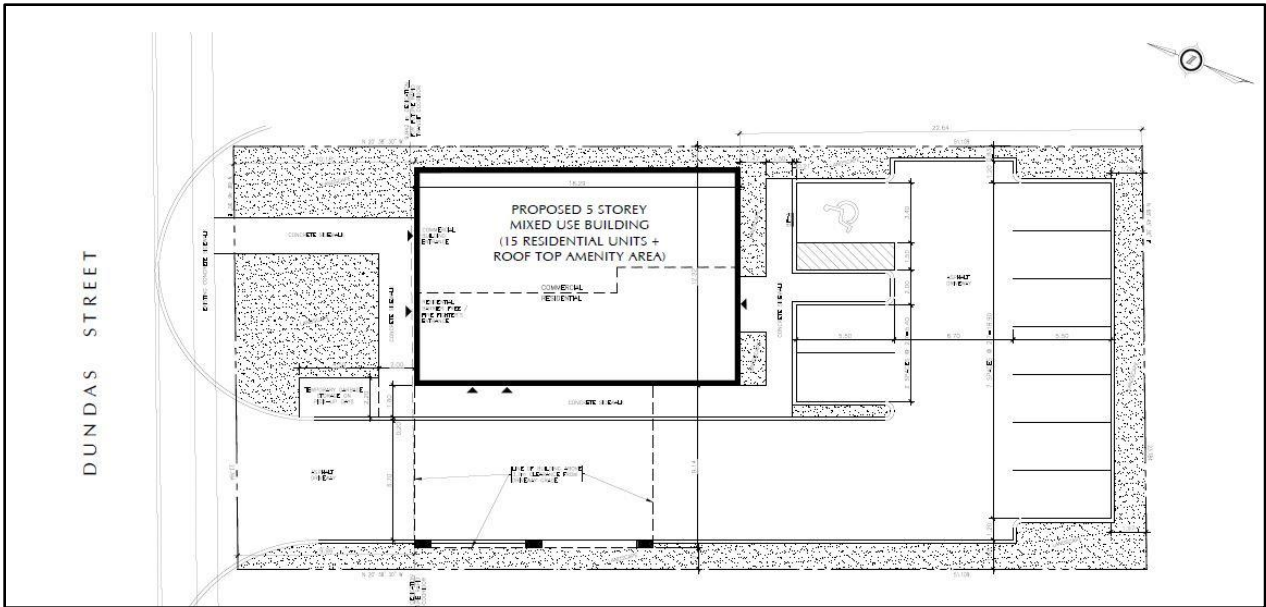
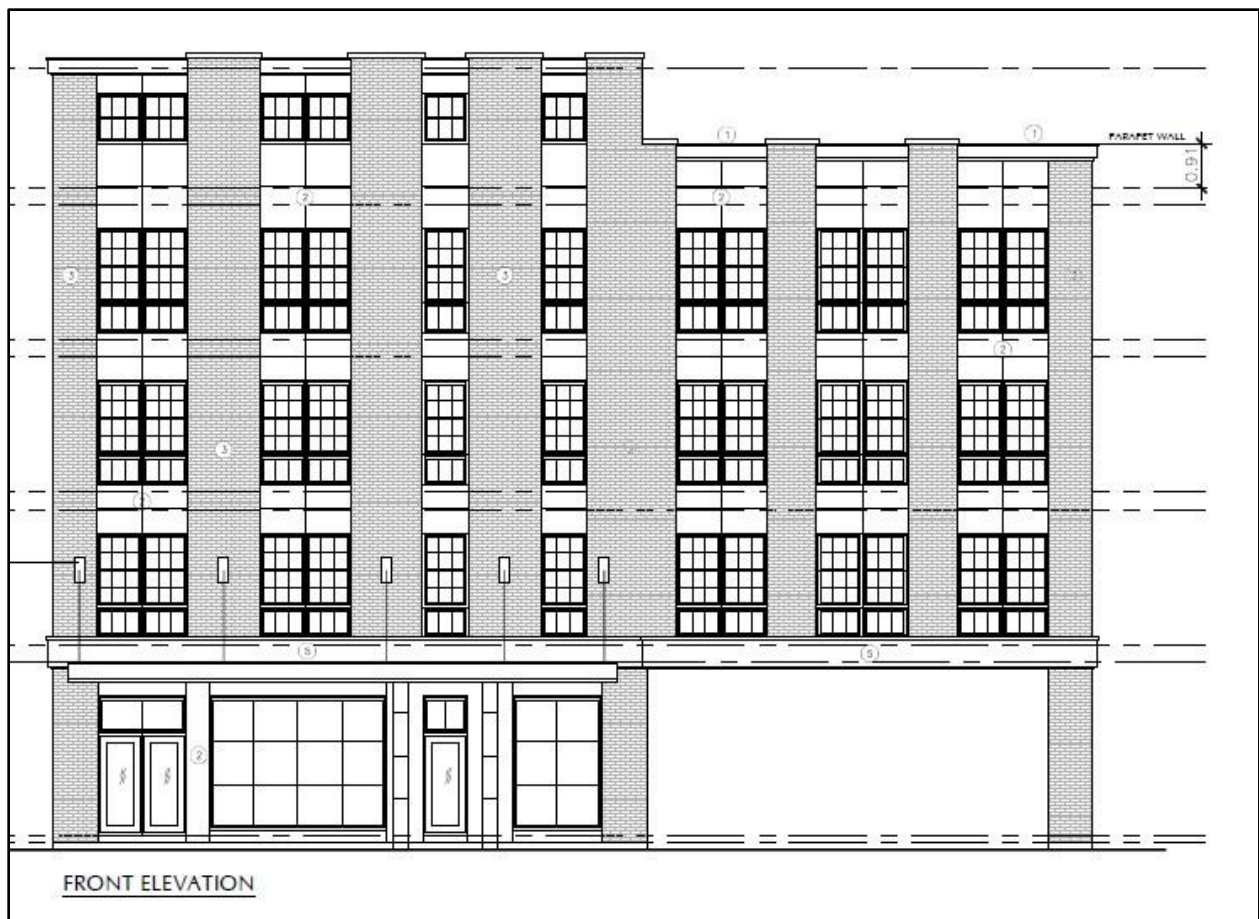


Figure 3. Original Site Concept.



Figure 4. Building Rendering Looking Southeast from Dundas Street.





**Figure 5. Front Elevation of the Proposed Building.**

## 2.2 Requested Amendment

The applicant is requesting a Holding Business District Commercial Special Provision (h-(\_)\*BDC(\_)) Zone, with special provisions as follows:

- a reduced minimum front yard setback of 0.0 metres, whereas 3.0 metres is required;
- a maximum mixed-use density of 140 units per hectare;
- a maximum height of approximately 16.5 metres/5 storeys whereas 12.0 metres maximum is permitted;

## 2.3 Community Engagement (see more detail in Appendix B)

Written responses were received from, or on behalf of, 1 household.

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

- Availability of affordable housing.

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

### 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

The London Plan is the new Official Plan for the City of London. On May 25th, 2022, an Ontario Land Tribunal (OLT) decision resolved all remaining policy appeals within The London Plan, effectively bringing The London Plan into full force and effect. Any applications in process prior to the May 25<sup>th</sup> date should continue uninterrupted as per the “*clergy principle*” (the policies that were in force at the time the application was received will continue to direct that application). Both the 1989 Official Plan and The London Plan policies will be considered as part of this analysis.

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:

- 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 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 Rapid Transit Corridor Place Type fronting a Rapid Transit Boulevard (Dundas Street) as identified on Map 1 – Place Types and Map 3 – Street Classifications. Rapid Transit Corridors will be vibrant, mixed-use, mid-rise communities that border the length of the rapid transit services (826\_). The vision for Rapid Transit Corridors is intended to be realized by planning for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services (830\_ 4).

Permitted uses within this Place Type include a range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings will be encouraged (837\_2). The minimum required height is two (2) storeys, and the maximum permitted height is ten (10) storeys. An upper maximum of twelve (12) storeys may be permitted in accordance with the *Our Tools* part of The London Plan. (Table 9 – Maximum Height in the Rapid Transit and Urban Corridor Place Types).

### 1989 Official Plan

The subject site is designated Main Street Commercial Corridor (MSCC) in accordance with Schedule ‘A’ of the 1989 Official Plan.

The Main Street Commercial Corridor (MSCC) designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. The objectives of these corridors are to provide for the redevelopment of vacant, underutilized, or dilapidated properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development while maintaining a

similar setback and character of the existing uses (Section 4.4.1.1). These policies encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics.

The main permitted uses (Section 4.4.1.4.) include a wide range of commercial, office, institutional and residential uses ,and the development of mixed-use buildings.

#### Old East Village Dundas Street Corridor Secondary Plan

The subject site is located just outside of the Old East Village Dundas Street Corridor, in the Area of Special Sensitivity, within the Old East Village Market Block. Although the policies do not directly apply to the subject site, some of the principles are transferable to this section of Dundas Street. The Old East Village Market Block is located along Dundas Street, between Ontario Street and Burbrook Place, and is characterized by the Western Fair District, Queens Park, and small-scale retail uses on the north side of the street.

The vision for the Old East Village Market Block is to strengthen the walkability of the area with a strong retail and restaurant presence to sustain year-round activity. Change is anticipated with future rapid transit service planned for this segment of the Dundas Street corridor. Strengthening the physical connection to the Old East Village Core will be a priority for this character area. This plan supports the transition of this area to provide for a mix of uses.

### **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: Provincial Policy Statement, 2020**

##### Provincial Policy Statement (PPS), 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)). A mix of housing options and densities are required to meet projected requirements of current and future residents of the regional market area (1.4.1).

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns which stimulate 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 communities (1.1.3).

The PPS is supportive of development standards which facilitate intensification, redevelopment, and compact forms (1.1.3.4). 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 policies also identify 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 proposed development will be located within a transitioning area, will avail of existing infrastructure, and will provide intensification and transit-oriented development to meet future land needs. The development will provide a mix and range of uses (commercial, office, residential) in a compatible form of development.

## 4.2 Issue and Consideration #2: Use

### The London Plan

The subject site is in the Rapid Transit Corridor (RTC) Place Type fronting a Rapid Transit Boulevard. Permitted uses within the Rapid Transit Boulevard Place Type at this location include a range of residential, retail, service, recreational, and institutional uses. Mixed-use buildings are encouraged. (937\_).

The proposed mix of uses for the subject site align with the vision and policies for the RTC in several ways. RTCs are meant to connect the Downtown and Transit Villages with highly urban forms of development and allow for a broad range of uses and moderate intensity along rapid transit routes (829\_). Allowing the requested mix of uses on the subject site supports development and activity consistent with the area, and will generate more demand for rapid transit services, supporting policies and the vision for RTCs (830\_). The proposed amount of commercial space for the subject site is 120m<sup>2</sup>, well within the maximum of 6000m<sup>2</sup> permitted in RTCs (840\_).

Given the sites location on a Rapid Transit Boulevard (Dundas Street) and future rapid transit route, greater transportation efficiency and mobility options for the site and area will be provided through the East London Link project. This will provide alternative transportation options that will reduce reliance on private vehicles, in turn reducing the need for on-site parking requirements.

### 1989 Official Plan

The subject site is designated Main Street Commercial Corridor (MSCC) in accordance with Schedule 'A' of the 1989 Official Plan. The MSCC designation contemplates residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings (Section 4.4.1.4).

The requested mix of uses conforms to the MSCC designation and objectives. Intensification and redevelopment also support public transit and connections to the Downtown and other parts of the city, while encouraging the rehabilitation of the commercial corridor (4.4.1.2). The proposed development would contribute to a mix of housing choices in a compact, street-oriented form which also promotes an active and safe street-front along Dundas Street.

Consistent with the PPS, The London Plan, and the 1989 Official Plan, the recommended mixed-use low-rise apartment building will contribute to the existing range and mix of housing types in the area. This development will ensure residents can access nearby goods and services in a walkable environment with convenient access to higher order transit now and in the future.

## 4.3 Issue and Consideration #3: Intensity

### 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\_ 5, 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 Rapid Transit Corridor Place Type. A minimum height of 2 storeys, a maximum height of 10 storeys and an upper maximum of 12 storeys, is contemplated within the Rapid Transit Corridor Place Type (Table 9 – Maximum Height in the Rapid Transit and Urban Corridor Place Types). Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses (840\_4).



### 1989 Official Plan

The proposed mixed-use building is permitted within the Main Street Commercial Corridor (MSCC) designation. Residential densities within mixed-use buildings in the MSCC designation should be consistent with densities allowed in the Multi-Family, High Density (MFHDR) and Multi-Family, Medium Density Residential (MFMDR) designations as set out in policy 3.4.3. The MFHDR designation generally permits 150 units per hectare outside Central London. The 1989 Official Plan directs high and medium density residential development to appropriate locations within and adjacent to the Downtown, near Regional and Community Shopping Areas, and in selected locations along transit nodes and corridors (2.4.1).

The subject site has frontage on a Rapid Transit Boulevard, which is a higher-order street, to which higher-intensity uses are directed. As the subject site is currently developed with a semi-detached dwelling, the proposed development represents an appropriate form of intensification through infill development. The requested height of five (5) storeys and density of 140 units per hectare is in keeping with the policies of The London Plan and the 1989 Official Plan. The proposed height is considered appropriate for this location and Staff are satisfied that the subject lands are of a size and configuration capable of accommodating a more intensive redevelopment. The current semi-detached dwelling represents an underutilization of the lot within a developed area and the increased intensity of development on the site will make use of existing transit and public services in the area. The subject site is in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment.

## **4.4 Issue and Consideration #4: Form and Design**

### 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\_). Within the Rapid Transit Corridor Place Type, development should be designed to implement transit-oriented principles through consideration of building orientation, location of entrances and general site layout that reinforces pedestrian safety and easy navigation (841\_). 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\_).

The proposed development would be located close to the road, contributing to an active street frontage and appropriate pedestrian scale, while also increasing the separation between the building and the adjacent properties. The recommended Zoning and Special Provisions would facilitate an alternative and appropriate form of development that will add new housing to the area. The site design and layout will be confirmed through a subsequent site plan application process and will be subject to Site Plan Control (1674\_).

### 1989 Official Plan

The 1989 Official Plan sets out extensive urban design principles and preceded The London Plan. The main urban design objectives for the Main Street Commercial Corridor are summarized below.

The objectives of the MSCC designation are to “strengthen these areas by encouraging infilling and redevelopment which conform to the existing form of development and improve the aesthetics of the business area” (4.4.1). Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the MSCC to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

Section 4.4.1.2 provides for urban design objectives for the MSCC Designation, including:

- Encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics;
- Provide for and enhance the pedestrian nature of the Main Street Commercial Corridor;
- Enhance the street edge by providing for high-quality façade design, accessible and walkable sidewalks, street furniture and proper lighting;
- Design development to support public transit;
- Create high quality public places;
- Maintain and create a strong organizing structure;
- Maintain or create a strong identity and place;
- Maintain the cultural heritage value or interest of listed buildings and ensure through the application of the Commercial Urban Design Guidelines that new development is consistent with the form of existing development; and
- Encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit, and design linkages.

Consistent with the PPS and conforming to the Official Plans, the recommended form of the subject property would optimize the development of the land and public investment in infrastructure in the area. Located within a developing area of the City, the proposed development contributes to achieving more compact forms of growth. The proposed mixed-use building represents a more efficient use of land and resources than the semi-detached dwelling that currently occupies the site.

The location and massing of the proposed building is consistent with the urban design goals of The London Plan and the 1989 Official Plan. The building is proposed to be situated close to Dundas Street, defining the street edge, and encouraging a street-oriented design, with ground floor entrances facing the streets.

Adequate parking is provided for the proposed development and the reduction in the number of spaces is justified by the Parking Study that was provided to supplement this application. Additionally, based on the Parking Standard Review (June, 2022), the parking requirements for 1033 Dundas Street are reduced. The surface parking lot is accessible through the driveway from Dundas Street. The parking area is located to the east of the building and will be screened from the street and adjacent lands by landscaping. Additional setbacks for the parking area along the southern property edge are recommended to ensure there is enough area to plant robust tree plantings, as per the landscape plan, and to protect trees/root zones located on the adjacent properties.

The proposed building is similar in height to the abutting residential building on 1045 Dundas Street. Additionally, the proposed building placement mitigates compatibility concerns including loss of privacy by providing sufficient setbacks from adjacent lower rise development to the south and incorporating appropriate fencing and/or vegetative screening along the south and east property boundaries.

Urban Design staff identified additional site plan matters that are included below and require additional consideration at the site plan approval stage:

- Provide all building elevations detailing proposed colours accompanying the materials.
- Consider opportunities for a step back on the 4<sup>th</sup> or 5<sup>th</sup> storey to address the context of both the 5-storey residential building to the east (1045 Nightingale Place) and low rise commercial on the north side of Dundas St.
- If there is an opportunity or relationship with the Nightingale Place property (1045 Dundas St), consider an opportunity to mitigate the visual impact and pedestrian conflict of multiple vehicle access points along Dundas St.

- Consider opportunities sharing the same vehicle access as the nightingale place property.
- Ensure that the concrete sidewalk to the commercial entrance is aligned properly between the building frontage and Dundas St sidewalk.
- Explore opportunities to integrate a bicycle rack/pad on the site. Preferably on the frontage joining the concrete sidewalk in view of the commercial entrance with good sightlines.
- Identify secondary entrance or how entrances are utilized for ground level commercial unit shipping and receiving.

Comments from the Urban Design Peer Review Panel highlighted the following, which will also be considered through site plan:

- The Panel notes that the proposed driveway consumes substantial site area to access a relatively low number of parking stalls located at the rear of the site. Consider working with City Staff to reduce the driveway width to free up space for additional landscaping.
- If the driveway width cannot be reduced, consider providing a shared walkway/driveway (or woonerf) with a dropped curb and concrete aggregate tactile indicators to encourage a more pedestrian friendly character. Alternatively, use bollards to create a pedestrian safe zone rather than raised curbs.
- The Panel recommends extending the driveway sidewalk past the front yard garbage pick-up area to connect to Dundas Street. Given that garbage pick-up will occur infrequently, consider providing a bench and further landscape treatments around the pick-up zone to create a small outdoor amenity space.
- The Panel recommends that additional landscaping be provided along the West edge of the driveway.
- The Panel recommends that the two doors under the “porte cochere” incorporate clear transoms in a similar style to the entrances along Dundas Street.
- The Panel supports the general character of the masonry piers and dark windows with ‘*muntins and mullions*’ as a reference to the ‘warehouse’ character of the nearby Kellogg’s building. Consider the following for further articulation of the North building elevation (side street):
  - Slightly setting back a portion of the building above the driveway so the remainder of the front elevation reads more clearly as a rectangular mass;
  - Carry the west edge of the masonry pier above the North-East corner of the driveway down to grade to visually reinforce and complete the masonry corner;
  - Increase the depth of the dark cladding at the underside of the 2nd floor so that it reads more like a masonry lintel, visually supporting the masonry piers above.

### Special Provisions

Special provisions requested support the proposed scale of the mixed-use building.

A reduced front yard setback (0.0m) is recommended as part of the special provisions for the site, to place the building closer to the street in support of urban design goals. Site Plan staff are supportive of the proposed setback in view of the 24.0 metre road widening dedication required along Dundas Street at this location. The requested reductions are considered appropriate in their context and are recommended as part of the BDC Zone.

The requested special provision for an increase in maximum height to 16.5m from the 12.0m otherwise required in the zone, would have the effect of allowing a five (5) storey building in place of the 1.5-storey building currently on site and permitted under the proposed implementing zone.

Additionally, the applicant had requested a parking standard for all uses within the proposed mixed-use building of 10 parking spaces. As per the Parking Justification Study provided for this application, the effective parking ratio for apartment units is 0.71



parking spaces per unit, as this development is located within a dense multi-unit urban setting in close proximity to transit. They note further that in addition to the development being near the City's future Bus Rapid Transit (BRT) service, the commercial/office component in the development is not likely to be a significant traffic generator. Dundas Street is a Rapid Transit Boulevard that is intended to carry a high amount of traffic volumes. The clarification suffices and a parking requirement of 10 spaces for the proposed development is recommended.

Further, the Parking Standards Review Report (July 2022) recommended an amendment to the Zoning By-law Z.-1 to implement an open parking approach in Urban Place Types such as the Rapid Transit Corridor. Existing minimum parking ratios are recommended to be significantly lowered resulting in a requirement of 0.5 spaces per unit for an apartment use and 1 parking space per 100m<sup>2</sup> of Gross Floor Area for a Tier 4 non-residential use (including office uses) (Table 3: Existing and Recommended Residential Parking Standards, Parking Standards Review, 2022). This would result in a reduced parking requirement of 10 spaces for the proposed development.

The recommended Holding Business District Commercial BDC Special Provision (h-( )\*BDC( ) Zone includes provisions for additional height, and zoning considerations to implement the above, including parking facilities designed to minimize the visual impact, locating the building close to the street, and ensuring a street-oriented building with functional front and main entrances to the building facing the street, and providing for safe and accessible pedestrian connections for the public.

#### Holding Provision

Existing constraints posed by the CN Rail Line – located 302.26m from the subject site – may result in some noise, ground borne vibration and rail safety concerns. CN Rail has requested a noise study. City staff maintain that the effects will be minimal due to the intervening land uses between the subject site and the rail line which include commercial, residential, and light industrial uses. The City will however require a noise assessment from a qualified professional as part of the Site Plan Approval process, and warning clauses may be required within the development agreement. A holding provision is recommended to be added to the zone to ensure the appropriate information is provided as part of the site plan submission.

The 1989 Official Plan (Section 19.4.3) and The London Plan (1656\_ to 1661\_) contemplate the use of holding provisions to address requirements. The Zoning By-law may contain holding provisions that would allow for the use of land, buildings or structures to be permitted when the holding symbol is removed.

The Federation of Canadian Municipalities and the Railway Association of Canada developed Guidelines for New Development in Proximity to Railway Operations (May 2013) to assist municipalities and other stakeholders establish a consistent approach to assess new development in proximity to railway facilities. The subject lands are located within the 300 to 1,000 metres recommended minimum noise area of influence for rail corridors (principle main lines) and rail yards but located beyond the 75-metre recommended minimum vibration area of influence set out in the guideline document. Therefore noise, and not vibration, from railway facilities may be a potential concern for future sensitive land uses on the subject lands.

The proposed holding provision is as follows:

h-\_\_ Purpose: To ensure there are no land use conflicts between the rail line and the proposed residential uses, the h-( ) shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in the noise assessment report acceptable to the City of London.

# Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of the 1989 Official Plan, The London Plan, including but not limited to the Key Directions and the Rapid Transit Corridor Place Type. The recommended amendment will facilitate the development of a mixed-use building with a land use, intensity, and form that is appropriate for the site.

**Prepared by:** Esha Biddanda Pavan  
Planner I, Development Services

Nancy Pasato, MCIP, RPP  
Senior Planner, Development Services

**Submitted 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

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 1033  
Dundas Street.

WHEREAS Drygas Properties Inc. have applied to rezone an area of land  
located at 1033 Dundas Street, as shown on the map attached to this by-law, as set out  
below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to  
lands located at 1033 Dundas Street, as shown on the attached map comprising  
part of Key Map No. A108, from a Business District Commercial (BDC) Zone to a  
Holding Business District Commercial Special Provision (h-(\_)\*BDC(\_)) Zone.
- 2) Section Number 3.8 2) of the Holding “h” Zones section is amended by adding the  
following Holding Zone:

h-\_\_                      Purpose: To ensure there are no land use conflicts between the rail  
line and the proposed residential uses, the “h-(\_)” shall not be  
deleted until the owner agrees to implement all noise and vibration  
attenuation measures, recommended in the noise assessment  
report acceptable to the City of London.

- 3) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended  
by adding the following Special Provision:

BDC(\_)  
1033 Dundas Street

a) Regulations

i.	Front Yard Depth (Minimum)	0.0 metres (0.0 feet)
ii.	Front Yard Depth (Maximum)	2.0 metres (6.5 feet)
iii.	Density (Maximum)	140 units per hectare
iv.	Height (Maximum)	5 storeys, or 16.5 metres (54.13 feet), whichever is less

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.

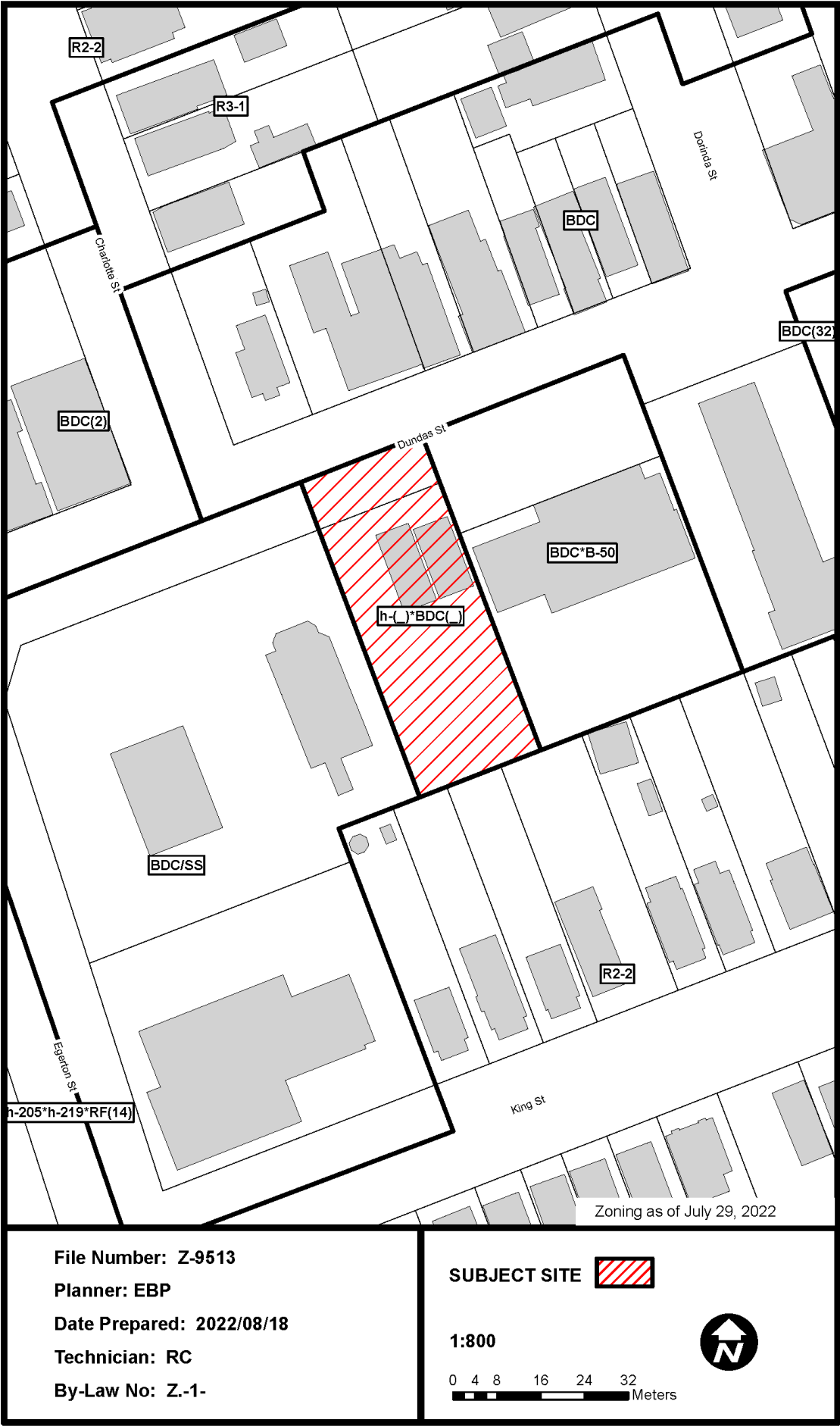
PASSED in Open Council on October 17, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – October 17, 2022  
Second Reading – October 17, 2022  
Third Reading – October 17, 2022

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



Appendix B – Public Engagement

Community Engagement

Notice of Application (June 08, 2022):

On June 08, 2022, Notice of Application was sent to 150 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 June 09, 2022. A “Planning Application” sign was also posted on the site.

Replies were received from, or on behalf of 1 household.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a 5-storey, mixed-use building with ground floor commercial uses and 15 residential dwelling units. Possible change to Zoning By-law Z.-1 **FROM** a Business District Commercial (BDC) Zone **TO** a Business District Commercial Special Provision (BDC(\_\_)) Zone to permit animal hospitals; apartment buildings, with any or all of the other permitted uses on the first floor; bake shops; clinics; commercial recreation establishments; commercial parking structures and/or lots; converted dwellings; day care centres; dry cleaning and laundry depots; duplicating shops; emergency care establishments; existing dwellings; financial institutions; grocery stores; laboratories; laundromats; libraries; medical/dental offices; offices; personal service establishments; private clubs; restaurants; retail stores; service and repair establishments; studios; video rental establishments; lodging house class 2; cinemas; brewing on premises establishment; food store; animal clinic; convenience store; post office; convenience service establishments; dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor; bed and breakfast establishments; antique store; police stations; artisan workshop; and craft brewery, with a minimum front yard setback of 0m, whereas 3.0m is required, a maximum building height of 16.5m, whereas 12.0m is the maximum height and a reduced minimum parking requirement of 10 spaces, whereas 22 spaces are required. The City may consider an alternative zone variation(s) to facilitate the requested development other than those identified above. The City may also consider the use of holding provisions related to urban design and servicing, and additional special provisions related to setbacks, density, height, and parking.

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

Concern for:

- Availability of affordable housing units.

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

Telephone	Written
	Jo-Ann Lawton & Nigel Lawton

Jo-Ann Lawton & Nigel Lawton

As per our recent conversation  
If you could please forward our email address to the appropriate person(s), I would be grateful.  
I asked the question(s):  
- Will there be an affordable housing component to this new building?  
- How can I get someone (my brother) on the list to become a tenant?

## Departmental and Agency Comments

### London Hydro (April 14, 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.

### Upper Thames River Conservation Authority (June 14, 2022)

- The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. Therefore, the UTRCA has no objections to the application and Section 28 approvals are not required.

### Canadian National Railway (June 9, 2022)

Thank you for circulating CN on the subject application. The subject site is located in proximity to the CN railway corridor. It should be noted that CN has concerns of developing/densifying residential uses in proximity to our railway right-of-way. This is due to noise, vibration and potential trespass issues that will result. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated.

Please refer to CN's guidelines below for the development of sensitive uses in proximity to railways. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. CN urges the municipality pursue the implementation of the criterion as conditions of an eventual project approval. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities. Please visit <http://www.proximityissues.ca> for more information.

1. The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
2. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
3. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that any mitigation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.

4. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
5. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Please note that CN is currently undertaking a review of the submitted noise and vibration report and will be providing additional comments.

Please keep us apprised on any updates on the project.

#### Site Plan (June 09, 2022)

- Identify the location and design of fencing, whether existing or proposed, on the site plan. Clarify how snow storage is stored and accommodated on-site. Snow storage should be located to not impede the pedestrian pathway nor parking. Clarify how disposable refuse (recycling and waste) is stored and collected on the site plan. Store residential refuse (recycling and waste) inside the building and label on the site plan (C.P.-1455-541 10.2). Please refer to up-to-date City standards for enclosure design and collection details. Ensure enough space for collection access to recycling and waste. Confirm the Gross Floor Area of each dwelling. Please confirm that the total number of bedrooms does not exceed five bedrooms (Z.-1-93172) (Z.-1-041300 – OMB Order 0780 – March 15/06). Provide elevations from all sides in metric – unless no changes are made to the existing exterior.
- Visitor parking is required at a rate of one (1) space for every ten (10) dwelling units (C.P.-1455-541 6.2.a.ii). Ensure visitor parking spaces are a minimum of 3 metres from dwellings containing windows to habitable rooms. Without sufficient parking, users may opt to park on neighbouring parcels, leading to a nuisance for the surrounding lands.
- Show the location and design of the accessible parking signage (C.P.-1455-541 7.3; 7.4; Table 14.1). Include Type A and B parking spaces in accordance with the Z.-1 Zoning By-law. The accessible parking needs to comply with the Site Plan Manual standard and include curb ramp(s) and shared aisle access as a minimum standard. Show the location and design of the bicycle parking spaces. Protect long-term bicycle parking from the weather and store in a secure space, such as the building (C.P.-1455-541 14.d). Temporary spaces should also be provided onsite (bike racks). Submit a detail of the enclosed area for long-term bicycle storage and include bicycle parking in site data. Notwithstanding Section 4.19 of this By-law to the contrary, the permitted number of motor vehicle parking spaces for non-residential uses may be reduced to provide for additional short or long-term bicycle parking spaces beyond those mandated by this by-law provided, however, the reduction in motor vehicle parking spaces shall not exceed 10% of the permitted motor vehicle parking spaces. Individual vehicular parking stalls shall be required to provide for a minimum of five bicycle parking spaces. This incentive shall not apply to CLNIC, METHADONE or PHARMACY, METHADONE uses. (Z.-1-051420) (Z.-1-122090) (Z.-1 4.19.16.7). Please detail the shape of the access (street entranceway) and its connection to the roadway – ensure that the access corner radii do not encroach into designated road space nor extend beyond the projected property line (i.e. road access design is not to extend in front of a neighbouring parcel) (C.P.-1455-541 5.5.b).
- Screening may be required for noise and visuals (C.P.-1455-541 2.5.3). Please consider planting opportunities for screening any parking area from the street (C.P.-1455-541 2.6.3.d.iii). Please consider offsetting any tree removals with planting. Please illustrate each tree, whether existing or proposed, on the site plan as well as within 3 meters of property lines. Indicate which, if any, trees will be removed. Provide tree protection notes and details for trees to be preserved.

For landscape strips along a public street, add at least one tree per every 12 metres, or every 15 metres otherwise (C.P.-1455-541 Table 9.4). Please consider opportunities to include trees.

- Provide an adequate at-grade amenity area for residents. Make sure to connect any amenity space to the other portions of the site with a pathway. Consider situating and connecting the amenity space for convenient access by users. For internal details of the proposed amenity space, please consider adding purposeful features to enhance the use of the space (e.g., gazebo, patio, permanent seating, age-friendly outdoor sports, or a playground).
- Provide a safe and convenient network of pedestrian pathways throughout the site. Specifically, provide pedestrian pathways to connect parking area(s), building entrances, and public sidewalks. Provide pedestrian crossing facilities where the sidewalk crosses primary driveway access. Make all walkways at least 1.5 metres or 2.1 metres if abutting parking spaces, with at least a 1-metre setback from parking area(s) (C.P.-1455-541 Table 7.1). Pedestrian pathways should be graded to alleviate verticality and where applicable, prioritize ramps over staircases or steps (C.P.-1455-541 7.2). Ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist.

#### Parks Planning (June 15, 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.

#### Urban Design (June 29, 2022)

- Ensure the building height is contained within a 45-degree angular plain from a height of 7.0m above the rear property line to allow for an appropriate transition from the low-density development within the Heritage Conservation District to the south [OEVDSCSP 3.3.3, b].
  - Submit a section drawing showing the angular plane that illustrates how the proposed building conforms to this policy.

Urban design comments to continue to be addressed at the site plan application stage:

- Please provide all building elevations detailing proposed colours accompanying the materials.
- The applicant is commended for providing a site and building design that incorporates the following design features: provides a continuous built frontage that establishes an urban street wall along Dundas Street, active uses at grade with direct walkway connections to city sidewalk and locating the majority of parking away from the street and behind the building. Articulation is very good with a diversity of material/cladding as indicated.
- This proposal is fully located within the Rapid Transit Corridor Place Type of The London Plan [TLP] and Old East Village Market Block of Old East Village Dundas Street Corridor Secondary Plan [OEVDSCSP], and as such, the policies of the plan(s) apply:
  - Please provide a *detail* ensuring the building is contained within a 45-degree angular plain from a height of 7.0m above the rear property line to allow for an appropriate transition from the low-density development within the Heritage Conservation District to the south [OEVDSCSP 3.3.3, b].
    - Submit a section drawing showing the angular plane that illustrates how the proposed building conforms to this policy.
  - Ensure a step back of a minimum of five metres at the fourth or fifth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear and support the existing street character at street level [OEVDSCSP 3.3.3. c].



- Consider opportunities for a step back on the 4<sup>th</sup> or 5<sup>th</sup> storey to address the context of both the 5-storey residential building to the east (1045 Nightingale Place) and low rise commercial on the north side of Dundas St.
  - If there is an opportunity or relationship with the nightingale place property (1045 Dundas St), consider an opportunity to mitigate the visual impact and pedestrian conflict of multiple vehicle access points along Dundas St.
    - Consider opportunities sharing the same vehicle access as the nightingale place property [OEVDSCSP 3.3.2, f].
- Ensure that the concrete sidewalk to the commercial entrance is aligned properly between the building frontage and Dundas St sidewalk.
  - Ensure the site plan and building renderings provided match.
- Explore opportunities to integrate a bicycle rack/pad on the site. Preferably on the frontage joining the concrete sidewalk in view of the commercial entrance with good sightlines.
- Identify secondary entrance or how entrances are utilized for ground level commercial unit shipping and receiving.

#### Urban Design Peer Review Panel (June 30, 2022)

See [Appendix E](#)

#### Long Range Planning & Ecology (July 06, 2022)

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

#### Engineering (July 8, 2022)

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

##### *Transportation:*

- Presently the width from centerline of Dundas Street at this location is 10.058m as shown on Reference Plan 33R-20318 (the original road allowance between Concessions C & 1). Therefore, an additional widening of 13.942m would be required to attain 24.0m from centerline. Please also note that any widenings will be save and except existing structures.
- Right-of-way dedication of 24.0 m from the centre line be required along 1033 Dundas Street.
- Detailed comments regarding access design and location will be made through the site plan process.

##### Rapid Transit comments:

- Dundas Street is a Rapid Transit Corridor and the Environmental Project Report (EPR) engineering drawing related to the subject property is attached for reference.
- Construction of the “East London Link” corridor is scheduled for 2022 – 2024.
- With the implementation of center-running transit lanes on Dundas Street, a raised median will be constructed. Turning movements onto Dundas Street will be restricted to right in / right out.

##### *Water:*

- Water is available to the site via the 400mm municipal PVC watermain on Dundas Street.
- The water service pipe must be installed at right angles to the watermain and in a straight line from the watermain to the water meter.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.

#### *Wastewater:*

- The municipal sanitary sewer available is a 300mm diameter sanitary sewer on Dundas St .
- As part of complete application , the applicant's engineer is to provide a brief to include the maximum population and expected peak flow that will be generated by the proposed development.
- A new PDC shall be constructed that to meet City of London Standard for the type of building form.

#### *Stormwater:*

- As per City as-con 28247, the site (at C=0.70) is tributary to the existing 1050mm storm sewer on Dundas Street. For proposed development in exceedance of the approved C-value of the receiving storm sewer design, the site is to store volumes in excess of the allowable release rate.) On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- However, as per as-con 28227, the City cannot confirm a storm pdc exists to service the property and as per the Drainage By-law, the consultant would be required to provide for a storm pdc.
- The proposed land use of a mixed use/commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.

#### General comments for sites within Central Thames Subwatershed

- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
- 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. It shall include water balance.

- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site, ensuring that stormwater flows are self-contained, and that grading can safely convey 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 and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. 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.

#### Landscape Architecture (Tree Prevention) (August 03, 2022)

- There is a solid thin line running near the façade of the proposed building on the LP and a dashed line on the concept plan that denote the transportation dedication.
- No concerns about the east or west property lines; there are no off site or boundary trees. I think there is a board fence along the south property line, with some dead trees in proximity.
- Would like to ensure that there is sufficient soil volume along the south property line to support tree growth as required at SP. If an increase setback is not possible, the applicant should include, at time of SP, a proposal to provide a continuous soil zone/trench along this edge; a consolidated planting area is more effective than individual tree pits with insufficient resources.
- London Plan Policy 401\_14 requires that Surface parking lots should be designed to include a sustainable tree canopy at 20 years of anticipated growth. Appropriate soil volume, drainage and appropriate technology will be used to ensure the long-term sustainability of trees

## Appendix C – Policy Context

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site concept achieves an intensity that allows for other on-site functions such as accessible parking, emergency services and landscaped open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high-density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located close to shopping areas, offices, commercial and service uses, parks, walking trails, and future transit services.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	Although no affordable housing units are proposed through this development, the creation of alternative housing forms contributes to the overall mix of dwelling units and prices in the area.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed 5-storey apartment building is mitigated by the placement of the building toward the front of the property and the surface parking between the proposed building and the rear property line. A side-to side relationship is established between the front building and the apartment building on the adjacent lot to the west, with an appropriate setback as discussed in the body of this report.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.
The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic	Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be

generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;	addressed at the Site Plan Approval stage. Traffic impacts of this development will be negligible in relation to the anticipated function of the arterial street/Rapid Transit Boulevard.
The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The applicant is commended for providing a built form that establishes a built edge along Dundas Street while providing an active edge along the street with building entrances fronting the street. At the site plan stage, additional consideration should be given to the width of the driveway to free up space for additional landscaping.
The potential impact of the development on surrounding natural features and heritage resources;	Not applicable.
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	Not applicable.
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;	The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process.
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	Enhanced tree planting and landscaping in combination with privacy fencing and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.

<b>1577_ Evaluation Criteria for Planning and Development Applications</b>	
<b>Criteria – General Policy Conformity</b>	<b>Response</b>
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and 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. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for residential intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a mixed-use compact City and strong, healthy, and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the Site Plan Approval stage.
Conformity with the policies of the place type in which they are located.	The proposed 5-storey apartment building provides for the use and intensity of development contemplated within the Rapid Transit Corridor Place Type fronting a Rapid Transit Boulevard.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water, sanitary and storm sewers.
<b>Criteria – Impacts on Adjacent Lands</b>	
Traffic and access management	Further consideration of traffic controls related to the proposed driveways will occur at the site plan approval stage. Transportation Staff have no concerns.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was required for the Zoning By-law amendment application and concluded that a Type C Noise

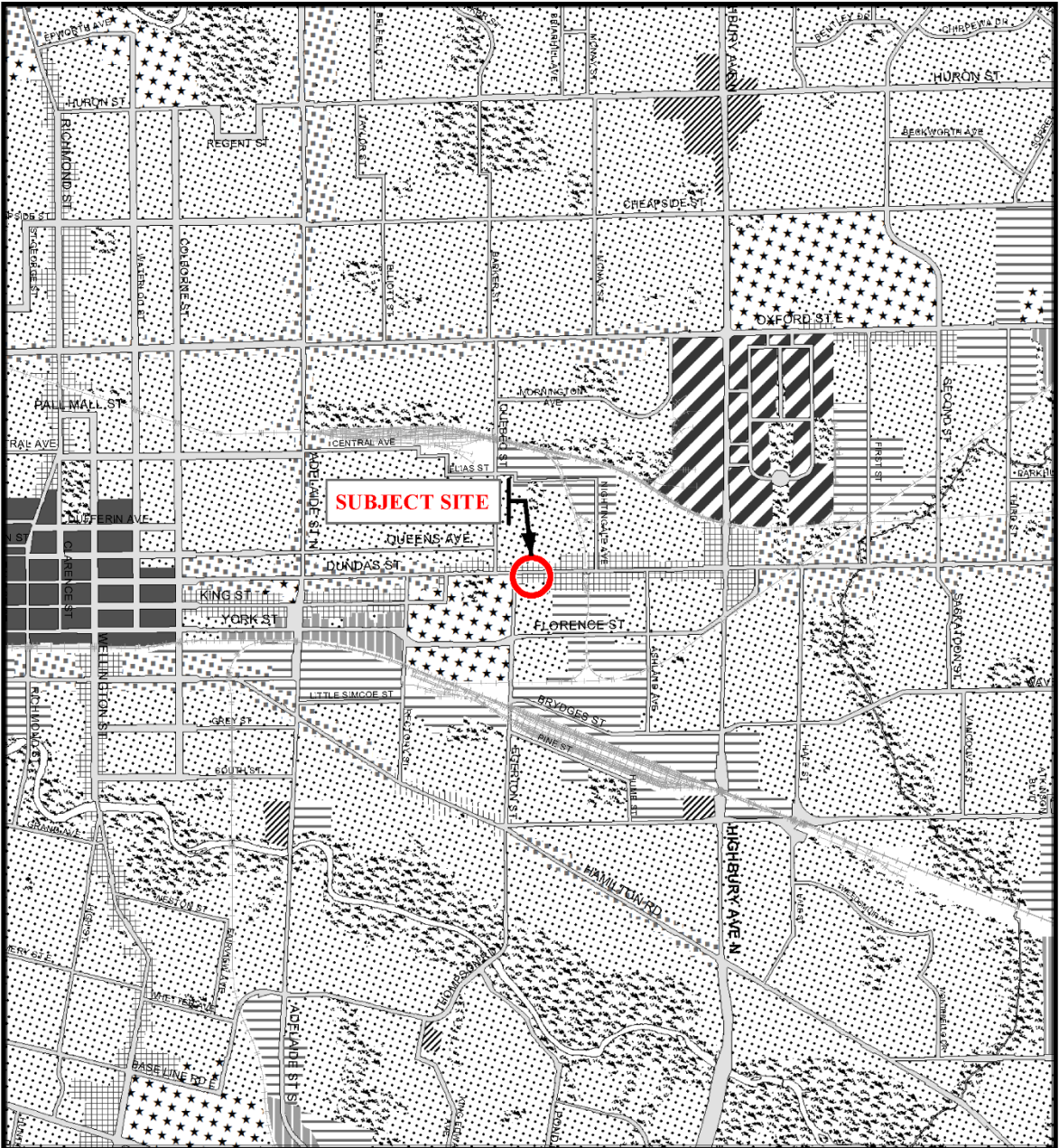


	Warning Clause shall be registered on title. A further noise assessment related to rail will also be required through the site plan submission.
Parking on streets or adjacent properties.	The proposal includes a slight reduction in the required parking spaces; however, it is not anticipated that overflow parking will be required on local streets.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Garbage facilities should be screened, storage inside the building is a standard requirement for apartment forms, with garbage to be placed outside on collection day. Waste collection is tied to the approved site plan for the Site Plan Approval Development Agreement.
Privacy	A variety of screening and buffering mechanism are proposed to maintain or enhance privacy between the proposed development and adjacent lands. In addition, spatial separation and enhanced landscaping soften the property boundaries and provide screening to the neighbouring residential and commercial buildings. Additional mitigation measures will be considered at the time of Site Plan Approval, such as additional plantings.
Shadowing	Minor shadowing may impact adjacent and nearby properties in the early morning or late afternoon, depending on the season.
Visual Impact	Enhanced landscaping, articulated building design, and architectural details and materials to be implemented through site plan are expected to have a positive visual impact on the area.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	At the site plan stage, a complete landscape plan will be developed to provide for new tree planting and screening from adjacent land uses.
Cultural heritage resources.	The subject lands are identified as having archaeological potential on the City's 2018 Archaeological Mapping. Based on the findings from the Stage 1-2 Archaeological Assessment prepared by Lincoln Environmental Consulting

	Corp. and the letter received by The Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) no archaeological resources were identified on the lands and all archaeological conditions can be considered satisfied for this application.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

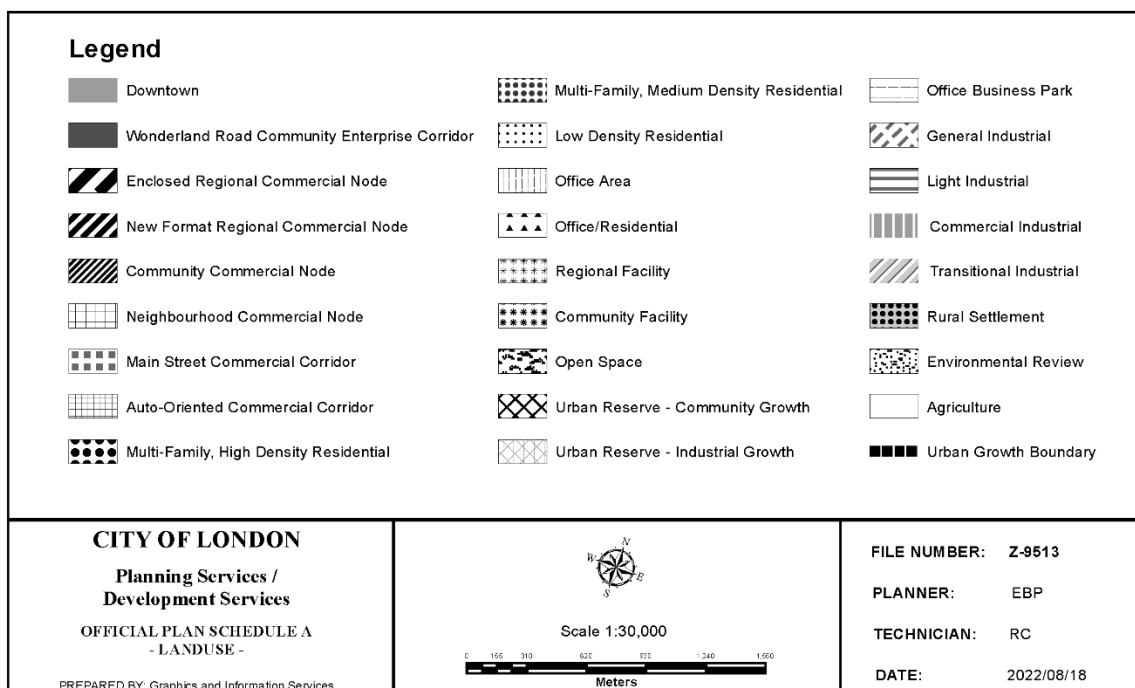
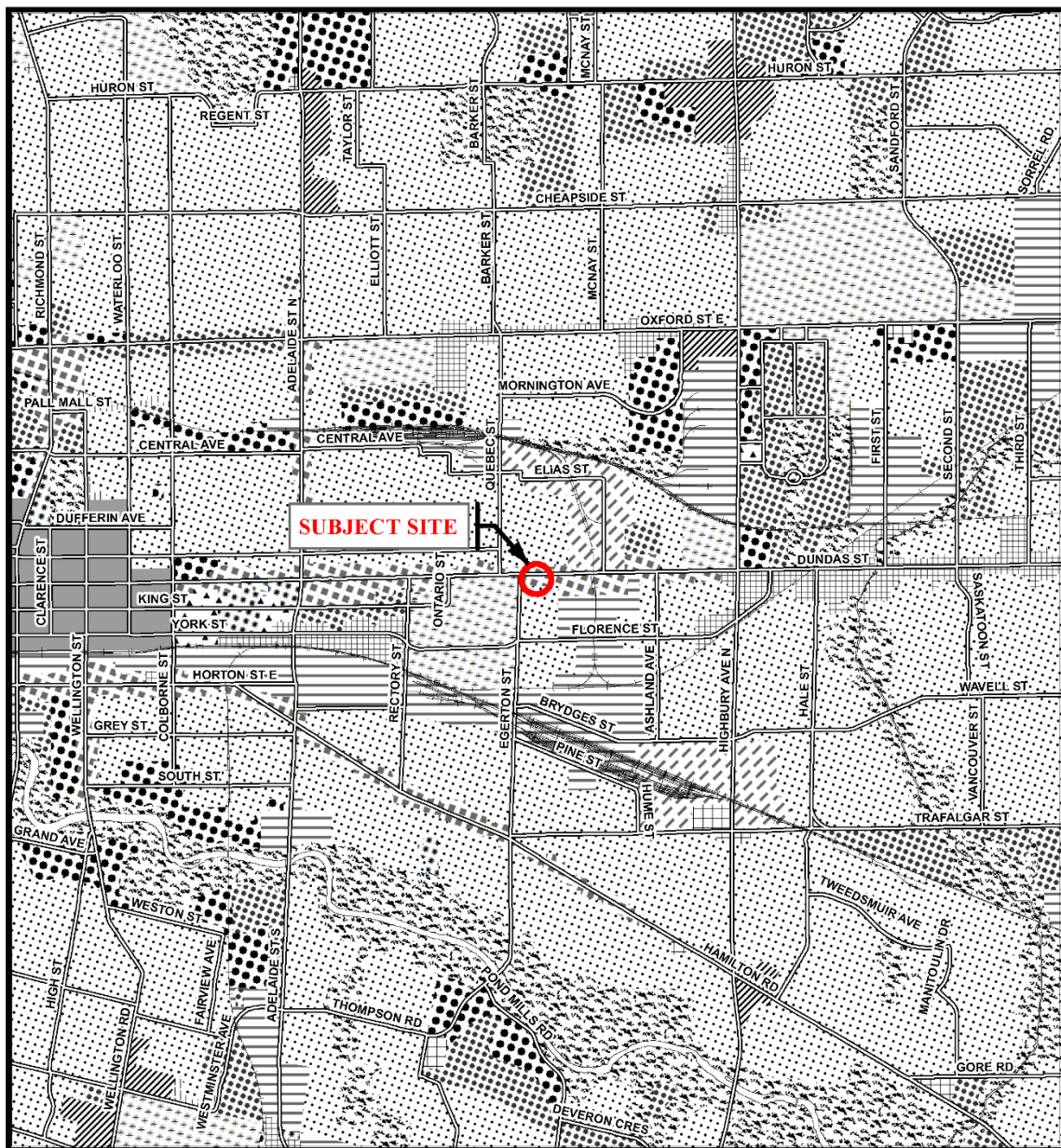
**CITY OF LONDON**  
**Official Plan**  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**  
PREPARED BY: Planning & Development

Scale 1:30,000  
0 150 300 600 900 1200 1500  
Meters

**File Number:** Z-9513  
**Planner:** EBP  
**Technician:** RC  
**Date:** 2022/8/18

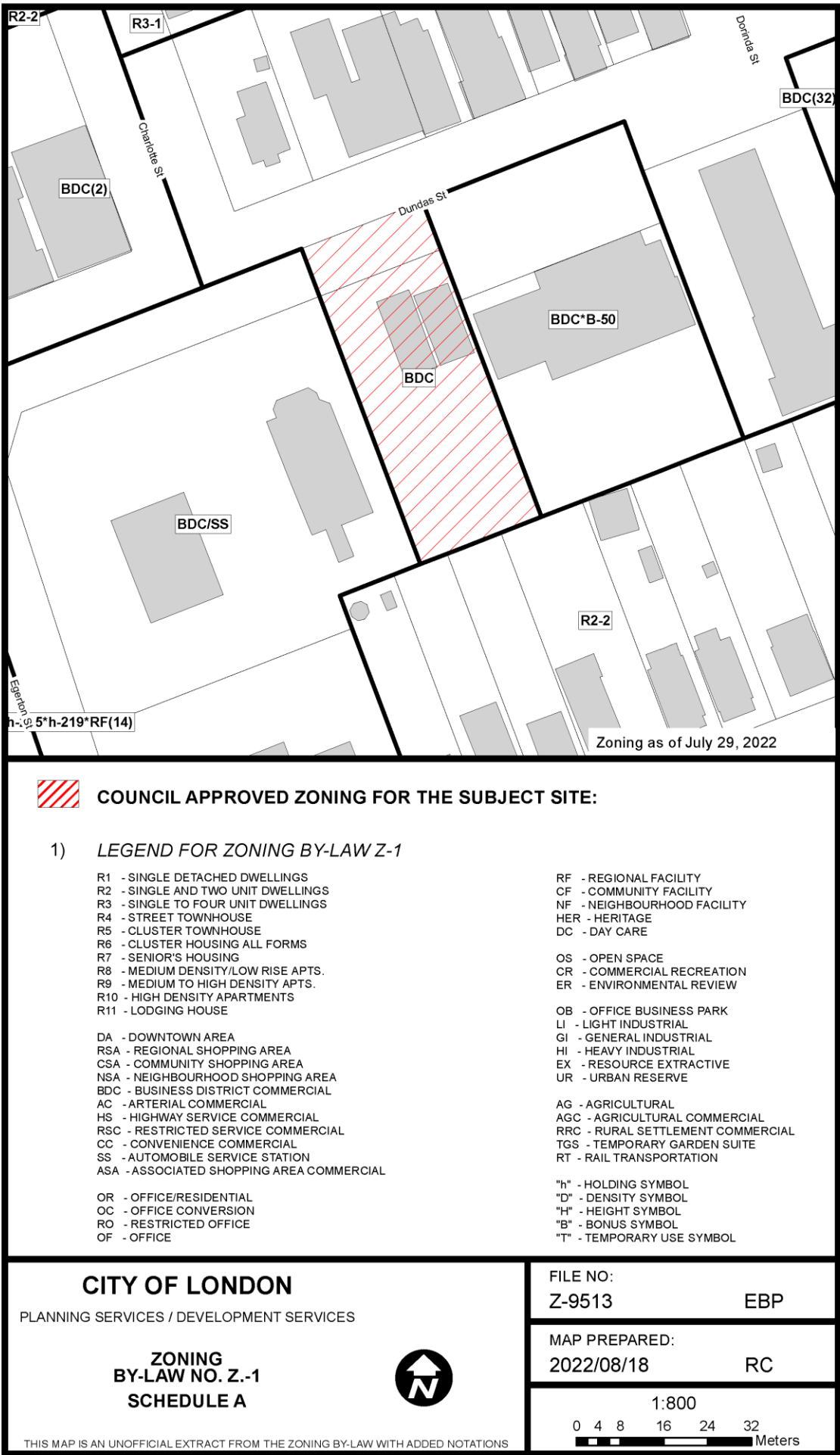


## 1989 Official Plan – Schedule A – Land Use



PROJECT LOCATION: e:\planning\projects\p\_official\plan\work\consol00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



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

<b>Comment:</b>
The Panel commends the applicant for an appropriate site layout and architectural character of the building.
<b>Applicant Response:</b>
Noted.

<b>Comment:</b>
The Panel notes that the proposed driveway consumes substantial site area to access a relatively low number of parking stalls located at the rear of the site. Consider working with City Staff to reduce the driveway width to free up space for additional landscaping.
<b>Applicant Response:</b>
We are willing to work with staff through the Site Plan Approval process to determine if a reduced driveway width is plausible for this development. We acknowledge that the reduced width would allow for increased landscape strips and site buffering.

<b>Comment:</b>
If the driveway width cannot be reduced, consider providing a shared walkway/driveway (or woonerf) with a dropped curb and concrete aggregate tactile indicators to encourage a more pedestrian friendly character. Alternatively, use bollards to create a pedestrian safe zone rather than raised curbs.
<b>Applicant Response:</b>
Further to the previous response, we are willing to explore design alternatives with staff through the SPA process that could incorporate the driveway and pedestrian sidewalk into a single shared access and use alternative separation such as bollards. Potential impacts to the SWM solution would need to be examined further.

<b>Comment:</b>
The Panel recommends extending the driveway sidewalk past the front yard garbage pick-up area to connect to Dundas Street. Given that garbage pick-up will occur infrequently, consider providing a bench and further landscape treatments around the pick-up zone to create a small outdoor amenity space.
<b>Applicant Response:</b>
This can be explored further in conjunction with the reduced driveway width and shared space for pedestrians and vehicles. Depending on the outcome of the two previous comments, the connections/interface with Dundas Street could be a different design than what is currently contemplated. This matter will be examined closely through the SPA process.

<b>Comment:</b>
The Panel recommends that additional landscaping be provided along the West edge of the driveway.
<b>Applicant Response:</b>
Acknowledged. The Landscape Plan will be further refined through the SPA process with City staff.

<b>Comment:</b>
The Panel recommends that the two doors under the “porte cochere” incorporate clear transoms in a similar style to the entrances along Dundas Street.
<b>Applicant Response:</b>
Acknowledged. Through the SPA process we will explore opportunities for additional glazing where appropriate. Some internal spaces may be less desirable for glazing (storage/garbage facilities).

<b>Comment:</b>
-----------------



<p>The Panel supports the general character of the masonry piers and dark windows with ‘muntins and mullions’ as a reference to the ‘warehouse’ character of the nearby Kellogg’s building. Consider the following for further articulation of the North building elevation (side street):</p> <ul style="list-style-type: none"><li>i. Slightly setting back a portion of the building above the driveway so the remainder of the front elevation reads more clearly as a rectangular mass;</li><li>ii. Carry the west edge of the masonry pier above the North-East corner of the driveway down to grade to visually reinforce and complete the masonry corner;</li><li>iii. Increase the depth of the dark cladding at the underside of the 2nd floor so that it reads more like a masonry lintel, visually supporting the masonry piers above.</li></ul>
<p><b>Applicant Response:</b></p> <p>We will explore incorporating these suggestions into the building elevations as the development progresses through the SPA process. Some of these suggestions may impact external spaces, and alternative approaches may be explored in order to achieve the same effect and minimize the impacts on other elements of the developments.</p>