

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: 366 Hill Street Inc.
366 Hill Street
Public Participation Meeting
Date: October 5, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of 366 Hill Street Inc. relating to the property located at 366 Hill 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 Residential R3 (R3-1) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site to permit the development of a 3-storey, stacked back-to-back townhouse building containing 17 residential units, with a density of 75 units per hectare.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to rezone the subject site to a Residential R8 Special Provision (R8-4(_)) Zone to permit stacked townhouses with a maximum density of 75 units per hectare. The following special provisions would facilitate the proposed development: a minimum front yard depth of 1.0 metre, whereas 6.0 metres is required; a maximum front yard depth of 3.0 metres, whereas 6.0 metres is required; a minimum interior yard setback of 2.0 metres, whereas 7.2 metres is required; a minimum height of 9.0 metres, a maximum height of 12.0 metres or 4 storeys, whichever is less, whereas 13.0 metres maximum is permitted; and a minimum landscape open space of 29%, whereas 30% is required.

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;
2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable *London Plan* policies;
3. The recommended amendment conforms to the in-force policies of the Old Victoria Hospital Secondary Plan, including but not limited to the Low-Rise Residential policies; and
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and 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 Planning History

The subject site is located within the SoHo Neighbourhood. In 2009, the SoHo Community Association, along with City of London, worked together to prepare a plan that would guide the future opportunities for the neighbourhood. The result was a Community Improvement Plan (CIP) for London’s Soho District, known as Roadmap SoHo which was approved in 2011. One of the recommendations from the SoHo CIP was to undertake a Secondary Plan for the redevelopment of the Old Victoria Hospital Lands.

The Old Victoria Hospital Secondary Plan (OVHSP) was initiated in 2012 and adopted by Council in 2014. The purpose of the OVHSP was to establish a more specific land use policy framework to guide the evolution of the former Old Victoria Hospital property and adjacent lands into a vibrant residential community which incorporates elements of sustainability, cultural and natural heritage, mixed use development, walkability and high-quality urban design.

In September 2021, the City of London initiated and approved amendments to the OVHSP. The purpose and effect of the amendment was to ensure the maximum heights and densities contemplated by the Old Victoria Hospital Lands Secondary Plan can be implemented after recent changes to the *Planning Act*, and to rezone the Old Victoria Hospital Phase II Lands, consistent with the vision of the adopted Secondary Plan.

1.3 Property Description

The subject property is located on the north side of Hill Street between Waterloo Street and Colborne Street, in the Central Planning District and within the SoHo Neighbourhood. Currently the site is comprised of an unused surface parking lot and is clear of any significant vegetation and is generally flat topography.

The site has frontage onto Hill Street which is classified as a Neighbourhood Street as per Map 3 – Street Classifications of the London Plan. On street parking is available along Hill Street.



Figure 1: 366 Hill Street, facing north (Google Image, January 2021)

1.4 Current Planning Information

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type fronting a Neighbourhood Street (Hill Street)
- Special Area Policy- Old Victoria Hospital Secondary Plan – Residential Policy Area 1 – Low-Rise Residential
- Existing Zoning – Residential R3 (R3-1)

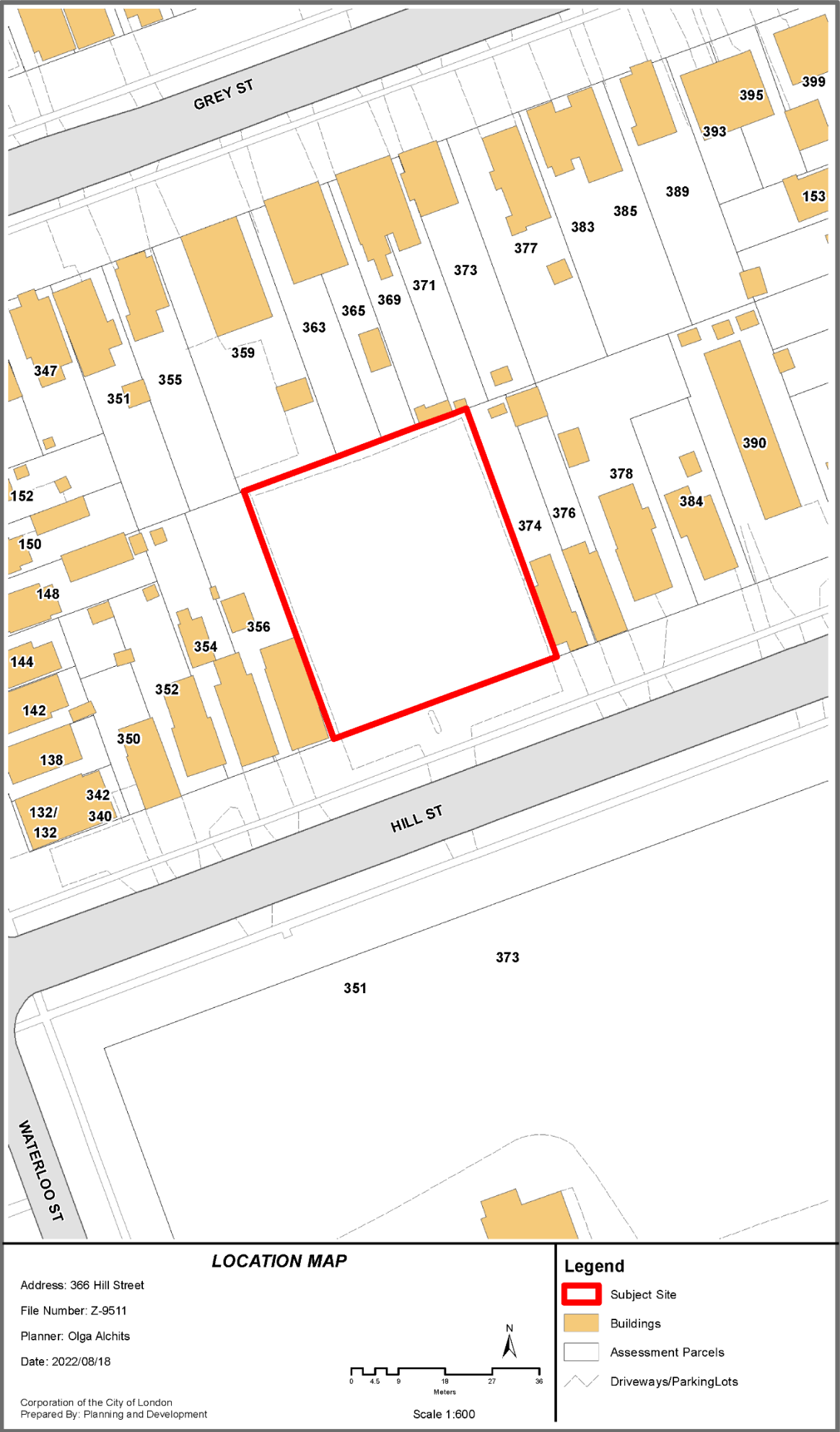
1.5 Site Characteristics

- Current Land Use – Vacant surface parking lot
- Frontage – 45.3 metres
- Depth – 50.3 metres
- Area – 0.229 hectares
- Shape – Rectangular

1.6 Surrounding Land Uses

- North – Multi family residential, semi-detached dwellings
- East – Single detached residential
- South – Currently vacant/ future development of mid-rise apartment buildings
- West – Single detached residential

1.7 Location Map



1.8 Intensification

The proposed 17 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing a three (3) storey, seventeen (17) unit stacked back-to-back townhouse development, with twenty (20) surface parking spaces. The concept plan shows four (4) one-bedroom single storey flat units and three (3) 2-bedroom single-storey flat units all on the ground floor. The upper storeys consist of ten (10) 2-storey townhouse style two-bedroom units. The building design includes individual unit entrances directly at grade and oriented towards Hill Street. Semi-private outdoor terraces/patios have been incorporated for all of the ground floor units. The site concept is shown in Figure 2, and the building renderings are shown in Figures 3 through 6.

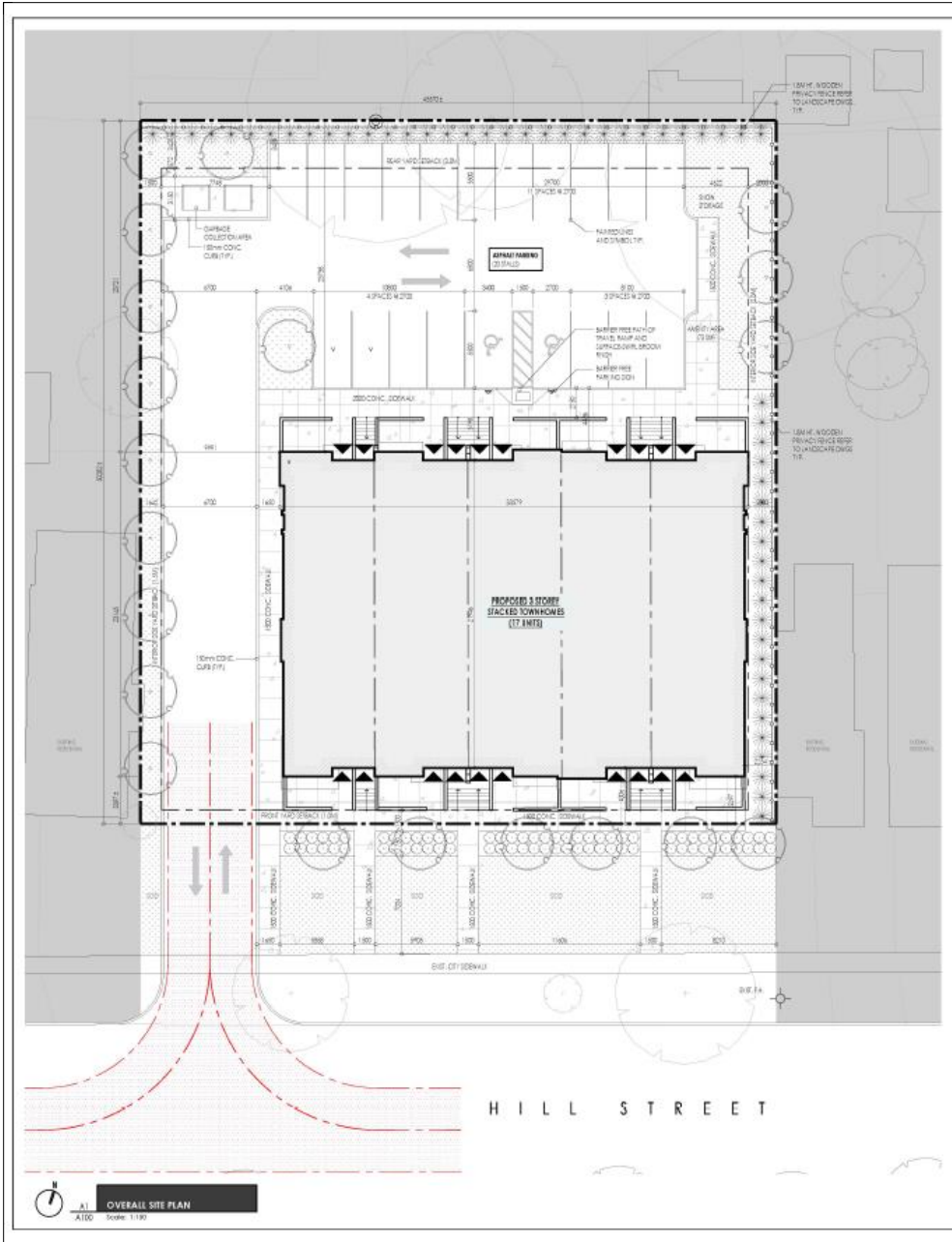


Figure 2: Site Concept



Figure 3: Rendering; View from Hill Street looking North



Figure 4: Rendering; View from Hill Street looking South East



Figure 5: Rendering; View from Hill Street looking North East



Figure 6: Elevations

2.2 Requested Amendment

The applicant is requesting a Residential Special Provision (R8-4(_)) Zone, which permits stacked townhouse dwellings with a maximum density of 75 units per hectare. Special provisions were requested for:

- a minimum front yard depth of 1.0 metre in place of 6.0 metres;
- a maximum front yard depth of 3.0 metres in place of 6.0 metres;
- a reduced interior yard setback of 2.0 metres, in place of 7.2 metres;
- a reduced landscaped open space of 20%, in place of 30%;
- an increased lot coverage of 50% in place of 40%;
- a minimum height of 12.0 metres, and a maximum height of 16.5 metres or 5 storeys in place of 13.0 metres; and
- a reduced parking rate of 1 space per unit, whereas 1.25 spaces per unit is required.

2.3 Community Engagement (see more detail in Appendix B)

No written or verbal responses were received on this application.

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 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 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 25th 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 2, 4 and 5).

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

- Plan 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 fronting on a Neighbourhood Street (Hill Street), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 1 storey, and the maximum permitted height is 3 storeys (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The subject site is also within the Primary Transit Area. The Primary Transit Area will be a focus of residential intensification and transit investment within London. The nature and scale of intensification will vary depending on the Place Type within the Primary Transit Area and will be a good fit within existing neighbourhoods (90_). Directing infill and intensification to this area is a major part of this Plan’s strategy to manage growth in

the city as a whole and to target 45% of all future residential growth in the Built-Area Boundary (91_).

1989 Official Plan

The subject site is designated Low Density Residential in accordance with Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single detached, semi-detached and duplex dwellings. Residential intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments, subject to specific criteria (3.2).

Old Victoria Hospital Lands Secondary Plan

The subject site is within the Old Victoria Hospital Lands Secondary Plan. The lands are designated Residential Policy Area 1 – Low-Rise Residential. The intent of the Low-Rise Residential Policy Area is to provide for low-intensity residential uses and provide for ground related forms of development that have a low- to midrise height that minimizes problems of shadowing, view obstruction and loss of privacy. While existing low-rise residential uses are provided for in the Policy Area, more intensive ground-related development forms are encouraged to meet the overall planning and design objectives of the Secondary Plan. Permitted uses include single detached, semi-detached, duplex, converted dwellings, street townhouse, triplexes, fourplexes and stacked townhouses (20.6.4.3.1.ii)). Permitted heights are a minimum of 3 storeys a maximum of 5 storeys, with a minimum density of 15 units per hectare and maximum density of 75 units per hectare.

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 (PPS)

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, 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 proposed development is in keeping with the PSS as it will be located within a transitioning area where the development can avail of existing infrastructure, and will provide a form of intensification and transit-oriented development to meet future land needs. The proposed development will provide a mix of housing in a compatible form of development.

4.2 Issue and Consideration #2: Use

The London Plan

Policy 918_ identifies key elements for achieving the vision for neighbourhoods, including planning for a diversity and mix of housing types, and avoiding the segregation of different housing types, intensities, and forms (918_2.). The proposed 3-storey stacked back-to-back townhouse building would contribute to a mix of housing types available in the area.

Permitted uses in the Neighbourhoods Place Type along a Neighbourhood Street includes single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

1989 Official Plan

The subject property is designated Low Density Residential in the 1989 Official Plan. This designation contemplates primarily single detached, semi-detached and duplex dwellings. Residential intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments. Zoning will ensure that infill housing recognizes the scale and character of the adjacent land uses and reflects the character of the area.

Old Victoria Hospital Secondary Plan

The intent of the Low-Rise Residential Policy Area within the OVHSP is to provide for ground related forms of development that have a low-to mid-rise height that minimizes problems of shadowing, view obstruction and privacy. Permitted uses in this designation include single detached, semi-detached, duplex and converted dwellings with the exception of cluster housing. Street townhouses, stacked townhouses, triplexes and fourplexes are encouraged where appropriate (20.6.4.3.1 ii).

Analysis:

The recommended stacked townhouse development will contribute to the existing range and mix of housing types in the area, which consists of single-storey detached dwellings to the west and east, a 3-storey walk-up apartment building and two-storey semi-detached dwellings to the north, and future mid-rise apartments to the south. Although not a permitted use within the London Plan, the proposed use is contemplated within the OVHSP and the 1989 Official Plan (residential intensification). The proposed development can be appropriately accommodated on the subject site, allows for an appropriate level of intensification and development, and increases the diversity of housing types within the neighbourhood. The proposal is in keeping with the OVHSP, as it provides for low- to mid-rise development that is ground related.

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. and 6., and 953_ 1. and 2.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_) and encourages intensification within existing neighbourhoods to help support aging in place, diversity of built form, affordability, vibrancy and the effective use of land in neighbourhoods (59_5)..

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. Prior to The London Plan appeal was finalized, a minimum height of 1 storey and a maximum height of 2.5 storeys is contemplated within the Neighbourhoods Place

Type where a property has frontage on a Neighbourhood Street (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). Post May 25th, 2022 when The London Plan appeals were finalized, a minimum height of 1 storey and a maximum height of 3 storeys is contemplated. (Table 11- Range of Permitted Heights in the Neighbourhoods Place Type). Additionally, the intensity of development must be appropriate for the size of the lot (953_3.).

1989 Official Plan

Development within the Low Density Residential designation shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. While residential densities are generally limited to 30 units per hectare, the Plan also provides for residential intensification through the development of vacant and/or underutilized lots within previously developed areas (3.2.1. and 3.2.3). Residential intensification can be permitted up to 75 units per hectare, if appropriate (3.2.3.3.). Zoning By-law amendments will ensure that infill development recognizes the scale of adjacent land uses and reflects the character of the area.

Old Victoria Hospital Secondary Plan

Within the Low-Rise Residential Policy Area, new residential development shall have a minimum density of 15 units per hectare and a maximum density of 75 units per hectare. Further, building heights shall be a minimum of 3 storeys and a maximum of 5 storeys (Section 6.4.3.1 iii).

Analysis:

Through both the 1989 Official Plan and the London Plan, intensification is supported, if it can be demonstrated that the development is sensitive to, and a good fit within, the existing neighbourhood. The proposal will redevelop a vacant former surface parking lot in a location that encourages intensification. The requested height of three storeys and density of 75 units per hectare is in keeping with the policies of the 1989 Official Plan and the OVHSP. Since the original application, the applicant has come back requesting an increase in height to pursue a 4-storey building. However, staff is of the opinion that if the 4-storey height is to be pursued, an appropriate side yard setback would need to be established. The Residential R8-4 zone requires 1.2 metre setback per 3 metre of main building height or fraction thereof above 3 metres. This calculation would require a minimum 6 metre east interior side yard setback. Staff are supportive of the 3-storey height as it is considered appropriate for this location and are satisfied that the subject lands are of a size and configuration capable of accommodating a more intense redevelopment. If the applicant is to increase the height to 4-storeys, special provisions are in place to simultaneously increase the interior yard setback.

The subject site is located within 315 metres of a broad range of commercial and retail uses along Wellington Street, as well as access to open space, active and passive recreational opportunities at Meredith Park and Wellington Valley Park nearby. 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

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 site layout, access points, driveways, landscaping, amenity areas, building location and parking, building and main entrance orientation, building line and setback from the street, height transitions with adjacent development, and massing (953_ 2.a. to f.). City Design policies further encourage/require design details, such as principal building entrances along the public right-of-way (291_), the inclusion of outdoor amenity spaces (295_), and reduction in parking in areas with transit (271_). 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_).

1989 Official Plan

Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. Infill projects are subject to the preparation of a Neighbourhood Character Statement assessing the physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment (3.2.3.3.). They are also subject to a Statement of Compatibility to demonstrate that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (3.2.3.4.). Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii)).

Old Victoria Hospital Secondary Plan

The policies of the secondary plan direct the form of development so that the siting and massing of buildings will provide a consistent relationship, continuity and enclosure to the public streets (20.6.4.3 iii). Further the applicable urban design policies of the OVHSP seek to maintain a “neighbourhood street character” while fostering intensification. The design and siting of new buildings shall provide opportunities for visual overlook and ease of physical access to adjacent roads, parks and open spaces.

Analysis:

The proposed development is located close to the road, contributing to an active street frontage and helps establishing an appropriate pedestrian scale. The massing of the proposed building is consistent with the urban design goals, providing for building heights that transition appropriately from primarily single storey homes on nearby properties to a 3-storey built form. The massing and all components of the building have been designed to fit within a 45-degree angular plane measured from the north property line.

The street-oriented design with direct pedestrian access from each unit to Hill Street and the building has been oriented, shaped and designed to animate the streetscape. A high level of articulation and architectural detailing has been incorporated on the street-facing façade for visual interest. Staff is supportive of the form proposed as part of this zoning application as it is in conformity with the applicable planning policies and meets the overall design objectives through the London Plan and the OVHSP. The site design and layout will be finalized through a subsequent site plan application process and will be subject to Site Plan Control (1674_)

4.5 Issue and Consideration #5: Zoning

The proposed stacked townhouse building requires special provisions to facilitate the development. The following is an analysis of the various requests and staff’s response:

- *A minimum front yard depth of 1.0 metre, whereas 6.0 metres is required, and a maximum front yard depth of 3.0 metres, whereas 6.0 metres is required* - The reduced front yard depth reflects current urban design standards in The London Plan, which encourages buildings to be positioned with minimal setbacks to public rights-of way to create a street wall/edge that provides a sense of

enclosure within the public realm (259_). Staff have no concerns with this proposed setback.

- *A minimum east interior side yard setback of 2.0 metres, whereas 7.2 metres is required; A minimum height of 12.0 metres, and a maximum height of 16.5 metres or 5 storeys, whereas 13.0 metres maximum is required;* - The interior side yard depth is intended to provide adequate separation between the proposed development and adjacent properties, while also providing access to the rear yard. As part of the circulation for this application, Engineering indicated that due to the proposed reduced interior side yard and rear yard setbacks, the applicant was to confirm, by means of preliminary grading plan, that the proposed site grading will contain and direct all stormwater flows internally, away from existing residential properties. The applicant was able to provide a preliminary grading plan that demonstrated stormwater flows would not impact adjacent lands. Of greater concern is the significant reduction in the side yard setback adjacent to a 1 storey dwelling. The greater the height, the more likely shadowing and massing impacts will affect adjacent lands. The current by-law (R3-1) permits heights of up to 12m depending on building type, which is represented throughout the area. The applicant has demonstrated through renderings and spatial analysis that a 3 storey development will not significantly impact the adjacent lands. The applicant has also indicated that the reduced side yard setback has been implemented to better utilize the frontage of the site. Staff are satisfied that the proposed 2.0 metre setback provides for adequate separation between the future and the abutting lot. Privacy issues will be mitigated through landscaping and fencing.

However, the applicant has requested a zone that could permit heights of up to 5 storeys (16.5m in height), to mimic the zoning for the lands on the south side of the street. Based on the applicant's submission and materials circulated to the public, Planning and Development Staff are of the opinion that the applicant has not fully demonstrated that a 5 storey development on these lands, with reductions to the east side yard, is appropriate. The lands to the south have frontage on higher order streets (Colborne Street, and South Street), and have no adjacent low-rise development. In order to allow for some flexibility in the future, staff recommend limiting heights to 4 storeys (13m, whatever is less), but including additional east side yard setback requirements to account for the additional massing and shadowing impacts on adjacent lands. Staff recommend no reductions in side yard setbacks for any development above 3 storeys.

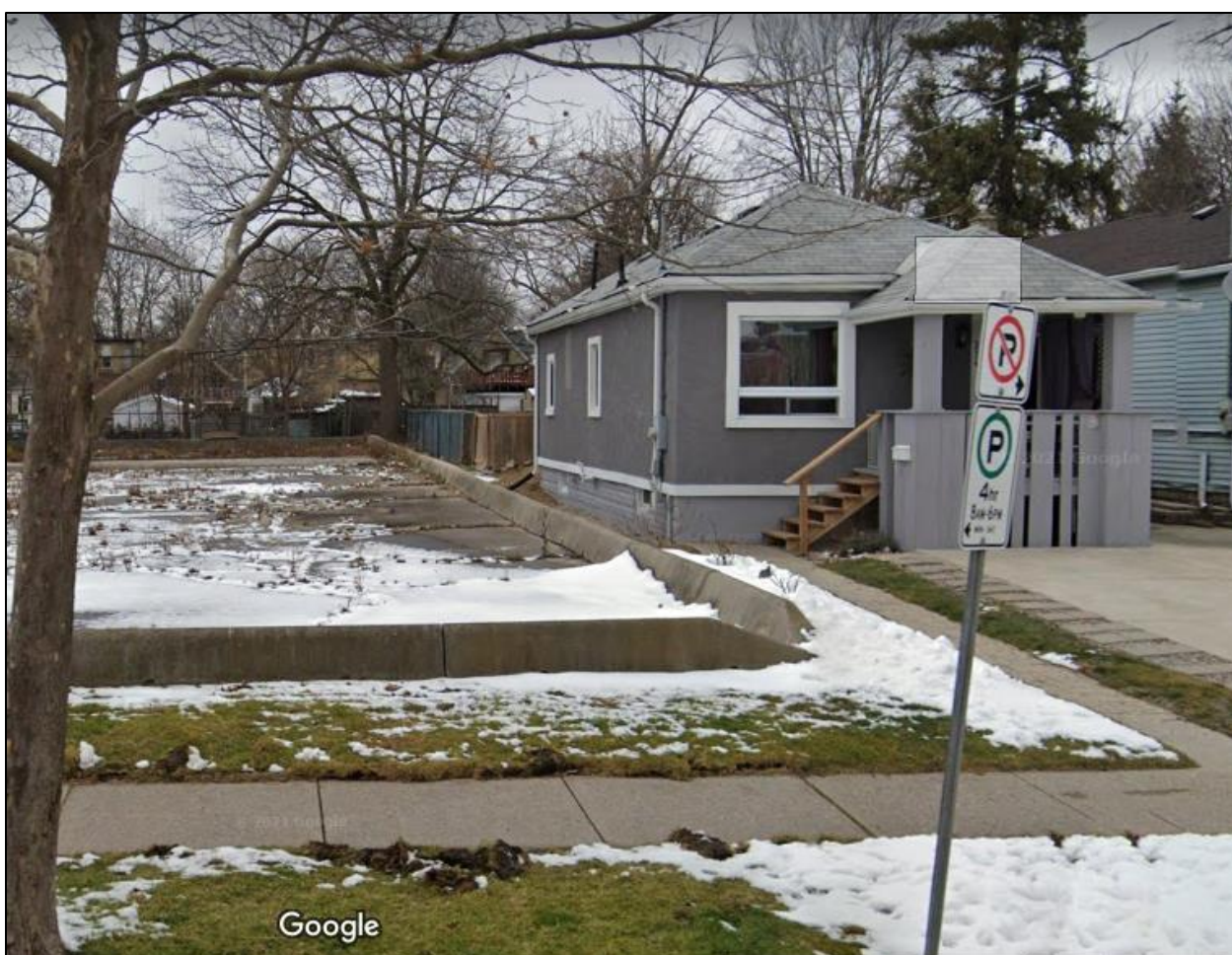


Figure 7: Photo of adjacent lands to east of 366 Hill Street

- *A minimum landscaped open space of 20%, whereas 30% minimum is required* - Staff is not supportive of the requested reduction to landscaped space. The minimum requirement for landscaped open space helps to provide amenity space to support recreational needs and provide access to outdoor space for residents, while also providing enough greenspace to ensure stormwater can be infiltrated/reduce paved area. These areas serve a multitude of functions such as supporting social interaction amongst residents, providing play areas for children and families, as well as opportunities to exercise, relaxation and well-being. The applicant has submitted a concept which shows a minimal reduction to landscape open space (29%) while still providing adequate open areas. Staff therefore are recommending a reduction to 29% within the by-law.
- *A maximum lot coverage of 50%, whereas 40% maximum is required* - The intent of lot coverage regulations is to ensure that developments are appropriately sized for the lot and can support all the key functions of the site. The applicant has submitted a plan which does not require an increase in lot coverage to facilitate the 3 storey development, therefore no increased coverage is necessary for the by-law.
- *A parking rate of 1 space per unit, whereas 1.25 spaces per unit is required* - Staff are supportive of the reduction in parking at a rate of 1 space per unit, whereas 1.25 spaces per unit is required. The proposed minimum parking rate is to support the intended urban character of future development in the Old Victoria Hospital Plan Area which is an accessible inner-city location. The parking rate works in conjunction with the height and density to produce efficient and desired form of urban intensification. As of August 31st, new City of London parking standards have come into force and effect requiring 0.5 parking spaces per unit for stacked townhouses. This development proposal meets the parking requirements, and no special parking rate provision is required.

Additional Site Plan matters

As part of the circulation, additional considerations were raised. The matters can be addressed at site plan:

- Common outdoor amenity space for stacked townhouses should account for 5m² for each unit, and additional consideration for amenity areas (rooftop or balconies) should be incorporated as part of any development;
- Remove the sidewalk along the eastern property boundary to provide for more landscaping;
- Consider the use of deep waste collection or “moloks” for garbage storage;
- The critical root zone of a large offsite walnut tree (to the north). The tree could suffer critical root zone loss with the development. It is recommended that parking area maintain a 2m setback from the property line and use less invasive excavation methods in area of roots;
- The proposal will remove a significant portion of the Critical Root Zone of a large onsite black walnut. The applicant will need to explore options for the parking layout to reduce percentage of root loss. The parking lot should be shifted west, leaving northeast area undisturbed and designated as outdoor amenity space.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Old Victoria Hospital Secondary Plan. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

Prepared by:	Olga Alchits Planner I, Planning Implementation
	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

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 366
Hill Street.

WHEREAS 366 Hill Street Inc. has applied to rezone an area of land located
at 366 Hill 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 366 Hill Street, as shown on the attached map comprising part of
Key Map No. A107, from a Residential R3 (R3-1) Zone, to a Residential R8 Special
Provision (R8-4(_)) Zone.
- 2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the
following Special Provision:

) R8-4(_) 366 Hill Street

a) Permitted use

i) Stacked townhouse dwellings

b) Regulations

i) Front Yard Depth (Minimum)1.0 metres (3.28 feet)

ii) Front Yard Depth (Maximum)3.0 metres (9.84 feet)

iii) East Interior Yard Setback for development 3 storeys or less (Minimum)2.0 metres (6.56 feet)

East Interior Yard Setback for development above 3 storeys (Minimum)1.2 metres (3.9 feet) per 3 metres (9.8 feet) of main building height or fraction thereof above 3 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet)

iv) Landscape Open Space (Minimum)29%

v) Height4 storeys, or 13.0 metres (42.7 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)

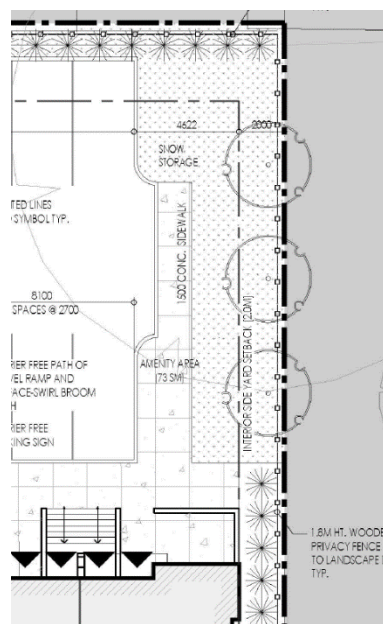


File Number: Z-9511
Planner: OA
Date Prepared: 2022/08/23
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250
0 5 10 20 30 40 Meters





- The applicant is encouraged to consider the use of deep waste collection or moloks for garbage storage
 - If standard garbage bins are proposed, details of the enclosure will be required to be provided at the time of Site Plan Approval application

Parks Planning and Design (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.

Ecology (June 22, 2022)

- Confirmation 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 29, 2021)

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

Transportation:

- Detailed comments regarding access design and location will be made through the Site Plan Application process.

Water:

- Water is available to the subject site via the municipal 200mm PVC watermain on Hill Street.

Wastewater:

- The municipal sanitary sewer available for 366 Hill Street is the 250mm sanitary sewer on Hill St

Stormwater:

1. As per City storm sewer area plan 26260, the site at C=0.70 is tributary to the existing 375mm storm sewer on Hill St. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
2. Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and

seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.

3. The proposed land use of medium density residential 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.
4. 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.
5. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
 - shall comply with riparian right (common) law.The consultant shall update the servicing report and drawings to provide calculations, recommendations and details to address these requirements.
6. 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.
7. Additional SWM related comments will be provided upon future review of this site.

Additional Engineering Comments (July 26,2022)

We have reviewed the preliminary grading plan and are satisfied that the site can maintain flows on their site and not impact the adjacent properties.

The consultant is expected to submit a design that maintains or improves the drainage conditions of the adjacent properties, at the SPA stage.

Long Range Planning, Research and Ecology (Landscape Architect Comments (June 10, 2022)

1. The tree preservation plan has identified a number of boundary trees growing along the west and north property lines. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Boundary trees can't be removed without written consent from co-owner.
2. The critical root zone of a large offsite walnut tree #13, could suffer critical root zone loss with the development. The critical root zone of a tree is the portion of the root system that is the minimum necessary to maintain tree vitality and stability. Maintain existing setback from property line, approximately 2 m, and use less invasive excavation methods in area of roots.
3. No rare or endangered species that are protected by the province's Endangered Species Act, 2007, S.O., C.6 were identified on site.

4. At time of Site Plan application, the applicant will need to provide Forestry Operation consent to damage the roots of CoL boulevard trees, #1 & 3 as identified in the TPP prepared by Lierman Landscape Architect.
5. The proposal will remove a significant portion of the Critical Root Zone of a large onsite black walnut, #35. The applicant will need to explore options for parking layout to reduce percentage of root loss. If the critical root zone cannot be adequately protected, tree should be recommended for removal. Tree could become structurally unsound and become hazardous. The parking lot should be shifted west, leaving northeast area undisturbed and designated as outdoor amenity space

Upper Thames River Conservation Authority Comments (June 2, 2022)

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. Accordingly the UTRCA has no objections to the application and a Section 28 Permit is not required.

London Hydro Comments (June 13, 2022)

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

Appendix C – Planning Impact Analysis

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;	<p>The proposed land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.</p> <p>Factors such as site layout, building line and setback from the street, and height and massing transitions with adjacent properties enhance the compatibility with the surrounding neighbourhood.</p>
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;	<p>The site concept achieves an intensity that allows for other on-site functions such as parking and amenity space. The proposed development is located along a neighbourhood street and the area is supported by public transit, pedestrian sidewalks and full services are available to the site.</p>
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	<p>There is no vacant land in the area which is already designated and/or zoned for the proposed use.</p>
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;	<p>The proposed development is within proximity to neighbourhood and community facilities as well as open space, recreational opportunities and all transit services.</p>
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	<p>Dwelling units in a townhouse complex are typically more affordable. The addition of the proposed units to the housing supply may also free-up other more affordable units elsewhere in support of Municipal Council's commitment to the Housing Stability Action Plan, Strategic Area of Focus 2: Create More Housing Stock.</p>
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	<p>The scale/height of the proposed townhouse development is appropriate at this location. Privacy impacts will be mitigated through the use of landscaping, tree retention, fencing and appropriate building setbacks. The visual impacts of the development will be minimal given the height of the proposal, spatial separation from the abutting yards, and future landscaping and fencing.</p>
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;	<p>Landscaping and screening opportunities through vegetation will be considered at the site plan approval stage.</p>

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 generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;	Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied. Further refinements will be addressed at the Site Plan stage.
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 exterior design will be compatible with the existing and future lands uses in the area.
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 majority of requirements of the Site Plan Control By-law have been considered through the design of the site, including provision of amenity space, landscaping, parking and setbacks
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;	Tree planting 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.

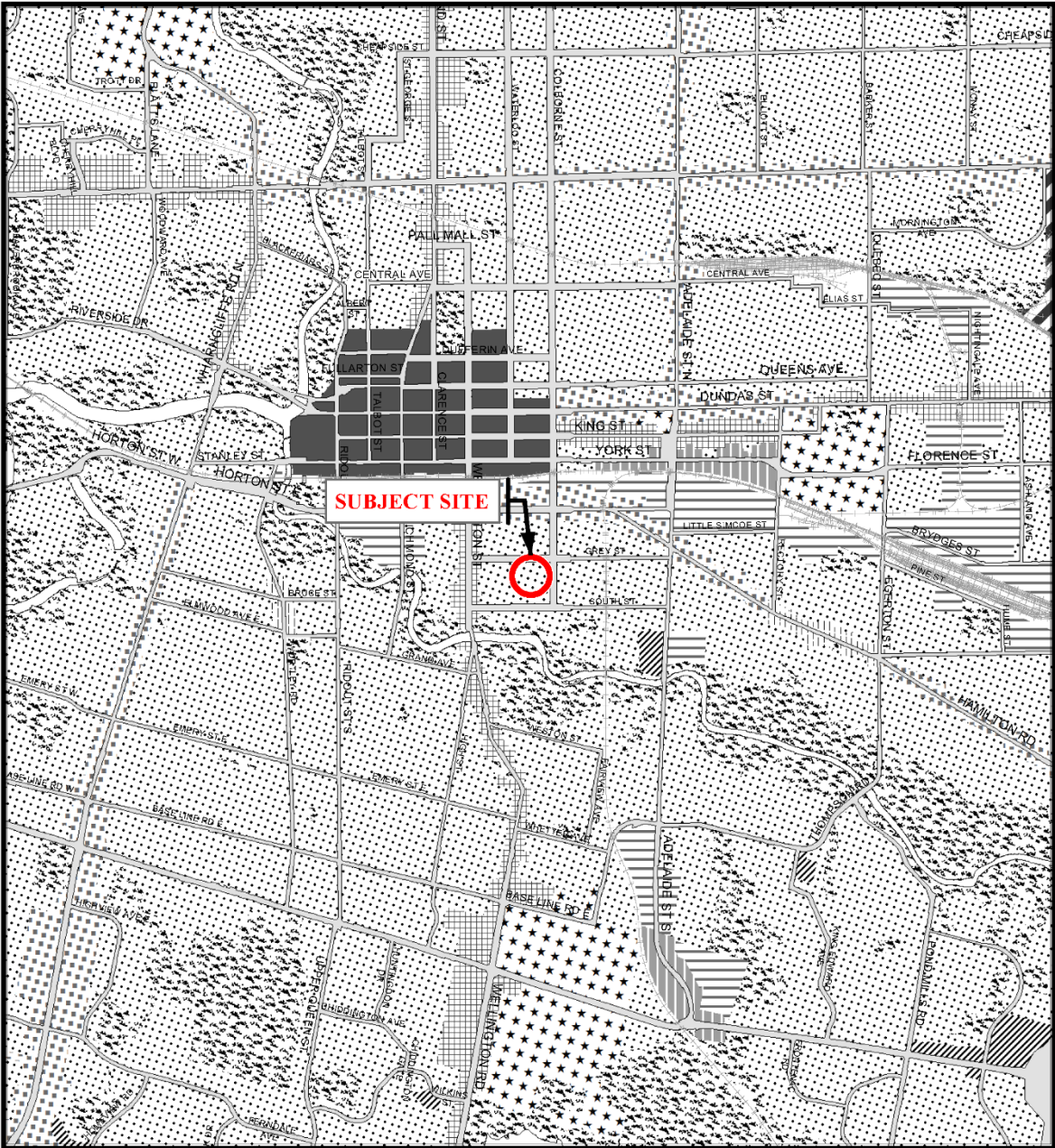
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient 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 3 storey townhouse proposal provides for the use and intensity of development contemplated within the Low-Rise Residential Area in the Old Victoria Hospital Secondary Plan.
Consideration of applicable guideline documents that apply to the subject lands.	The Old Victoria Hospital Secondary Plan is an applicable guideline and has been considered throughout the report.
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.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Further consideration of traffic controls will occur at the site plan approval stage. A Traffic Impact Assessment was not required as part of this application. 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 not required for the Zoning By-law amendment application.
Parking on streets or adjacent properties.	Staff is satisfied that 20 parking spaces is sufficient for the development . 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.	Site Plan Control covers waste collection along with mail pick (door-to-door or shared location), snow storage and other site functionalities. Waste collection is tied to the approved site plan for the Site Plan Approval Development Agreement.
Privacy	The placement, orientation and design of new development will minimize privacy

	impacts and protect access to sunlight/sky views for adjacent properties, particularly on the adjacent rear yard amenity areas.
Shadowing	The building on the site will fit within a 45 degree angular plan measured from grade, thereby mitigating potential massing and shadow impacts.
Visual Impact	Landscaping, articulated building design, and architectural details and materials to be implemented at the site plan stage 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.	The siting and massing of the building provides continuity with the existing pattern development in the neighbourhood, a sense of enclosure to the Hill Street right-of-way and maintains significant opportunities for the planting of street trees.
Cultural heritage resources.	Not applicable.
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 – Map 1 – Place Types



Legend

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

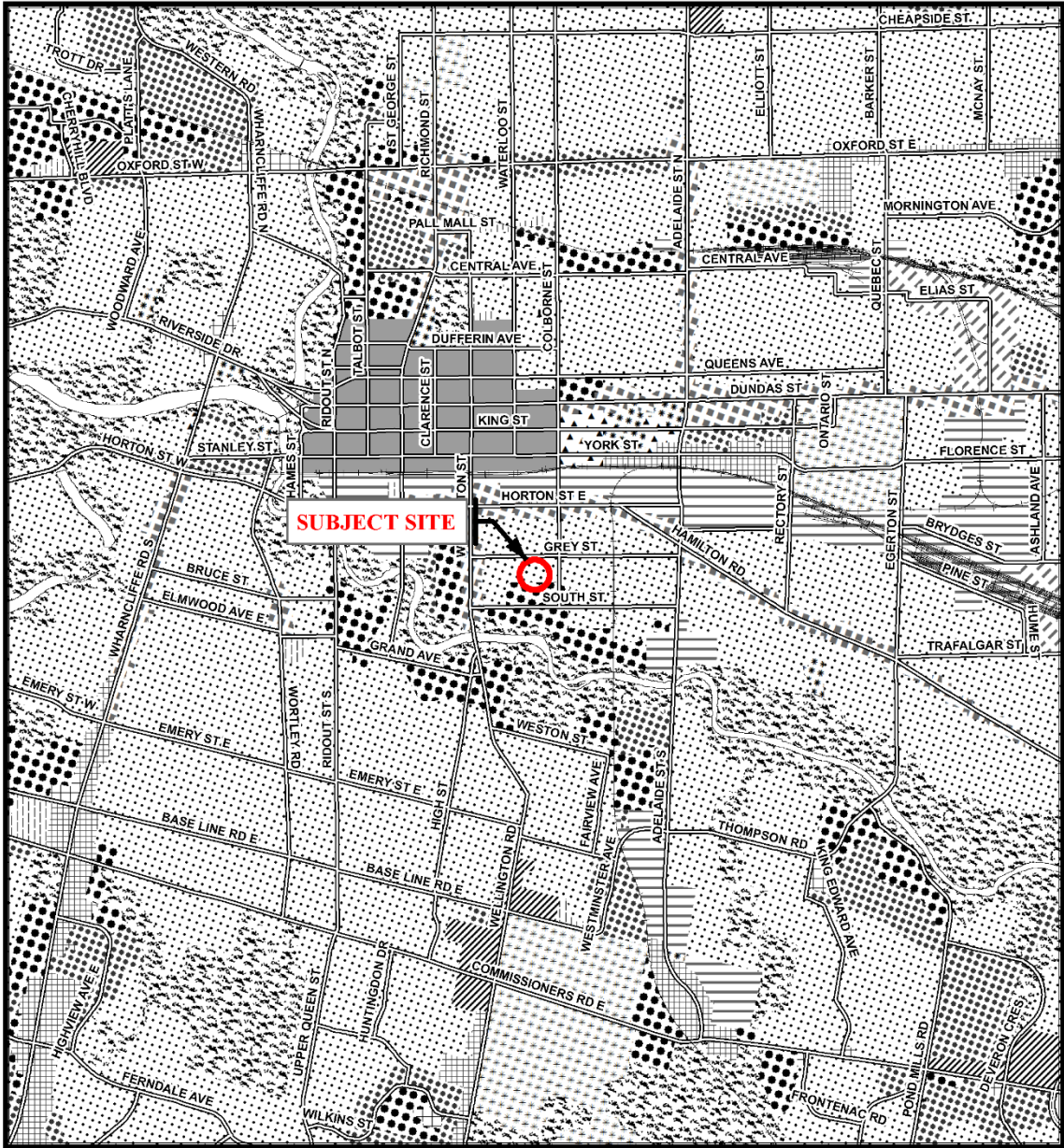
This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

Scale 1:30,000
Meters

File Number: Z-9511
Planner: OA
Technician RC
Date: 2022/8/23

1989 Official Plan – Schedule A – Land Use



Legend

Downtown

Wonderland Road Community Enterprise Corridor

Enclosed Regional Commercial Node

New Format Regional Commercial Node

Community Commercial Node

Neighbourhood Commercial Node

Main Street Commercial Corridor

Auto-Oriented Commercial Corridor

Multi-Family, High Density Residential

Multi-Family, Medium Density Residential

Low Density Residential

Office Area

Office/Residential

Regional Facility

Community Facility

Open Space

Urban Reserve - Community Growth

Urban Reserve - Industrial Growth

Office Business Park

General Industrial

Light Industrial

Commercial Industrial

Transitional Industrial

Rural Settlement

Environmental Review

Agriculture

Urban Growth Boundary

CITY OF LONDON

Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LAND USE -

PREPARED BY: Graphics and Information Services

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W

Scale 1:30,000

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Meters

FILE NUMBER: Z-9511

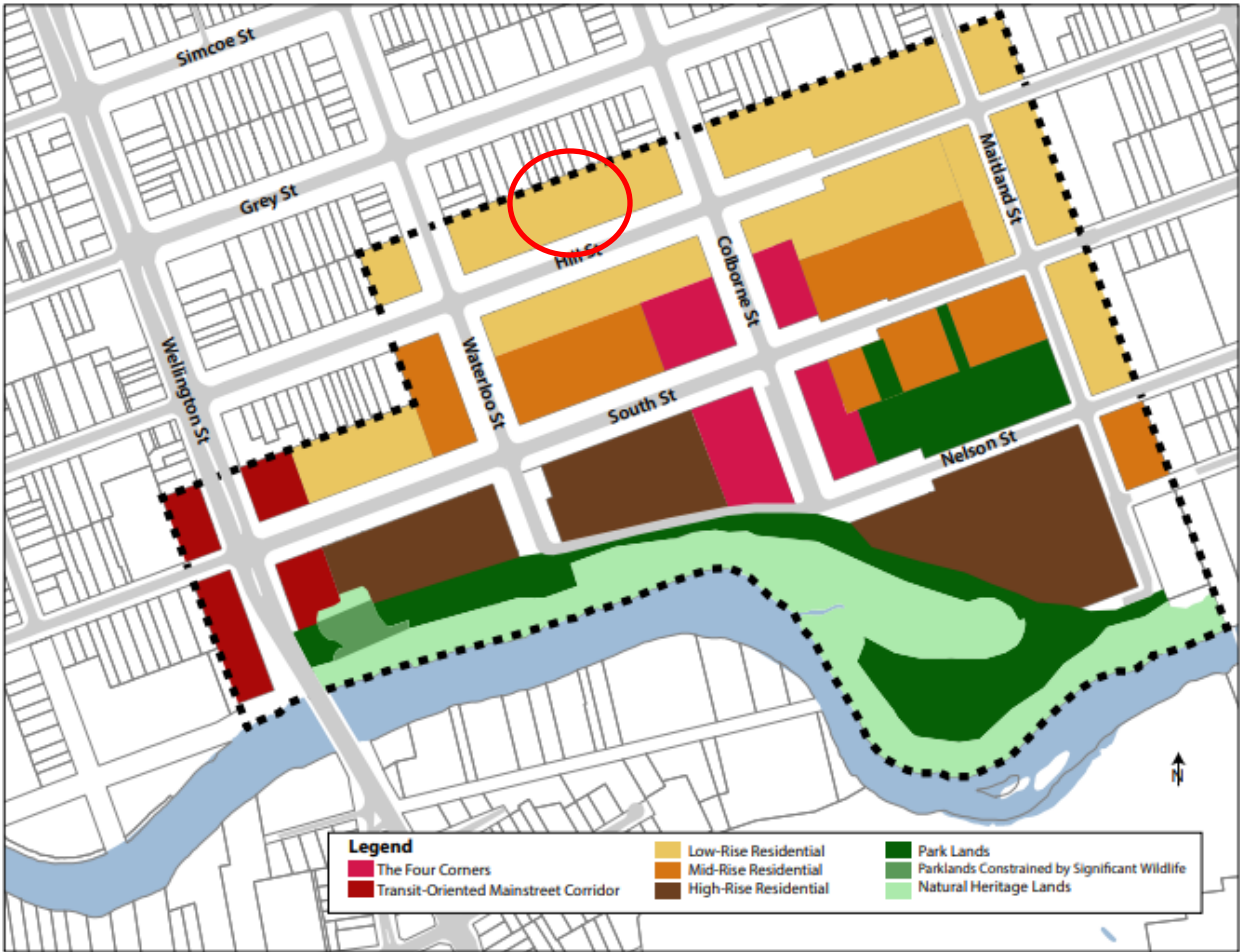
PLANNER: OA

TECHNICIAN: RC

DATE: 2022/08/23

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Old Victoria Hospital Lands Secondary Plan - Schedule 2: Character Area Land Use



Zoning By-law Z.-1 – Zoning Excerpt

