

## 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:** Application By: Whiterock Village Inc.  
3195, 3207 White Oak Road and 2927 Petty Road  
Zoning By-law Amendment (Z-9350)  
Draft Plan of Vacant Land Condominium (39CD-21505)  
Public Participation  
**Meeting on:** November 28, 2022

## Recommendation

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application of Whiterock Village Inc. relating to the lands located at 3195, 3207 White Oak Road and 2927 Petty Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on December 13, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands **FROM** a Urban Reserve UR4 and Holding Urban Reserve UR4 Special Provision h-94\*UR4(11)) Zone **TO** a Residential R5 Special Provision (R5-7(\*\*)) Zone to permit cluster housing in the form of townhouse dwellings. Special provisions to the Residential R5 (R5-7) Zone would permit cluster townhouse dwellings, and cluster stacked townhouse dwellings and would permit a reduced exterior side yard setback of 1.2 metres and a rear yard second story deck setback of 4.1 metres and a rear yard depth of 6.0 metres north interior side yard; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3195 and 3207 White Oak Road.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to amend the Zoning By-law to permit cluster housing in the form of townhouse dwelling units with a reduced exterior side yard setback of 4 metres in place of 8 metres, reduced exterior side yard setback of 1.2 metres, a rear yard second story deck setback of 4.1 metres and a rear yard depth of 6.0 metres north interior side yard, and to report to the Approval Authority any issues or concerns raised at the public meeting with respect to an application for Draft Plan of Vacant Land Condominium consisting of eighty-seven (87) cluster townhouse dwelling units, one new private road providing a servicing connection from Petty Road, shared common elements, visitor parking and landscaped areas.

### Rationale of Recommended Action

1. The recommended Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are consistent with the Provincial Policy Statement (PPS), 2020, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs.
2. The recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.

3. The recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures.
4. The subject development block is of a size and shape suitable to accommodate the Draft Plan of Vacant Land Condominium.
5. The proposed use, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood.

## Linkage to the Corporate Strategic Plan

The proposed development contributes to the Strategic Plan by helping to implement the Building a Sustainable City and Strengthening Our Community area of focus. The development is well-located in a strategic location for growth and intensification with good access to local services, amenities, public transit, and active transit. The proposed development and recommended refinements fit within, and enhance, the surrounding community.

## 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 infill and efficient use of existing urban lands and infrastructure within strategic locations such as the Downtown, Transit Villages and Corridors.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**May 12, 2003** – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

**April 26, 2010** - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - provided a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

**June 4, 2019** - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980).

**July 22, 2020** - London Consent Authority - 2748714 Ontario Inc. (c/o Mohamed Abuhajar) Application for consent regarding the property located at 3195 White Oak Road. Notice of Provisional Consent Decision was granted on November 30, 2020 (B.021/20).

**February 8, 2021** - Planning and Environment Committee – 2748714 Ontario Inc. regarding the property located at 3195 White Oak Road, to permit four (4) single detached residential lots, to be serviced from the extension of Petty Road (Z-9204).

#### 1.2 Planning History

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharncliffe Road South, Southdale Road East, White Oaks Road, and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area and re-designated the lands from “Urban Reserve – Community Growth”. At the time, the subject site was designated as “Restricted Service Commercial”.

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future

development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014 which designated the subject lands as Low Density Residential.

A draft plan of subdivision (file 39T-18505/1/Z-8980) was submitted for the lands located at 3087 White Oak Road (to the north of the subject site) on December 10, 2018. Municipal Council approved the plan and the associated zoning by-law amendment, and the Approval Authority granted draft approval on July 22, 2019. The approved draft plan consists of 72 single detached lots, 2 medium density blocks, and 2 future development blocks. The subject site encompasses a portion of Block 103 in the adjacent draft approved plan.

Site plan approval will be required for the proposed cluster townhouse development, which will run parallel with the Vacant Land Condominium application (39CD-21505), accepted on May 6, 2021 and resubmitted on September 14, 2021.

### **1.3 Property Description**

The property at 3195 and 3207 White Oak Road is situated on the west side of White Oak Road on lands generally described as Block 76, Plan 33M-795 and Part of Lot 31, Concession 2, Geographic Township of Westminster. This property measures approximately 1.07 ha in area, and has approximately 54.9 m of street frontage and a maximum depth of approximately 195.9 m. There is currently an outbuilding located on the eastern portion of these lands. The subject property is rectangular in shape. A 9 metre wide storm sewer easement bisects the property in a diagonal orientation. No buildings or structures will be permitted within the identified servicing corridor.

The subject site also includes a portion of the draft approved plan 39T-18505 (Block 103), which is currently vacant. In total, the consolidated site would measure approximately 1.8 hectares in area and would have approximately 102 metres of frontage on White Oak Road and approximately 39.9 metres of frontage on Petty Road.

### **1.4 Current Planning Information (see more detail in Appendix D)**

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Zoning – Urban Reserve UR4/Holding Urban Reserve UR4 Special Provision UR4 and h-94\*UR4(11))

### **1.5 Site Characteristics**

- Current Land Use – residential single detached dwellings
- Frontage – 39.93metres
- Depth – approx. ~102 metres
- Area – 1.8 hectares total area
- Shape – rectangular

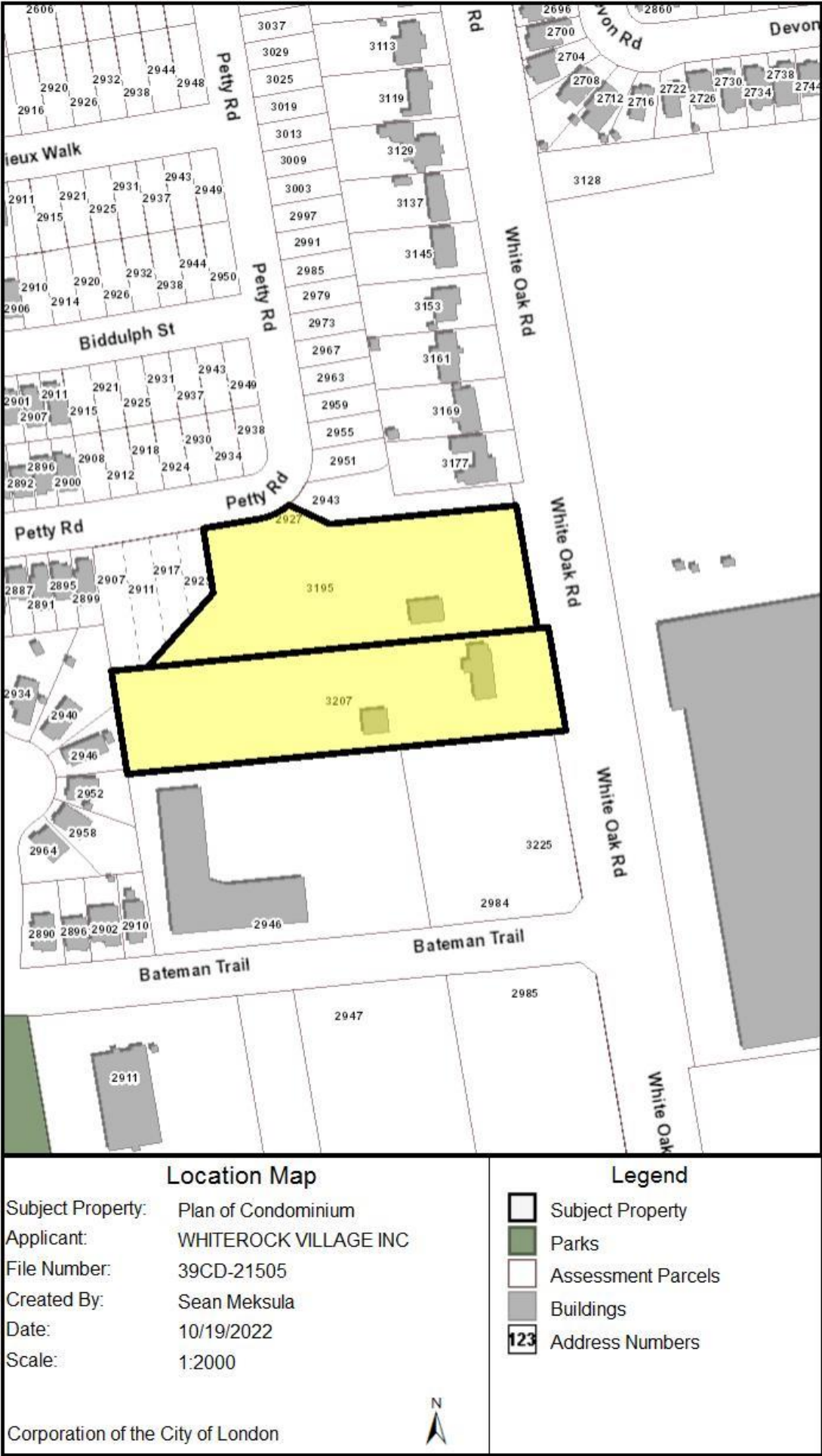
### **1.6 Surrounding Land Uses**

- North – residential single detached dwellings
- East – light industrial
- South – restricted service commercial
- West – residential single detached dwellings

### **1.7 Intensification (87units)**

- The proposed residential units represent intensification inside of the Built-area Boundary
- The proposed residential units are partly outside of the Primary Transit Area.

1.8 Location Map











2.4 Images from the Applicant’s Planning Justification Report For Lands at: 3195 and 3207 White Oak Road by Whiterock Village Inc.



Viewing from the northwest of the site looking east toward White Oak Road.  
\*Note, the extension of Petty Road currently under construction in the foreground.



Subject lands facing south from Petty Road.  
\*Note, the London Gymnastics Academy located in the background



Conceptual Rendering of 4 Unit Townhomes Built Form



Conceptual Rendering of 5 Unit Townhomes Built Form



Conceptual Rendering of 6 Unit Townhomes Built Form



Conceptual Rendering of 7 Unit Townhomes Built Form





Conceptual Rendering of 10 Unit Back To Back Townhomes Built Form

## 2.5 Requested Amendment

The applicant has requested a zoning by-law amendment to change the zoning on a portion of the subject lands from an Urban Reserve UR4 and Holding Urban Reserve UR4 Special Provision h-94\*UR4(11) Zone to a Residential R5 Special Provision (R5-7(\*\*)) Zone to permit cluster housing in the form of townhouse dwelling units with a reduced exterior side yard setback of 1.2 metres whereas, a rear yard second story deck setback of 4.1 metres and a rear yard depth of 6.0 metres north interior side yard, with a density of 48.4 units per hectare.

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

Information regarding the requested Zoning By-law Amendment Application and opportunities to provide comments were provided to the public as follows:

- Notice of Application was sent to property owners within 120 meters of the subject property on September 22<sup>nd</sup>, 2021 and advertised in the Londoner on September 23<sup>rd</sup>, 2021.
- Notice of Revised Application was sent to property owners within 120 meters of the subject property on August 24<sup>th</sup>, 2022 and advertised in the Londoner on August 25<sup>th</sup>, 2022
- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property on November 9<sup>th</sup>, 2022 published in Public Notices and Bidding Opportunities section of The Londoner on November 10<sup>th</sup>, 2022.

One (1) response to the original Notice of Application circulation process was received, and no responses were received following the Notice of Revised Application. The comment received is identified below.

In general, our concerns are for the increased population and public safety of the new development on the abutting subdivision to the west as follows:

- The neighbourhood has “Yield” signs at all intersections, rather than “Stop” signs, we ask that Stop signs be installed to replace yield signs throughout the neighbourhood.
- The main entrance to Paul Haggis Park, along Bateman Trail, does not have any traffic calming, would like traffic calming to be installed.
- The city infrastructure has not grown to meet neighbourhood demand, would like other services such as a library and/or community centre for the neighbourhood.
- Lack of garbage cans for Paul Haggis Park.
- Intermittent sidewalks along Whiteoak Road does not promote walkability and is unsafe for neighbourhood residents and lack of cross walks/traffic lights.

The comments received through the original and revised notice of applications received to date are in Appendix “B”.

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

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

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

#### **4.1 Policy Context** (Additional policy analysis is provided in Appendix C)

##### **Provincial Policy Statement (PPS), 2020**

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at 1. Building Strong Healthy Communities, 2. Wise Use and Management of Resources, and 3. Protecting Public Health and Safety. As this development proposal represents a form of residential infill of vacant or underutilized lands, the PPS contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3).

##### **Building Strong Healthy Communities**

The *PPS* provides direction for land use planning that focuses growth within settlement areas, and encourages an efficient use of land, resources, and public investment in infrastructure. To support this, the PPS defines a number of policies to promote strong, liveable, healthy and resilient communities which are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, employment and institutional uses to meet long-term needs. These policies are set out in Section 1.0, and seek to promote cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the focus of growth and development. Settlement areas should also have appropriate land use patterns that are established by providing appropriate densities and a mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and is transit-supportive, where transit is planned, exists, or may be developed (1.1.3.2). New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities (1.1.3.6).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social health and wellbeing requirements of current and future residents. Development of new housing is directed towards locations where appropriate levels of infrastructure and public service facilities are, or will be available, to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The recommended amendments are consistent with the PPS as it is proposed within the settlement area while helping establish an appropriate land use pattern that contributes to a mix of densities and land uses in the area. An appropriate range and mix of residential uses are provided, and the alternative cluster-form of development is also cost-effective, helping reduce servicing cost and land consumption [1.1.1]. The Vacant Land Condominium will both benefit and support the existing resources, surrounding infrastructure and public service facilities in the area (1.1.3 Settlement Areas).

The subject site is located in proximity to The Wonderland Road Community Enterprise Corridor and the Transit Village at Bradley Avenue and Wellington Road, which can provide convenient amenities, employment and shopping destinations. In addition, the development would be considered transit supportive as it is in close proximity to an arterial road and highway; a passive recreation trail in Paul Haggis Park for cyclists and pedestrians; and, three (3) bus routes located along Southdale Road South, White Oak

Road, Exeter Road and Bradley Avenue (1.1.3.2). This contributes to a healthy, livable, and safe community. The proposed development has a compact form that allows for the efficient use of land, infrastructure, and public service facilities (1.1.3.6).

The proposed development is also in keeping with the PPS as it contributes to an improved mix of housing types in the area that is currently comprised of single detached dwellings on relatively large lots.

### **The London Plan**

The subject site is located within the Neighbourhoods Place Type in The London Plan. The London Plan, through the vision articulated in the Our City policies, places an emphasis on growing “inward and upward” to achieve a compact form of development, as well as encouraging and supporting growth within the existing built-up area of the city. The Neighbourhoods Place Type policies, with respect to Residential Intensification in Neighbourhoods, expands on that vision and specifically states that:

*937\_ Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. However, such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability.*

The City Structure Plan also recognizes that residential intensification will play a large role in achieving our goals for growing “inward and upward”, and supports various forms of intensification, including infill development of vacant and underutilized lots, subject to the policies of the Plan. This includes consideration of the policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. The London Plan policies are intended to support infill and intensification, while ensuring that proposals are appropriate and a good fit within their receiving neighbourhoods.

### **Southwest Area Secondary Plan**

The Southwest Area Secondary Plan designates the site as Low Density Residential within the North Longwoods Residential Neighbourhood.

As further described in Appendix B – Policy Context, Staff are of the opinion that the condominium draft plan is generally consistent with the PPS, The London Plan, and the Southwest Area Secondary Plan

### **North Longwoods Area Plan**

The lands are within the North Longwoods Area Plan (NLAP) which designated the majority of the lands Low Density Residential and Medium Density Residential, with the northern extent of the lands where Petty Road will connect to Southdale Road designated for commercial uses. The NLAP envisioned that a mix of housing types and densities would meet community demand and needs in housing type, tenure and affordability.

### **Z.-1 Zoning By-law**

The zoning of this property is an Urban Reserve UR4 and a Holding Urban Reserve Special Provision UR4 variation. The Special Provision h-94\*UR4(11) Zone has no minimum lot frontage and no minimum lot area. The h-94 holding provision is applied to site to ensure any future development maintains a lotting pattern consistent with the area. The “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands.

The proposed Residential R5 Special Provision (R5-7(\_)) Zone is commonly used within Medium Density Residential neighbourhoods throughout the City to implement cluster townhouses condominiums. The proposed cluster townhouse dwellings are an appropriate form of development and is compatible with existing uses in the area. The recommended zoning will ensure that the intensity of development is appropriate within the surrounding context as it provides appropriate height and density regulations which will reduce impacts on the surrounding lands and provide a compatible form of development.



## Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- The maintenance of any stormwater servicing works including on-site works;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

More information and detail is available in Appendix D and E of this report.

### 4.2 Additional Background

As part of the application submission process the applicant completed a **Ministry of the Environment and Energy D6 Analysis** which concluded;

#### ***Class II Industrial Facility***

A place or business for medium scale processing and manufacturing with outdoor storage of wastes or materials and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

The existing surrounding properties meets these criteria.

AECOM conducted an air quality assessment for the proposed Townhouse Development located at 3195 and 3207 White Oak Road. The purpose of this assessment was to review the surrounding industrial land uses and determine the potential air quality impacts related to dust and odour emissions. The only Class III Industrial land use was identified as the Kelcoatings/Oakside Chemicals Facility which is located approximately 270 metres southeast from the proposed Townhouse Development.

A site visit was conducted on May 11, 2018 where local businesses were interviewed. No odour complaints were noted in any of the interviews during the site visit. The MECP provided a list of Occurrence and Incident reports relating to the operation of Kelcoatings/Oakside Chemicals Facility. There were no registered complaints with the MECP within the last ten-year period.

Meteorological data was reviewed for London, ON. It was determined that the predominant wind direction for the area is from the west (approximately 260 degrees). The winds from Kelcoatings/Oakside Chemicals Facility are expected to blow towards the northwest approximately 12% of the time.

Based on emission rates taken from the most recent ESDM report for Kelcoatings Limited, no contaminants were shown to have exceeded their respective MECP POI criteria limits for the 10-minute, 1 hour, or 24-hour averaging periods. It is therefore concluded based on the results of this modelling assessment that the operations of Kelcoatings Limited

and Oakside Chemicals Limited, as described in the current Emission Summary and Dispersion Modelling Report are not expected to adversely impact the Townhouse Development located within the Proposed Properties' boundaries. Furthermore, maximum modelled concentrations were modelled to fall within 25 meters of the Kelcoatings/Oakside Chemicals Facility property line with none of the maximum modelled concentrations exceeding the Schedule 3 limits. Thus, this report supports the reduction of the setback distance of 300 metres recommended in the D6-Guidelines to the distance of 270 meters, which exists between the Kelcoatings/Oakside Chemicals Facility and the proposed Townhouse Development.

The additional review of the waste management requirements at the Kelcoatings Inc. and Oakside Chemicals Ltd, industrial facility and building code requirements and the actual separation distance between the proposed development and the aforementioned industrial facility also further supports the development of the proposed Townhouse Development.

In conclusion, Kelcoatings Limited and Oakside Chemicals Ltd. are not expected to cause an adverse impact to the proposed Townhouse Development located at 3195 and 3207 White Oak Road. Based on the current ESDM report, air quality related compliance issues with the identified Schedule 3 limits are not anticipated within the 300 metre minimum separation distance of the Kelcoatings/Oakside Chemicals Facility.

### **4.3 Public Comments**

Through the proposal circulation several concerns were raised. The main concerns related to increased/speed of traffic, traffic, park pathway, safety, lack of garbage cans in park in winter, scattered garbage in park, private entrance on Petty Road, interment sidewalks on Exeter Road. These concerns have remained constant through the recirculation of the revised condominium applications.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in The London Plan, as well as the residential infill and intensification policies of the current Official Plan, have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives. This proposal represents a good fit within the neighbourhood in terms of the type and form of housing, tenure (owner-occupied), similar lot/unit frontages, and spatial separation between buildings. It is recognized that there are differences from existing development, such as the proposed 3-storey townhouse units, shallower rear yards, narrower street (a private road), and while there are some 3-storey townhouse dwellings to the north, 2-storey dwellings are more predominant in the neighbourhood. At the same time, the proposal represents a cluster of new built homes that contributes to diversity and the rich mix of housing in the neighbourhood.

#### **Traffic/Parking/Safety**

Through the development review process Transportation Engineering reviews all development proposals with respect to potential impacts on traffic volumes and pedestrian safety. Through the review of the proposed application the impacts of 87 additional units are considered minimal and Petty Road is able to accommodate the proposed increase in traffic. Due to the small increase in traffic generated from the proposed development no additional studies or reports are required. The development will provide sufficient parking to service its needs. Each unit will be developed with a garage along with a driveway to support a second vehicle. An additional 9 visitor parking spaces will be provided on site.

It should be noted that many of the concerns related to traffic, parking and safety are a result of current conditions and not directly tied to the proposal. To address these concerns, City Council has approved an initiative to reduce speeds on local roads throughout London. Community zones are currently in the test phase, and Bateman Trail is already been reduced in speed to 40km/hr.

As a result of historical development, intermittent sidewalks exist along White Oak Road. Over time White Oak Road will be converted to an urban profile. The proposed development will have sidewalks installed along White Oak Road connecting to the existing sidewalk south to Bateman Trail. Units fronting White Oak Road will have walkways leading to the sidewalk for pedestrian access only, all vehicle access will be provided off Petty Road.

Low volumes of traffic are expected to be generated from this 87-unit infill development.

White Oak Road is classified as a Civic Boulevard in The London Plan carrying on average 18,500 vehicle trips a day. The City’s Transportation Planning and Design Division have reviewed the proposed site concept plans and did not report any concerns. The access location and design will be reviewed again in more detail at the Site Plan Approval stage.

**Community Facilities**

Community Facilities, such as schools and churches will be encouraged to be located in Neighbourhood Central Activity Nodes, and to serve as a focal point of the neighbourhood. The City of London, and the applicable School Board will facilitate the allocation, and possible integration, of lands proposed for school, park and community facility uses as the neighbourhood grows. In conjunction with the subdivision and/or site plan approval application review process, school boards will be contacted concerning the proposed application, and provide to the City a communication confirming either that the Board does not have a need for a school site within the development plan or indicating a specific need for a possible school site within the development area with as much information supporting that need as reasonably possible. Churches and other institutional are a permitted use within the residential land use designations

**Garbage in City Parks**

Garbage cans within City parks are easily accessible most of the year and extra garbage cans are added at the start of May to mid-October as there is an increased use of City parks during this time. Cans are emptied twice a week in the summer and once a week in the winter as there is a decrease in park use during the winter months and pathways are not maintained to access additions cans.

**Conclusion**

The recommended amendments are consistent with the Provincial Policy Statement 2020 and conform to the relevant policies of The London Plan. The proposal facilitates the development of underutilized lands and encourages an appropriate form of development. The subject lands are also located in close proximity to arterial roads ensuring easy access to Southdale Road West, White Oak Road, Exeter Road and other areas and services within the City. The proposal will permit a modest residential infill development that is appropriate for the subject lands, and compatible with the surrounding land use pattern.

The application for Approval of a Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan. The proposed vacant land condominium in the form of cluster townhouse dwelling units also complies with the recommended Zoning By-law.

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

**Reviewed by:** Bruce Page, MCIP, RPP  
Manager, Subdivision Planning

**Recommended by:** Heather McNeely, MCIP, RPP  
Acting Director, Planning and Development

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

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Bruce Page, Manager, Subdivisions  
cc: Michael Pease, Manager, Site Plans  
cc: Matt Davenport, Manager, Subdivisions  
Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2021\39CD-21505 - 3195 and 3207 White Oak Road (SM)\Draft Approval\39CD-21505\_Z-9350\_3195 and 3207 White Oak Road\_ PEC Report\_DRAFT.docx



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 3195  
and 3207 White Oak Road.

WHEREAS Whiterock Village Inc. has applied to rezone an area of land  
located at 3195 and 3207 White Oak Road, 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 3195, 3207 White Oak Road and 2927 Petty Road, as  
shown on the attached map, comprising part of Key Map No. 111, from a Urban  
Reserve UR4 and Holding Urban Reserve UR4 Special Provision h-94\*UR4(11)  
Zone to a Residential Special Provision R5 (R5-7(\*) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the  
following Special Provision:

R5-7(\*)            3195 and 3207 White Oak Road

a) Regulation[s]

i)	Height	12.0m (maximum)
ii)	Exterior Side Yard	1.2m (minimum)
		3.0m (maximum)
iii)	Rear Yard Second Storey Decks	4.1m (minimum)
iv)	Rear Yard Depth	6.0m North Interior
		Side Yard (minimum)

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 December 13, 2022.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – December 13, 2022  
Second Reading – December 13, 2022  
Third Reading – December 13, 2022

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





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of Application was sent to property owners within 120 meters of the subject property on September 22<sup>nd</sup>, 2021 and advertised in the Londoner on September 23<sup>rd</sup>, 2021. Notice of Revised Application was sent to property owners within 120 meters of the subject property on August 24<sup>th</sup>, 2022 and advertised in the Londoner on August 25<sup>th</sup>, 2022. Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property on November 9<sup>th</sup>, 2022 published in Public Notices and Bidding Opportunities section of The Londoner on November 10<sup>th</sup>, 2022. A “Planning Application” sign was also posted on the site.

**Responses:** one response was received

**Nature of Liaison:** 3195 and 3207 White Oak Road; located on the west side of White Oak Road; approximately 1.64 hectares – The purpose and effect of this revised application is to approve a Draft Plan of Vacant Land Condominium consisting of 87 residential units with a private access driveway, private internal services and a common element to be registered as one Condominium Corporation. Consideration of a possible amendment to the Zoning By-law to change the zoning from a Holding Urban Reserve UR4 Special Provision (UR4\*UR4(10)\*h-94\*UR4(11)) Zone to a Residential R5 (R5-7) Zone to permit cluster townhouse dwellings, and cluster stacked townhouse dwellings. Special provisions to the Residential R5 (R5-7) Zone would permit a reduced lot frontage of 24.8m whereas 30m is the minimum and a reduced exterior side yard setback of 3m whereas 8m is the minimum. File: 39CD-21505 /Z-9350 Planner: S. Meksula (City Hall)

### Responses to Notice of Application and Publication in “The Londoner”

One response was received.

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

**From:** Jessie Ford

**Sent:** Thursday, October 7, 2021 8:16 PM

**To:** Meksula, Sean <[smeksula@London.ca](mailto:smeksula@London.ca)>; Peloza, Elizabeth <[epeloza@london.ca](mailto:epeloza@london.ca)>

**Subject:** [EXTERNAL] Planning Application 3195 & 3207 White Oak Road

File: 39CD-21505 /Z-9350

Applicant: Whiterock Village Inc.

3195 and 3207 White Oak Road  
86 Cluster townhouse dwelling units  
1 new private road providing access from Petty Road  
Shared common elements, visitor parking and landscaped area

Dear City Planner and Councillor Elizabeth Peloza,

As a resident of the neighbourhood where planning file # 39CD-21505 /Z-9350 is planned, I am writing to oppose the development proposal based on its current plan, for the following reasons:

#### 1. Public Safety

The neighbourhood where this development is planned is a fast growing neighbourhood, which has been growing steadily and consistently over the past ten years. With the growth of the neighbourhood, public safety has not been addressed as it relates to traffic calming, pedestrian safety, and traffic volume.

- a. The neighbourhood has “Yield” signs at all intersections, rather than “Stop” signs. The result is increased traffic from increased residential properties, as well as vehicles belonging to construction workers from the new developments, which do not stop, and sometimes don’t even slow as they approach intersections. On

several occasions we have witnessed near-misses between pedestrians and vehicles. We have genuine and legitimate concerns that it is only a matter of time before someone is seriously injured.

We ask that Stop signs be installed to replace yield signs throughout the neighbourhood.

- b. The main entrance to Paul Haggis Park, along Bateman Trail, does not have any traffic calming. There is a sign posted just after White Oak Road on Bateman Trail which says "40 Km" however, on several occasions we have witnessed cars speeding into our neighbourhood from White Oak Road at speeds which exceed the posted limit. The curve on Bateman Trail when cars are travelling East along that road, makes it very difficult for pedestrians to see oncoming traffic. There is a playground at this entrance to the park, and we believe that it is only a matter of time before a pedestrian is struck.

We ask that before an additional projected 100 plus vehicles move in to the neighbourhood as a result to the proposed 86 unit building, that traffic calming (eg. speed bumps, cross walk) be evaluated and implemented.

- c. The development proposal speaks to a "new private road providing access from Petty Road", however, it is unclear if the townhouse residents would have access to White Oak Road.

We propose that some of the above noted safety concerns could be reduced if the proposed complex had direct access to White Oak Road, rather than routing the 86+ vehicles through the single family home neighbourhood.

## 2) Neighbourhood Development

a) It appears that as this neighbourhood has grown considerably, city infrastructure has not grown to meet neighbourhood demand. The neighbourhood is filled each morning and each afternoon with school buses. Our hope is that as plans for more young families develop, the City of London will ensure that schools, and other services such as a library and/or community centre, are planned to meet demand. In addition to this point, it should be noted that the large number of school buses entering the neighbourhood, and lack of traffic calming and reducing measures noted above in section 1, increase safety risks for children and families.

b) Paul Haggis Park which has access on Bateman Trail, as well as Georgehariot Lane, has only one garbage can. The can is removed in the winter, despite the park having street access at two points. This results in overflowing garbage in the summer (directly next to the play area), and in the winter with garbage scattered on the ground. The park has a water feature which hosts ducks, geese and other wildlife, but which fills with garbage due to poor sanitation measures.

c) Despite the high volume of residents, the neighbourhood remains quite cut off for pedestrian traffic, especially along White Oak Road, where the sidewalk is intermittent, and does not promote walkability. It is extremely difficult and unsafe for neighbourhood residents to cross White Oak Road, as the nearest cross walks/traffic lights, are some distance to the North and South.

Before adding more residents to our neighbourhood, we kindly request that you assess the above noted concerns, including vehicle and pedestrian safety, traffic volume, environmental impact (including garbage cans and increased walkability).

Please feel free to contact us with any questions.

Sincerely,

Jessie Ford & Wilson Midiang'a

## **Appendix C – Agency/Departmental Comments**

### **September 22<sup>nd</sup>, 2021 Notice of Application - Responses**

#### **London Hydro – September 23, 2021**

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. 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.

#### **Hydro One – October 5, 2021**

- We are in receipt of Application 39CD-21505 dated September 22, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time.

#### **Stormwater Engineering Division (SWED) October 8, 2021**

The Stormwater Engineering Division staff have reviewed the above noted Zoning Application and have additional comments beyond those previously provided as part of the Pre-application Consultation for this site (see attached email from March 22, 2021).

1. The site falls within the Dingman Subwatershed. The Dingman EA requires design for the stormwater control hierarchy for the 25 mm event in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.

Please include the following condition from SWED for the above noted Condominium Application.

"The Owner acknowledges that if the subject lands are part of a future Site Plan application which will be reviewed under the Site Plan Approvals Process then Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all the future final approved Site Plan conditions and approved engineering drawings. Therefore, any conditions identified in the future Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law."

#### **Additional Comments**

The Stormwater Engineering Division (SWED) staff have no objection to this pre-application. All necessary SWM servicing and drainage requirements/controls for this site have been (or will be) provided as part of White Rock Subdivision (39T-18505).

For the benefit of the project, please ensure the applicant is informed about the following SWM issues/requirements to be considered by the applicant's consultant engineer when preparing the storm water servicing strategy for this land during the development application stage:

#### **Specific comment for this site**

1. As per attached as-constructed T18505-02, the site at C=0.55 is tributary to the 900mm storm sewer located within an easement of the proposed sites. 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. The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms
3. The site is within the UTRCA's Dingman Creek Screening Area and therefore the applicant is to engage as early as possible with UTRCA to confirm any requirements/approvals for this site.
4. Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
5. The proposed land use of a 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.
6. Additional SWM related comments will be provided upon future review of this site.

#### **General comments for sites within Dingman Creek Subwatershed**

7. The subject lands are located in the Dingman Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Dingman Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
8. 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.
9. The owner is required to provide a lot grading plan for Stormwater flows and major overland flows on site and ensure that Stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
10. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
11. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
12. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP (formerly MOECC) standards and requirements. 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

**Bell – October 20, 2021**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell’s development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell’s behalf. WSP is not responsible for Bell’s responses and for any of the content herein.

If you believe that these comments have been sent to you in error or have questions regarding Bell’s protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

Should you have any questions, please contact the undersigned.

Yours truly,

Ryan Courville  
Manager - Planning and Development  
Network Provisioning  
Email: [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

### **Urban Design – February 14, 2022**

- Provide enhanced side elevations with details similar to front elevations(primary entrances, porches, level of fenestration, additional materials and articulation, etc.) for street-flanking end units ‘1’, ‘18’, ‘19’, ‘42’, ‘43’ and ensure that zoning permits additional projections, wraparound elements, etc.
- Include safe sidewalk connections for all units, including walkway access to White Oak Rd and Petty Road.
  - The proposed walkway connections from units to White Oak Road and Petty Road is acknowledged.
- Provide an adequately sized outdoor amenity area for the number of units proposed.
- More detailed comments will be provided at Site Plan.

## August 24<sup>th</sup>, 2022, Revised Notice of Application – Responses

### **Bell – August 25, 2022**

Thank you for your circulation on 39CD-21505/Z-9350 Notice of Application - 3195 and 3207 White Oak Road - Whiterock Village Inc. - Planner: Sean Meksula. Your email has been received and relayed to Bell staff for review. The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure. Bell Canada also appreciates the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments/input be required on the information included in the circulation. Bell Canada kindly requests to always be circulated at [CA.Circulations@wsp.com](mailto:CA.Circulations@wsp.com) on any future materials related to this development project or infrastructure/policy initiative.

#### **Development Application Circulations**

Please note that Bell Canada does not generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

#### **Infrastructure and Policy Initiative Circulations**

If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure/policy initiative circulation received at this time.

If you have any other specific questions, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) directly.

*Please note that this circulations email account is managed by WSP on behalf of Bell Canada. All reviews and responses are always undertaken by Bell Canada*

### **Enbridge Gas Inc – August 26, 2022**

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Should you require any further information, please contact the undersigned.

Barbara M.J. Baranow  
Analyst Land Support

Enbridge Gas Inc.  
50 Keil Drive North, Chatham, ON N7M 5M1

### **Hydro One – October 26, 2021**

Hello,

We are in receipt of your Draft Plan of Condominium Application, 39CD-21505 dated August 25, 2022. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier. To confirm if Hydro One is your local distributor please follow the following link:

If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

Thank you,

**Kitty Luk**

Real Estate Assistant | Land Use Planning

**Hydro One Networks Inc.**

185 Clegg Road

Markham, ON | L6G 1B7



## Appendix D – Policy Context

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

### **The London Plan**

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, and townhouse dwellings, and small-scale community facilities. The proposed infill development in the form of cluster townhouse dwellings falls within this Place Type. White Oak Road is identified on Map 3 – Street Classifications as a Civic Boulevard.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium and Zoning By-law Amendment contributes to achieving those policy objectives, including the following specific policies:

### **Our Strategy**

#### *Key Direction #5 - Build a Mixed-Use Compact City*

- 6. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*

#### *Key Direction #8 Making Wise Planning Decisions*

- 9. Ensure new development is a good fit within the context of an existing neighbourhood.*

This proposal represents a medium-scale infill development which contributes to broader strategic objectives of building a mixed-use compact City of London. The proposed development is not identical; however, it is compatible with the scale and the form of housing in the surrounding area, and a good fit within the context of the existing neighbourhood.

### **City Building and Design Policies**

*199\_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood’s character and demonstrate how the proposal has been designed to fit within that context. The Our Tools chapter and the Residential Intensification policies in the Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.*

Based on our review of the applicant’s Planning Justification Report, and supporting documents, this proposal represents a small-scale infill development which satisfies the City Building and Design, Our Tools and Residential Intensification policies of the London Plan.

### **Neighbourhood Place Type**

#### *Vision for the Neighbourhoods Place Type*

*916\_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:*

- 1. A strong neighbourhood character, sense of place and identity.*
- 2. Attractive streetscapes, buildings, and public spaces.*
- 3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*

4. *Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*
5. *Lots of safe, comfortable, convenient, and attractive alternatives for mobility.*
6. *Easy access to daily goods and services within walking distance.*
7. *Employment opportunities close to where we live.*
8. *Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identity, diversity of housing choices and affordability, safe and convenient alternatives for mobility, and close proximity to employment and recreational opportunities.

*948\_ The creation of rear-lot development (flag-shaped lots) will be discouraged in the Neighbourhoods Place Type unless the intensification policies in this Plan are met and the following urban design considerations are addressed:*

1. *Access to the new property will be wide enough to provide:*
  - a. *Separate pedestrian/vehicular access.*
  - b. *Sufficient space beside the driveways for landscaping and fencing to buffer the adjacent properties.*
  - c. *Adequate space at the street curb for garbage and blue box pickup.*
  - d. *Snow storage for the clearing of these driveways.*
2. *In laying out a rear-lot development project, care should be taken to avoid creating front to back relationships between existing and proposed dwelling units. To support a reasonable level of privacy and compatibility, the front doors of the new units should avoid facing onto the rear yards of existing homes.*
3. *Where existing dwellings fronting onto the street are not incorporated into the infill project, adequate land should be retained in the rear yard of these dwellings to provide:*
  - a. *Appropriate outdoor amenity space.*
  - b. *Adequate separation distance between the existing dwellings and the habitable areas of the infill project.*
  - c. *Sufficient space for landscaping in the rear yards for visual separation if required.*
  - d. *Parking and vehicular access for the existing dwellings, so as not to introduce parking into the front yards of the existing dwellings.*

The rear-lot development policies are essentially the same in the current Official Plan, and are covered off in the next section of this report.

*953-2. Compatibility and fit, from a form perspective, will be evaluated based on such matters as:*

- a. *Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking.*
- b. *Building and main entrance orientation.*
- c. *Building line and setback from the street.*
- d. *Character and features of the neighbourhood.*
- e. *Height transitions with adjacent development.*
- f. *Massing appropriate to the scale of the surrounding neighbourhood.*

*953-3 The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas.*

The applicant has provided a Planning Justification Report which describes the site layout and design in the context of the surrounding neighbourhood, including building orientation, setbacks from the street, and transition of building height. The proposed development conforms to the residential intensification and urban design policies of the

1989 Official Plan. The proposed development appropriately increases residential density that is compatible with the adjacent residential single detached neighbourhood, as well as provides an appropriate transition between the low intensity, single detached neighbourhood and the more intensive White Oaks Road and adjacent commercial/industrial development to the east. Massing models were provided to demonstrate how the proposal fits with the scale of the surrounding neighbourhood. The intensity of the proposed development is considered appropriate for the site in order to accommodate driveways, adequate parking, landscaped open space, outdoor amenity areas, buffering and setbacks.

## **Our Tools**

### *Evaluation Criteria for Planning and Development Applications*

*1578\_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:*

- a. Traffic and access management.*
  - b. Noise.*
  - c. Parking on streets or adjacent properties.*
  - d. Emissions generated by the use such as odour, dust, or other airborne emissions.*
  - e. Lighting.*
  - f. Garbage generated by the use.*
  - g. Loss of privacy.*
  - h. Shadowing.*
  - i. Visual impact.*
  - j. Loss of views.*
  - k. Loss of trees and canopy cover.*
  - l. Impact on cultural heritage resources.*
  - m. Impact on natural heritage features and areas.*
  - n. Impact on natural resources.*
- The above list is not exhaustive.*

- White Oak Road is classified as a Civic Boulevard carrying on average 19,500 vehicle trips per day. The proposed development is not expected to contribute significantly to traffic volumes, and the site plan approval process will ensure safe vehicular access is achieved.
- All required parking will be provided on-site.
- The proposed development is not expected to generate excessive noise and emissions.
- On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties.
- Individual units will have single garages which should be large enough for storage of domestic garbage.
- Perimeter fencing and landscape planting buffers will be incorporated for screening and privacy.
- The proposed 3-storey dwellings with flat roof design are expected to result in minimal loss of sunlight or shadowing on adjacent properties.
- Architectural treatment is of a more contemporary style than existing homes in the neighbourhood but is not expected to be visually impacting.
- The topography is relatively flat so there will be no loss of natural view corridors or vistas.
- There are no natural heritage features, and no concerns for cultural heritage or natural resources.

*1578\_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:*

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*
- c. Neighbourhood character.*
- d. Streetscape character.*
- e. Street wall.*
- f. Height.*
- g. Density.*
- h. Massing.*
- i. Placement of building.*
- j. Setback and step-back.*
- k. Proposed architectural attributes such as windows, doors, and rooflines.*
- l. Relationship to cultural heritage resources on the site and adjacent to it.*
- m. Landscaping and trees.*
- n. Coordination of access points and connections.*

The next section of this report draws from the applicant's Planning Justification Report and discusses the various components listed above, including neighbourhood and streetscape character, massing, building placement, setbacks, and architectural attributes. Based on our review of The London Plan policies, Staff would agree that this proposal represents a good fit within the neighbourhood because of the type and form of housing, tenure (owner-occupied), similar lot/unit frontages, and spatial separation between buildings, 3-storey townhouse units, shallower rear yards, narrower street (private road), and while there are some 3-storey townhouse dwellings proposed in the new subdivision to the north, 2-storey dwellings are more predominant in the neighbourhood to the west.

At the same time, this infill development represents a cluster of new built homes that contributes to diversity and the rich mix of housing in the neighbourhood.

### **Vacant Land Condominium Application**

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan and the Official Plan.
- Sewer and water services will be provided in accordance with an approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster single detached housing. Building elevation plans will be reviewed as part of site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.
- The applicant must ensure that the proposed grading and drainage of this development does not adversely impact adjacent properties. All grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings to be included in an approved Site Plan and Development Agreement.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. In order to ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;



- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

### **Z.-1 Zoning By-law**

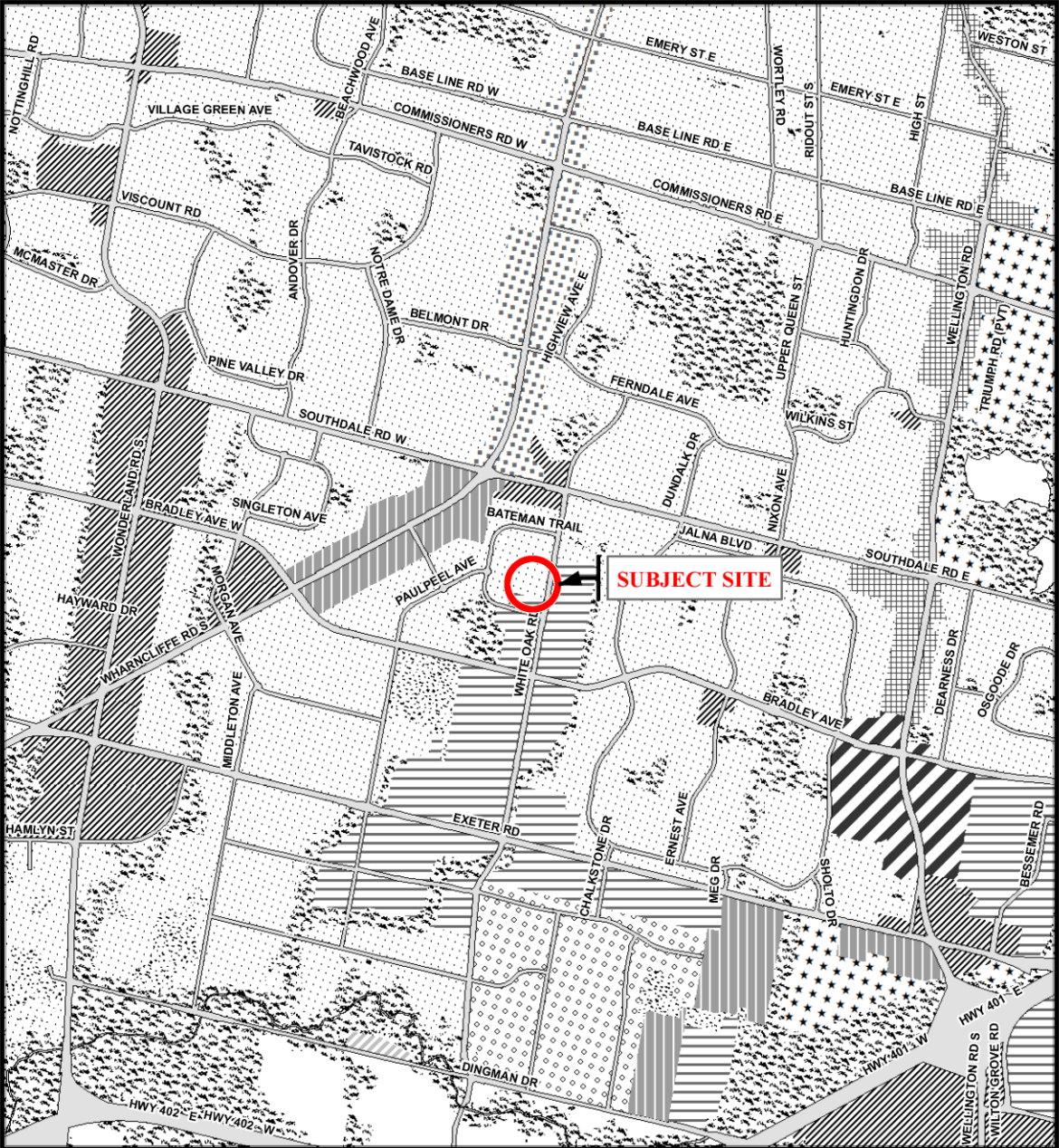
The zoning of this property is Urban Reserve UR4 and Holding Urban Reserve UR4 variation is applied to areas which have not completed the Community Plan process which are intended for residential development over the long term. The Special Provision h-94\*UR4(11)) has no minimum lot frontage and no minimum lot area, the h-94 is to ensure that there is a consistent lotting pattern in this area, the “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands. The Residential R5 Special Provision (R5-7(\_)) Zone is commonly used within Medium Density Residential neighbourhoods throughout the City to implement cluster townhouses condominiums. The proposed form of cluster townhouse dwellings is an appropriate form of development and is compatible with existing uses in the area. The recommended zoning will ensure that the intensity of development is appropriate within the surrounding context as it provides appropriate height and density regulations which will reduce impacts on the surrounding lands and provide a compatible form of development.

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

As this proposal represents a form of residential infill of vacant or underutilized lands, it is supported by the PPS which contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3). It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and maintains appropriate levels of public health and safety. There are no natural heritage features present and there are no concerns with respect to cultural heritage or archaeological resources (Section 2.1 and Section 2.6). As well, there are no natural hazards or known human-made hazards present on the subject site (Section 3.1 and Section 3.2). Therefore, the proposed Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are found to be consistent with the Provincial Policy Statement.

Appendix E – Relevant Background

London Plan Map Excerpt



Legend

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

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

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

CITY OF LONDON

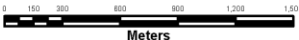
Planning Services /  
Development Services

LONDON PLAN MAP 1  
- PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



File Number: Z-9350

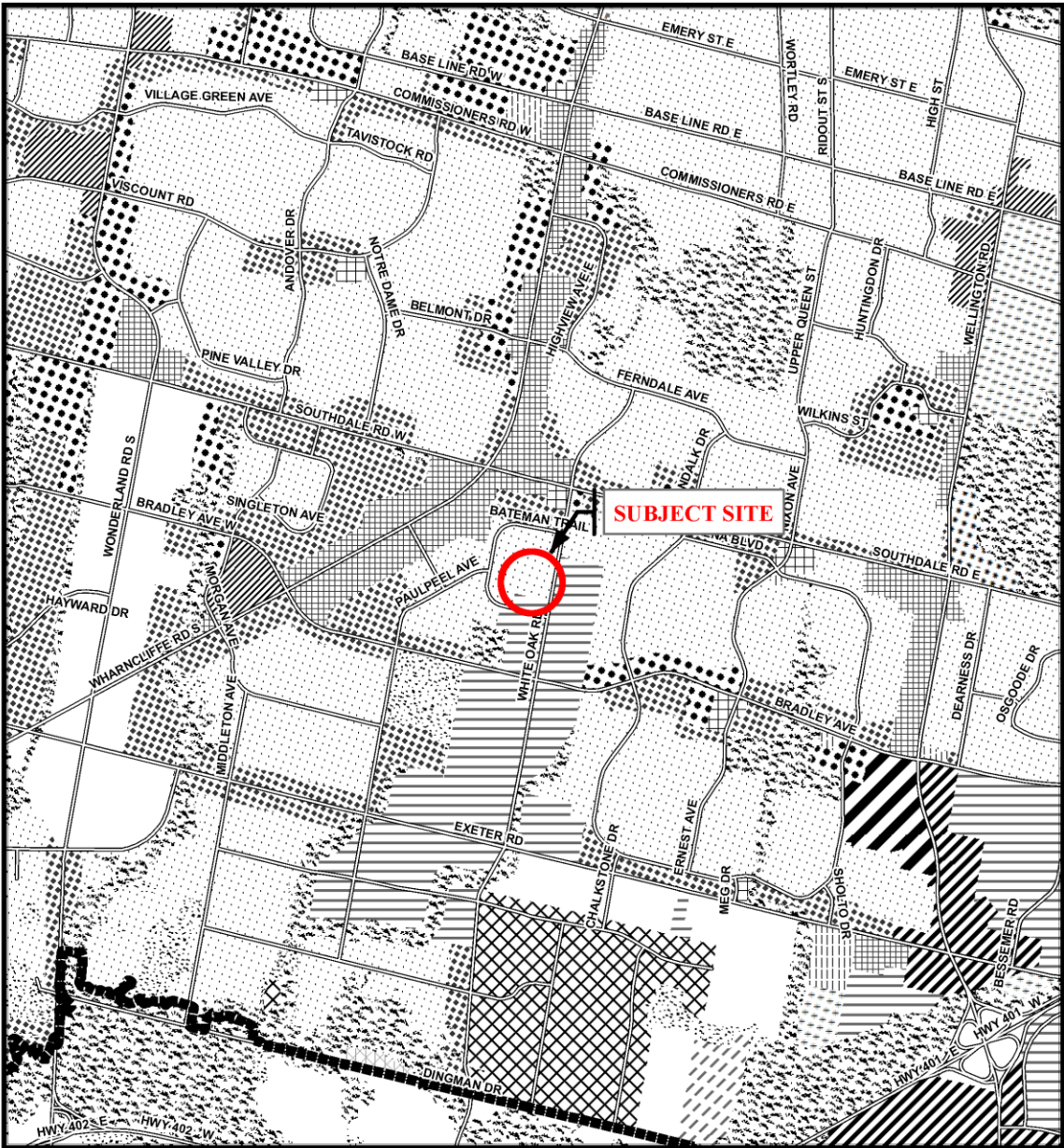
Planner: SM

Technician RC

Date: October 25, 2022



Official Plan Map Excerpt



### 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 - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER: Z-9350

PLANNER: SM

TECHNICIAN: RC

DATE: 2021/10/25

PROJECT LOCATION: e:\planning\projects\lp\_officialplan\work\consol\00\excerpts\lwork\templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

Zoning By-law Map Excerpt

