

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: 1739626 Ontario Limited
952 Southdale Road West
Public Participation Meeting on
Date: 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 1739626 Ontario Limited relating to the property located at 952 Southdale Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 13, 2022 to amend The London Plan to:
- i) Change the Place Type on a portion of the subject lands **FROM** the Green Space Place Type **TO** the Neighbourhoods Place Type, and **FROM** the Neighbourhoods Place Type **TO** the Green Space Place Type on Map 1 – Place Types;
 - ii) Modify the Provincially Significant Wetland Feature on Map 5 – Natural Heritage;
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting December 13, 2022 to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to change the zoning of the subject property **FROM** an Urban Reserve (UR2) Zone **TO** a Holding Residential R8 Special Provision Zone (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special Provision Zone (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision (h*h-129*CSA1(_)) Zone a Holding Community Shopping Area Special Provision (h*CSA1(_)) Zone, and an Open Space (OS5) Zone;

IT BEING NOTED to ensure the orderly development of the lands the following items will be addressed prior to the removal of the "h" holding provision/through the site plan approval process;

- Transportation – construction of a median to restrict access to the residential portion of the site to rights in/rights out, and to include a one-foot reserve along the Colonel Talbot Road frontage (excluding the access points);
- Ensure all reports (Final Environmental Impact Study (EIS), Final Hydrogeological Assessment and Water Balance Analysis) are fully completed and accepted by Staff, and that restoration and compensation works are all carried out to the City's satisfaction;
- Final EIS, Final Hydrogeological Assessment and Water Balance Analysis, Servicing Report, Floodline Analysis and Geotechnical Report for the proposed retaining wall be prepared to the satisfaction of the Upper Thames River Conservation Authority (UTRCA);
- A Section 28 Permit from the UTRCA will be required prior to finalizing the development agreement.

Executive Summary

Summary of Request

The applicant has requested an amendment to the 1989 Official Plan, The London Plan, and the Zoning By-law Z.-1 to permit a mixed-use commercial/office/residential development. The requested commercial component, located on approximately the southerly 2/3 of the site, includes a grocery store, a 2-storey commercial/office building, and a single-storey commercial building, with a total gross floor area (GFA) of 5,000m² and a drive through facility. The requested office component within the commercial development has an area of approximately 660m², limited to the second floor of the building. The requested residential component, located on approximately the north 1/3 of the site includes three, three-storey stacked townhouse buildings with a total of 30 units (density 97 units per hectare (uph)). With the exception of a 0.21 hectares (ha) urban reserve block located at the southeastern limit of the site, the easterly part of the site is proposed to remain undeveloped to ensure the protection and preservation of a Provincially Significant Wetland and associated natural heritage features and buffers.

The requested amendment to the 1989 Official Plan is to change the designation of the property to add a Specific Area Policy to permit a maximum of 5,000 square metres of commercial/office space and a drive-through facility in the existing Multi-Family, Medium Density Residential designation, and to change the land use designation in the southeast quadrant of the site from Open Space to Multi-Family, Medium Density Residential. However, when The London Plan came into full force and effect as of May 25, 2022, following a written decision from the Ontario Lands Tribunal (OLT), The London Plan became the official and determinative plan. Therefore, while the 1989 Official Plan will still be considered for the following application, an amendment to the 1989 Official Plan will no longer be necessary.

Further, the requested amendment to The London Plan is to change the Place Type for Map 1 for a portion of the property from Green Space to Neighbourhoods, and to modify the natural heritage features on Map 5 to reflect current Ministry of Natural Resources and Forestry mapping.

The requested amendment to the Zoning By-law Z.-1 is to change the zoning of the subject lands from an Urban Reserve (UR2) Zone to a Holding Residential R8 Special Provision Zone (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special Provision Zone (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision (h*CSA1(_)) Zone, and an Open Space (OS5) Zone.

The requested special provisions for the R8-4 Zone include the following:

- a reduction in the minimum Front Yard setback from 7.0 m to 3.0 m;
- a reduction in the minimum Rear Side Yard setback from 4.5 m to 3.0 m (adjacent to the OS5 Zone);
- an increase in the residential density from 75 units/ha to 97units/ha;
- to permit stacked townhouse buildings three units high, rather than two as defined in the Zoning By-law; and
- to deem Colonel Talbot Road as the Front Lot Line for zoning purposes.

The requested special provisions for the CSA1 Zone include the following:

- a reduction of the minimum Front Yard setback from 8.0 m to 0.0 m;
- a reduction of the minimum Exterior Side Yard setback from 8.0 m to 1.0 m;
- a reduction of the minimum Rear Yard setback from 8.0 m to 2.0 m (abutting the proposed R8-4(_) Zone));
- a reduction of the minimum Interior Side Yard setback to 0.0 m (from 3.0 m) adjacent to a non-residential zone (being the OS5 Zone integrating the ecological buffer);
- a reduction of the minimum required parking setback from a road allowance from 3.0 m to 0.5 m; and
- a reduction of the drive-through stacking stalls from 15 to 8 for a coffee shop.

Staff are recommending the following:

- An amendment to The London Plan to change the Place Type for Map 1 for a portion of the property from Green Space to Neighbourhoods, and from Neighbourhoods to Green Space, to modify the Provincially Significant Wetland feature on Map 5 – Natural Heritage;
- An amendment to the Zoning By-law to a Holding Residential R8 Special Provision Zone (h*h-129*R8-4(_)) Zone, and a Holding Residential R8 Special Provision Zone (h*R8-4(_)) Zone, with special provisions for: a reduced front and exterior yard setback of 3m, an increased density of 97 units per hectare, the definition of 'STACKED TOWNHOUSE' permits units to be stacked three (3) units high, to a maximum height of 13.0 metres (42.7 feet), or three storeys, and the lot line which abuts Colonel Talbot Road shall be interpreted as the front lot line;
- An amendment to the Zoning By-law to a Holding Community Shopping Area Zone (h*h-129*CSA1(_)) Zone, and a Holding Community Shopping Area Zone (h*CSA1(_)) Zone, with special provisions for: a reduced front and exterior side yard depth of 1 metre, a maximum front and exterior side yard depth of 3 metres, a maximum height of 13 metres or three storeys, whichever is less, a maximum gross floor area of 5,000 square metres, a maximum gross floor area of 660 square metres of office uses limited to the second floor of the office building, and the primary functional entrance of individual commercial units with frontage on Colonel Talbot Road and/or Southdale Road West shall be oriented to the adjacent street (grocery stores shall be exempt from this provision); and
- An amendment to the Zoning By-law to an Open Space (OS5) Zone.

Purpose and Effect of the Recommended Action

The purpose and effect of the requested amendments are to facilitate a mixed-use commercial/office/residential development, with a grocery store, a two-storey office/commercial building and a single storey multi-unit commercial building located on the southern portion of the site, and three storey stacked townhouse buildings with a total of 30 units on the northern portion of the site. The eastern portion of the site will remain undeveloped for environmental and hazard protection.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type, Shopping Area Place Types, Specific Policy 1070C_ and Natural Heritage Features and Hazards.
3. The recommended amendment will delineate a natural heritage feature and ensure the appropriate buffers are in place to protect the features and ensure appropriate compensation and mitigation will be implemented at site plan.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London's growth and development are 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

1.1 Previous Reports Related to this Matter

OZ-7445

Report to Planning Committee September 8, 2008, which recommended refusal of the requested Official Plan Amendment and Zoning By-law Amendment.

Report to Planning Committee October 27, 2008, setting out the progress of discussions between Planning staff and the applicant pursuant to Council direction, and areas that required further attention. At that time, there were still substantial issues relating to urban design, access to the site and delineation and protection of the natural features that needed to be addressed.

Report to Planning Committee December 8, 2008, which recommended approval of an Official Plan Amendment and Zoning By-law Amendment.

Report to Planning Committee March 23, 2009, on the appeals to the Ontario Municipal Board of the Council-adopted amendment to the Official Plan (By-law No. C.P.-1284(po)-21, Amendment No. 456) and Zoning By-law (By-law No. Z.-1-091828) based on the application by 1739626 Ontario Ltd. (Mike Meddoui).

1.2 Planning History

A previous application for an Official Plan Amendment and Zoning By-law Amendment was submitted in 2007 and approved in 2008 to permit the development of commercial uses on the south portion of the site, as well as recommended amendments to allow for the development of residential uses on the north part of the site. The amendments also provided zoning for the woodland and wetland located on the east portion of the property, with holding provisions to ensure additional environmental reports were provided to the City's satisfaction.

Several appeals were received on the above noted applications. Ultimately the Ontario Municipal Board (OMB) allowed the appeals, and no official plan and zoning by-law amendment was approved for this site.

Through The London Plan process, the City sought to apply a Neighbourhoods Place Type for the subject site. The Owner appealed the decision of Council with respect to The London Plan. Through The London Plan appeals a resolution was proposed to allow the site to remain within the Neighbourhoods Place Type, but with a limited amount of commercial permitted, with the intention that the site will develop for range and mix of uses. This resolution was supported by staff and Council, and a special policy was recommended for this site, and added through Minutes of Settlement on December 19, 2019:

1070C_ In the Neighbourhoods Place Type applied to the lands located at 952 Southdale Road West, retail, service and office uses up to a combined maximum floor area of 5,000 m² may be permitted as part of a mixed-use site, subject to the following conditions:

- 1. The site shall be developed for a mix of both commercial and residential uses.*
- 2. Residential uses shall be designed and located on the site to provide for an appropriate transition from existing and future residential uses on abutting lands.*
- 3. Residential uses on the northern portion of the site shall be designed with consideration for the planned connection of Gerrit Avenue and Cherrygrove Drive, and no rear lotting will be permitted onto the planned street connection. Design concepts shall be required to demonstrate how the lands to the north could be integrated with development on the property.*
- 4. Maximum Building heights will be limited to four storeys, and bonusing for additional height will not be permitted. Minimum heights of one storey may be permitted.*

5. *The City Design chapter and the form policies of the Shopping Area Place Type of this Plan will provide direction for this development. In addition, buffering and/or screening measures should be provided to mitigate views of surface parking areas from the Civic Boulevards and to address the interface with lands located immediately north of the site.*

It was also noted through the Minutes of Settlement that future applications would be necessary, and the full planning process required to consider development for this site.

1.3 Property Description

The subject site is comprised of one lot located at the northeast corner of the Southdale Road West and Colonel Talbot Road intersection. The site has a frontage of approximately 162m (531.5ft) along Southdale Road, a depth of approximately 255m (836.6ft) along Colonel Talbot Road, and a total area of approximately 4.07 hectares. A portion of the site has been historically used for agricultural purposes with the eastern portion of the site containing features associated with the North Talbot Provincially Significant Wetlands (PSW)/Button Bush.

Southdale Road West is an arterial road/civic boulevard with an average annual daily traffic volume east of Colonel Talbot Road of 14,500 vehicles per day, and west of Colonel Talbot Road of 15,500 vehicles per day. Colonel Talbot Road is also an arterial road/civic boulevard with an average daily traffic volume north of Southdale Road West of 10,000 vehicles per day, and south of Southdale Road West of 14,500 vehicles per day. The intersection is signalized with dedicated left turn lanes from all directions on Southdale Road West and Colonel Talbot Road, as well as a right turn lane on Southdale Road West, west of Colonel Talbot Road. Public sidewalks are available along Southdale Road West and Colonel Talbot Road. A bike path is also located along sections of this corridor.

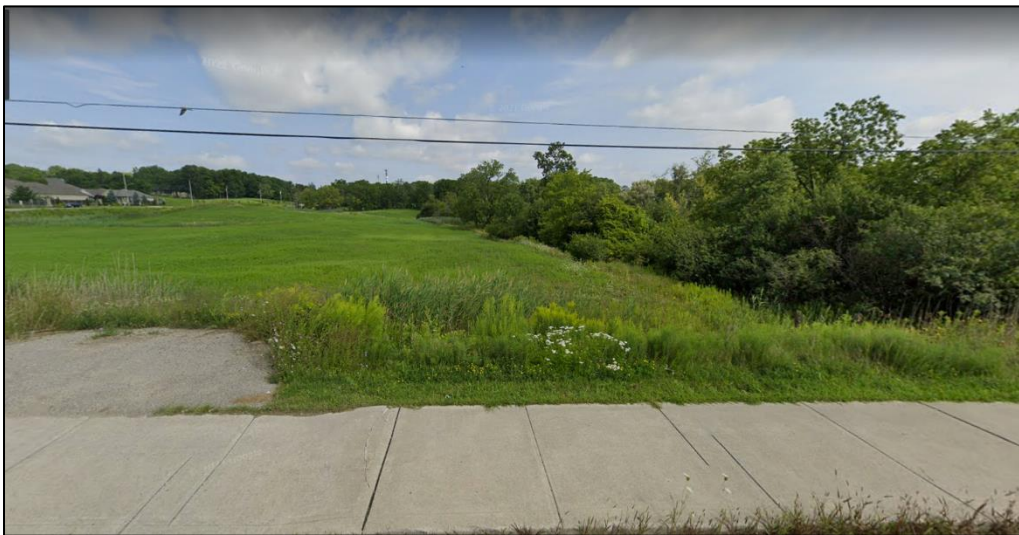


Figure 1 – Street view of 952 Southdale Road West (view from Southdale Road West)

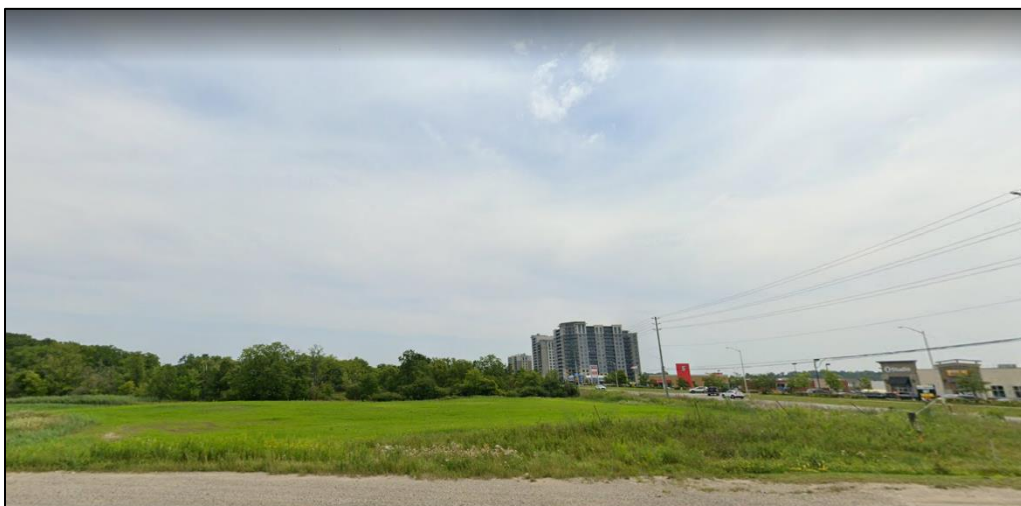


Figure 2 - Street view from Colonel Talbot Road

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

- The London Plan Place Type – Neighbourhoods and Open Space Place Types at the corner of two Civic Boulevards; Specific Policy 1070C_
- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Urban Reserve (UR2) Zone

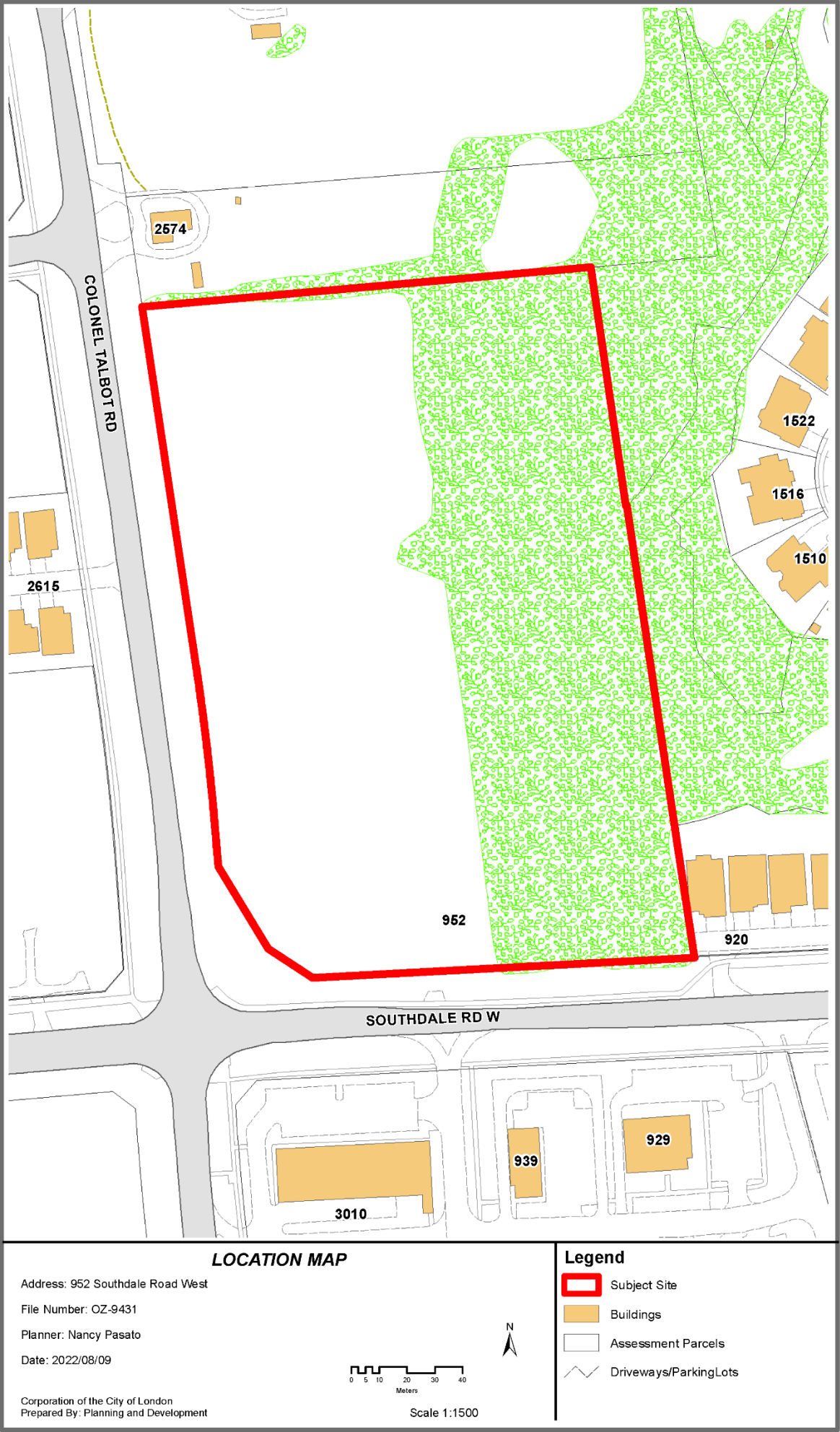
1.5 Site Characteristics

- Current Land Use – Agricultural, Provincially Significant Wetland (PSW)
- Frontage – approximately 162 metres (531.5 feet)
- Depth – 255 metres (836.f feet)
- Area – 4.07 hectares (40,700 square metres)
- Shape – Rectangular

1.6 Surrounding Land Uses

- North – Urban Reserve; Resource Extraction
- East – Residential; Open Space
- South – Community Shopping Area
- West – Open Space; Residential

1.7 Location Map



2.0 Description of Proposal

2.1 Development Proposal and Amendments

On October 29, 2021, the City accepted a complete application that proposed a mixed-use (commercial/office and residential) development. The commercial component, located on approximately the southern two-thirds of the site along Colonel Talbot Road, includes a grocery store, a two-storey commercial/office building, and a single-storey commercial building. The original proposed concept plan is shown in Figure 3.

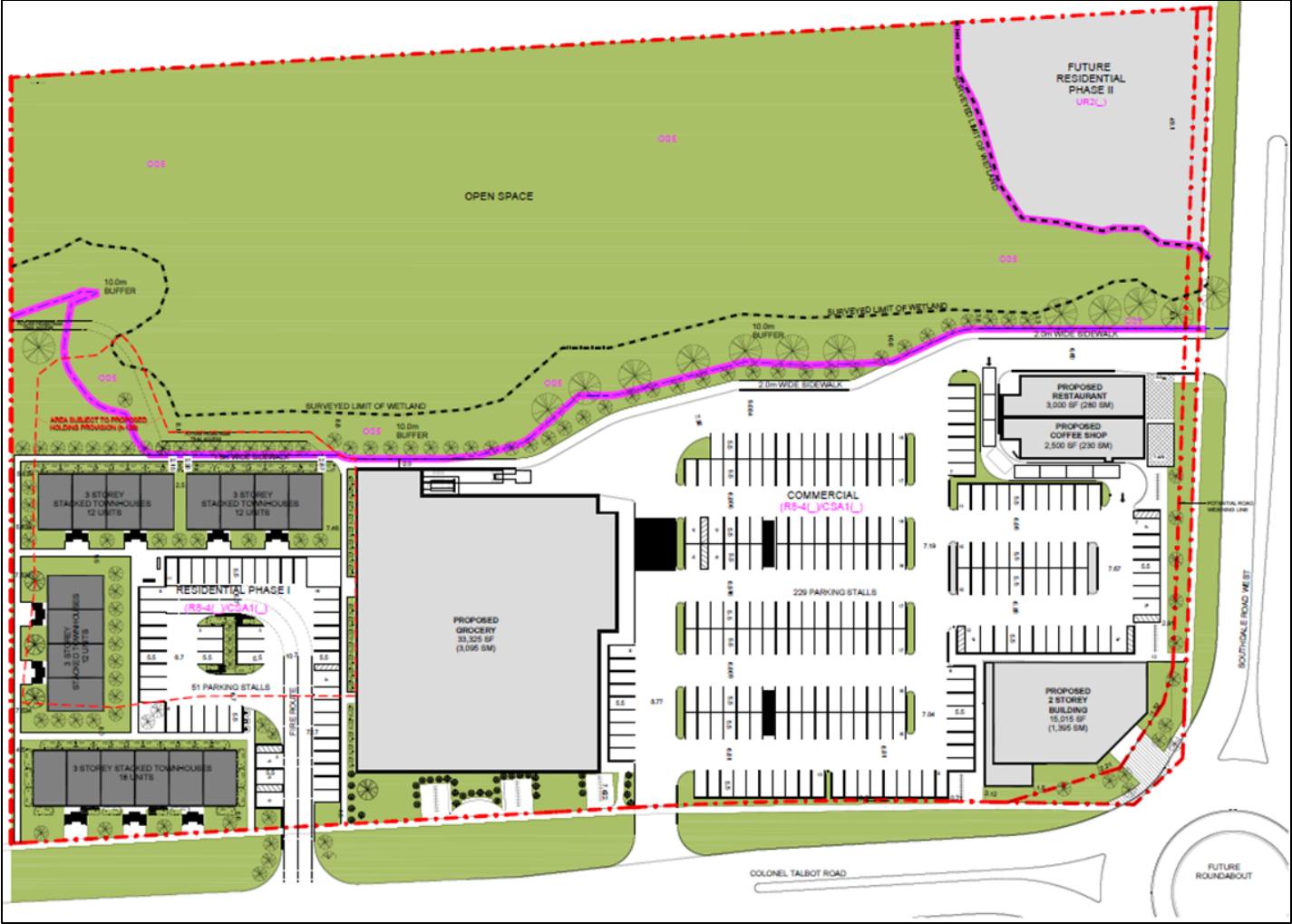


Figure 3 - Concept plan of proposed development

The concept plan shows the grocery store positioned adjacent to the Colonel Talbot Road frontage and has a proposed gross floor area (GFA) of approximately 3,095 square metres. The two-storey commercial/office building is positioned adjacent to the Southdale Road West/Colonel Talbot Road intersection and has a GFA of approximately 1,395 square metres. Further, the single-storey commercial building is positioned adjacent to the Southdale Road West entrance, has an estimated total GFA of 510 square metres, and would accommodate a drive through facility. The proposed site will have a total GFA of 5,000 square metres. A main parking area comprised of 229 surface parking stalls, bicycle storage and internal loading areas is proposed to accommodate the commercial/office uses on the site. A detail of this portion of this site is shown in Figure 4. Rendering of the proposed grocery store is shown in Figure 5. A rendering of the proposed office building at Southdale/Colonel Talbot intersection is shown as Figure 6. A rendering of the proposed commercial building from Southdale is shown as Figure 7.

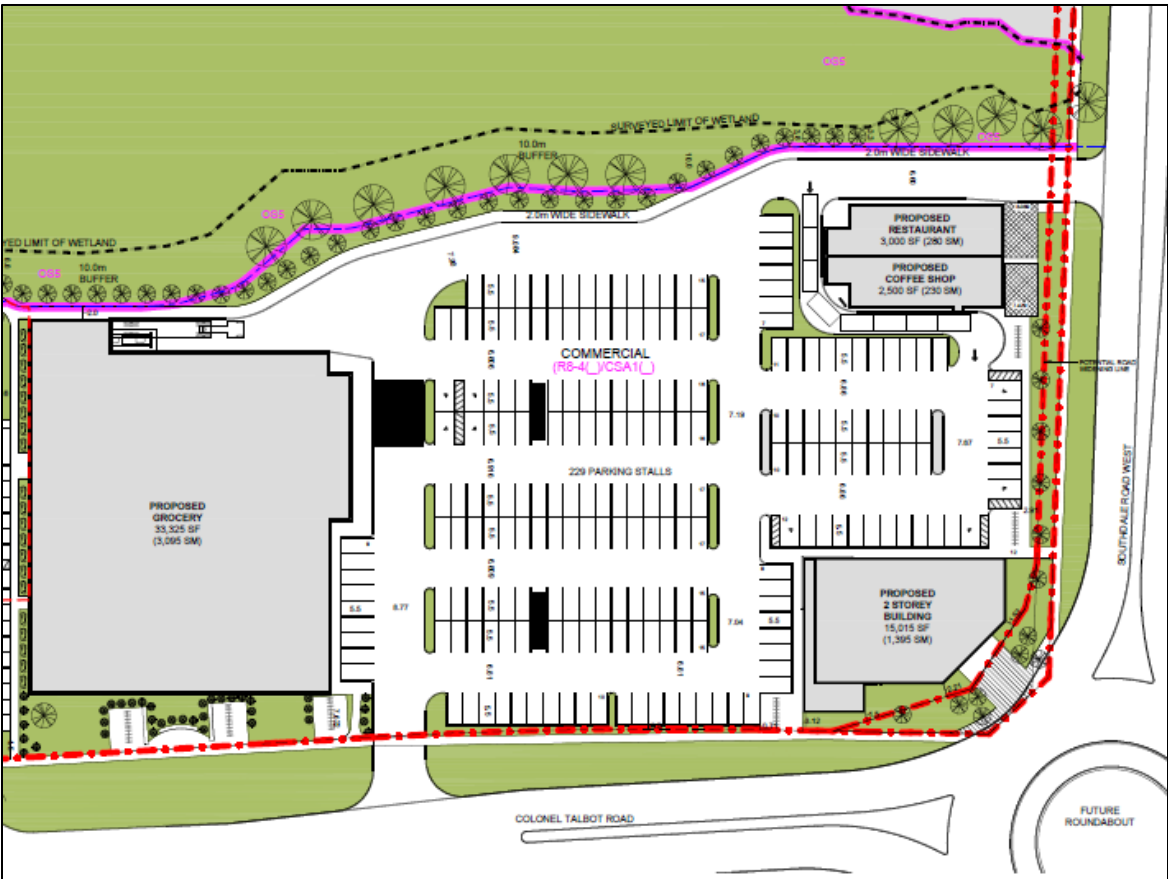


Figure 4 - Detail on commercial portion of site



Figure 5 - A rendering of the proposed grocery store from Colonel Talbot Road



Figure 6 - Rendering of proposed office building at Southdale/Colonel Talbot intersection



Figure 7 - Rendering of proposed commercial building from Southdale

The residential component, located on the northwest portion of the site along Colonel Talbot Road, includes four, three-storey stacked townhouse buildings comprising of 12 and 18 unit configurations, with a total of 54 units. A total of 51 parking spaces are shown for the residential site. A detail of this portion of this site is shown in Figure 8. Renderings of the proposed townhouse are shown in Figure 9 and 10.

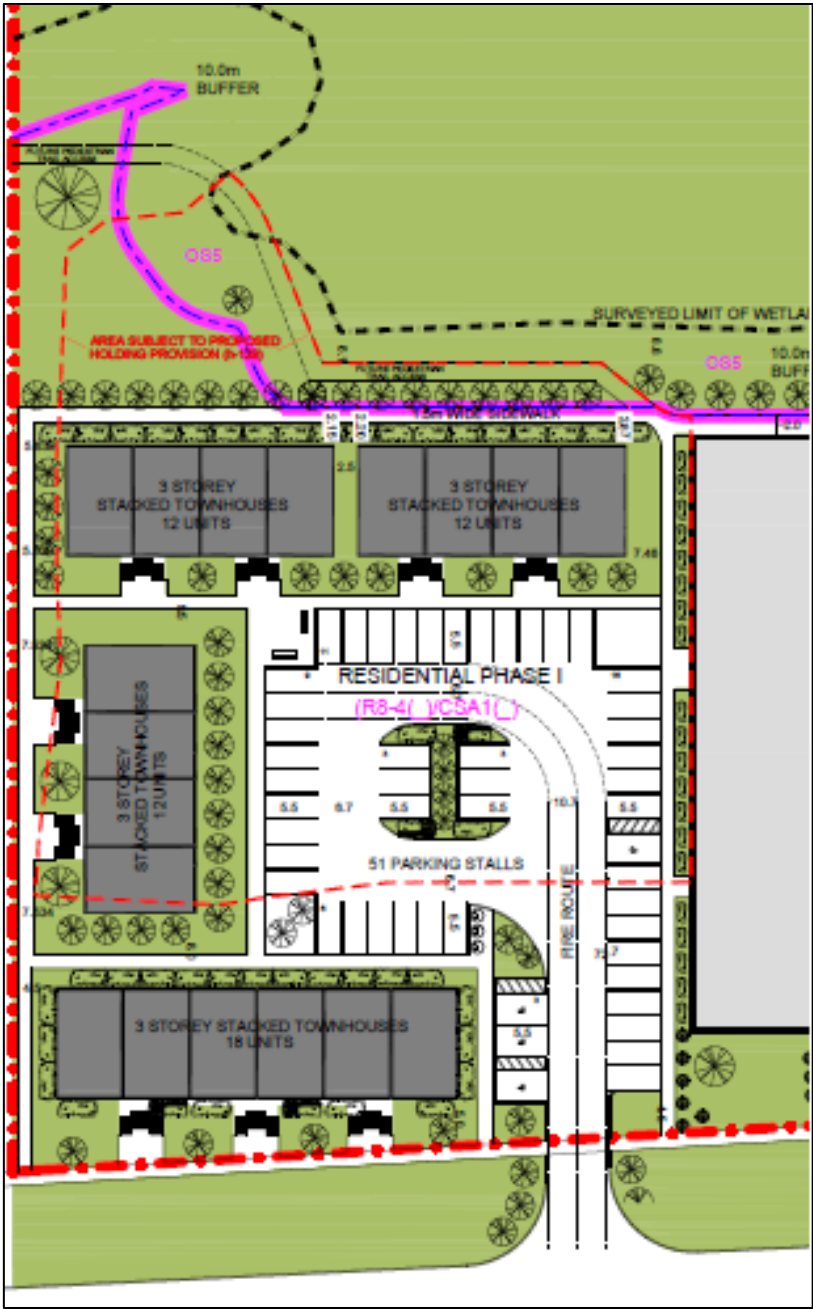


Figure 8 - Detail of residential portion



Figure 9 - Rendering of proposed stacked townhouses



Figure 10 - Rendering of proposed stacked townhouses

Additionally, there is a 0.21ha future residential area, located near the southeast limit of the site adjacent to Southdale Road West and referenced as ‘Residential Phase II’ on Figure 11.

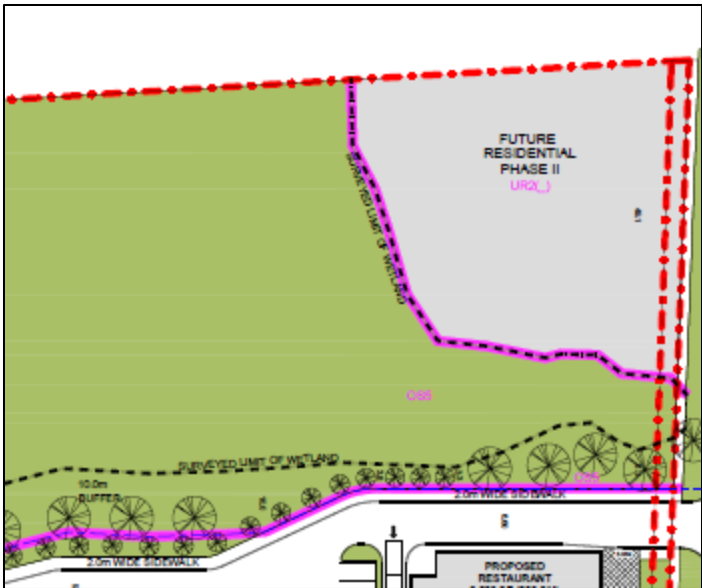


Figure 11 - Detail of future residential lands adjacent to Southdale

The open space block would encompass an area of approximately 1.06ha and would contain features associated with the North Talbot Provincially Significant Wetland. On the concept plan, shown on Figure 12, the applicant is proposing a 10-metre-wide buffer setback adjacent to the open space area to function as an ecological buffer and to potentially accommodate a community pathway. A walkway is also provided along the eastern limit of this parking area to support active transportation.

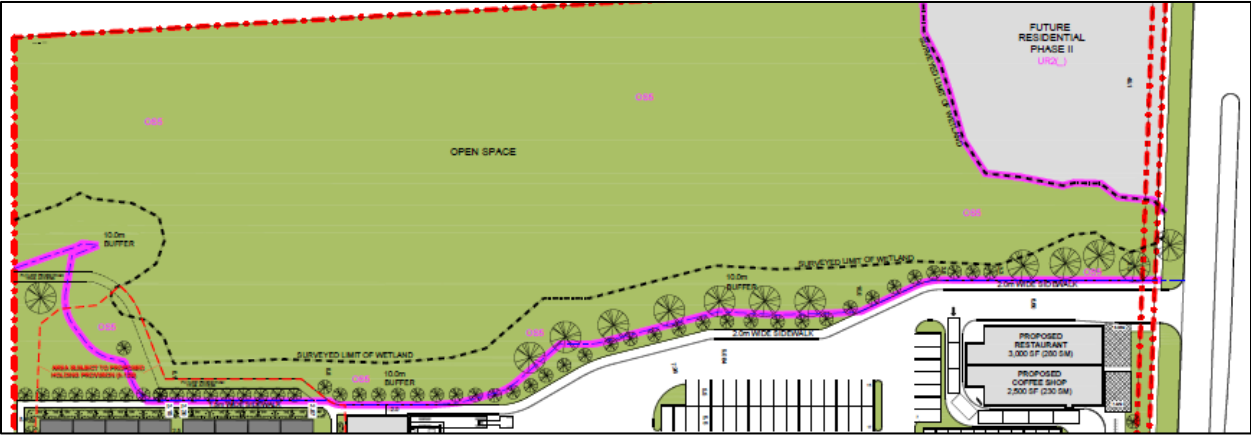


Figure 12 - Detail of open space area

The applicant had requested an amendment to The London Plan, the 1989 Official Plan, and Zoning By-law Z.-1.

The requested amendment to The London is to change the Place Type on Map 1 for a portion of the property from Green Space to Neighbourhoods, and to modify the natural heritage features on Map 5 to reflect current Ministry of Natural Resources and Forestry mapping.

The requested amendment to the Zoning By-law Z.-1 is to change the zoning from an Urban Reserve (UR2) Zone to a Residential R8 Special Provision/Community Shopping Area Special Provision (R8-4(_)/CSA1(_)) Zone, an Urban Reserve Special Provision (UR2(_)) Zone, and an Open Space (OS5) Zone. The R8-4 Zone would allow Apartment Buildings, Stacked Townhouses, Lodging Houses, & Special Population's Accommodations at a maximum height of 13 metres and maximum density of 75 units per hectare. The CSA1 Zone would permit a broad range of retail, service, office, recreational, and institutional uses. The UR2 Zone would permit existing dwellings, agricultural uses, conservation lands, managed woodlot, wayside pit, passive recreation use, and farm gate sales, at a minimum height of 15 metres. The OS5 Zone would permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots, at a maximum height of 12 metres.

The requested special provisions, as revised, for the R8-4 Zone include the following:

- a minimum exterior side yard depth of 5.0m in place of 8.0m;
- a minimum interior side yard depth of 2.1m in place of 4.5m;
- a minimum landscaped open space of 22% in place of 30%;
- a minimum of 51 parking spaces in place of 81 spaces (0.94 spaces/unit in place of 1.5 spaces/unit); and
- to permit stacked townhouses 3 units high whereas a maximum of 2-unit high stacked townhouses are permitted.

The requested special provisions, as revised, for the CSA1 Zone include the following:

- a minimum front yard depth of 1.5m in place of 8.0m;
- a minimum exterior side yard depth of 3.0m in place of 8.0m;
- a minimum interior side yard depth of 2.0m in place of 3.0m;
- a maximum building height of 13.0m in place of 9.0m;
- a minimum of 220 parking spaces in place of 255 spaces (1 space/22.73sq.m. of GFA in place of 1 space/20sq.m. of GFA);
- a minimum of 8 drive through stacking spaces in place of 15 spaces;

- a minimum of 8 accessible parking spaces in place of 10 spaces;
- a minimum parking setback from Colonel Talbot Road of 0.5m in place of 3.0m;
- and to reduce the maximum permitted commercial/office GFA from 6,000sq.m. to 5,000sq.m.

Special provisions for the UR2 Zone include the following:

- a minimum lot area of 0.2ha in place of 6.0ha;

No special provisions were requested for the OS5 Zone.

The Applicant has also requested the addition of a holding provision (h-129) on a portion of the proposed residential development area to ensure that the results of the Hydraulic Floodway Analysis are accepted to the satisfaction of the Upper Thames River Conservation Authority. Development in this area would be prohibited until permanent flood storage measures are identified.

The requested amendment to the 1989 Official Plan is to change the designation of the property to add a Specific Area Policy to permit a maximum of 5,000 square metres of commercial/office space and a drive-through facility within the existing Multi-Family, Medium Density Residential designation, and to change the land use designation in the southeast quadrant of the site from Open Space to Multi-Family, Medium Density Residential. This amendment is no longer necessary.

The applicant submitted the following reports in support of the above requested amendments:

1. Air Quality Study
2. Conceptual Site Plan
3. Drive-through Stacking Study
4. Heritage Impact Assessment
5. Hydrogeological Report (August, 2021)
6. Floodline Analysis/Addendum
7. Noise Impact Study
8. Parking Memo/Addendum
9. Planning and Design Report
10. Retail Justification Study
11. Sanitary Servicing Brief
12. Stage 1-2 Archaeological Assessment
13. Transportation Impact Assessment
14. Tree Preservation Report
15. Environmental Impact Study

The submitted reports were circulated and reviewed by City Staff, the UTRCA and EEPAC/ECAC along with other commenting agencies.

2.2 Revised Development Proposal and Amendments

On September 30, 2022, a revised conceptual site plan was provided by the Applicant (Figure 13), which showed the following changes:

- A revised development limit with buffer – revised from 10m to varying widths from 15-30m;
- A zone line between the commercial and residential;
- A reduced residential site, with a frontage of 42.4m, and a reduction in units, from 54 units to 30 units, with an increase in density from 75 upha to 97 upha;
- A reduction in the proposed grocery store, from 3095 square metres to 2688 square metres;
- An increase in the proposed office building, from 1395 square metres, to 1528 square metres, with a proposed 555 square metres of office on the second floor;
- An increase in the multi-unit commercial building from 2 units to 4 units, and from 510 square metres overall to 785 square metres; and
- Removal of the UR2 (U) Zone consideration on the southeast portion of the site.

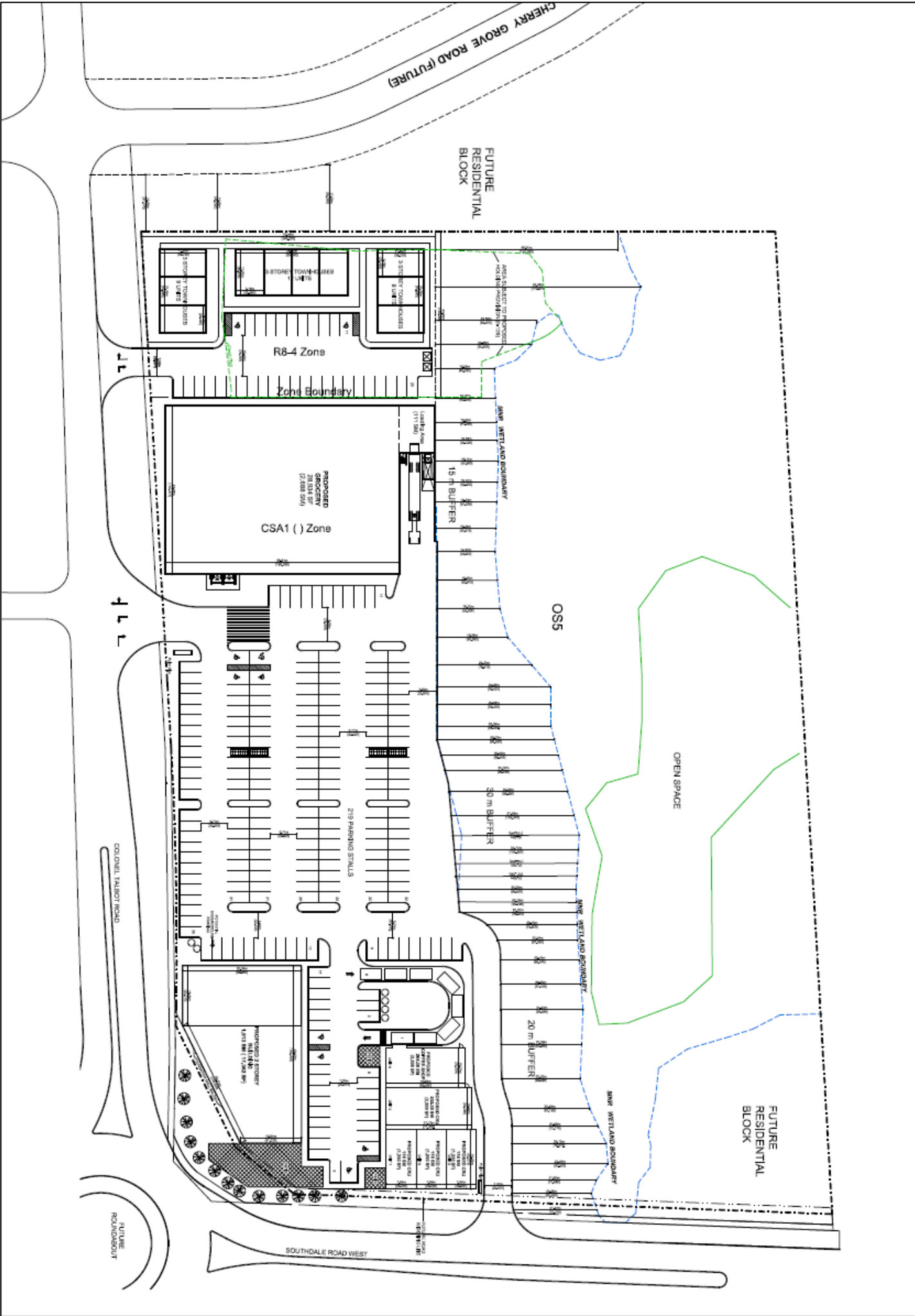


Figure 13 - Revised concept September 30, 2022

The proposed parking for the commercial use has been reduced from 229 spaces to 226 spaces.

The requested amendment to The London is to change the Place Type on Map 1 for a portion of the property from Green Space to Neighbourhoods, and to modify the natural heritage features on Map 5 to reflect current Ministry of Natural Resources and Forestry mapping.

The revised requested amendment to the Zoning By-law Z.-1 is to change the zoning of the subject lands from an Urban Reserve (UR2) Zone to a Holding Residential R8 Special Provision Zone (h-129*R8-4()) Zone, a Residential R8 Special Provision Zone (R8-4()) Zone, a Community Shopping Area Special Provision (CSA1()) Zone, and an Open Space (OS5) Zone.

The R8-4 Zone would allow Apartment Buildings, Stacked Townhouses, Lodging Houses, & Special Population's Accommodations at a maximum height of 13 metres and maximum density of 97 units per hectare. The CSA1 Zone would permit a broad range of retail, service, office, recreational, and institutional uses. The OS5 Zone would permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots, at a maximum height of 12 metres.

Requested revised special provisions for the R8-4 Zone include the following:

- a reduction in the minimum Front Yard setback from 7.0 m to 3.0 m;
- a reduction in the minimum Rear Side Yard setback from 4.5 m to 3.0 m (adjacent to the OS5 Zone);
- an increase in the residential density from 75 units/ha to 97units/ha;
- to permit stacked townhouse buildings three units high, rather than two as defined in the Zoning By-law; and
- to deem Colonel Talbot Road as the Front Lot Line for zoning purposes.

Requested revised special provisions for the CSA1 Zone include the following:

- a reduction of the minimum Front Yard setback from 8.0 m to 0.0 m;
- a reduction of the minimum Exterior Side Yard setback from 8.0 m to 1.0 m;
- a reduction of the minimum Rear Yard setback from 8.0 m to 2.0 m (abutting the proposed R8-4() Zone));
- a reduction of the minimum Interior Side Yard setback to 0.0 m (from 3.0 m) adjacent to a non-residential zone (being the OS5 Zone integrating the ecological buffer);
- a reduction of the minimum required parking setback from a road allowance from 3.0 m to 0.5 m; and
- a reduction of the drive-through stacking stalls from 15 to 8 for a coffee shop.

No special provisions were requested for the OS5 Zone.

Additional studies and revised comments were provided by the Applicant on the following dates:

1. Final Agency and Departmental comments received to December 13, 2021 – Response from MTE (April 29, 2022)
2. Hydrogeological Assessment (April 29, 2022)
3. Response to City Hydrogeologist Re: follow-up (June 29, 2022)
4. Response to EEPAC comments (September 27, 2022)
5. Transportation Impact Assessment Revised (September 14, 2022)

2.4 Community Engagement (see more detail in Appendix C)

Replies were received from 15 individuals.

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

- Density
- Noise impacts
- Obstructions of view
- Loss of property values
- Inappropriate use of lands

- No need for a grocery store
 - Do not want commercial development at this intersection
- Environmental impacts
 - Reduction in green space
 - Overland flows
 - Wildlife
- Walkability
- Roadways and entrances
- Traffic flow, volume, and safety
 - Turning movements, impacts of large delivery trucks, and speed
 - Timing of light, and potentially the proposed roundabout will result in no breaks in traffic to allow turning movements
- The future of the temporary access from 920 Southdale Road West

2.4 Policy Context (see more detail in Appendix D)

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 bring 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.

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.

The Provincial Policy Statement (PPS) provides policies to manage and direct land use to achieve efficient and resilient development and land use patterns (1.1). The PPS promotes the sustainability of health, liveable and safe communities by promoting efficient development and land use patterns while accommodating an appropriate affordable and market-based range and mix of residential types (1.1.1.a) and 1.1.1.b)). The PPS further encourages settlement areas to be the main focus of growth and development with densities and a mix of land uses that efficiently use land and resources and are transit-supportive where transit is planned, exists or may be developed (1.1.3.1, 1.1.3.2.e) and 1.1.3.2.f)). New development within settlement areas is to take place in designated growth areas, should occur adjacent to the existing built-up area and should have compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (1.1.3.6).

As noted, the PPS promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4.1). The PPS further directs planning authorities to permit and facilitate all forms of housing and to direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.

Section 2.0 of the PPS acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends upon the conservation and protection of our natural heritage and conservation resources. The PPS directs natural heritage features to be protected for the long term, including the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features (2.1.2). Given the Provincially Significant Wetland on site, a further analysis of Section 2.0 Wise Use and Management of Resources can be found further in the report below.

The PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. As such, Section 3.0 of the PPS provides a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk to public health or safety or property damage.

In accordance with Section 3 of the *Planning Act*, all planning decisions “shall be consistent with” the PPS.

The London Plan

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 provides direction on becoming one of the greenest cities in Canada by:

- Using an ecosystems/watershed approach in all of our planning;
- Manage growth in ways that support green and active forms of mobility;
- Strengthening our urban forest by monitoring its condition, planting more, protecting more, and better maintaining trees and woodlands;
- Continually expand, improve, and connect our parks resources; and,
- Promote linkages between the environment and health, such as the role of active mobility in improving health, supporting healthy lifestyles and reducing greenhouse gases Key Direction #4, Directions 2, 4, 5, 9, 10, 17).

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within Primary Transit Area;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

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

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

- 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 at the intersection of two Civic Boulevards (Southdale Road West and Colonel Talbot Road), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within the Neighbourhoods Place Type at this location include a range of residential uses, such as stacked townhouses, fourplexes, and low-rise apartments and secondary uses, such as mixed-used buildings and stand-alone retail, service, office. (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is two (2) storeys, and the standard maximum permitted height is four (4) storeys, with an upper maximum height of six (6) storeys. (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The site is also within the Green Space Place Type. The Green Space Place Type is made up of a system of public parks and recreational areas, private open spaces, and our most cherished natural areas (757_). The Green Space Place Type is comprised of public and private lands; flood plain lands; lands susceptible to erosion and unstable slopes; natural heritage features and areas recognized by City Council as having city-wide, regional, or provincial significance; lands that contribute to important ecological functions; and lands containing other natural physical features which are desirable for green space use or preservation in a natural state. The components of the Natural Heritage System that are included in the Green Space Place Type on Map 1 – Place Types, are identified or delineated on Map 5 - Natural Heritage. Hazard lands and natural resource lands that are included in the Green Space Place Type on Map 1 are identified or delineated on Map 6 – Hazards and Natural Resources (758_).

A special policy was added to The London Plan specific to this site, as a result of the OLT settlement.

1070C_ In the Neighbourhoods Place Type applied to the lands located at 952 Southdale Road West, retail, service and office uses up to a combined maximum floor area of 5,000 m² may be permitted as part of a mixed-use site, subject to the following conditions:

- 1. The site shall be developed for a mix of both commercial and residential uses.*
- 2. Residential uses shall be designed and located on the site to provide for an appropriate transition from existing and future residential uses on abutting lands.*
- 3. Residential uses on the northern portion of the site shall be designed with consideration for the planned connection of Gerrit Avenue and Cherrygrove Drive, and no rear lotting will be permitted onto the planned street connection. Design concepts shall be required to demonstrate how the lands to the north could be integrated with development on the property.*
- 4. Maximum Building heights will be limited to four storeys, and bonusing for additional height will not be permitted. Minimum heights of one storey may be permitted.*
- 5. The City Design chapter and the form policies of the Shopping Area Place Type of this Plan will provide direction for this development. In addition, buffering and/or screening measures should be provided to mitigate views of surface parking areas from the Civic Boulevards and to address the interface with lands located immediately north of the site.*

The policy specifically refers to the City Design Policies and the Shopping Area Place Type as providing direction for this development in terms of use, intensity and form. Further discussion can be found later on in the report.

1989 Official Plan

At the time this Application was submitted, the 1989 Official Plan policies were still in full force and effect. Since that time, The London Plan has come into full force and effect as of May 25, 2022, following a written decision from the Ontario Lands Tribunal (OLT). Previous amendments to the 1989 Official Plan are no longer necessary.

The subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule 'A' of the 1989 Official Plan. The Multi-Family, Medium Density Residential designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four (4) storeys. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report, or subject to a site-specific zoning by-law amendment and/or bonus zoning provisions. Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre). Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3).

The subject lands were also within the Open Space designation, as shown on Schedule "A" of the 1989 Official Plan. The Open Space designation consists of public open space, including district, city-wide, and regional parks; private open space, including such uses as cemeteries and private golf courses; flood plain lands and lands that are subject to natural hazards; components of the Natural Heritage System, which have been evaluated and which are recognized by Council as being of city-wide, regional or provincial significance; and, lands that contribute to important ecological functions. The Open Space designation may also be applied to natural physical features which are desirable for preservation (8A.2.1.).

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

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. 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). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The proposed development will provide a mix and range of uses (commercial, office, residential) on the site. The proposal promotes an efficient, mixed-use development pattern that would support the long-term financial well-being in the form of increased property tax assessment and the optimization of existing infrastructure. The additional residential population accommodated by this development would support the viability of commercial enterprises operating within the Southdale/Colonel Talbot node. Further, this development would also help the City accommodate its forecasted population growth and projected housing requirements. Economic benefits would also be derived from construction of the project.

The subject lands are located within a development area comprised of predominately of low-density, low rise residential forms. This proposal would broaden the range and mix of housing available in this area and, and more broadly, within the Bryon and North Talbot communities.

Preliminary servicing indicates that the site can be serviced in a cost-effective manner, and that necessary servicing infrastructure would be available to meet projected needs.

The subject lands are situated within the settlement area.

The proposed site layout integrates with existing public facilities and will incorporate an active mobility network to connect to existing and planned sidewalks, and to encourage active transportation. The subject lands are also located within convenient walking

distance of existing transit service, to provide connectivity to service/retail commercial areas, public institutions and recreational areas.

The Provincial Policy Statement (PPS) defines significant in regard to wetlands as an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry (MNR) through using evaluation procedures established by the Province. The PPS directs for natural features and areas to be protected for the long term (2.1.1). Section 2.1 – Natural Heritage of the PPS notes that development and site alteration shall not be permitted in significant wetlands in Ecoregions 5E, 6E and 7E (2.1.4.a)). The protection of the PSW contributes to Ontario's long-term prosperity, environmental health and social well-being on conserving biodiversity and protecting natural heritage resources for their economic, environmental and social benefits (2.0).

No development is permitted within a significant woodland, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1.5. b). Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (2.1.8).

An Environmental Impact Study (EIS) was submitted by the applicant to assess the potential impacts of the project on identified natural features and functions. The EIS generally concludes that the project can proceed provided recommended mitigation measures are adopted to protect adjacent significant natural heritage features and functions.

An appropriate buffer and development limit have been established through the review of the development proposal. As part of the site plan application, the applicant will be required to finalize the EIS, Hydrogeological study, provide a compensation plan, and complete a detailed (feature based) Water Balance, all to the City's satisfaction. Two small Wetland communities (non PSW) on the edge of the Significant Woodland are required to be compensated for as per London Plan Wetland policies, which will include full/partial relocation and habitat improvements. The final delineation of the Significant Woodland feature will also be required as part of the revised EIS. A holding provision will be required for the site to ensure all reports are fully completed and restoration and compensation works are all carried out to the City's satisfaction. Overall, it has been demonstrated that the proposed buffer and development limit will not negatively impact the significant features and functions of the natural heritage system.

Overall, the proposal promotes an efficient form of development for lands designated for residential and commercial purposes, located adjacent to a prominent street intersection and an established commercial node. It proposes a mix of residential, commercial and office uses that has regard for the surrounding context, provides a pedestrian orientation, encourages active transportation and is within close proximity of the City's arterial road network and transit system, and introduces a range of medium density residential forms to the area. The proposed development would not involve development on lands having known significant environmental, cultural heritage, mineral aggregate or petroleum resources.

4.2 Issue and Consideration # 2: Use

The London Plan

A special policy for this site permits retail, service and office uses up to a combined maximum floor area of 5,000 square metres. As per the special policy, the site shall be developed for a mix of both commercial and residential uses.

The subject site is also located in the Neighbourhoods Place Type at the intersection of two Civic Boulevards. At this location, a range of low-rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments are permitted (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

Within the Shopping Area Place Type, a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses may be permitted. Mixed-use buildings will be encouraged. Uses with large amounts of outdoor storage, large warehouse components, storage of heavy vehicles, and/or emitting noise, vibration, or dust, will not be permitted. The full range of uses described above will not necessarily be permitted on all sites (877,1-5.).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii). The subject property is designated Multi-family, Medium Density Residential in the 1989 Official Plan. This designation contemplates multiple-attached dwellings, such as row houses or cluster houses, low-rise apartments buildings, rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged.

Analysis:

As per the special policy for the site, the permitted uses within the proposed Community Shopping Area Zone include a wide range of commercial, institutional and office uses, including assembly halls, automotive uses, bake shops, clinics, commercial recreation establishments, convenience service establishments, day care centres, duplicating shops; financial institutions, home and auto supply stores, institutions, medical/dental offices, offices, patient testing centre laboratories, personal service establishments, private clubs, restaurants, retail stores, service and repair establishments, studios, supermarkets, taverns, video rental establishments, brewing on premises establishment, cinemas, commercial schools, and private schools. Stacked townhouses are also a permitted use within the Neighbourhoods Place Type, at this location.

It is recommended that commercial parking structures and/or lots not be permitted with this zone.

4.3 Issue and Consideration # 3: Intensity

The London Plan

The London Plan uses height as a measure of intensity for any development application. The special policy for this site limits building heights to a maximum of four storeys, and bonusing for additional height will not be permitted. Minimum heights of one storey may also be permitted. In the Neighbourhoods Place Type, a minimum height of 2 storeys and a maximum height 4 storeys is contemplated where a property is located at the intersection of two Civic Boulevards (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953_3.).

Within the Shopping Area Place Type, buildings within the Shopping Area Place Type will not exceed four storeys in height. Adequate off-street parking will be provided to ensure there are no negative impacts on adjacent streets. Underground parking will be encouraged. Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites (878_).

1989 Official Plan

Development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3). Locational criteria for

development in Multi-family, Medium Density Residential development shall consider surrounding land uses in terms of height, scale and setbacks, and the adequacy of municipal services. Traffic to and from the location should not have a significant impact on stable, low density residential areas, and the site or area should be of a suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses (3.3.2).

Analysis:

The applicant has requested a CSA1 Zone, and a R8-4 Zone, both with requested heights of 13.0 metres maximum. As per the special policy, a maximum of four storeys is permitted. Three storey heights are proposed for the residential units, located adjacent to the natural heritage/pathway corridor, and adjacent to a single detached dwelling with mostly vacant lands to the north. Additional commercial height is proposed along the corner of Southdale and Colonel Talbot Road, which is adjacent to existing commercial uses and a stormwater management pond.

As per the Neighbourhoods Place Type, zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (935_). Within the Shopping Area Place Type, intensity will be determined by adequate off-street parking to minimize impacts on adjacent lands, sufficient buffers to ensure compatibility, and adequate land area to accommodate the use (878_3,4,5). This site is of a sufficient size to accommodate future development; however, a series of special provisions are also being sought in order to accommodate the proposed development in a manner that further intensifies the site that results in a larger building envelope as identified:

R8-4 Zone

- a reduction in the minimum Front Yard setback from 7.0 m to 3.0 m;
- a reduction in the minimum Rear Side Yard setback from 4.5 m to 3.0 m (adjacent to the OS5 Zone);
- an increase in the residential density from 75 units/ha to 97units/ha;
- to permit stacked townhouse buildings three units high, rather than two as defined in the Zoning By-law; and
- to deem Colonel Talbot Road as the Front Lot Line for zoning purposes.

CSA1 Zone

- a reduction of the minimum Front Yard setback from 8.0 m to 0.0 m;
- a reduction of the minimum Exterior Side Yard setback from 8.0 m to 1.0 m;
- a reduction of the minimum Rear Yard setback from 8.0 m to 2.0 m (abutting the proposed R8-4() Zone));
- a reduction of the minimum Interior Side Yard setback to 0.0 m (from 3.0 m) adjacent to a non-residential zone (being the OS5 Zone integrating the ecological buffer);
- a reduction of the minimum required parking setback from a road allowance from 3.0 m to 0.5 m; and
- a reduction of the drive-through stacking stalls from 15 to 8 for a coffee shop.

While some of the special provisions are form related and supportable from a planning perspective i.e. reductions in front or exterior side yard depths to bring buildings closer to the street, or reductions in parking that more closely align with Council's recent parking study, other reductions reflect an intensity issue with the current proposal i.e. reductions to interior side yards could potentially impact adjacent lands, reductions in drive through stacking spaces could ultimately impact roadways/spillover onto City streets, reductions in accessible parking spaces do not support the City's accessibility objectives.

The following special provisions; therefore, are not recommended by Planning staff for each Zone:

R8-4

- a reduction in the minimum Rear Yard setback from 4.5 m to 3.0 m (adjacent to the OS5 Zone);

Analysis:

After extensive review, the recommended buffer has been reduced and maximized in certain identified areas. The City is seeking to ensure that the required park pathway is located entirely within this buffer area, which will be constrained in areas that have a reduced 15 metre buffer. Staff is also seeking to ensure appropriate distance is provided between the proposed built form and the natural heritage feature especially in areas that have been reduced to a 15 metre buffer. Therefore, staff do not support a reduction in the rear yard setback for the proposed development adjacent to the natural heritage feature and buffer.

CSA1

- a reduction of the minimum Front Yard setback from 8.0 m to 0.0 m;

Analysis

While staff support bringing buildings closer to the street, 0m setbacks do not allow for any overhang or door openings that do not encroach in the City's road allowance. Therefore, a minimum 1.0m setback (and maximum 3.0m setback) is recommended for all buildings adjacent the street.

CSA1

- a reduction of the minimum Rear Yard setback from 8.0 m to 2.0 m (abutting the proposed R8-4() Zone));

Analysis

A reduction in the rear yard setback will further impact the residential uses proposed to the north of the site. It is problematic to include a significant reduction within the CSA1 Zone when it is unknown how close the adjacent residential development could be especially as commercial development could have an impact on adjacent lands from a noise perspective. If a greater setback is possible for the residential development, as determined at site plan, the applicant can seek a minor variance to potentially reduce the rear yard setback of the commercial use. The requested special provision is not supported.

CSA1

- a reduction of the minimum Interior Side Yard setback to 0.0 m (from 3.0 m) adjacent to a non-residential zone (being the OS5 Zone integrating the ecological buffer);

Analysis

As per above request, the agreed upon buffer has been reduced and maximized in certain areas. The City is willing to ensure that the required park pathway is located entirely within this buffer area, which will be constrained in areas that have a reduced 15m buffer. It should be noted that there is no accepted EIS for this site currently; therefore, additional justification for a reduced setback from an ecological perspective has not been provided. Without an accepted EIS, Staff will not support a reduction in setbacks for the proposed development adjacent to the natural heritage feature and buffer especially in identified buffer areas that have been reduced to this extent.

CSA1

- a reduction of the minimum required parking setback from a road allowance from 3.0 m to 0.5 m;

Analysis

As per the above request, a reduction in the parking setback does not provide adequate space to plant trees and other landscaping measures adjacent to the road allowance, as required in the Site Plan Control By-law. The City has reduced commercial parking requirements specifically to assist with reductions in parking and paved areas.

Reductions in parking area setbacks in the past have resulted in a poor quality environment for pedestrians and for urban design overall. Reductions ensure no possibility for landscaping and screening within the identified setback space and instead relies on the City to provide and upkeep the necessary landscaping on city boulevards, which is not the intent of this provision in the by-law. This special provision is not supported.

CSA1

- a reduction of the drive-through stacking stalls from 15 to 8 for a coffee shop.

Analysis

As per Transportation and Site Plan comments, the required 15 stacking stalls is based on typical requirements as per the site plan control by-law. As the final form and use is unknown, the City has no way of guaranteeing that the configuration as shown on the concept plan will not change in the future through site plan. Depending on the layout, eight stacking spaces could ultimately impact the City's roadway, therefore no special provision is recommended. If Transportation ultimately supports a reduction in stacking through the final site plan, the applicant can see a minor variance to reduce the stacking requirements.

Staff are recommending additional special provisions for this site:

- a maximum height of 13 metres or 3 storeys for any commercial use (to coincide with The London Plan special policy for this site);
- a maximum Gross Floor Area for All Permitted Uses of 5000.0 square metres to coincide with The London Plan special policy for this site;
- a maximum Gross Floor Area for all Office Uses of 660 square metres, limited to the second floor of the proposed office building (as per the Applicant's submission). The CSA1 Zone limits office uses to 15% of the GFA, and the Applicant has indicated in their submission that the second floor of the building directly at the corner of Southdale and Colonel Talbot Road will be the location for the office uses;
- the primary functional entrance of individual commercial units with frontage on Colonel Talbot Road and/or Southdale Road West shall be oriented to the adjacent street. Grocery stores shall be exempt from this provision.

4.4 Issue and Consideration # 4: Form

The London Plan

As per the special policy for this site, the City Design chapter and the form policies of the Shopping Area Place Type of this Plan will provide direction for this development. In addition, buffering and/or screening measures should be provided to mitigate views of surface parking areas from the Civic Boulevards and to address the interface with lands located immediately north of the site (1070C_).

To achieve the City Design objectives, all planning and development applications shall conform with the Character, Street Network, Streetscapes, Public Space, Site Layout and Buildings policies (194_).

The Shopping Area Place Type also contains policies related to form, including:

- the integration of a grid of driveways to provide a form of large-lot development that can be redeveloped more easily in phases at a future date, to allow the opportunity for redevelopment of the rear portion of commercial blocks in the future, to allow for better connections through the site for pedestrians, transit users, and cyclists, and to allow the possibility for future neighbourhood connections that would connect transit services, the street and the commercial block to the neighbourhood;
- large commercial blocks should be developed such that smaller-scale commercial uses are constructed on pads at the front of the lot to create, to the greatest extent possible, a pedestrian-oriented street wall, with front entrances

oriented toward and accessible from the primary street, and to screen large fields of parking from the road;

- amenities, such as landscaping, street furniture, and patios, should be designed and provided on the site to attract pedestrian activity;
- large commercial blocks should be designed to incorporate wide, tree-lined sidewalks that will allow pedestrians clear, safe, direct and comfortable access through parking lots;
- opportunities will be explored for creating central seating areas and private parkette features that enhance the centre's function as a public meeting place; and,
- abundant tree planting.

Within the Neighbourhoods Place Type, form considerations for new development will also adhere to the City Design policies of this Plan. New neighbourhoods, or parts thereof, should be designed to avoid rear lotting and to avoid noise walls (936_ 1, 2). plans for new neighbourhoods.

1989 Official Plan

Development within areas designated Multi-family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development.

Analysis:

Preliminary Urban Design comments have indicated some key deficiencies with the proposed concept:

- Continue the smaller scale commercial uses along the Southdale Road West and Colonel Talbot Road to create a pedestrian oriented street wall. These buildings should be constructed with their primary entrances and transparent windows oriented toward the primary street to reinforce the public realm, establish an active frontage, and provide for convenient pedestrian access (291_, 879_);
- The buildings should be sited with minimal setbacks from public streets to create an inviting, active and comfortable pedestrian environment (259_);
- Buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements (290_);
- Amenities such as landscaping, street furniture, and patios, should be designed and provided on the site to attract pedestrian activity to the front of these buildings (879_);
- Locate all surface parking in the rear or interior side yard of the site to minimize the impact on the public realm; parking between the smaller commercial buildings and the street will be discouraged (272_, 879_);
- Any surface parking that is visible from the street should be screened by low walls and landscape treatments (278_).

Additional site plan comments have also indicated many deficiencies with the proposed site plan that will need to be addressed. Many of these comments may result in reconfiguration(s) of the proposed development on site.

4.5 Issue and Consideration # 5: Environmental & UTRCA/ECAC comments

Buffer

Within the Green Space Place Type, the subject site contains a Provincially Significant Wetland (PSW), known as the Button Bush Swamp/North Talbot Wetland. Through the submission of the EIS, a cultural woodland was also identified on site. Approximately 38% of the site is covered by the significant natural heritage feature (not including buffer).

As shown on Figure 14, the Button Bush Swamp is delineated as Feature 3, while the mineral thicket swamp is noted as Feature 1. Feature 2 is noted as a cultural woodland.

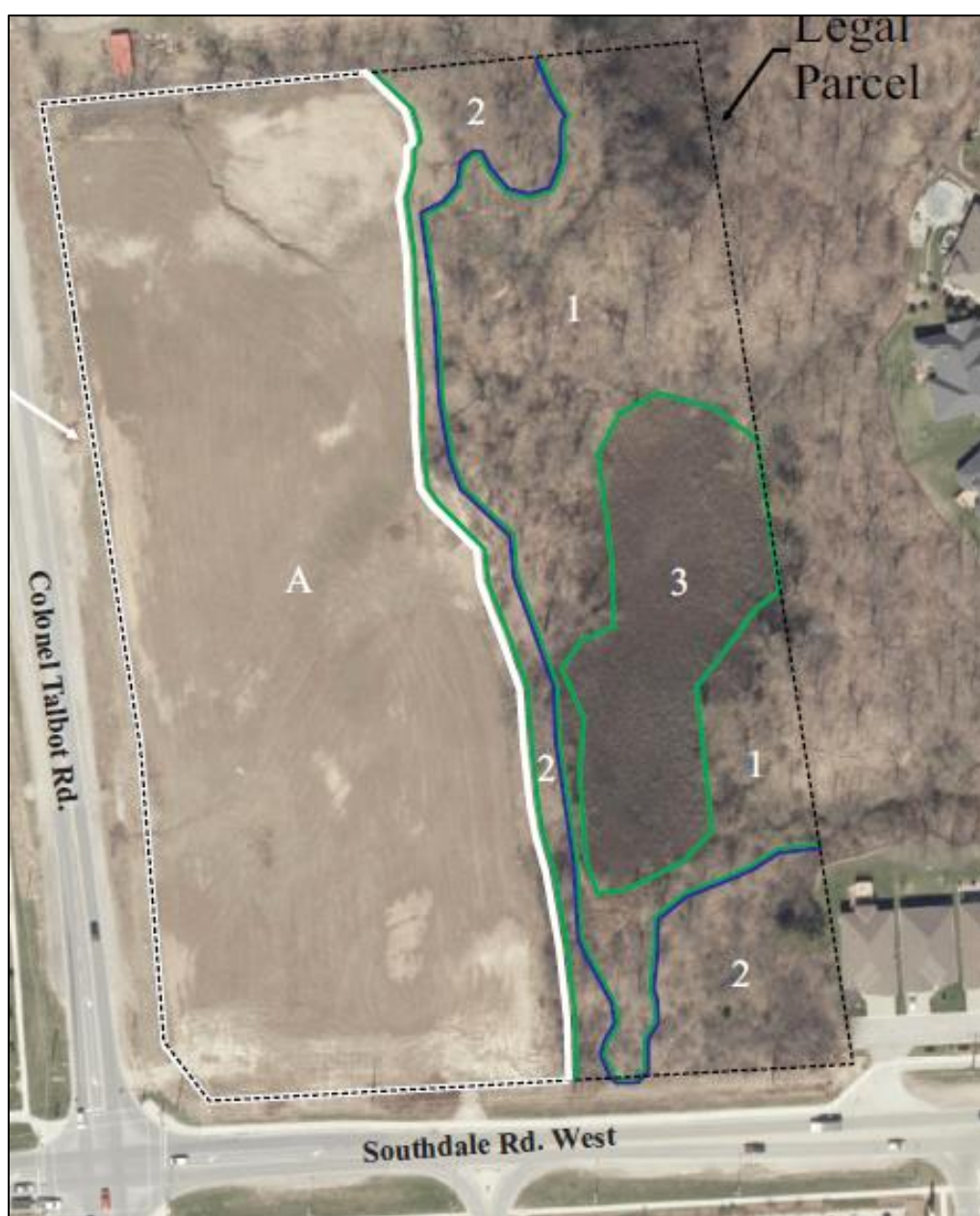


Figure 14 - Excerpt from EIS, showing composition of significant natural heritage feature

As part of a complete application an Environmental Impact Study (EIS) was submitted. The applicant was originally proposing a 10 metre buffer adjacent to the feature. Since that time, additional review and discussion has occurred to achieve a maximized buffer at the most significant points on site, adjacent to the Button Bush Swamp, while reducing the buffer in areas farther north of the swamp and at the Southdale Road West entrance to the site.

The accepted development limit provides a 30 metre or greater buffer in two sections, and a reduced buffer in two other sections, as shown in Figure 15 and 16 below.

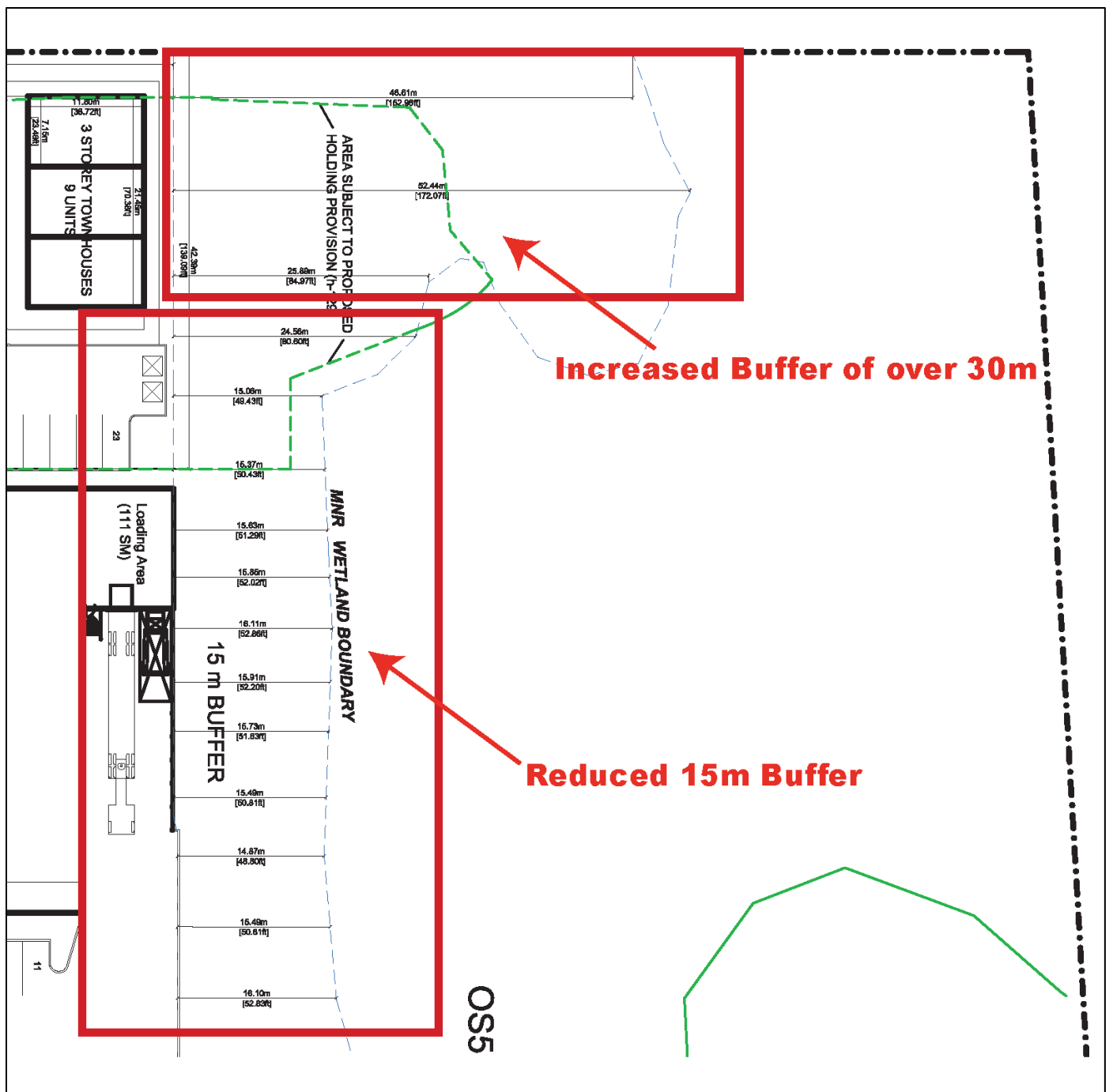


Figure 15 - Detail of environmental buffer northern portion

Due to the timing of the submission of the application, the 2007 Environmental Management Guidelines (EMG) were used in the review of the application. As such, the requirements for a minimum 30 metre buffer is less rigorous. While the overall buffer does not meet the minimum of 30 metre required through the new Council-approved EMG (2021), the proponent will be undertaking additional habitat restoration improvements due to the reduced buffers, including an invasive species management plan for the PSW communities and Significant Woodland edge and other improvements to be identified through the subsequent EIS (i.e. snake hibernaculum, additional native pollinator friendly seeding). A Significant Woodland is noted as being within the buffer, however a final delineation and agreement on the extent of the feature has not been completed. Two small Wetland communities (determined to be non PSW) on the edge of the Significant Woodland are required to be compensated for as per The London Plan Wetland policies, which will include full/partial relocation and habitat improvements. The proponent is required to finalize the EIS, the Hydrogeological Study, and complete a detailed (feature based) Water Balance, all to the City's satisfaction as part of site plan. The EIS will also address the extent of the Significant Woodland feature, which will result in City staff initiating an Official Plan amendment to ultimately add the extent of the Significant Woodland on Map 5. A holding provision (h) is being recommended for the site to ensure all reports are fully completed and that the applicant enter into a development agreement that will require that restoration and compensation works are all carried out to the City's satisfaction.

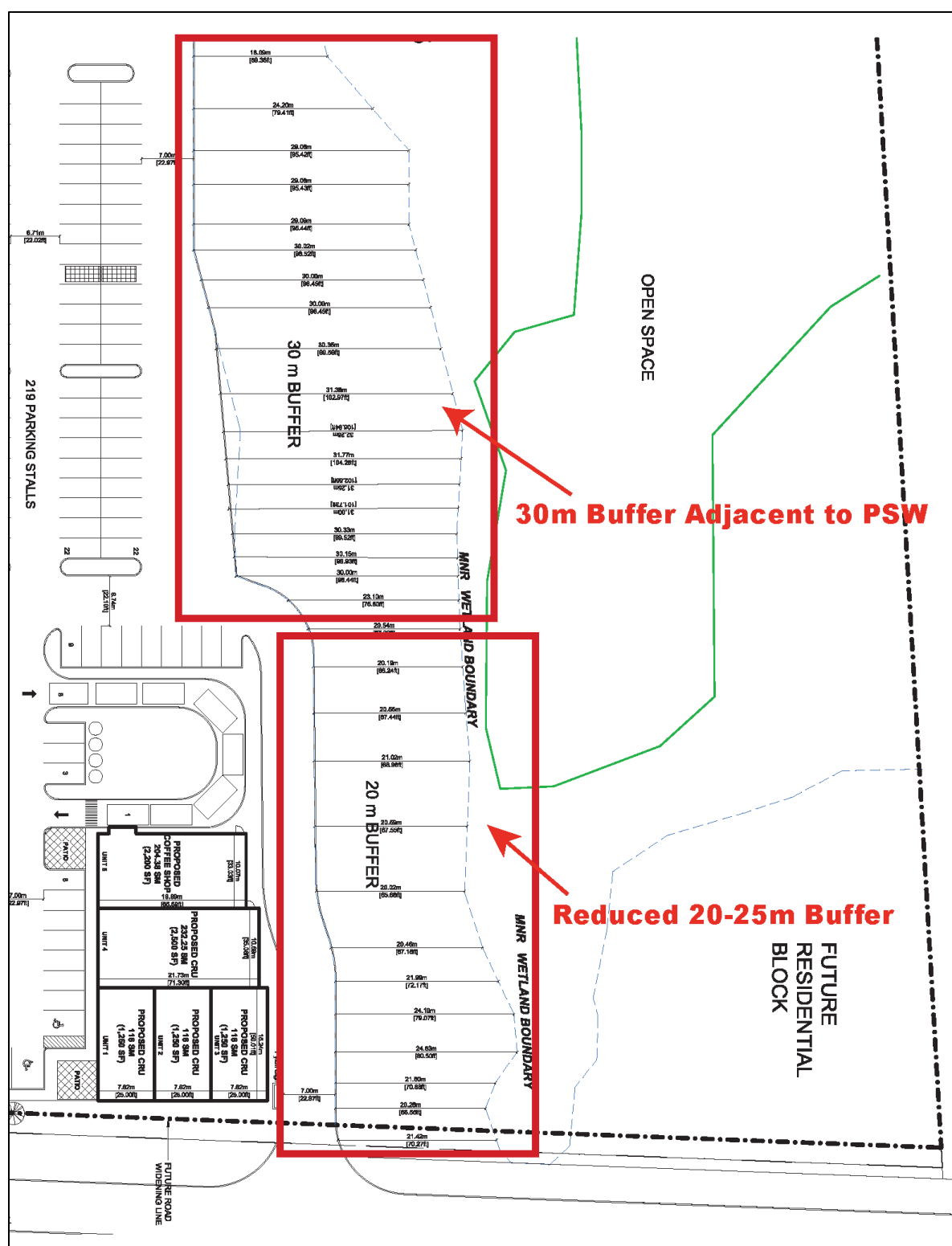


Figure 16 - Detail of southern portion of environmental buffer

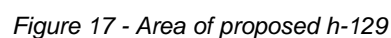
Staff have also identified that it will place the required Parks pathway block within the buffer, which will be addressed as part of the site plan review. The buffers and Natural Heritage Features are to be zoned OS5.

Since the full 30 metre buffer to the PSW was not provided for this site, any proposed green stormwater functions will need to be located within the development limit and cannot be considered within the buffer. The 2021 EMG permits the consideration of some specific green stormwater functions within the buffer (i.e. Low Impact Development), but only when the minimum required buffers have been applied.

New zoning by-law amendment applications will require the application of the 2021 EMG, and minimum 30 metre buffers to PSW's will apply.

The entire property is regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the Conservation Authorities Act. The regulation limit is comprised of a riverine flooding hazard as well as wetlands including the Provincially Significant North Talbot Wetland and the surrounding areas of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Conservation Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

The applicant submitted a Floodline Elevation Analysis with consideration for modelling requirements prescribed by the UTRCA. Generally, the floodline analysis brief identified that the eastern portion of the Phase 1 lands (the proposed R8-4 residential area) are to account for potential flood storage requirements on an interim basis. The applicant indicated as project planning advances, additional floodline analyses will be carried out by the Applicant in conjunction with City of London and UTRCA staff to confirm the modelling criteria and, if necessary, to identify alternative measures to address flood storage requirements. Development in this area would be prohibited until permanent flood storage measures are identified. A holding provision (h-129) is proposed by the Applicant for the affected lands as an interim measure to account for the identified flood storage requirements. The proposed boundaries of the affected area are identified on Figure 17.



The conditions associated with the h-129 provision are set out in Section 3.8 2) of the Zoning By-law as follows:

“h-129 Purpose: To ensure that the results of the Hydraulic Floodway Analysis are accepted to the satisfaction of the Upper Thames River Conservation Authority.”

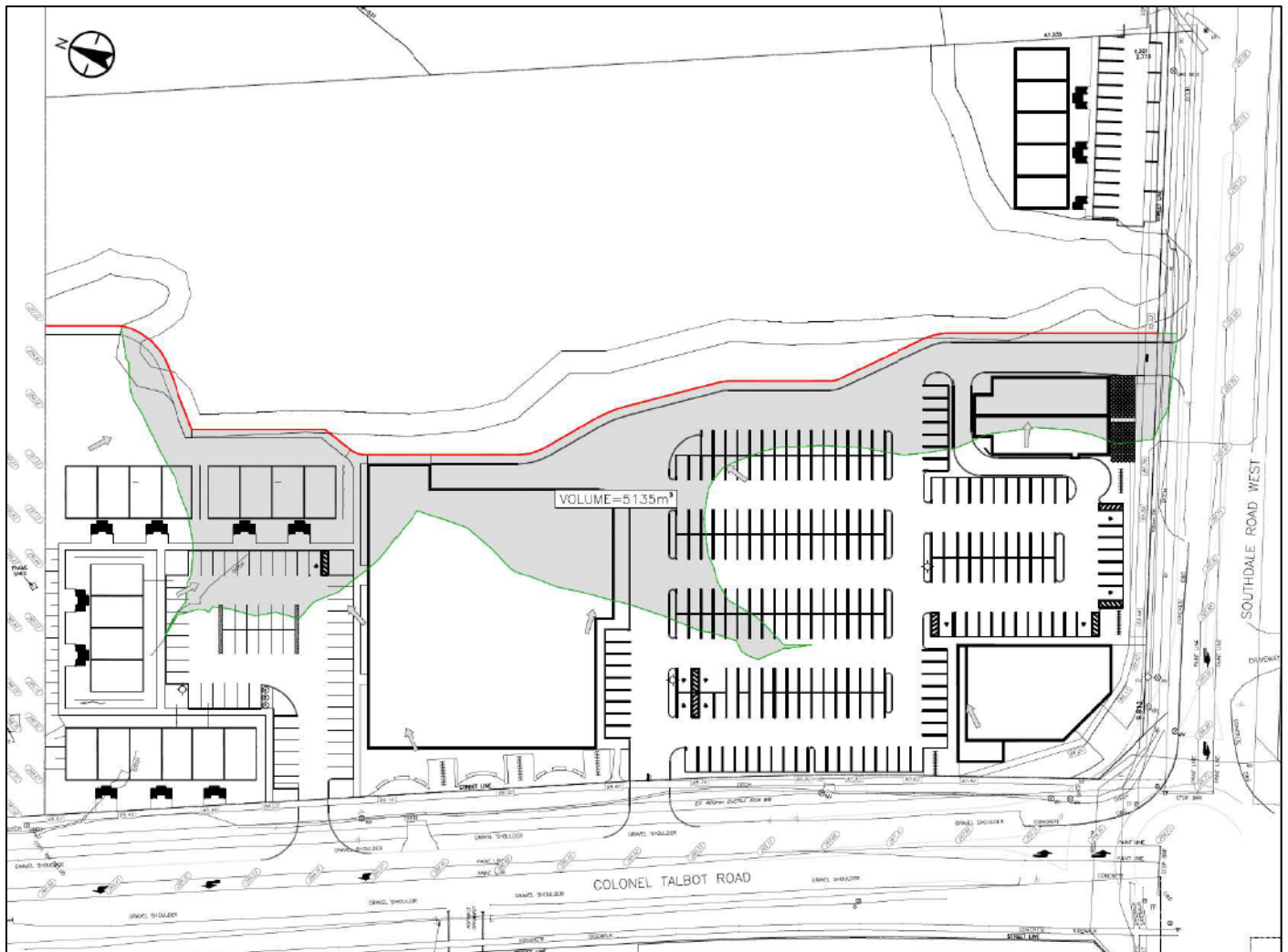


Figure 18 - Extent of floodplain affecting the site (gray area) and extent of the h-129 holding provision

However, based on UTRCA's most recent comments, the proposed area for the h-129 is not sufficient, as the preliminary Flood Line Analysis and area as identified by the applicant has not been approved by the UTRCA. UTRCA requests the h-129 apply to a larger area of the site, as shown on Figure 18. The area noted within the grey area will require the h-129 holding provision, until such time as UTRCA has approved the proposed Flood Line Analysis.

As per the revised submitted comments from Upper Thames River Conservation Authority (UTRCA), the UTRCA considers this application to be premature, until all of the required technical reports that are needed to establish/confirm the zone line/proposed development limit are provided to support the proposed development limit. In order for City staff to advance the application for consideration by Planning and Environment Committee and Council, UTRCA has expressed the following:

... the requirements including, but not limited to the preparation of a floodline analysis, servicing study, Final EIS and Hydrogeological and Water Balance Assessment and Geotechnical Study for the proposed retaining wall will be addressed either through a Holding Provision and/or at detailed design and/or the site plan process. This is not ideal or the Conservation Authority's preferred approach when dealing with a sensitive and complex site such as this one.

Should the Planning and Environment Committee decide to approve the applications, the UTRCA requests the following conditions for the approval:

- That the Zoning By-Law Holding Provision stipulate that a Final EIS, Final Hydrogeological Assessment and Water Balance Analysis, a Servicing Report, a Floodline Analysis and a Geotechnical Report for the proposed Retaining Wall be prepared to the satisfaction of the UTRCA.
- That infrastructure including but not limited to stormwater/LIDs, and a retaining wall shall not be permitted to be located in the buffer.
- That the lands in the southeast corner of the site identified as Future Residential Phase II be zoned Open Space - OS5.
- That the necessary Section 28 approvals from the Conservation Authority be secured for both the proposed development, and the proposed paved pathway that is to be located within the reduced buffer/setback. Additional technical studies will be required as part of the permit process for the pathway.

Staff have added the requirements for all of the above studies and reports as part of the h and h-129 holding provisions.

As shown in Figure 19, UTRCA have also requested that a portion of the lands located in the southeast corner of the subject site be zoned OS5. Given the natural hazard constraints and the associated setback and buffer requirements that apply to the proposed Future Residential Phase II lands, the UTRCA recommends that consideration be given to rezoning these lands Open Space OS5. However, as part of the revised application, the Applicant has removed consideration of this portion of the lands. Additionally, the proposed EIS did not address this portion of the site. As part of any future application, an EIS will be required, which will need to demonstrate the potential for any development.

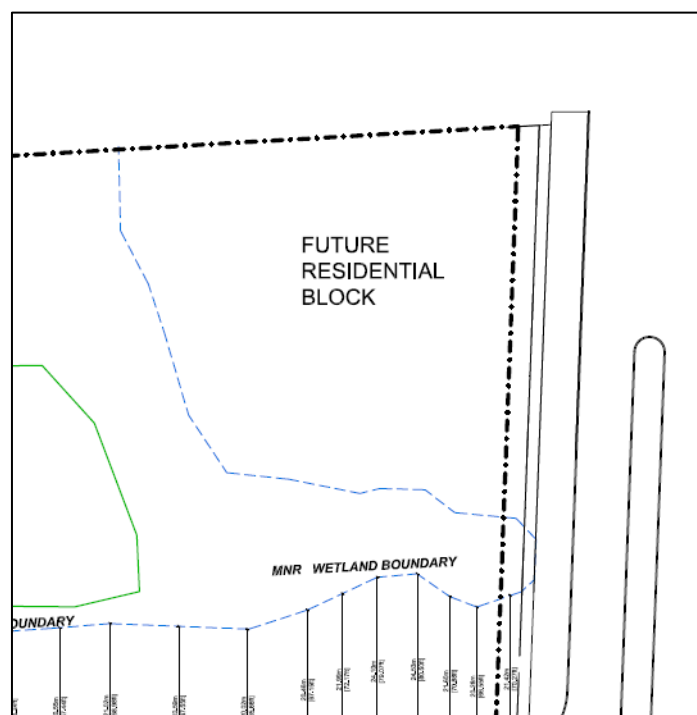


Figure 19 - Excerpt showing southeast portion of the site

Through the original circulation for the application, the Ecological Community Advisory Committee (ECAC) also provided comment indicating that they are not in support of the proposed development and proposed development limit/buffers. A response to ECAC (formerly EEPAC) concerns were provided by the applicant and circulated to ECAC. As part of the revised submission of the EIS, the ECAC can be circulated the revised reports.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) defines significant in regard to wetlands as an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry through using evaluation procedures established by the Province. The PPS directs for natural features and areas to be protected for the long term (2.1.1). Section 2.1 – Natural Heritage of the PPS notes that development and site alteration

shall not be permitted in significant wetlands in Ecoregions 5E, 6E and 7E (2.1.4.a)). The subject lands are located in Ecoregions 6E and 7E for the purposes of the above policy. The protection of the PSW contributes to Ontario's long-term prosperity, environmental health and social well-being on conserving biodiversity and protecting natural heritage resources for their economic, environmental and social benefits (2.0).

The London Plan

As indicated, the subject lands contain a Provincially Significant Wetland (PSW) (Map 5 – Natural Heritage) in The London Plan. The London Plan defines wetlands as lands that are seasonally or permanently covered by shallow water, as well as lands where the water is close to or at the surface (1330_). The City's Natural Heritage System is defined as a system of natural heritage features, areas and linkages intended to provide connectivity at the regional or site level and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of native species, and ecosystems, including natural heritage features (1298_). Similar to policies provided in the PPS (2020), The London Plan seeks to provide for the protection, rehabilitation and management of the natural heritage features and areas and their ecological functions as well as protecting, maintaining and improving surface and groundwater quality and quantity by protecting wetlands (1308_2 and 1308_3). The wetland provides for important habitat for plants, fish and wildlife that are fully dependent on the presence of a wetland, and for wildlife that need wetlands to complete some life cycle requirements. Wetlands are also important for their cultural values including such activities as hunting, recreation, education and research, and cultural heritage (1331_). Further, wetlands and their surrounding areas are subject to regulation under the Conservation Authorities Act (1336_). The lands are regulated by the Upper Thames River Conservation Authority (UTRCA) and any development on site is subject to the approval of the UTRCA.

Policies within The London Plan identify that development and site alterations shall not be permitted in provincially significant wetlands as identified on Map 5 – Natural Heritage (1332_ and 1390_). The London Plan provides policies noting that the development and site alteration shall not be permitted in significant wetlands unless it has been demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions (1391_).

Ecological buffers are designed to protect natural heritage features and areas, and their ecological functions and processes, to maintain the ecological integrity of the Natural Heritage System (1412_). They are generally required on lands contiguous to a specific natural heritage feature or area. Ecological buffer requirements shall be determined as part of an Environmental Impact Study (1413_). The location, width, composition and use of ecological buffers necessary to protect natural heritage areas from the impacts of development on adjacent lands will be specified through application of the City Council approved Guidelines for Determining Setbacks and Ecological Buffers as part of an approved secondary plan and/or an environmental impact study. The City may also consider technical and/ or scientific documents that reflect improvements in scientific knowledge regarding natural features (1414_).

Overall, staff are satisfied that the proposed development limit, and agreed upon buffers, and ultimate compensation and mitigation will result in the protection of the significant natural heritage feature, and improve the overall quality of the feature in the long term.

4.6 Issue and Consideration # 6: Multi-Use Pathway

In The London Plan, Map 4 (Active Mobility Network), a Cycling and Walking Route is identified for this site (see Figure 20).

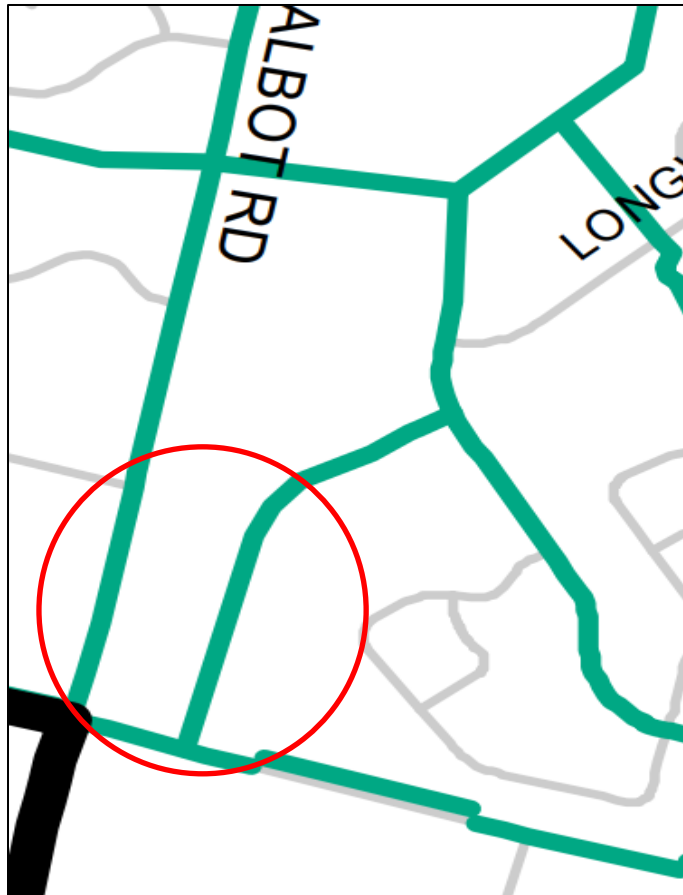


Figure 20 - Excerpt from Map 4 London Plan

As per Parks Planning comments, a pathway connection is required along the west side of the wetland feature extending from Southdale Road West to the northerly limit (in conformity with the City of London Cycling Master Plan) to be incorporated into the open space blocks/buffers and located and constructed in a manner that is consistent with the recommendations of the future EIS. These lands would be accepted as parkland dedication using an open space rate of 1:16 and as per CP-9 Bylaw.

As confirmed with Parks Planning, the pathway connection will be incorporated into the open space blocks/buffers. The construction of the pathway corridor will be completed by the City at a future date. Parks Planning staff will work with the applicant and the UTRCA to situate a pathway within the approved buffer.

In addition to the above requirement, a pathway connection (in conformity with the City of London Cycling Master Plan) is required from the intersection of Southdale Road West and Colonel Talbot Road running parallel with Southdale Road West connecting with the pathway corridor on the west side of the natural feature. This connection needs to be coordinated with the ongoing Southdale Road West/Colonel Talbot Road roundabout Environmental Assessment.

The London Plan

Active mobility, with a key focus on walking and cycling, is recognized as a mode of transportation that can play a positive role in improving mobility and quality of life as part of a balanced mobility system (346_). The active mobility network is shown on Map 4 of this Plan. This planned network will be considered in the evaluation of all planning and development applications (347_). Active mobility features will be incorporated into the design of new neighbourhoods and, where possible, enhanced in existing neighbourhoods to ensure connections to the street and transit system (348_). The width of lands to be dedicated for cycling pathways and pedestrian pathways that are not within a street shall be sufficient to accommodate a five metre corridor of traveled portion and shoulders and up to five metres on either side for sight lines, curves, drainage, and safety zones, where required (1750_).

4.7 Issue and Consideration # 7: Transportation

As part of the complete application, the applicant submitted a Transportation Impact Assessment (TIA) (Stantec, June 2020), a Conceptual Site Plan (SRM, August 2021), a Drive-through Stacking Study (SBM, January 2021), and a Parking Memo/Addendum (BT Engineering, April 2020 and September 2021). The current site concept shows three access points to the subject site – two from Colonel Talbot Road, and one from Southdale Road West.

As detailed in the original Transportation Engineering comments (Appendix C), the submitted TIA was not acceptable. The site concept and proposed access points analyzed in the TIA do not comply with the requirements based on the City’s Access Management Guidelines

A revised TIA was subsequently submitted by the Applicant. For the most part, the findings of the TIA were accepted by Transportation staff. However, access to the proposed residential block along Colonel Talbot Road would be limited to right-in, right-out, only. The Applicant has been advised that as part of the site plan application, they will be required to construct a median island on Colonel Talbot Road, as per the City’s Access Management Guidelines. The island would need to be extended to the Cherrygrove Drive intersection. Colonel Talbot Road platform widening and median island illumination would also be required. An example of the median is shown below.

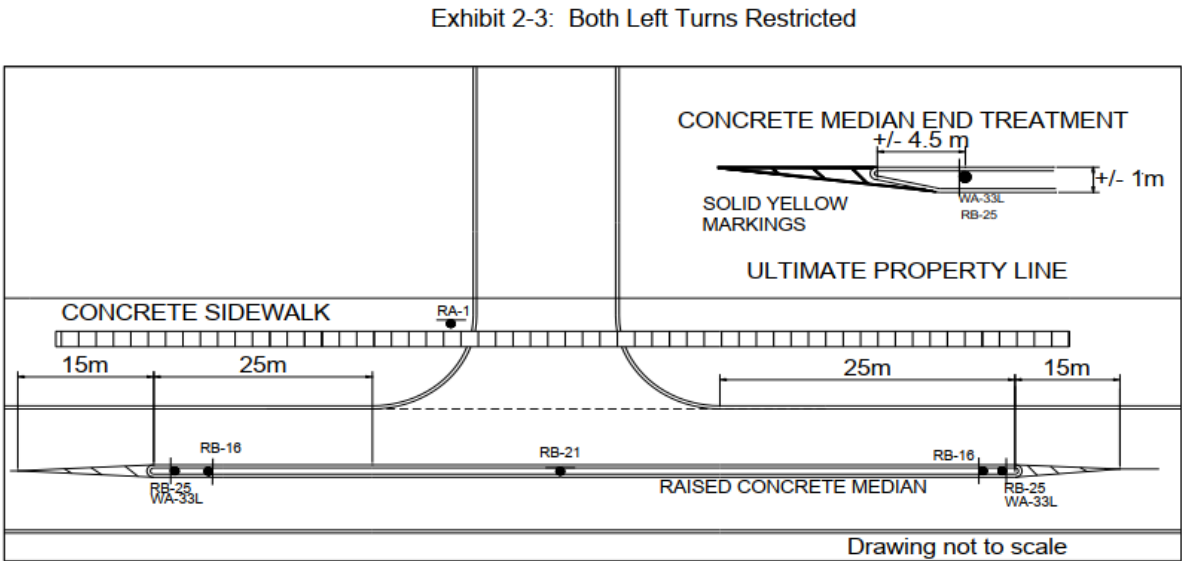


Figure 21 - Example of required road median

To ensure this is addressed, the h holding provision will also address the need for the construction of the median on Colonel Talbot Road, and the addition of a 1-foot reserve along the Colonel Talbot frontage, to be addressed as part of the site plan submission.

The London Plan

Supporting policy framework to address transportation matters is provided under: 335_ A Transportation Impact Assessment (TIA) may be required for planning and development applications to identify, evaluate and mitigate transportation impacts. City Council may adopt Transportation Impact Assessment Guidelines to assist in the preparation of a transportation impact assessment (335_). Access management will be applied with the objective of limiting driveways onto major streets. Where appropriate, Neighbourhood Connectors and Neighbourhood Streets intersecting with major streets may be used to access sites fronting onto Civic Boulevards, Urban Thoroughfares and Rapid Transit Corridors (336_).

4.8 Issue and Consideration # 8: Zoning, Holding Provision

As part of the original zoning request, the applicant had requested a special provision to recognize the area for the UR2 Zone located on the eastern side of the site, adjacent to Southdale Road (see Figure 22). However, no supporting studies have been submitted for this site, and the EIS does not address these lands or any setbacks etc.

Comments were also received from the condominium development located at 920 Southdale Road West (directly adjacent to the UR2() block). As part of the applicant's submitted TIA, access for this block is proposed through the lands located at 920 Southdale. Through the original development of the condominium at 920 Southdale, a clause in the agreement was added that indicates the access to Southdale Road West is a temporary access to serve the development, but that full access to Southdale Road West will be provided through the UR2() Block, and that the temporary access to Southdale Road West will be closed, as a condition of the site plan approval, when a alternate access is provided. As part of the revised submission, the special provision proposed by the Applicant is no longer being sought. No development is proposed for this block; therefore, the issue of access will not be addressed through this application.

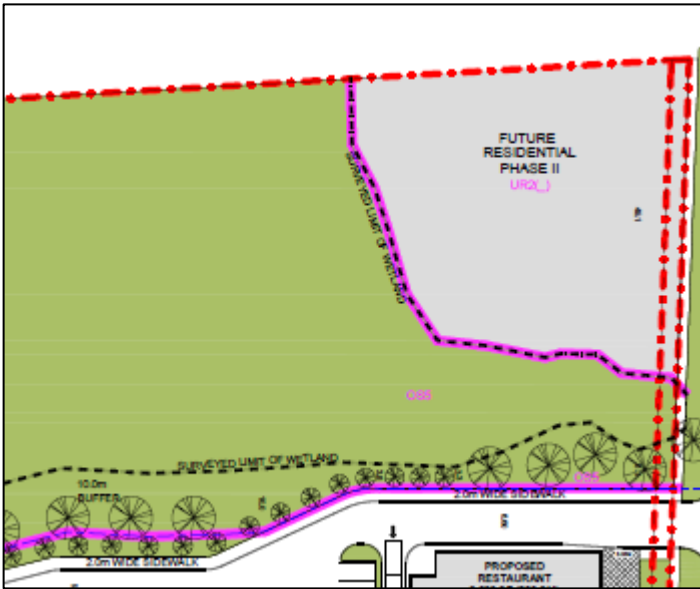


Figure 22 - Detail of future residential lands adjacent to Southdale

4.9 Issue and Consideration # 9: Public Comments

Although many issues have been raised by the residents, many of the concerns can be generally grouped under two main headings - Traffic Impacts, and Noise Impacts.

Comments related to use, height, form, density, environmental concerns, pedestrian connectivity, and incompatibility have been addressed in section 4.1-4.4. of this report. Additional Planning Impact Analysis has been provided under Appendix C of this report.

Traffic Impacts

Concerns were raised about the amount of traffic generated by this development. Residents in the area are concerned about negative impacts on the neighbourhood in terms of increased traffic and safety, and the location of access points onto major roads. Residents were also concerned about the impact of this development on the proposed roundabout.

The Transportation Impact Assessment (TIA) submitted for the site concluded that the intersection of Colonel Talbot Road at Southdale Road West is projected to experience significant deficiencies during peak hours; however, the proposed roundabout scheduled for the Colonel Talbot/Southdale intersection will eliminate all identified traffic operational issues. The intersection of Colonel Talbot Road at Cherrygrove Drive is projected to operate at an acceptable level and the City does not require intersection improvements.

Based on the applicable transportation guidelines, an auxiliary northbound right-turn lane is warranted on Colonel Talbot Road which was proposed as an improvement for this development. No other improvements are recommended as part of this development. The location of all access points were generally accepted by the Transportation Division, including the residential development and the Southdale Road West access, both limited to rights in/rights out.

The City of London is planning to reconstruct the Southdale and Colonel Talbot intersection in spring 2023 by installing a two-lane roundabout which will improve comfort and safety for all road users, to help accommodate existing and future travel demand, and will increase plantings and greenery in the central island. As part of this project, the City of London will also install active transportation elements which include sidewalks and street lighting, asphalt in-boulevard bike paths, and enhanced landscaping and roadway improvements to support active transportation. As part of the TIA, it was recommended that the roundabout at the Colonel Talbot Road at Southdale Road West intersection be constructed sooner to mitigate the traffic operational issues at this location. The timing of the road construction should coincide with future development for this site.

Noise Impacts

A noise study is typically required at time of site plan, to ensure road noise will not impact residential development, and to ensure stationary noise sources (like a drive through) will not impact adjacent lands. As part of the complete application, a noise study was submitted for this site. Recommendations from this study will be implemented into the ultimate site plan and development agreement to ensure stationary noise sources will not impact adjacent residential uses.

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, Neighbourhoods Place Type, Specific Policy 1070C_, Shopping Area Place Type, and the Natural Heritage Features and Hazards policies, providing for the protection of significant environmental features. The recommended amendment will permit the development of commercial and residential uses for the site, while facilitating the protection of a Provincially Significant Wetland, including recommendation on buffers and future compensation and mitigation. future commercial uses. The proposed use represents development with a land use, intensity, and form that is appropriate for the site.

Prepared by: Nancy Pasato, MCIP, RPP
Senior Planner, Planning Implementation

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

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:
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A

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

By-law No. C.P.-1284-
A by-law to amend The London Plan
relating to 952 Southdale Road West.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c.P.13.

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 NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of a portion of the subject lands from a Green Space Place Type to a Neighbourhoods Place Type, and a Neighbourhoods Place Type to a Green Space Place Type on Map 1 – Place Types, and to modify the Provincially Significant Wetland on Map 5 – Natural Heritage.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 952 Southdale Road West in the City of London.

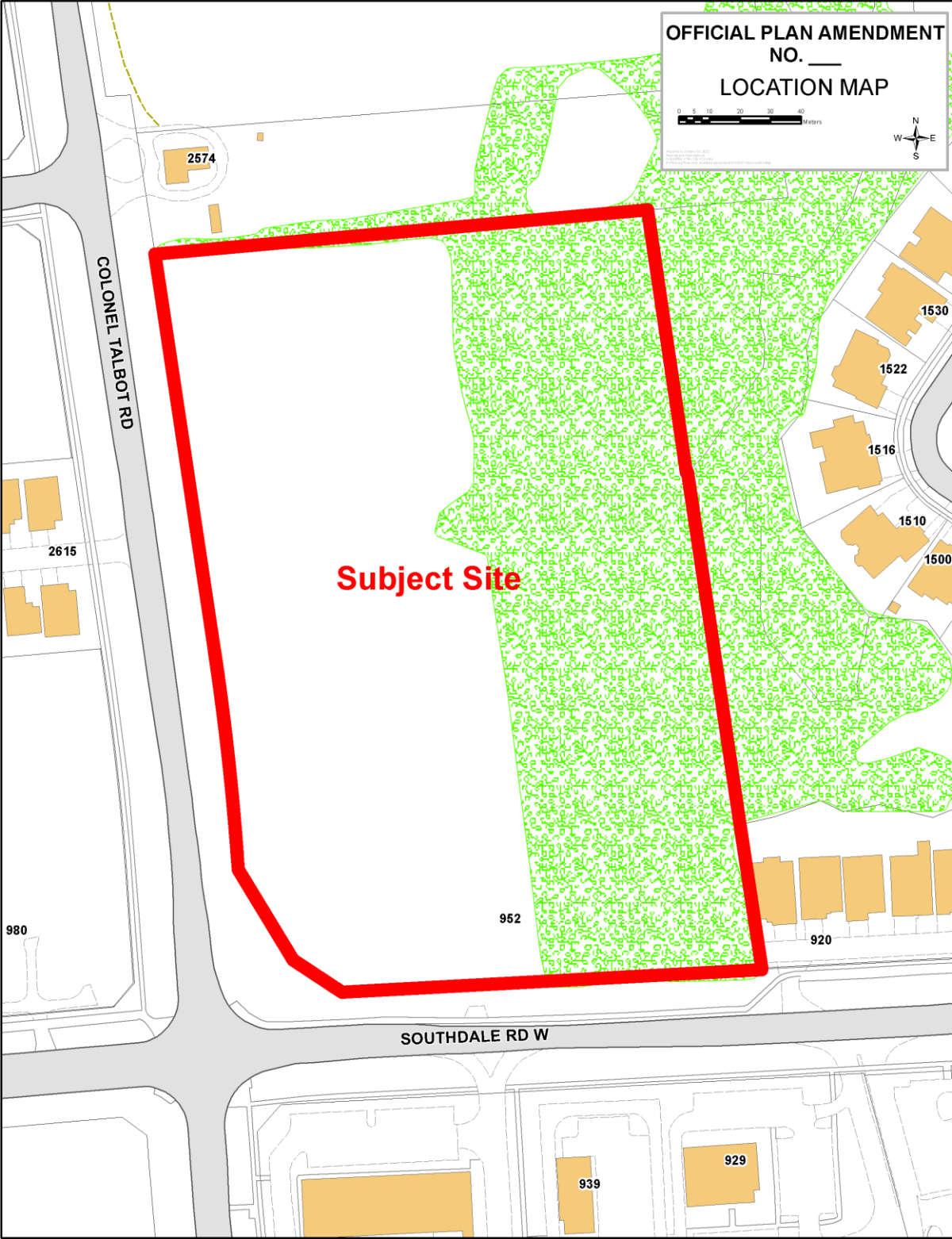
C. BASIS OF THE AMENDMENT

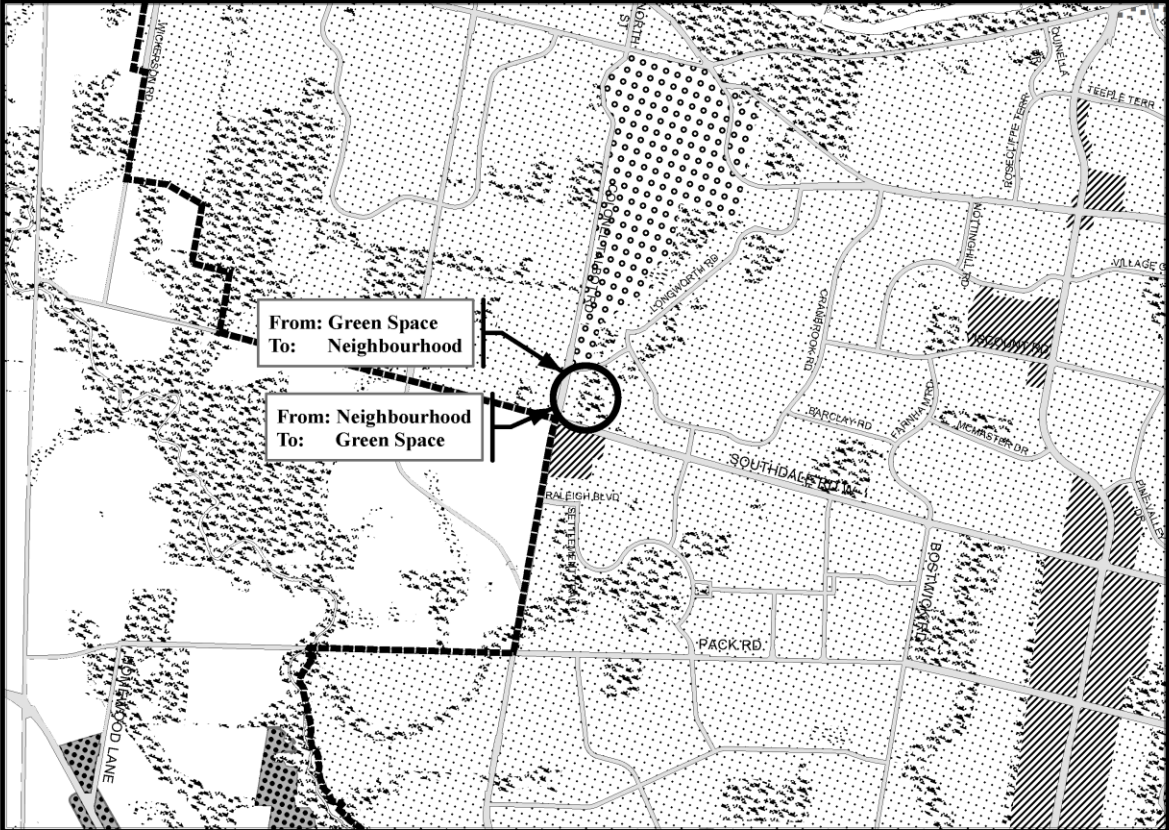
The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type, Specific Policy 1070C_, Shopping Area Place Type, and the Natural Heritage Features and Hazards policies, providing for the protection of significant environmental features, and implementing recommended buffers.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

1. Map 1 – Place Types, of The London Plan is amended by redesignating a portion of the subject lands, as indicated on “Schedule 1” attached hereto from a Green Space Place Type to a Neighbourhoods Place Type, and a Neighbourhoods Place Type to a Green Space Place Type.
2. Map 5 – Natural Heritage, of The London Plan is amended, as indicated on “Schedule 2” attached hereto, by modifying the Provincially Significant Wetland.





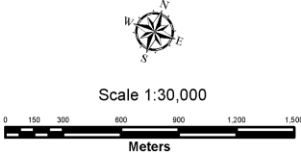
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 | |

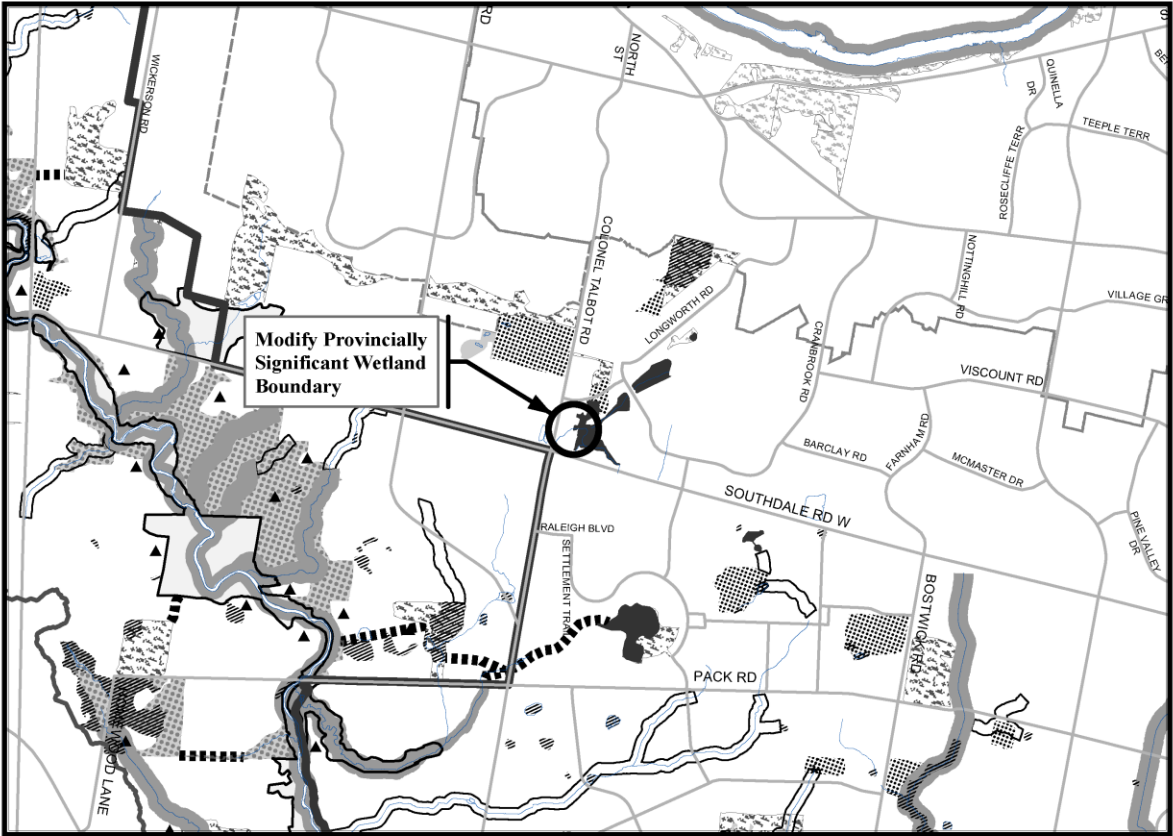
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

SCHEDULE 1
TO
OFFICIAL AMENDMENT NO. _____

PREPARED BY: Planning & Development



FILE NUMBER: OZ-9431
PLANNER: NP
TECHNICIAN: RC
DATE: 10/14/2022



NATURAL HERITAGE SYSTEM

- Provincially Significant Wetlands
- Wetlands
- Unevaluated Wetlands
- Significant Woodlands
- Woodlands
- Significant Valley Lands
- Valley Lands

- Areas of Natural and Scientific Interest
- Environmentally Significant Areas (ESA)
- Potential ESAs
- Upland Corridors
- Potential Naturalization Areas
- Unevaluated Vegetation Patches

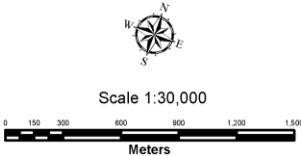
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (see Map 3)
- Conservation Authority Boundary
- Subwatershed Boundary
- Subject to Site Specific Appeals (LPAT Appeal PL170100)

This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

SCHEDULE 2
TO
OFFICIAL AMENDMENT NO. _____

PREPARED BY: Planning & Development



FILE NUMBER: OZ-9431
PLANNER: NP
TECHNICIAN: RC
DATE: 10/14/2022

Appendix B

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 952
Southdale Road West.

WHEREAS 1739626 Ontario Limited have applied to rezone an area of land
located at 952 Southdale Road West, as shown on the map attached to this by-law, as
set out below;

AND WHEREAS upon approval of London Plan Amendment Number
(number to be inserted by Clerk’s Office) this rezoning will conform to The London Plan;

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

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to
lands located at 952 Southdale, as shown on the attached map comprising part of
Key Map No. A106, from an Urban Reserve (UR2) Zone, to a Holding Residential R8
Special Provision (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special
Provision (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision
(h*h-129*CSA1(_)) Zone, a Holding Community Shopping Area Special Provision
(h*CSA1(_)) Zone, and an Open Space (OS5) Zone.
- 2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the
following Special Provision:

) R8-4(_) 952 Southdale Road West

i. Regulations

i) Front and Exterior Side Yard Depth (Minimum)3.0 metres (9.8 feet)

ii) Density97 units per hectare

iii) The definition of ‘STACKED TOWNHOUSE’ permits units to be
stacked three (3) units high, to a maximum height of 13.0
metres (42.7 feet), or three storeys.

iv) The lot line which abuts Colonel Talbot Road shall be
interpreted as the front lot line.

3) Section Number 22.4 of the Community Shopping Area (CSA1) Zone is amended by
adding the following Special Provision:

) CSA1(_) 952 Southdale Road West

i) Front and Exterior Side Yard Depth (Minimum)1.0 metres (3.3 feet)

ii) Front and Exterior Side Yard Depth (Maximum)3.0 metres (9.8 feet)

iii) Height (Maximum)the lesser of 13.0 metres,
or 3 storeys

- | | | |
|-----|---|---|
| iv) | Gross Floor Area
for All Permitted Uses
(Maximum) | 5000.0 square metres
(53,819.6 square feet) |
| v) | Gross Floor Area
for All Office Uses
(Maximum) | 660 square metres
(53,819.6 square feet),
limited to the second floor |
| vi) | The primary functional entrance of individual commercial units
with frontage on Colonel Talbot Road and/or Southdale Road
West shall be oriented to the adjacent street. Grocery stores
shall be exempt from this provision. | |

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.

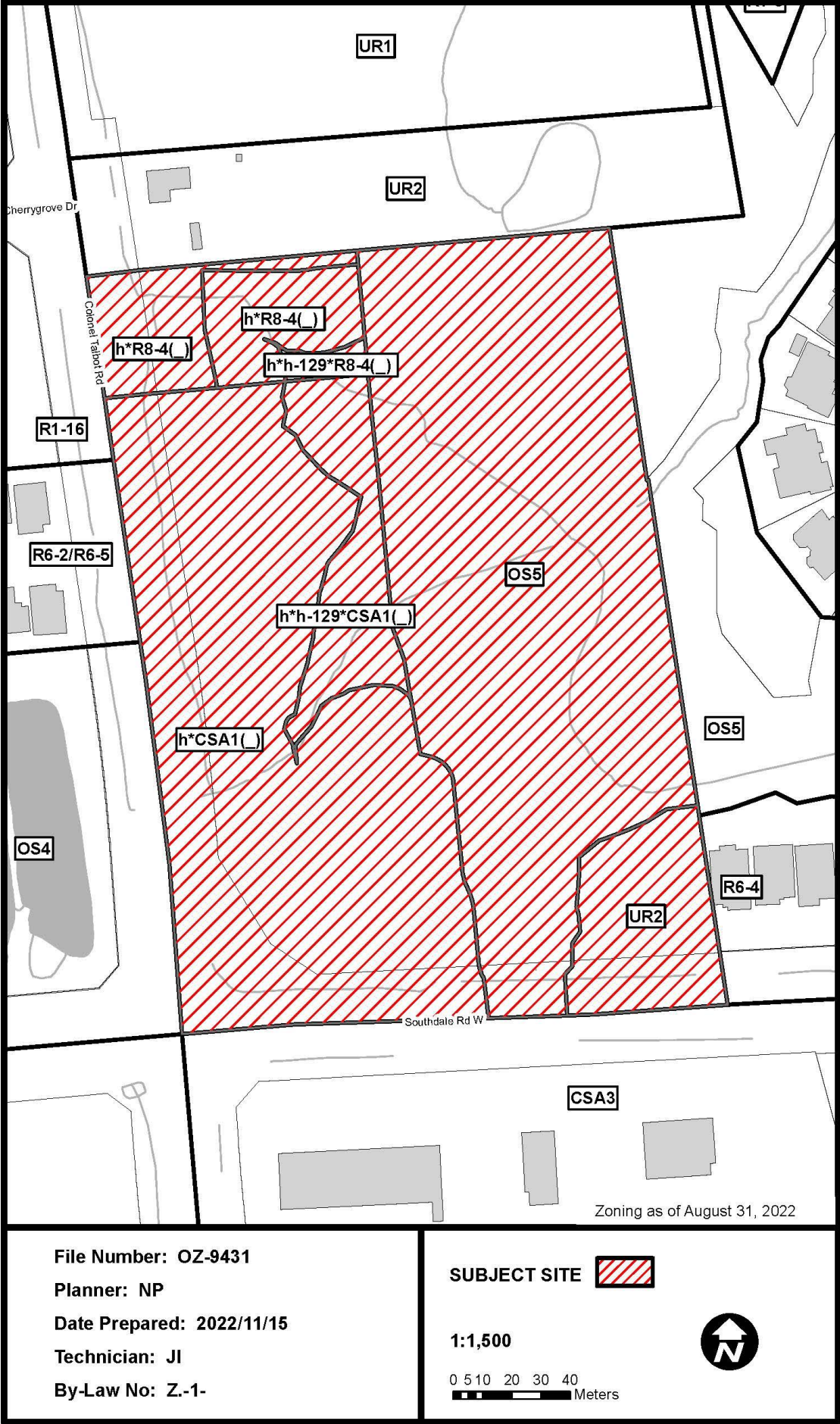
PASSED in Open Council on December 13, 2022.

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 C – Public Engagement

Community Engagement

Notice of Application: On November 10, 2021, Notice of Application was sent to 313 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 11, 2021. A “Planning Application” sign was also posted on the site.

Replies were received from 15 households.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a mixed-use commercial/office/residential development. The requested commercial component, located on approximately the southerly 2/3 of the site, includes a grocery store, a 2-storey commercial/office building, and a single-storey commercial building, with a total gross floor area (GFA) of 5,000m² and a drive through facility. The requested office component within the commercial development has an area of approximately 660m². The requested residential component, located on approximately the north 1/3 of the site includes four, three-storey stacked townhouse buildings with a total of 54 units (density 48 uph). With the exception of a 0.21ha future residential area located at the southeastern limit of the site, the easterly part of the site is proposed to remain undeveloped to promote the protection and preservation of a Provincially Significant Wetland and associated natural heritage features and buffers. Possible amendment to the 1989 Official Plan to **ADD** a Specific Area Policy to permit a maximum of 5,000m² of commercial/office space and a drive-through facility in the existing Multi-family, Medium Density Residential designation, and to change the land use designation in the southeast quadrant of the site **FROM** Open Space **TO** Multi-family, Medium Density Residential. Possible amendment to The London Plan to change the Place Type on Map 1 for a portion of the property **FROM** Green Space **TO** Neighbourhoods, and to **MODIFY** the natural heritage features on Map 5 to reflect current Ministry of Natural Resources and Forestry mapping. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR2) Zone **TO** the following: 1) a compound Residential R8 Special Provision/Community Shopping Area Special Provision (R8-4()/CSA1()) Zone with special provisions for the Residential R8 Zone to permit a minimum exterior side yard depth of 5.0 metres in place of 8.0m, a minimum interior side yard depth of 2.1m in place of 4.5m, a minimum landscaped open space of 22% in place of 30%, a minimum of 51 parking spaces in place of 81 spaces (.94 spaces/unit in place of 1.5 spaces/unit), and to permit stacked townhouses 3 units high whereas a maximum of 2 unit high stacked townhouses are permitted, and with special provisions for the Community Shopping Area (CSA1) Zone to permit a minimum front yard depth of 1.5m in place of 8.0m, a minimum exterior side yard depth of 3.0m in place of 8.0m, a minimum interior side yard depth of 2.0m in place of 3.0m, a maximum building height of 13.0m in place of 9.0m, a minimum of 220 parking spaces in place of 255 spaces (1 space/22.73m² of GFA in place of 1 space/20m² of GFA), a minimum of 8 drive through stacking spaces in place of 15 spaces, a minimum of 8 accessible parking spaces in place of 10 spaces, a minimum parking setback from Colonel Talbot Road of 0.5m in place of 3.0m, and to reduce the maximum permitted commercial/office GFA from 6,000m² to 5,000m²; 2) an Urban Reserve Special Provision (UR2()) Zone with a special provision to permit a minimum lot area of 0.2ha in place of 6.0ha, and 3) an Open Space (OS5) Zone. The applicant also requested the use of a Holding Provision (h-129) on a portion of the proposed development area and the Open Space (OS5) Zone to prohibit development to accommodate an interim flood storage solution until permanent flood storage measures are identified. File: OZ-9431 Planner: B. Debbert (City Hall).

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

Concern for:

- Density
- Noise impacts
- Obstructions of view

- Loss of property values
- Inappropriate use of lands
 - No need for a grocery store
 - Do not want commercial development at this intersection
- Environmental impacts
 - Reduction in green space
 - Overland flows
 - Wildlife
- Walkability
- Roadways and entrances
- Traffic flow, volume, and safety
 - Turning movements, impacts of large delivery trucks, and speed
 - Timing of light, and potentially the proposed roundabout will result in no breaks in traffic to allow turning movements
- The future of the temporary access from 920 Southdale Road West

Notice of REVISED Application: On October 26, 2022, Revised Notice of Application was sent to 318 property owners in the surrounding area. Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 27, 2022. A “Revised Planning Application” sticker was placed in the posted site sign.

At the time of this report (November 18, 2022), comments have been received from 3 households.

Nature of the Liaison: The purpose and effect of this Official Plan and zoning change is to permit a mixed-use commercial/office/residential development. The requested commercial component, located on approximately the southerly 2/3 of the site, includes a grocery store, a 2-storey commercial/office building, and a single-storey commercial building, with a total gross floor area (GFA) of 5,000m² and a drive through facility. The requested office component within the commercial development has an area of approximately 555m²(REVISED). The requested residential component, located on approximately the north 1/3 of the site includes four, three-storey stacked townhouse buildings with a total of 30 units (density 97 uph)(REVISED). The easterly part of the site is proposed to remain undeveloped to promote the protection and preservation of a Provincially Significant Wetland and associated natural heritage features and buffers. Possible amendment to The London Plan to change the Place Type on Map 1 for a portion of the property **FROM** Green Space **TO** Neighbourhoods, and **FROM** Neighbourhoods **TO** Green Space, and to **MODIFY** the natural heritage features on Map 5 to reflect current Ministry of Natural Resources and Forestry mapping. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR2) Zone **TO** the following: 1) a Residential R8 Special Provision (R8-4()) Zone. Permitted uses include: apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked townhouse, senior citizen apartment building, emergency care establishment, continuum-of-care facility. Special provisions include: a minimum Front Yard setback of 3.0m whereas 7.0m is required (REVISED); a minimum Rear Side Yard setback of 3.0m whereas 4.5m is required (adjacent to the OS5 Zone) (REVISED); an increased in density from 75 units/ha to 97units/ha (REVISED); to permit stacked townhouse buildings three units high, rather than two as defined in the Zoning By-law; and to deem Colonel Talbot Road as the Front Lot Line for zoning purposes (REVISED). The City may also consider a reduced residential density and specify the areas of the site on which residential development may occur; 2) a Community Shopping Area Special Provision (CSA1()) Zone. Permitted Uses include: a broad range of retail, service, office, recreational, and institutional uses. Special provisions include: a minimum Front Yard setback of 0.0m, whereas 8.0 m is required (REVISED); a minimum Exterior Side Yard setback of 1.0m whereas 8.0m is required (REVISED); a minimum Rear Yard setback of 2.0m whereas 8.0m is required (abutting the proposed R8-4() Zone))(REVISED); a minimum Interior Side Yard setback of 0.0m whereas 3.0m is required (adjacent to a non-residential zone being the OS5 Zone integrating the ecological buffer)(REVISED); a minimum required parking setback from a road allowance of 0.5m whereas 3.0m is required(REVISED); and a reduction of the drive-

through stacking stalls from 15 to 8 for a coffee shop. The City may also specify the areas of the site on which commercial development may occur; 3) an Open Space (OS5) Zone. Permitted uses include: conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, managed woodlots. The City may also consider adding a holding provision (h-129) on a portion of the site to ensure that the results of the Hydraulic Floodway Analysis are accepted to the satisfaction of the Upper Thames River Conservation Authority. The City may also consider additional holding provisions and/or special provisions to implement the proposed development.

Concern for:

- Density/amount of uses on site/smaller footprint
- Inappropriate use of lands
 - No need for a grocery store
 - Do not want commercial development at this intersection
- Environmental impacts
 - Reduction in green space
 - Overland flows
 - Wildlife
 - Protection of wetland
 - Wider buffer
- Lack of parking
- Maximum height two storey for residential

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

Telephone	Written
Anna Wissing 905 Southdale Road West, Unit 1001	Courtenay Hindemit 1500 Thornley Street
Murray White 905 Southdale Road West, Unit 808	Jerry Thomas 920 Southdale Road West MVLCC #672
John Chrysoulakis 920 Southdale Road West	Kimberly Lake 2615 Colonel Talbot Road, Unit 21
Paul Mills 2615 Colonel Talbot Road, Unit 23 MVLCC #606	Cathy Melo 1538 Thornley Street
Richard Zelinka Zelinka Priamo	Paul Mills 2615 Colonel Talbot Road MVLCC #606
	Pauline Kosalka 905 Southdale Road West, Unit 1506
	Ali Soufan 915 Southdale Road West Westfield Village Estates Inc. c/o York Developments, 201-303 Richmond Street
	Philip Cheetham 2615 Colonel Talbot Road, Unit 20
	Maritza Angel 2615 Colonel Talbot Road, Unit 29
	Leslie Begg 2615 Colonel Talbot Road, Unit 32
	Caden McAllister Zelinka Priamo
	Patricia Smith 14-920 Southdale Road West

Telephone Summary

Cathy Melo

- Questions about how current policy came into force
- How many grocery stores do we need? – there’s one on the other corner
- BD covered TLP Hearings process
- Noted retail justification report posted online (not required as part of complete application)
- Noted EIS (not posted), hydrogeological report, flood line analysis.

Anna Wissing

905 Southdale Road West Unit 1001

- Greatest concern is traffic flow. Southdale only 2 lanes; Westdel Bourne and Southdale both need to be 4 lanes. – don’t know how roads can accommodate any more traffic. She sees the congestion from her apartment. Colonel Talbot is very busy too.

Murray White

905 Southdale Road West, Unit 808

- Wanted to know timing of roundabout going in at Southdale and Colonel Talbot Road related to expected timing of development
- Hoping/expects that the cross walk will be moved quite a bit farther east with the roundabout construction – seems to have been some issue with people having trouble crossing the street – I asked why they're not using the crosswalk? (i.e. we don't plan for jaywalkers)
- Was a traffic survey done?
- Difficult to turn left out of 905 Southdale; most people go south to the other entrance and turn left there. Expect that when lights are installed people will use Pack and Colonel Talbot (??) or at Raleigh.
- Speed control issues
- Traffic is in bunches from light to light; when the roundabout is constructed expect a steady stream of cars.
- Large transport trucks (54' trucks) delivering to No Frills use all of Southdale to get into driveway, and they run over the signs saying to stay on their own side – City has to repair it all the time

John Chryssoulakis

920 Southdale Road West

- The proposal to make access from 920 Southdale to the street permanent and add extra units on adjacent property to that access is contrary to what they were told on purchase. Further to my corres with Jerry Thomas, he requested that I supply any correspondence between the City and the Planners on this change, with dates.

Jerry Thomas

- main issues – temp vs. permanent access for them; possible addition of more units to that access; role of PSW
- Reviewed that this application does not zone the land for development (but it does recognize a MFMDR consistent with The London Plan).
- Not sure what documentation he had: copy of subdivision agreement Block 68; copy of condo declaration, copy of site plan/development agreement – think I told him to do a title search.

Paul Mills

2615 Colonel Talbot Road Unit 23

MVLCC #606

- Will submit comments in writing.
- Noted the traffic study ignored their street – 32 houses.
- Cherry Grove extension is not in the TIA.
- Objected to retail but BD pointed out the special policy resulting from the hearings on The London Plan.

Richard Zelinka

Zelinka Priamo

- Calling on behalf of Southside and Loblaws – will be writing to object to the commercial proposal.
- Almost the same form as refused by the OMB.
- 1989 OP does not allow for commercial development.
- TLP would only allow for secondary uses on intersection based on the status of the roads.

Written Comments

Cathy Melo

1538 Thornley Street

Response 1 November 15, 2021

Having just received my notice of planning application to 952 Southdale Road West I should point out that Southside Development, Peter Whatmore, Rudy Green and myself fought a proposal about 10 years ago against York developments for commercial development on this property. York lost the OMB hearing and also lost the appeal process right to the top. The outcome was that there was to be no commercial development on this piece of property. Please explain why this zoning by-law amendment is even being considered in view of this Legal decision.

Response 2 November 28, 2022

In response to the request by Westdell Corp to amend zoning for 952 Southdale Road. Please allow me to state as a local resident in the area there is no need for any large scale commercializations on this property, nor is there a need for an eighth grocery store in the vicinity.

We have a No Frills directly across the street, Metro to the North on Boler, Loblaws, Freshco, Superking Super Market and Food Basics to the East on Wonderland as well as Foodland to the South in Lambeth all less than a 5 minute drive. We are more than adequately served.

I would like to point out to the committee as stated in the city of London's Hydrogeological Assessment that the Buttonbush Wetland which this development would encroach on is a provincially significant wetland (2006). Much of this wetland has surface water more than 10 months of the year (page 9). This land acts as a sponge for the area. This wetland has already undergone extensive pressure from the area due to the large scale urbanization in the area during the last 20 years. Not only impacting the boundary of the woodland but also the quality of the surface water. This area doesn't need unnecessary large scale commercialization.

Eleven years ago on this same site York Developments attempted to have the zoning changed to allow a similar zoning amendment. After looking at the environmental damage it would cause to the fragile wetland ecosystem and the fact that there was more than ample commercial space on Wonderland the OMB turned down York's request . Absolutely nothing has changed to justify overturning the OMB's original decision. We have even more commercial development along Wonderland and if Westdell feels an eighth grocery is really required why don't they put it on the commercially zoned area on the corner of Wonderland and Wharncliffe where they are currently advertising for commercial tenants.

Please make the right decision and turn down this request for amendment, once again it is unnecessary and protection for this wetland is long overdue.

Response 3 October 29, 2022

Regarding the revised notice of planning application for this location the developer appears to be attempting to cram far too much into an area bordering on an environmentally significant wetland. I am especially concerned with the food serving facilities (restaurant and coffee shop) located next door to a wetland causing a large increase in the rodent population for the area.

As stated in an earlier letter concerning this location we do not need another grocery store in the area as we are currently over serviced and with such a large area being turned over to asphalt there will be less area to absorb all the water in the area. Frankly it doesn't make sense to put a grocery store next to a significant wetland and if this council cares about the environment the way it claims to this should be removed from the plans.

I respectfully request that the proposed change to the min exterior side yard from 8.0 to 5.0 as well as the min open space from 30% to 22%: should be turned down. The request of a min parking space total from 81 to 51, a reduction of 37% is laughable and will cause a future chronic parking shortage and the accompanying social problems down the road.

The stacked townhouses should remain a two stories rather than three with a much larger buffer on the north side between the development and the wetland. Please reconsider these proposals for the above reasons.

Courtenay Hindemit
1500 Thornley St

I am writing in regards to the notice for the new development proposal at 952 Southdale Road West.

I currently live on Thornley St, and one of the main reasons were purchased this house was for the privacy that the trees bring in the backyard.

My concerns with this new building are obstructions of view. The loss of wild life and the noise and disruption from the construction that will happen with building a plaza. Also, is there a reason for the plaza when there is one already at southdale and colonel talbot.

We are very much opposed to this construction.

If you are having an open forum where we can here what the plan is we would very much like to attend.

Sincerely,
No more plazas

.....

Jerry Thomas
President MVLCC#672

In response to a notice of a planning application requesting to amend zoning by laws for 952 Southdale Road West, I am writing to express my comments and concerns for myself and the 920 Southdale residents, otherwise known as Middlesex Vacant Land Condominium Corporation #672 (MVLCC).

The MVLCC property is directly east of proposed development. It consists of seven units, each occupied by a detached single family home on a freehold parcel of land. I live in one of the units and am President of MVLLC. All units face Southdale Rd. W., access to which is provided by a private road with single exit and entrance on to Southdale Rd. W., at the West end of the property.

Legal Name: Middlesex Vacant Land Condominium Plan 672, City of London, County of Middlesex, Ontario.

Registry: PIN's 09275-0001 to 09275-007

This roadway is designated as part of the common areas of the corporation and as such is maintained by the corporation. In section 7.0 Summary of Conclusions of the Traffic Impact Assessment (TIA) it states “ *Fifteen of the townhouse units are proposed to connect to the 920 Southdale Road residences; this portion of the development will utilize the existing access onto Southdale Road from 920 Southdale Road. As discussed with the City of London during pre-consultation, this existing residential access to Southdale Road will not be included in the subject TIA assessment as the number of proposed residences is negligible.*”

Permission to use our roadway and entrance have not been given, that we are aware of, and further the use of the entrance is in contradiction of conditions imposed by the Approval Authority for the original site plan.

In our Condominium Declaration, Article 2-Conditions Imposed by the Approval Authority subsection 2e. It states “*That the description of the Common Elements in the Condominium Declaration include a clause relating to temporary access to Southdale Rd. W.*”

(i) *"The access to Southdale Road W is a temporary access to serve the multi-family block (Block 68, 33M-531) until an access can be provided through the lands to the west. The temporary access to Southdale Road W will be closed, as a condition of the site plan approval, when a alternate access is provided, at no cost to the City of London.*
(ii) *At such time as the lands to the west develop, a permanent access to serve 920 Southdale Road W. will be constructed through the lands to the west and the temporary access to Southdale Road W. will be removed and the City Boulevard will be restored."*

Given that MVLCC is responsible for maintaining both the roadway and the entrance we are concerned that additional traffic from these townhouses will result in additional expenses. As well the future inhabitants of this new development¹⁵ will not be a part of the MVLCC and therefore not contributing to the fees collected for the maintenance and repair of the Common Areas.

Our ability to enter and exit our property is currently a challenge, especially at peak traffic times. Considering this and that the proposal indicates an entrance to the new development is to be constructed somewhere between our entrance and Colonel Talbot Road, our ability to enter and exit our property will become much worse. The decision not to include the existing residential access to Southdale Rd. W in the subject TIA assessment is an oversight in our opinion. Given the current challenges the existing residents experience with getting access to Southdale Rd. W today, the additional use of the entrance by the future residents of the 15 townhouses will pose a problem and should not be thought as negligible.

We do not feel using our entrance is the best choice for us or the future residents of this development. We would like to know why the use of the existing temporary entrance was chosen, if there is legal precedence for your choice, and why access through the lands to the west is not viable.

Also, can you provide the size and type of buffer that will exist between the 15 townhouses and the MVLCC property. Do you know if the townhouses will be condominiums or rentals?

.....
Kimberly Lake

Unit 21 - 2615 Colonel Talbot Road

To Whom it May Concern:

I believe the issues raised about the 952 Southdale Road West Planning Application by Paul Mills are valid and should be seriously considered before the city permits the construction of this commercial site.

From Boler to Wonderland there are only 1 and 2 storey residential buildings on the north side of Southdale and I believe it should stay the same. I recently bought into this community, in part because of the view of the pond and open fields. I would never have paid the price I did had there been signage indicating a plaza was in the works. This project will negatively impact the value of our homes as well as surrounding homes backing and siding onto the plaza.

The traffic study completely ignored our development, which is appalling since our residents will be affected by the traffic/plaza the most! I believe it is going to be very dangerous getting in and out of our driveway since it will be between the two entrances into the plaza. If the City approves this development at the very least, they should insist on widening Colonel Talbot to two lanes to accommodate the future planned roundabout traffic, as well as the extra traffic into the plaza and townhouses. Pedestrian traffic will be a challenge to say the least with cars whizzing by, and a future roundabout, so it seems like it's an accident waiting to happen. And, when Cherrygrove is extended, the volume of traffic will significantly increase. Residents to the east of us will have an easy way to get to Colonel Talbot. This will just make it harder for us to get in and out of our community.

I've noticed that the townhouses at 920 Southdale have only one entrance into their community, the same as us. Although there is only one lane for westbound travel, the

shoulder of the road is clearly being used as a dedicated lane, although it is not paved. It appears they are having the same difficulties as I anticipate for our community. The traffic concerns we are raising are valid and need to be addressed at this stage if this development goes through. Safety is paramount!

Development will happen. That's a fact. The City needs to consider our concerns and use this land wisely, cohesively and most importantly safely.

Thank you for your time and

consideration.

Sincerely,

.....

Manpreet Kaur

Actually I am living at colonel Talbot rd just opposite to site the site (952 southdale rd west). We are really excited that new shopping plaza, offices and new townhomes are building next to my area. We are really looking forward to our area growing. We are very happy with this decision.

When this project going to start and please provide me any more information if you have with regards to who is the builders of townhomes.

Thanks

.....

Paul Mills
Board President
Middlesex Vacant Land Condominium Corporation No. 606

Further to our telephone conversation earlier this week, I am the President of the Board of Directors for the MVLCC#606 Condo Corporation at 2615 Colonel Talbot Road and I am writing to you about the Planning Application for 952 Southdale Road West, File #OZ-9431. The subject of this application is a proposed commercial and residential development directly across the street from our condo community and several of our owners have raised concerns about it. We have attempted to summarize these concerns in the attached letter. We have also invited our entire community to review this letter and come forward with any additional thoughts they have by December 8th. We may therefore be forwarding any other concerns that are raised soon after that date.

We hope that you and your department will give our concerns due consideration and that they will be addressed as City Council considers this Planning Application. We would also be pleased to attend any public meetings called to review this application. In addition to our Board of Directors and Property Managers, I have also copied our Ward 9 Councillor, Anna Hopkins and Paul VanMeerbergen, the Councillor for Ward 10 where the Development is being proposed.

Thanks so much for your time and consideration.

Yours Sincerely,

.....

Paul Mills
Board President
MVLCC#606

Dear Ms. Debbert:

I am writing you as the President of the Board of Directors for the Vacant Land Condominium MVLCC#606 located at 2615 Colonel Talbot Road. Our community is located on the north-west corner of the intersection of Southdale Road West and

Colonel Talbot Road. We have heard a number of concerns about this proposed development at 952 Southdale Road West from our homeowners and wish to raise them with you in the hopes that they will be addressed in your considerations about this proposed development.

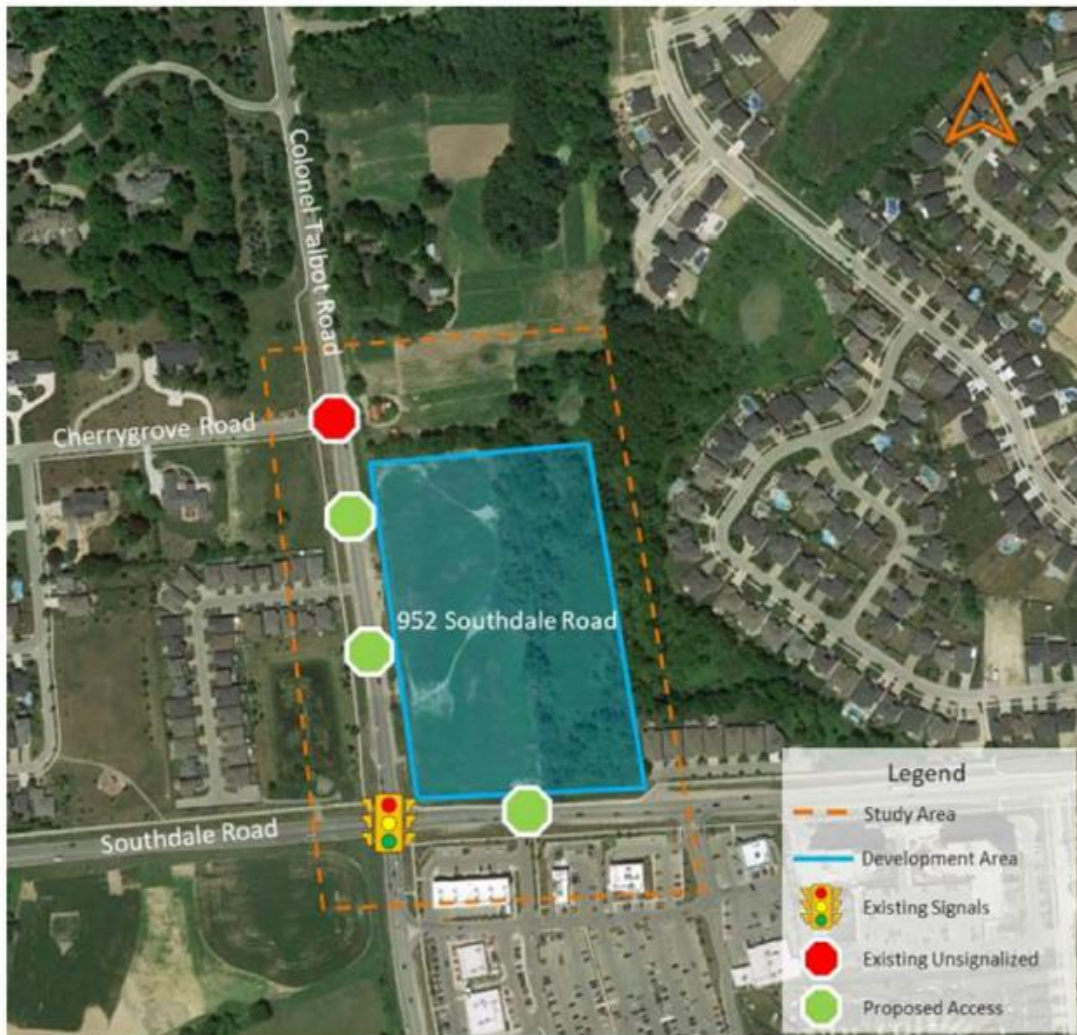
Land Use

Our first concern has to do with the alteration of this property from green space to full urban development. The north side of Southdale Road West between Boler Road and Bostwick Road to the east is currently all residential or parklands. To the south of the Colonel Talbot and Southdale intersection there is currently a large commercial retail property. The proposed development would be an additional commercial property greatly increasing the commercial density of our neighborhood. The Retail Justification Study that concludes sufficient market demand to justify the large expansion of retail space associated with this proposal is flawed for a variety of reasons. Mainly, the study was conducted in 2017 (currently four years old), which was prior to the significant impacts of the COVID-19 Pandemic. The Retail Justification Study doesn't mention online or e-commerce shopping once, even though more than 80% of Canadian households buys online and e-commerce sales have more than doubled in Canada (StatCan).

Aside from the increased traffic and noise associated with such a change, the view from our property will be radically altered from its current open field and trees aesthetic to a full urban landscape. A number of our homeowners have expressed strong objections to the zoning change. Some have indicated that while a residential development could perhaps be tolerated, a full commercial retail development such as the one being proposed would be too much.

Traffic Concerns

In addition to the aforementioned problems associated with this application, traffic impacts are perhaps the biggest concern that we have. Our Condominium consists of 32 houses located on a private street which intersects with Colonel Talbot Road directly across from the proposed Development. The Traffic Impact Assessment submitted with this Planning Application took into consideration the main intersection at Colonel Talbot and Southdale and the intersection of Colonel Talbot and Cherrygrove Drive to the north of us but completely ignored the intersection of our street and Colonel Talbot. None of the diagrams with existing conditions, traffic volumes or expected future conditions illustrate the entrance to our community as a consideration for future traffic operations.



As shown on Figure 1, our intersection meets Colonel Talbot exactly between the two entrances to the proposed Development and we believe that there will be a significant impact on vehicular and pedestrian traffic. Our street actually has a higher population and vehicular density than Cherrygrove Drive and the fact that it was ignored in the Traffic Impact Assessment is puzzling to say the least.

Both of the proposed entrances to the Development will permit left and right turns into and out of the property and yet there was no proposal made for widening the street to create turning lanes. The problematic exclusion of the entrance to our community will result in a situation where within the 290 meters between the intersection of Southdale and Colonel Talbot to Cherrygrove Drive, there will be four unsignalized access-points (two proposed accesses to 952 Southdale, entrance to Cherrygrove Drive and to our community). We believe that this will likely result in significant traffic tie-ups, particularly in peak hours. This plus the additional traffic noise that will result are of considerable concern to our home owners.

In addition, pedestrian traffic will become a significant factor and yet no crosswalks have been proposed between our densely populated street and the Development. We are afraid that this oversight could jeopardize the safety of our residents and all visitors to the Development.

Property Value

Many of our homeowners believe that the factors outlined above will also have a negative impact on property values. The current balance between adjacent shopping convenience and a lovely rural setting has been a major attraction for people who have bought homes in our Condo neighborhood. The addition of this large commercial development right next door to us will make our neighborhood less attractive to many people.

In closing, we hope that you will give our concerns serious consideration and that we may have the opportunity to attend a public meeting to discuss them and perhaps see some changes in the plan which will address them. Although we support infill

development as per the London Plan, the large amount of commercial/office space in a Neighbourhood Place Type is a significant concern, and we are of the opinion that a residential development would be more suited than the current proposal. Secondly, an updated Traffic Impact Assessment that includes the entrance to our community as part of the larger future operations would be a start to alleviate our traffic concerns.

Thank you for your consideration.

Sincerely,

Philip Cheetham
Unit 20 - 2615 Colonel Talbot Road

We are totally in support of the attached letter.

1. There is no need for more commercial development around the intersection of Colonel Talbot Rd and Southdale. It would totally change the character of our community. Our community is a residential community and we wish to remain so. We accept a residential development would be the best option for future development.

2. Traffic volume on Colonel Talbot, already increasing due to all the new development around Pack Rd, will be increased significantly. Access to/from our community is becoming even more difficult and dangerous. Also, changing the lights at the intersection of Colonel Talbot Rd and Southdale to a traffic circle, does not help the situation. The goal of the traffic circle is to allow continuous flow of traffic. At least when the lights change to red, and traffic is stopped, access to/and from our community is possible.

3. There is no consideration for pedestrians in this plan and as many of our community walk to the existing local stores, it will be hazardous crossing the roads with the increased traffic and especially the traffic circle.

4. There will be a negative impact of the proposed commercial development on the value of homes in our community, especially those facing directly on Colonel Talbot and reduce interest of future purchasers,

Good luck with the action you are taking on our behalf.

Cheers,

Maritza Angel
Unit 29 - 2615 Colonel Talbot Road

Thank you to all who contributed in addressing the concerns we have to the proposed development across from our community. I am in agreement.

Leslie Begg
Unit 32 - 2615 Colonel Talbot Road

I am in complete agreement with my fellow neighbours.

Traffic is a huge issue as it is already extremely busy and the application for this rezoning does not seem to be addressing this.

I don't understand the need for another grocery store with there being one just across the road.

Residential is definitely a more appropriate development.

Regards,

Pauline Kosalka

Greetings,

As someone who resides at 905 Southdale Rd West, I just wanted to comment regarding the planning amendments for 952 Southdale Rd West. I am a bit concerned about the density of the development planned there. The field there does have some ecological value, as I have on occasion seen wild turkeys and deer graze there. Understanding the need to accommodate further housing, I think the area in question does already have dense development nearby, and I do not think increasing the density would be in line with preservation of green spaces and ameliorating road congestion. Thank you for your time.

.....

Ali Soufan
Westfield Village Estates
York Developments

Dear Ms. Debbert

Upon review of this application, please let this letter service as notice that Westfield Village Estates Limited is in opposition of the planning application submitted at 952 Southdale Road West, submitted by 1739626 Ontario Limited (Westdell Corp.).

It is our concern that this development may have a major impact to the overland flows as a result of thereconfiguration of the south branch of the Button Bush Wetland and may have an impact the existing development to the south. As well there will be a negative impact to the wildlife who benefit from the green space that currently exists.

Further, there is the concern that traffic at this intersection will significantly increase and the current roads, Southdale Road West and Colonel Talbot Road are not currently designed and/or built for the increase flow of vehicular traffic. Any development along these corridors should be deferred until such time that both roads have been reconstructed to handle the traffic flow.

The change in designation to permit such a large commercial development is not an appropriate use of these lands, a more feasible development would be to develop as a medium density residential site only, maintaining the existing wetlands they currently exist.

I would like to point you to an earlier application 02-7445, that in 2008, a similar proposal to amend official plan and zoning were brought forth to the City of London and recommendation of refusal by the then General Manager of Planning and Development, R.W. Panzer and appealed to the Ontario Municipal Board, PL090190, where the amendment was denied.

We would like to be on record that we would to be notified of and included in all future meetings and decisions made this application.

.....

Patricia Smith
14-920 Southdale Road West

My concern is to keep the wetlands as protected as possible.

I'm sure with the Upper Thames Conservation Authority being involved they will be ensuring the land is protected as much as possible.
Would have liked an even wider buffer between the development and wetlands.

I realize developers want to get as much square footage out of their property but would have preferred to see a smaller development put on the property, so as not to impact the wetlands.

Thank you.
.....

Ali Soufan
Westfield Village Estates
York Developments

Dear Ms. Pasato

Upon review of this application, please let this letter service as notice that Westfield Village Estates Limited is in opposition of the Official Plan and Zoning amendment application at 952 Southdale Road West, submitted by 1739626 Ontario Limited (Westdell Corp.).

It is our concern that this development may have a major impact to the overland flows as a result of the reconfiguration of the south branch of the Button Bush Wetland and may have an impact on the existing development to the south. As well there will be a negative impact to the wildlife who benefit from the green space that currently exists.

Further, there is the concern that traffic at this intersection will significantly increase and the current roads, Southdale Road West and Colonel Talbot Road are not currently designed and/or built for the increase flow of vehicular traffic. Any development along these corridors should be deferred until such time that both roads have been reconstructed to handle the traffic flow.

The change in designation to permit such a large commercial development is not an appropriate use of these lands, a more feasible development would be to develop as a medium density residential site only, maintaining the existing wetlands as they currently exist.

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We would like to be on record that we would wish to be notified of and included in all future meetings and decisions made on this application.

Departmental and Agency Comments

Urban Design (November 24, 2021)

Building Design

- Include elevations for all four sides of the proposed buildings with materials and colours labelled. Further comments may follow upon receipt of these drawings.
- Provide enhance architectural details on the residential end units that are highly visible from Colonel Talbot Road, including similar windows, materials, and porches/balconies.
- Locate the principal entrance of the grocery store closer to Colonel Talbot Road (flip parking with main entrance) to allow for a more direct and active connection to the street. Ensure materials, architectural details and windows wrap around the corner to face the street.
- Ensure primary entrances for the proposed restaurant and coffee shop are located along Southdale Road with glazing and weather protection such as canopies or awnings.

Site Design

- Relocate the bike parking proposed beside the grocery store closer to the front doors of each of the buildings.
- Ensure all parking islands are planted with two trees and additional vegetation.

- Provide enhanced plantings and low landscape walls beside any parking that is visible from Colonel Talbot Road or Southdale Road.
- Provide trees on the west side of the 2-meter-wide sidewalk that abuts the natural area to provide for a safer and more comfortable pedestrian experience.
- Provide a walkway through the parking field that provides pedestrian access from the proposed grocery store to the other commercial units through the site.

Urban Design Revised Comments (August 11, 2022)

Urban Design has reviewed the updated site plan for 952 Southdale Road West. The following policies of the City Design chapter and the form policies of the Shopping Area Place Type of The London Plan [TLP] must be addressed through the rezoning and site plan process:

- Continue the smaller scale commercial uses along the Southdale Road West and Colonel Talbot Road to create a pedestrian oriented street wall. These buildings should be constructed with their primary entrances and transparent windows oriented toward the primary street to reinforce the public realm, establish an active frontage, and provide for convenient pedestrian access [TLP 291_, 879_].
- The buildings should be sited with minimal setbacks from public streets to create an inviting, active and comfortable pedestrian environment [TLP 259_].
- Buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements [TLP 290_].
- Amenities such as landscaping, street furniture, and patios, should be designed and provided on the site to attract pedestrian activity to the front of these buildings [TLP 879_].
- Locate all surface parking in the rear or interior side yard of the site to minimize the impact on the public realm; parking between the smaller commercial buildings and the street will be discouraged [TLP 272_, 879_]. Any surface parking that is visible from the street should be screened by low walls and landscape treatments [TLP 278_].

Urban Design Revised Comments (November 1, 2022)

Urban Design has reviewed the updated site plan for 952 Southdale Road West. The applicant is commended for providing a building and site design that incorporates the following features: reduced yard setbacks along Southdale Road W, amenities such as landscaping and patios, and small-scale commercial uses along Southdale Road W. The following policies of the City Design chapter and the form policies of the Neighbourhoods Place Type of The London Plan [TLP] must be addressed through the rezoning and site plan process:

- Provide pedestrian connectivity throughout the site while linking building entrances to each other and the city sidewalk to allow for safe and convenient pedestrian connectivity [TLP 255_].
- Parking exposed on Colonel Talbot to be screened with enhanced landscaping/low masonry walls [TLP 278_]. Parking to be setback from the face of the building [TLP 272_].
- Consider reducing the parking on site to reduce the effects of surface parking.
- Remove the parking spaces between the two commercial buildings along Southdale Rd to allow for a more substantial patio space.
- If underground parking is proposed, include enhanced landscape buffers from underground parking ramps and the pedestrian walkways or public realm for safe and convenient movement and to reduce the visual impact.
- Locate all parking areas and drive aisles a minimum of 1.5 meters (3.0 meters if along a street) from the property line to allow space for landscaping [TLP 271_].
- Provide visual access for end units of the townhouse buildings facing the Open Space interface by providing an increased number of windows or balconies.
- Locate individual unit entrances along the Colonel Talbot Road frontage.

- Patio enclosure materials along Southdale Road W should be semi-transparent with a height of no more than 1m to provide views and passive surveillance into the public streetscape.
- Buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements [TLP 290_].

Heritage (September 27, 2022)

This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions, and recommendations) to be sufficient to fulfill the archaeological assessment requirements for (OZ-9431):

- AECOM. Stage 1-2 Archaeological Assessment 952 Southdale Road West [...] Middlesex County, Ontario (PIF P438-0171-2019), March 25, 2019.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "[t]he Stage 1-2 investigation of the property located at 952 Southdale Road West in the City of London resulted in the identification of two archaeological findspots. Based on the paucity of material recovered, Findspot 1 and Findspot 2 do not fulfill the criteria for further Stage 3 archaeological investigation as per Section 2.2, Standard 1c of the Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011). Based on these findings, no further archaeological assessment is recommended for 952 Southdale Road West." (p i)

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received, dated May 19, 2020 (MTCS Project Information Form Number P438-0171-2019, MTCS File Number 0010480). Archaeological conditions can be considered satisfied for this application.

Heritage (October 4, 2022)

This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions, and recommendations) to be sufficient to fulfill the heritage impact assessment condition for (OZ-9431):

- AECOM Canada Ltd. (2019, May). Heritage Impact Assessment, 952 Southdale Road West/2574 Colonel Talbot Road.

Specific supportable conclusions of the HIA are as follows:

This HIA concluded that no direct or indirect impacts to cultural heritage resource were identified as a part of the proposed development. As a result, no mitigation strategies are required. No further assessment is recommended. (p i; 25-26)

Based on the review of the HIA, heritage staff is satisfied that there will be no adverse impacts to the adjacent LISTED property at 2574 Colonel Talbot Road as a result of development at 952 Southdale Road West. It has been sufficiently demonstrated that significant heritage attributes will be conserved, and the HIA can be accepted to meet HIA requirements for conditions of a complete application (OZ-9431).

Parks Planning (November 24, 2021)

- Parkland dedication will be calculated as 2% for the commercial portion and 5% of the residential site area or 1 ha per 300 residential units, whichever is greater.
- Subject to the City Ecologist and completion of an EIS for the existing wetland features and hazard lands, compensation for parkland dedication for natural features of 1:16 and hazard lands of 1:27 will be finalized.
- A pathway connection is required along the west side of the wetland feature extending from Southdale Road West to the northerly limit (in conformity with the City of London Cycling Master Plan) to be incorporated into the open space blocks/buffers, consistent with the recommendations of the future EIS. These lands would be accepted as parkland dedication using an open space rate of 1:16 and as per CP-9 Bylaw.

- A pathway connection (in conformity with the City of London Cycling Master Plan) is required from the intersection of Southdale Road West and Colonel Talbot Road running parallel with Southdale Road West connecting with the pathway corridor on the west side of the natural feature. These lands would be accepted as parkland dedication using table land rate of 1:1. This connection needs to be coordinated with the ongoing Southdale Road West/Colonel Talbot Road roundabout EA.
- All proposed pathway corridors and walkway blocks are to be a minimum of 15m wide, as per City of London Design Specifications and Requirements Manual, the Contract Documents Manuals and Section 1750 of the London Plan.
- Staff are willing to meet with the applicant to discuss any of the above.

Parks Planning Revised Comments (October 7, 2022)

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication will be calculated as 2% for the commercial portion and 5% of the residential site area or 1 ha per 300 residential units, whichever is greater.
- Subject to the City Ecologist and completion of an EIS parkland dedication will be taken for the existing wetland features, buffers and hazard lands, compensation for parkland dedication for natural features and buffers of 1:16 and hazard lands of 1:27. Parkland dedication will be finalized through the site plan approval process.
- A pathway connection is required along the west side of the wetland feature extending from Southdale Road West to the northerly limit (in conformity with the City of London Cycling Master Plan) to be incorporated into the open space blocks/buffers, consistent with the recommendations of the required EIS. These lands would be accepted as parkland dedication using an open space rate of 1:16 as per CP-9 Bylaw.
- The construction of the pathway corridor will be completed by the City at a future date.
- Staff are willing to meet with the applicant to discuss any of the above.

Ecologist Planning (December 12, 2021)

Long Range Planning, Research & Ecology (LRPRE) has reviewed the combined Subject Lands Status Report (SLSR) and Environmental Impact Study Report (EIS) completed by MTE Inc. (dated August 31, 2021). From our review, LRPRE have identified multiple key deficiencies in the SLSR/EIS report that must be addressed to be consistent with the Provincial Policy Statement (PPS 2014), London Plan policies, and the City's Environmental Management Guidelines (EMG). Therefore, the SLSR/EIS cannot be supported by LRPRE at this time. Detailed comments on the SLSR/EIS are provided below, however due to the significant issues with the SLSR/EIS, further comments will be provided once the SLSR/EIS has been updated. Please update the report based on the comments below and include a table on how the comments have been addressed in the report for review by LRPRE.

- Section 1.0 Introduction – This SLSR/EIS has arbitrarily divided the site into two separate entities “Subject Lands” and the “Legal Parcel” (Figure 1); this is not an acceptable methodological description of these lands and only creates confusion as reference to these two different descriptors of the same site are found throughout the document and often not used correctly. The standard terminology for describing the site is ‘Subject Lands’ or ‘Subject Site’ There are multiple examples throughout the document where this nonstandard approach to site description creates confusion about what was done and how it pertains to the overall site. For example, in Section 4.2.1 Vegetation and 4.4 Floral Site Inventories, these sections make clear that ELC and floral investigation occurred only on the Subject Lands, not mentioning the ‘Legal Parcel’, based on this one would conclude that no studies were conducted on the PSW and woodlands. In Section 4.5 Faunal Site investigations and 4.5.1 Avifauna, based on MTE’s terminology from Section 1.0, all Faunal surveys were only conducted on the Subject Lands and not the other half of the site, in the ‘Legal Parcel’. In Section 5.0 Natural Heritage Policy Considerations, Special Concern and Rare Wildlife

Species, MTE indicates that that habitat for Eastern Wood-pewee is limited on the 'Subject Lands', that habitat exists for the species in Community 2, which is 'off-site'. Community 2 is found on this site as identified in MTE's figures. Furthermore, MTE 'confirms' that the 'Subject Lands' are not SWH for Eastern Wood-pewee and calls the PSW and woodland habitat "Adjacent Lands". Adjacent Lands is a PPS and London Plan term that holds specific meaning in policy (see 1382_). Revise the entire Report to use the standard reference "Subject Lands" or "Subject Site" throughout the document and modify Figure 1 to represent this for the next submission.

- Section 1.1 Report Objective – This section identifies that this SLR/EIS is an update to the 2008 EIS completed by a different environmental consultant (Dillon) and that it was further scoped in September 2020. Please revise this section as the 2008 Report was not accepted by the City, and the scoping meeting in September 2020 was for this new application with a new environmental consultant under the current planning regime in 2021. Similarly, Section 1.4 again refers to an update of the 2008 plan, however the City made clear that the 12+ year old report was rejected by the City at the time and that this is a new application, and a new Scoping document was created for this application.
- Section 1.1 Report Objective – This section also does not mention the required SLR components (evaluation of significance of all potential Natural Heritage Features and Areas) that are an objective of the combined SLR/EIS, as stated in the September 2020 Scoping document (Appendix A of this SLR/EIS).
- Section 4.2.1 Vegetation – At the end of this section MTE refers to areas that were historically too wet to farm. The air photos in 2017/ 2018 when field work was conducted show potential wetland habitat on the edge of the feature extending into the agricultural area; these features were not identified by MTE on the Figures and using ELC. The proponent apparently removed these wetland features that extend into the Woodland/ PSW between 2018-2019. These air photos were shared with MTE and the areas of concern highlighted so that it was clear what was observed on the air photos. The 2020/ 2021 air photos show the wetland vegetation returning in these areas. While MTE indicates that the site was going to be farmed in 2021, a recent site visit by the City of London Ecologist found no evidence that the site was farmed this year given the vegetation present. The 'historically' wet areas do appear to be wetlands given the species composition (Phragmites, Cattails, Purple stemmed Aster), soils present and topographical location which both are in a flat area at the end of the overland intermittent streams that cross the subject site and go directly to these areas (both streams were flowing at the time of the site visit). These potential wetlands were required to be identified and addressed as indicated in Appendix 'A' of the Scoping document. The SLR/EIS needs to be revised to properly recognize these areas as they currently exist and provide additional data that should have been collected from these specific areas in 2017/2018 prior to the proponent apparently removing them in 2019. The areas need to be properly delineated in the spring/ summer of 2022.
- Section 5.0 Natural Heritage Policy Considerations, SWH – This section should carefully consider the appropriate amphibian habitat criteria (woodland vs wetland). To use the (amphibian wetlands), the feature must be approximately >120m away from a woodland; the wetlands on and adjacent to the site are within or directly adjacent to woodlands as seen on the air photo. The more appropriate criteria to use would be the (woodland) and not the (wetland) given the large woodland community surrounding the feature both on and off the subject site, along with the confirmation of Spring Peeper and lack of typical (wetland) calling species.
- Section 5.0 Natural Heritage Policy Considerations, SWH Amphibian Breeding Habitat – the Criteria have not been properly investigated nor applied. The criteria identify that a total of 20 individuals are needed to indicate significance. The data provided does not list total number of individuals. The SLR/EIS states that Spring Peepers are heard in April and May (Both calling code 2) with no numbers provided and at least 10 Gray Treefrogs are heard during June. It would be appropriate to assume that at least 10 Spring Peepers were heard

during both April and May call surveys. MTE's biologist did not apparently make any effort to look for additional individuals during the surveys. Call counts only identify male individuals as females do not call. As confirmed by the MNRF, females do count as individuals and should not be ignored as part of the assessment of determining if 20 total individuals are present from two or more species. It was also noted on MTE's amphibian data sheets that a noise code of 3 was recorded during all months; a noise code of 3 indicates that the noise present during surveys was loud enough to 'seriously impact' the ability of the surveyor to identify species and record numbers. MTE does not mention or factor this into the determination of significance. These important factors along with what was recorded in April, May, and June should lead to a conclusion that the wetland habitats are SWH for breeding amphibians (woodlands).

- Section 5.0 Natural Heritage Policy Considerations, SWH Amphibian Breeding Habitat – Based on the SLSR/EIS and associated data provided, it was noted that MTE's Biologist did not conduct surveys for a newt and salamander species. These are criteria identified by the MNRF that would identify the site as SWH, but no surveys for these species were undertaken including looking for egg masses and individuals, therefore they must be assumed to be present given the presence of appropriate habitat.
- Section 5.0 Natural Heritage Policy Considerations – MTE did not identify any reptiles' surveys that were conducted on the subject site (snake surveys, basking turtle surveys). These boxes were checked off on the Scoping document in Appendix 'A' and were required to be investigated or assumed to be present. Appropriate snake and turtle species are required to be identified in the report as they are assumed present if surveys were not conducted, and no section in the Report identifies any reptile surveys (only incidental). Update the SLSR/EIS to assume the presence of appropriate snake and turtle species given the wetland and woodland habitat on and off-site.
- Section 5.0 Natural Heritage Policy Considerations, SWH Terrestrial Crayfish – In accordance with the 2020 Scoping document, a thorough study of all features on the subject site was required, The SLSR/EIS indicates that Community 1 was not investigated as it is "well outside the development". This statement is not accurate based on PPS/ London Plan policies and the EMG. The policies require the study of all features and adjacent lands within 120m. It is not accurate to claim they are not within this distance. Furthermore, the development has been located entirely within the 30m minimum buffer requirement identified in the EMG for wetlands, recognizing that this is also a PSW. Terrestrial Crayfish studies were not fully carried out to determine the extent of the colony present in all vegetation communities to identify species locations, size of the colonies, and proximity to the development. The areas around the stream corridors also needs to be investigated. Further study and documentation is needed of the wetland habitats found along the edge of the woodland and partly in the agricultural area as these areas are suitable for Terrestrial Crayfish chimneys. The 2020 scoping document required the study of all potential wildlife on the subject site; no exclusions were identified.
- Section 5.0 Natural Heritage Policy Considerations, SWH Special Concern and Rare Wildlife Species – The Criteria only require the identification of the species to be present in suitable habitat for it to be confirmed; it does not require a breeding pair to confirm the habitat is SWH. The presence of Eastern Wood-pewee would identify the woodlands as SWH.
- Section 5.0 Natural Heritage Policy Considerations, SWH/ Endangered Species – If acoustic surveys for Bats was not completed, then Endangered Bat Species and Special Concern species must be assumed present within the site given the presence of appropriate habitat. This needs to be incorporated into the SLSR/EIS identification of features and functions and the impact analysis.
- Section 5.0 Natural Heritage Policy Considerations, SWH/ Endangered Species – Provide a complete list of any Endangered Species found within any part of the subject site and ones that are assumed to be present if studies were not conducted.
- Section 5.2 Municipal Policy, Wetlands (1330-1336) – The SLSR/EIS does not include a boundary delineation exercise and claiming that Community 2 is a

buffer is not accurate. Community 2, while described by MTE as a Cultural Woodland (there is some disagreement with this broad description), would also be considered both as SWH and critical function zone associated with the PSW even just based on the data provided. Natural Heritage Features do not buffer other Natural Heritage Features. The boundary of the Natural Heritage Feature is comprised of all features and functions and the buffer is then applied from the boundary of the delineated feature based on the EMG. The boundary of the feature will need to be confirmed by the City/ UTRCA in the field during the appropriate time of year (leaf on).

- Section 5.2 Municipal Policy, Significant Wildlife Habitat (1352-1355) – Please update this section to reflect and provide analysis of Policy 1354 #1, 2, and 3. The statement made in ‘b)’ is also not accurate based on incomplete data collection (for example no Bat acoustic surveys, no specific detailed surveys for some amphibian and reptile species, no extensive surveys or Terrestrial Crayfish documenting number of chimneys throughout the site in all communities, etc.)
- Section 5.2 Municipal Policy, Unevaluated Vegetation Patches (1383-1384) & Other Woodland Patches larger than 0.5 Ha (1385-1386) – There is a woodland patch along Southdale Road and along the edge of Community 2 that runs the entire length of the site that is not covered by the PSW boundary. These patches are connected, and part of the larger woodlands associated with this site and off-site. The 2020 Scoping document in Appendix ‘A’ clearly identified that a patch >0.5 Ha was present and required evaluation. Update the SLR/EIS to evaluate the significance of the woodland using the Council approved EMG Section 4.0 as required by the 2020 Scoping document. The correct title of this policy is ‘Other Vegetation Patches...’ not ‘Other Woodland Patches...’
- Section 5.4 Summary of Identified Features and Functions – This section will need to be updated based on the comments identified above.
- Section 5.5.3 Ecological Buffers (1414-1416) – The 10m proposed buffer is insufficient. The EMG identifies a minimum buffer for a wetland/ PSW of 30m and this is required to be provided, this is not a small wetland which may warrant a less than minimum buffer. The proponent has not demonstrated that a 10m and a 5m buffer to the PSW is sufficient based on the EMG and current science. MTE did not provide a full analysis of the sensitivities of the wetland habitat and associated SWHs and woodlands, and did not provide a calculation of the minimum and maximum buffer widths that should be applied to the feature based on the variable width calculation. MTE has not cited scientific studies that support a 10m and a 5m buffer to the PSW. Studies do support a minimum 30m buffer to wetlands, including but not limited to following Provincial, Federal, and private documents: The MNR Natural Heritage Reference Manual (2010) (Section 16.0 Annotated Bibliography: Adjacent Lands and Buffer Research), Environment Canada: How Much Habitat Is Enough (2013), Beacon Environmental Guideline Review (2012). The last document is a short meta-analysis on buffer research, and they specifically indicate that wetland buffers of 10m or less are highly likely to fail in protecting the natural heritage features and functions based on the current scientific research. MTE also does not identify the Critical Function Zone of the wetland based on the latest research, which would at a minimum include the woodland habitat; this is technically the limit/boundary from which the 30m buffer should be measured, not just from the edge of the delineated MNR Wetland Boundary. The opinion provided by MTE that 5m and 10m (and a maximum of 20m) buffers are acceptable to protect the PSWs and associated habitats is not based on the current scientific evidence, as none have been used/ cited in the SLR/EIS. The SLR/EIS has ignored the documents identified that do support a minimum 30m buffer to wetlands. Revise the proposed site plan to provide a 30m buffer to the MNR approved PSW boundary/critical function zone on the subject site. Ensure all development is located outside of this buffer; the pathway block can be shown and located within the outer edge of this buffer.
- The Hydrogeological study and Water Balance will require further integration into the SLR/EIS once comments (UTRCA and City of London) on these documents are fully addressed and given the identification of both ground and surface water

presence on the site and relative contributions. It is likely some of the water balance can be achieved by providing the minimum 30m buffers.

- The proposed location of the driveway entrance off Southdale cannot be supported at this time; it is unclear whether this entrance is needed as one has also been identified off Colonel Talbot Road. The EIS for the EA for Southdale Road widening did not contemplate or review driveway entrances for future potential development sites, so it is unclear how this was agreed to as part of that process. If a driveway is required from Southdale Road West, it must be pushed as far as possible away from the PSW and start turning to achieve a 30m buffer to the PSW as soon as possible.
- The two overland stream corridors require further analysis in the SLR/EIS. These are open features that have some vegetation associations (the northern stream had goldenrods, asters, and milkweed along the banks) with both having flows at multiple points during the year. City staff observed both streams actively flowing to the wetlands during a recent site visit. These are regulated features and the consideration to keep them open or pipe them is within the jurisdiction of the UTRCA.
- The Figures will require updating to resolve the terminology issues, the legends on multiple figures are not accurate and not all linework seems to be properly identified both in the figures (missing) and in the legends (missing or mislabelled).
- Identify the locations of the various surveys completed on the appropriate figure.
- Only two ELC sheets were provided; ELC data was not provided for all features on the subject site. It is also noted that additional data was not collected from City owned property to the east where access would have been possible and would have been helpful to further characterise the PSW and woodland components associated with the entire feature. It does not appear that plant surveys of the button bush swamp (Community 3) were conducted based on the data provided for Appendix 'E' and ELC data sheets (no data for Community 3 has been provided). Surveys will need to be completed (3 season) in 2022, as was required as part of the Scoping Document in Appendix 'A'.
- Given that small buffers to the PSW has been provided and is not supported by the EMG, PPS (Natural Heritage Reference Manual), and scientific evidence, the remaining components of the EIS impact analysis will require a full review and update once the minimum 30m buffer is applied and justification provided as to why it should not be greater than the minimum buffer of 30m (the buffer calculation table in the EMG supports a larger than minimum buffer based on the proposed development and wildlife habitat present). Once the SLR/EIS has been updated and submitted, City staff will provide further comments on the SLR/EIS including but not limited to sections where no comments have been provided to date (for example description of the proposed development, recommendations, net effects table, monitoring plan etc.).
- The development limit that will be delineated through the application of zone lines is determined by the outer limit of the hazards, NHFs, and buffers. All these lands are to be included in the OS5 zone. The required 30m buffer will affect the area of land available for development.

Ecology - Additional Comments (June 8, 2022)

Below are comments to some of the responses provided by MTE based on the updated plan, please note that they did not provide an updated SLR/ EIS to review. However, there are still outstanding matters/issues that are major factors in not being able to move forward with this application. The updated plan provided still does not conform to the required Provincial and Municipal policies and EMGs.

4) *Section 4.2.1 Vegetation* – Phragmites is still a wetland indicator species (noting it has a wetness coefficient of -3/ -4, which means it is usually found in wetland areas) and as the City Ecologist noted additional wetland species were also identified within the small patches. The requirement is that these patches be recognized and can be subsequently addressed in the SLR/ EIS. It is agreed that protecting the phragmites stand as-is would not be the preferred approach, but not recognizing the areas as

wetland given the species identified and its location at the end of overland flow-paths is also not acceptable. A solution should be identified in the SLSR/ EIS.

6) *Section 5.0 Natural Heritage Policy Considerations, SWH Amphibian Breeding Habitat* – The City has been consistent on its approach to identify this type of habitat. The correspondence from the MNRF regarding this interpretation for Ecoregion 7E has been provided to Biologic Inc. (now MTE Consultants) a number of years ago as part of other applications and MTE should be aware of how the criteria are to be interpreted. The interpretation that MTE has been using could potentially miss capturing SWH for amphibians and in general could have implications for the protection of these sites. The correspondence from the MNRF has been attached for reference. It clearly confirms that it is a combined total of 20 individuals from two or more species, not 20 individuals from each of the species.

The criteria offer multiple approaches to identifying if SWH is present. It is incumbent on the proponents' ecologist to undertake a thorough study of the site to determine the presence or lack of presence of the SWH. As part of this process the City requires MTE to complete the necessary studies and conduct a thorough examination of the site to reasonably confirm SWH or not. Conducting calling surveys without additional visual surveys to count individuals, and making conclusions solely based on that approach is not supportable (unless the target was already met from call counts, or is assumed to be met). As per the MNRF SWH Habitat Criteria for Ecoregion 7E (2015), Amphibian Breeding:

- “A combination of observational study and call count surveys will be required during the spring (March-June) when amphibians are concentrated around suitable breeding habitat within or near the wetlands.”

The criteria clearly state that the combination of surveys is required. This was not done, therefore the conclusion that SWH is not present is not a reasonable conclusion. However, based on MTE's existing data for the site and using the correct interpretation of the MNRF Criteria it could be assumed the site would constitute SWH for Amphibians (Woodland) and if acknowledged, additional visual surveys would in this case not be required.

7) *Section 5.0 Natural Heritage Policy Considerations, SWH Amphibian Breeding Habitat* – As per the criteria, these surveys are required. While it is acknowledged that surveys for these species are not typically undertaken, it is within the context of the site (wetland) and likelihood of presence on a case-by-case basis. Given the feature and available surrounding habitat, the potential for salamanders and newts is present. If surveys were not undertaken then it is assumed to be SWH for Salamanders/ Newts and the habitat and sensitivity of that habitat needs to be considered as part of the EIS. This would go to protection/ mitigation measures, critical function zones and associated buffer requirements for SWH.

12) *Section 5.0 Natural Heritage Policy Considerations, SWH/ Endangered Species* – Endangered Species data is to be provided to the Municipality as part of the planning application. While MECP has final say on permitting etc. as they previously indicated the City is an approval authority for planning applications that deals with ecological matters including Endangered Species (as per London Plan policies). Not providing the City with data as a result of field studies is not appropriate, and does not allow the City Ecologist to complete a full review of the existing conditions, identification of NHFs, impacts, mitigation and protection measures such as buffers. MTE indicates in this section that no floral or faunal species were found in the 'Subject Lands', however as the City previously noted the confusing language used in the SLSR/ EIS, where the NHF is indicated to be located within the 'Legal Parcel' and not the 'Subject Lands'. Data is to be provided to the City that covers the entire site (including the "Legal Parcel"). Given the sometimes-sensitive nature of Endangered Species data, this data can be provided separately in an addendum that would not be published to the public as part of the public process, but it is still required for consideration as part of the planning application and SLSR/ EIS process. This information was required as part of the scoping exercise for the SLSR/EIS.

13) *Section 5.2 Municipal Policy, Wetlands (1330-1336)* – Feature boundary staking is a required component of the SLSR/ EIS process and was identified at the scoping meeting. This was to be undertaken with the City and UTRCA and has yet to be completed.

15) *Section 5.2 Municipal Policy, Unevaluated Vegetation Patches (1383-1384) & Other Woodland Patches larger than 0.5 Ha (1385-1386)* – This is in relation to the change in the PSW boundary that now does not encompass all the woodland area. The woodland area (community 2 and beyond) that is part of the larger patch needs to be evaluated using the Significant Woodland Criteria to determine its significance. The approved modification to the PSW layer still needs to account for the vegetation now not covered by that layer.

16) *Section 5.4 Summary of Identified Features and Functions* – Not addressed, based on City comments not all features have been properly recognized.

17) *Section 5.5.3 Ecological Buffers (1414-1416)* – The City disagrees with the responses MTE provided and they do not justify the significant reduction in the minimum buffer proposed by MTE. The minimum 30m should be applied. It is noted that MTE did not address potential larger buffer requirements as per the Ecological Buffer Assessment Tool, which would provide a more refined minimum and maximum buffer to be considered and further discussed. The PSW itself, vegetation, and associated wildlife habitats including SWHs, Endangered Species habitat etc. require at least the minimum 30m buffer. The minimum 30m buffer is consistent with the EMG and supported by the greater scientific consensus of wetland buffers in other documents already indicated in City comments. As this has not been implemented, along with other identified issues associated with the SLSR/ EIS, the SLSR/ EIS therefore has not been completed to the City's satisfaction and has not demonstrated no negative impacts to the natural features or their ecological functions per London Plan Policies 1432 and 1433.

19) The proposed driveway location was not included in the minutes of settlement as something that was agreed to. The issues regarding the minutes of settlement were addressed by Barb Debert in a previous email to the proponent (March 24, 2022). Any proposed driveway location will need to be located outside of the buffer.

21) Provide the non-AODA figures in a separate file, this may clear up issues identified by the City Ecologist.

24) In addition to City comments above (#17), MTE should further review the text that was quoted in the EMG (2021) and the associated Table 5-2. The quote provided clearly indicates that less than the minimum buffers can be considered in accordance with Table 5-2. Table 5-2 has a column that identifies the required minimum widths for buffers, and superscript 4 (4) that can be found for Wetlands, Significant Woodlands, and Woodlands which specifies where less than the minimum buffers can be considered for these specific features. Two important considerations here:

- i) This wetland is a PSW, and the superscript (4) is not provided for PSWs, therefore less than the minimum of 30m for PSW is not a consideration as per the text quoted by MTE. However, greater than the minimum buffers are required to be considered as per Section 5.3.3 and Table 5-3; "Some key site factors drawn from the current and applicable literature that should be considered in relation to potential increases from the required minimums are provided below, with some supplemental criteria and sources provided for consideration in Table 5-3."
- ii) If this was not a PSW but simply a 'Wetland', the superscript (4) at the bottom of Table 5-2 clearly indicates that: "The City may accept a buffer less than the required minimums for Wetlands less than 0.5 ha". Therefore, this Wetland being greater than 0.5 Ha, would not qualify for consideration of buffers less than the required minimum of 30m.

Hopefully, this provides clarification to MTE that the minimum buffers for the PSW are 30m, which has been reaffirmed by the Council approved EMG (2021) and supported by the current body of scientific work available for establishing minimum 30m buffers to wetlands previously identified by the City and in the approved EMGs.

It should also be clarified that the City is not refusing to review the application. Extensive comments were provided on the SLSR/ EIS. The reference to providing additional comments and review is simply a recognition that a number of these sections would likely require changes and updates when a 30m buffer is applied and that it would be more appropriate to provide additional comments at that time when the site plan meets the minimum buffer requirement.

Ecology - Revised Comments (September 29, 2022)

The agreed to development limit provides a 30m or greater buffer in two sections and less than a 30m buffer in the other two sections to the Provincially Significant Wetland (PSW), there is also an approximate 10m buffer being applied to the Significant Woodland edge. While the overall buffer does not meet the minimum of 30m for a PSW under the Council approved Environmental Management Guidelines (2021), the application was being considered under the old EMGs (2007) due to the application date; and the 30m buffer while identified in the old EMG, it is not fully articulated. However, the proponent will be undertaking additional habitat restoration improvements due to the reduced buffers, including an invasive species management plan for the PSW communities and Significant Woodland edge and other improvements to be identified (i.e. snake hibernaculum, additional native pollinator friendly seeding). The City has agreed to place the required Parks pathway block in the buffer. The buffers and Natural Heritage Features are to be zoned OS5.

The proponent is still required to finalize the EIS, finalize the Hydrogeological study, and complete a detailed (feature based) Water Balance, all to the City's satisfaction. Two small Wetland communities (non PSW) on the edge of the Significant Woodland are required to be compensated for as per London Plan Wetland policies, which will include full/ partial relocation and habitat improvements. A holding provision will be required for the site to ensure all reports are fully completed and restoration and compensation works are all carried out to the City's satisfaction.

Due to the proponent not providing the full minimum 30m buffer to the PSW, any proposed green stormwater functions will need to be located within the development limit and cannot be considered within the buffer. The new EMG (2021) does allow for the consideration of some specific green stormwater functions within the buffer (i.e. LIDs), but only when the minimum required buffers have been applied.

It has been made clear that going forward with any new projects, the new EMGs (2021) which fully require and scientifically support a minimum 30m buffer to PSWs will apply.

Upper Thames River Conservation Authority (February 11, 2022)

UTRCA's ecologist has reviewed the City's EIS comments. We are in agreement with those comments and the UTRCA's comments are provided.

- We require that all natural features and functions that have the potential to be impacted by the development, regardless of whether they occur on subject lands, subject site, adjacent lands, legal parcel, etc. be adequately studied (flora, fauna, biophysical conditions) to ensure the development has net environmental benefit.
- We agree that this is a new application and should be presented as such.
- We agree that report objectives should include the objectives stated in the scoping document
- We request that if any features potentially impacted by the development meet the Conservation Authorities Act definition of a wetland, including areas of potential wetland habitat, that they be identified, and the boundaries confirmed by a site visit with UTRCA and CoL staff.
- We agree that appropriate criteria for Significant Wildlife Habitat must be applied, and that justification for the type of criteria must be included.

- We agree that a conservative interpretation of the criteria is appropriate (i.e., that SWH is assumed to be present) when data has not been provided (e.g., number of individual amphibians) or if conditions are not suitable for recording information (e.g., presence of a high noise level during surveys)
- We agree that if suitable habitat for SWH exists (e.g., newt and salamander species) but was not investigated, that a conservative interpretation of the criteria is appropriate, indicating that SWH is assumed to be present.
- We agree that field investigations should include surveys for specific species identified in the scoping document (e.g., snake and basking turtle) unless rationale is provided as to why those surveys were not conducted. Furthermore, if suitable habitat exists for the types of species that have been identified in the scoping document but was not investigated, then a conservative approach is appropriate and the presence of the species is assumed to occur.
- We agree that if suitable habitat for potential SWH (e.g., torrential crayfish) might be impacted by the development, then it must be adequately studied and a conservative interpretation of the criteria is appropriate (i.e., that SWH is assumed to be present) when the data has not been provided.
- We agree that the presence of Eastern Wood Pewee in suitable habitat during breeding bird surveys would meet the criteria for SWH.
- We agree that a conservative interpretation of the criteria is appropriate (i.e., that SWH is assumed to be present) when data has not been provided (e.g., acoustic surveys for Bats).
- We agree that a list of Endangered Species should be provided for all suitable habitat potentially impacted by the development that includes both confirmed species as well as those species assumed to be present if studies were not conducted.
- We agree that boundary delineations need to be confirmed on site, with a specific focus by the UTRCA on wetland communities.
- N.A.
- We require that all natural features and functions that have the potential to be impacted by the development, regardless of whether they occur on the subject lands, subject site, adjacent lands, legal parcel, etc. be adequately studied (flora, fauna, biophysical conditions) to ensure that the development has net environmental benefit.
- We agree that this section will need to be revised as noted.
- We require field data and scientific rationale for buffers less than 30m applied at the outer edge of wetland communities, regardless of whether it is evaluated or unevaluated. Ensure that all development including the retaining walls is located outside of the buffer.
- We agree that an acceptable feature based hydrogeological study and water balance study will need to be fully integrated with the SLSR/ EIS
- Please provide rationale for the necessity and location of the driveway off of Southdale Road. We agree that it should be located as far from the natural hazard and natural heritage features – the wetland and the watercourses as possible.
- We require more information about the stream corridors. This may involve guidelines developed for the evaluation, classification and management of Headwater Drainage Features of the Ontario Stream Assessment Protocol (or components thereof) to characterize the aquatic habitat. Please contact the UTRCA to scope this work.
- We require all figures to be submitted in a format compatible with ArcGIS.
- We agree that all survey locations be identified on a map with ELC Boundaries.
- We agree that ELC data should be provided for all natural features that have the potential to be impacted by the development and that species lists be separated out by vegetation community. We require this information provided as a spreadsheet or as a WORD file.
- We agree that once the SLSR/ EIS has been updated, the UTRCA will undertake a full review of the document and further comments likely will be provided, even on sections where no comments have been provided to data.

- We agree that the development limit is determined as the greater (outer) limit of all natural hazards, natural heritage features and their buffers/setbacks.

The UTRCA is [also] in agreement with the City of London's hydrogeologist's comments which follow in blue text. We have also provided some comments regarding the water balance. Similar to the EIS, once the hydrogeological report has been reviewed, the UTRCA will undertake a full review of the document.

UTRCA Water Balance Comments

- Section 6 mentions that based on information from Stantec, it is understood that Bottonbush Wetland has a contributing drainage area of 77.4 hectares, much of which has been subject to urbanization, and has an approximate impervious level of about 63 percent. It is noted that this assessment does not consider the broader catchment area for the wetland, which extends beyond the subject lands and that the water balance is based on the on-site contributions, through surface water (stormwater run-off) and onsite infiltration which contribute to the adjacent wetland features. This implies that the base flow to the PSW may already be affected because of the large upstream contributing area which is already developed? However, base flow continuation from the proposed development will help.
- Table 16 shows a runoff and increased infiltration. The Imperviousness of the site under the proposed conditions is greater than the pre-development conditions. Likely, the runoff will increase and the infiltration may decrease. Please check the water balance variables in the calculations.
- Is there any surface runoff contribution from the west side of the Colonel Talbot Road through the two swales on the north and south side of the property? If yes, then how will the surface runoff contribution to the wetland be maintained?
- Figure 1 and Figure 2 show two area 101 and 102 respectively. Areas 102 and 202 represent the wetland under the pre- and post-development conditions and are being used in the water balance. Please use the areas that contribute to the wetland in the water balance and not the wetland itself. Please revise the water balance by using the correct area.

UTRCA - Revised Comments (October 5, 2022)

Further to our correspondence dated February 1, 2022, the Upper Thames River Conservation Authority (UTRCA) offers the following comments and recommendation(s).

PROPOSAL

The applicant is proposing a mixed-use commercial /office/residential development on the subject lands.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the entire property is regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the Conservation Authorities Act. The regulation limit is comprised of a riverine flooding hazard as well as wetlands including the Provincially Significant North Talbot Wetland and the surrounding areas of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

TECHNICAL PEER REVIEW

The applicant has submitted preliminary technical studies and responded to City and Agency comments. Final studies have not been submitted or accepted. The applicant is aware that a Floodline Analysis and a Servicing Study are required and have not yet been submitted.

Environmental Impact Study EIS

Subject Lands Status Report (SLSR) and Environmental Impact Study (EIS) Report: Southdale Road and Colonel Talbot Road prepared by MTE dated August 19, 2021

Response Memo – OZ-9431 – 952 Southdale Road West – Final Agency and Departmental comments received to December 13, 2021 dated April 28, 2022 prepared by MTE

Response Memo – OZ-9431 – 952 Southdale Road West – City Ecology ‘followup’ comments in response to MTE Agency and Departmental EIS Review comments (April 28 2022) dated June 27, 2022 prepared by MTE

In the June 27, 2022 MTE memo, it is indicated that the proponent is not prepared to provide the “requested” required minimum 30 metre buffer.

In email correspondence dated October 4, 2022, the following comments [based on the review of the June 27, 2022 MTE Memo and discussions with the applicant], prepared by the City of London’s ecologist in regards to the ecological buffer, were provided to the UTRCA –

The agreed to development limit provides a 30m or greater buffer in two sections and less than a 30m buffer in the other two sections to the Provincially Significant Wetland (PSW), there is also an approximate 10m buffer being applied to the Significant Woodland edge. While the overall buffer does not meet the minimum of 30m for a PSW under the Council approved Environmental Management Guidelines (2021), the application was being considered under the old EMGs (2007) due to the application date; and the 30m buffer while identified in the old EMG, it is not fully articulated. However, the proponent will be undertaking additional habitat restoration improvements due to the reduced buffers, including an invasive species management plan for the PSW communities and Significant Woodland edge and other improvements to be identified (i.e. snake hibernaculum, additional native pollinator friendly seeding). The City has agreed to place the required Parks pathway block in the buffer. The buffers and Natural Heritage Features are to be zoned OS5.

The proponent is still required to finalize the EIS, finalize the Hydrogeological study, and complete a detailed (feature based) Water Balance, all to the City’s [and UTRCA’s] satisfaction. Two small Wetland communities (non PSW) on the edge of the Significant Woodland are required to be compensated for as per London Plan Wetland policies, which will include full/ partial relocation and habitat improvements. A holding provision will be required for the site to ensure all reports are fully completed and restoration and compensation works are all carried out to the City’s satisfaction.

Due to the proponent not providing the full minimum 30m buffer to the PSW, any proposed green stormwater functions will need to be located within the development limit and cannot be considered within the buffer. The new EMG (2021) does allow for the consideration of some specific green stormwater functions within the buffer (i.e. LIDs), but only when the minimum required buffers have been applied.

It has been made clear that going forward with any new projects, the new EMGs (2021) which fully require and scientifically support a minimum 30m buffer to PSWs will apply.

The UTRCA does not agree with the reduced buffer for the PSW. We also do not agree with a pathway block being permitted in the reduced buffer which is only 15.06 metres wide at the pinch point as per the SP#51 Concept Drawing [Westdell] dated Sept 30, 2022.

We agree that green stormwater functions cannot be located within the buffer.

We concur that a Final EIS and Hydrogeological Assessment are required along with other supporting technical studies.

Hydrogeological Assessment

Hydrogeological Assessment – Proposed Mixed Use Development 952 Southdale Road West, London dated April 6, 2022 prepared by LDS

LDS 'Repose' to City Hydrogeologist follow-up comments Official Plan and Zoning By-Law Amendment Application 952 Southdale Road West, London dated June 29, 2022

In email correspondence dated October 4, 2022, the City's Hydrogeologist advised –

I have gone through the responses provided by LDS [June 29, 2022]. I have no further comments at this time. All outstanding issues can be deferred to detailed design, at which point we will require a revised hydrogeological assessment, or a technical addendum to the current version of the report.

The UTRCA agrees that a Final Hydrogeological Assessment is required.

UTRCA Water Balance Comments – April 6, 2022 Submission

1. In Section 7.2 it is noted that a retaining wall is proposed to be constructed along the easterly limit of the development adjacent to the Provincially Significant Wetland feature. The retaining wall cannot be located within the buffer and a geotechnical analysis/report is required.

It is also mentioned that under current site conditions, flood waters can extend into the site, with backwater flows into the existing swales, and into the open field area. A retaining wall has been proposed to stop the flood water entering the site. The proposed retaining wall shall be located outside of the floodplain and also outside of the buffer. The retaining wall should not cause any backwater issues in the wetland which may affect/extend the floodplain width further to the east. There should also not be any increased flooding and/or impacts to adjacent/off site properties.

2. The revised water balance shows that the post-development condition infiltration using SWM LIDs is 12080 m³. The SWM report should demonstrate how the proposed 12080 m³ will be provided using SWM LIDs. The volumes from the water balance should match with the infiltration volume provided by the proposed LIDs.
3. A detailed salt management plan will be required for the site to avoid/minimize the effects of the chlorides on the adjacent wetland.
4. In Section 6 it is mentioned that as detailed design occurs, updates to this analysis may be required to reflect specific changes to the proposed site grading, LID features and other design aspects of the site. A revised/updated Hydrogeological Assessment and Water Balance Analysis will be required.
5. In Section 6.3 it is noted that the site does not have a municipal stormwater outlet, or access to an external storm sewer connection and that stormwater run-off generated from the site is expected to be handled and treated onsite and discharged to the wetland feature. Only clean runoff may be directed to the wetland by consultation with ecologist to avoid the effects of the dissolved pollutants including chlorides on the Provincially Significant Wetland.
6. The proposed treatment of runoff using OGS may not provide the required level of TSS removal due to their performance issues including operation and maintenance issues. The UTRCA strongly recommends that other alternative or additional measures be considered and implemented.
7. In Section 7.31 it is indicated that stormwater run-off from the site's pavements and parking areas can also be directed into temporary storage and infiltration features which can serve to provide enhanced infiltration of the stormwater run-off. The UTRCA strongly recommends infiltrating clean runoff only.

Floodline Analysis

As was previously conveyed to the City and the applicant, a Floodline Analysis is required for the subject lands. To date, the following information has been provided –

- a) Memo - 952 Southdale Road Floodline Elevation Analysis prepared by Stantec dated April 14, 2020
- b) 952 Southdale Road Development and the 250-year Floodline for the Buttonbush Wetland prepared by Stantec dated September 28, 2020

In principle, the floodline was deemed to be acceptable and the required cut and fill analysis has potential. However, it was noted that the Floodline Analysis could not be advanced until the development limit had been confirmed. City Planning staff have deemed that there is adequate supporting documentation to establish the zone lines/development limit for the subject lands however, the required Floodline Analysis has not yet been completed. Accordingly, the zoning shall include a Holding Provision whereby a Floodline Analysis [and other required technical reports] shall be prepared to the satisfaction of the UTRCA.

FUTURE RESIDENTIAL PHASE II

The Notice of Application indicates that -

“With the exception of a 0.21ha Future Residential Area [Phase II] located at the southeastern limit of the site, the easterly part of the site is proposed to remain undeveloped to promote the protection and preservation of a Provincially Significant Wetland and associated natural heritage features and buffers”.

Given the natural hazard constraints and the associated setback and buffer requirements that apply to the proposed Future Residential Phase II lands, the UTRCA recommends that consideration be given to rezoning these lands Open Space - OS5.

RETAINING WALL

The Conservation Authority previously commented on a proposed retaining wall which is to be located along the easterly limit of the proposed development and is required to raise and level the site. The wall is identified in both the EIS and Hydrogeological Assessment. Based on the recent circulated concept plans dated Sept 8, 2022 and September 30, 2022, it is unclear whether a retaining wall is still required given that a larger buffer is being proposed. A retaining wall is not identified on the drawings/plans.

If a retaining wall is still required, it cannot be located within the required buffers/setbacks. Furthermore, as noted, a geotechnical assessment is required for the proposed wall.

SERVICING STUDY

A Servicing Study has yet to be submitted for the proposed development. The UTRCA requires a Servicing Study to be included as a requirement of the Holding Provision.

PAVED PATHWAY

We understand that City Planning staff have agreed to allow a paved pathway within the reduced buffer/setback for the Provincially Significant Wetland. A Section 28 permit is required for the pathway.

Depending on the extent of the grading works associated with the construction of the pathway infrastructure, a determination will be made by the Conservation Authority as to whether the required approval can be issued at the staff level or whether it needs to be considered by our Hearings and Personnel Committee.

COMMENTS & RECOMMENDATIONS

The UTRCA considers this application to be PREMATURE.

There is a Provincially Significant Wetland located immediately adjacent to the east and there is also a flooding hazard that impacts the subject lands. Accordingly, it is our opinion that all of the required technical reports that are needed to establish/confirm the

zone line/proposed development limit should have been submitted as part of a complete application and certainly prior to this application being brought forward to the Planning and Environment Committee. Instead, the requirements including [but not limited to] the preparation of a floodline analysis, servicing study, Final EIS and Hydrogeological and Water Balance Assessment and Geotechnical Study for the proposed retaining wall will be addressed either through a Holding Provision and/or at detailed design and/or the site plan process. This is not ideal or the Conservation Authority's preferred approach when dealing with a sensitive and complex site such as this one.

We understand that City planning staff have been working with the applicant to advance the applications to Committee and Council. The recent discussions with the applicant have involved the negotiation of a reduced ecological buffer for the PSW and its functions. These discussions did not include the Conservation Authority.

Should the Planning and Environment Committee decide to approve the applications, the UTRCA requests the following conditions for the approval –

- i. That the Zoning By-Law Holding Provision stipulate that a Final EIS, Final Hydrogeological Assessment and Water Balance Analysis, a Servicing Report, a Floodline Analysis and a Geotechnical Report for the proposed Retaining Wall [not shown on the September 2022 drawings/concepts] be prepared to the satisfaction of the UTRCA.

We require both a hard copy and an electronic copy of all the supporting documentation.

- ii. That infrastructure including but not limited to stormwater/LIDs, a retaining wall shall not be permitted to be located in the buffer.
- iii. That the lands in the south east corner of the site identified as Future Residential Phase II be zoned Open Space - OS5.
- iv. That the necessary Section 28 approvals be secured for –
 - a) The proposed development.
 - b) The proposed paved pathway that is to be located within the reduced buffer/setback. Additional technical studies will be required as part of the permit process for the pathway.

UTRCA – October 5, 2022

Further to our correspondence dated February 1, 2022, the Upper Thames River Conservation Authority (UTRCA) offers the following comments and recommendation(s).

PROPOSAL

The applicant is proposing a mixed-use commercial /office/residential development on the subject lands.

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The proponent is still required to finalize the EIS, finalize the Hydrogeological study, and complete a detailed (feature based) Water Balance, all to the City’s [and UTRCA’s] satisfaction. Two small Wetland communities (non PSW) on the edge of the Significant Woodland are required to be compensated for as per London Plan Wetland policies, which will include full/ partial relocation and habitat improvements. A holding provision will be required for the site to ensure all reports are fully completed and restoration and compensation works are all carried out to the City’s satisfaction.

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It has been made clear that going forward with any new projects, the new EMGs (2021) which fully require and scientifically support a minimum 30m buffer to PSWs will apply. The UTRCA does not agree with the reduced buffer for the PSW. We also do not agree with a pathway block being permitted in the reduced buffer which is only 15.06 metres wide at the pinch point as per the SP#51 Concept Drawing [Westdell] dated Sept 30, 2022.

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UTRCA Water Balance Comments – April 6, 2022 Submission

1. In Section 7.2 it is noted that a retaining wall is proposed to be constructed along the easterly limit of the development adjacent to the Provincially Significant Wetland feature. The retaining wall cannot be located within the buffer and a geotechnical analysis/report is required.

It is also mentioned that under current site conditions, flood waters can extend into the site, with backwater flows into the existing swales, and into the open field area. A retaining wall has been proposed to stop the flood water entering the site. The proposed retaining wall shall be located outside of the floodplain and also outside of the buffer. The retaining wall should not cause any backwater issues in the wetland which may affect/extend the floodplain width further to the east. There should also not be any increased flooding and/or impacts to adjacent/off site properties.

2. The revised water balance shows that the post-development condition infiltration using SWM LIDs is 12080 m³. The SWM report should demonstrate how the proposed 12080 m³ will be provided using SWM LIDs. The volumes from the water balance should match with the infiltration volume provided by the proposed LIDs.

3. A detailed salt management plan will be required for the site to avoid/minimize the effects of the chlorides on the adjacent wetland.

4. In Section 6 it is mentioned that as detailed design occurs, updates to this analysis may be required to reflect specific changes to the proposed site grading, LID features and other design aspects of the site. A revised/updated Hydrogeological Assessment and Water Balance Analysis will be required.

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Given the natural hazard constraints and the associated setback and buffer requirements that apply to the proposed Future Residential Phase II lands, the UTRCA recommends that consideration be given to rezoning these lands Open Space - OS5.

RETAINING WALL

The Conservation Authority previously commented on a proposed retaining wall which is to be located along the easterly limit of the proposed development and is required to raise and level the site. The wall is identified in both the EIS and Hydrogeological Assessment. Based on the recent circulated concept plans dated Sept 8, 2022 and September 30, 2022, it is unclear whether a retaining wall is still required given that a larger buffer is being proposed. A retaining wall is not identified on the drawings/plans. If a retaining wall is still required, it cannot be located within the required buffers/setbacks. Furthermore, as noted, a geotechnical assessment is required for the proposed wall.

SERVICING STUDY

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PAVED PATHWAY

We understand that City Planning staff have agreed to allow a paved pathway within the reduced buffer/setback for the Provincially Significant Wetland. A Section 28 permit is required for the pathway.

Depending on the extent of the grading works associated with the construction of the pathway infrastructure, a determination will be made by the Conservation Authority as to whether the required approval can be issued at the staff level or whether it needs to be considered by our Hearings and Personnel Committee.

COMMENTS & RECOMMENDATIONS

The UTRCA considers this application to be PREMATURE.

There is a Provincially Significant Wetland located immediately adjacent to the east and there is also a flooding hazard that impacts the subject lands. Accordingly, it is our opinion that all of the required technical reports that are needed to establish/confirm the zone line/proposed development limit should have been submitted as part of a complete application and certainly prior to this application being brought forward to the Planning and Environment Committee. Instead, the requirements including [but not limited to] the preparation of a floodline analysis, servicing study, Final EIS and Hydrogeological and Water Balance Assessment and Geotechnical Study for the proposed retaining wall will be addressed either through a Holding Provision and/or at detailed design and/or the site plan process. This is not ideal or the Conservation

Authority's preferred approach when dealing with a sensitive and complex site such as this one.

We understand that City planning staff have been working with the applicant to advance the applications to Committee and Council. The recent discussions with the applicant have involved the negotiation of a reduced ecological buffer for the PSW and its functions. These discussions did not include the Conservation Authority.

Should the Planning and Environment Committee decide to approve the applications, the UTRCA requests the following conditions for the approval –

i. That the Zoning By-Law Holding Provision stipulate that a Final EIS, Final Hydrogeological Assessment and Water Balance Analysis, a Servicing Report, a Floodline Analysis and a Geotechnical Report for the proposed Retaining Wall [not shown on the September 2022 drawings/concepts] be prepared to the satisfaction of the UTRCA.

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ii. That infrastructure including but not limited to stormwater/LIDs, a retaining wall shall not be permitted to be located in the buffer.

iii. That the lands in the south east corner of the site identified as *Future Residential Phase II* be zoned Open Space - OS5.

iv. That the necessary Section 28 approvals be secured for –

a) The proposed development.

b) The proposed paved pathway that is to be located within the reduced buffer/setback. Additional technical studies will be required as part of the permit process for the pathway.

UTRCA – November 4, 2022

Further to our correspondence dated October 5, 2022, the Upper Thames River Conservation Authority (UTRCA) acknowledges receipt (on October 26, 2022) of the following submissions –

1. Letter – LDS Response to UTRCA Review Comments – October 5, 2022 Official Plan and Zoning By-Law Amendment Application 952 Southdale Road West London dated October 6, 2022
2. Letter - UTRCA Comments (Oct 5 2022) for File No OZ-9431 – 952 Southdale Road W prepared by MTE dated October 6, 2022

LDS Response Letter

The UTRCA has reviewed the responses. We are satisfied with the provided information and that the matters can be addressed through a holding provision, in a FINAL Hydrogeological Report and Water Balance Analysis.

MTE Letter

We have reviewed the responses provided on Page 1 wherein it is indicated that the UTRCA comments have been "Noted". This correspondence does not change any of the UTRCA's October 5, 2022 comments.

With respect to Page 2 - "Additional Response Comments", MTE has challenged that the "Act" [Conservation Authorities Act] does not apply to the Provincially Significant Wetland which is located on the subject lands and on the adjacent lands as shown on the enclosed Regulation Mapping. In MTE's opinion, the wetland does not satisfy subsection (b) of the wetland definition contained in the Conservation Authorities Act - (b) directly contributes to the hydrological function of a watershed through connection with a surface watercourse.

Please be advised that in accordance with the Conservation Authorities Act, Section 28 – ‘Generic Regulation’ Development, Interference With Wetlands & Alterations to Shorelines and Watercourses - Guidelines for Developing Schedules of Regulated Areas dated October 2005 prepared by Conservation Ontario and the Ministry of Natural Resources, Section 2.4 Watercourses & Wetlands – overview [p.27] – The requisite function of a wetland – ‘...directly contributes to....hydrological function/through connection with a surface watercourse...’ is deemed to exist for all wetlands. Where a surface connection between a wetland and surface watercourse is not apparent, it is assumed that a groundwater connection exists between them, unless there is information to the contrary.

MTE has indicated that ‘the direct flow connection disappears..... before reaching any open water system well downstream’ thereby confirming that subsection (b) of the wetland definition contained in Section 28 of the Conservation Authorities Act has been satisfied.

Accordingly, we are advising the applicant that contrary to their consultant’s opinion, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the Conservation Authorities Act. The UTRCA has jurisdiction and written approval must be obtained from the Conservation Authority prior to the applicant undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

For information purposes, the UTRCA’s comments and recommendations that were included in our October 5, 2022 correspondence follow -

COMMENTS & RECOMMENDATIONS

The UTRCA considers this application to be PREMATURE.

There is a Provincially Significant Wetland located immediately adjacent to the east and there is also a flooding hazard that impacts the subject lands. Accordingly, it is our opinion that all of the required technical reports that are needed to establish/confirm the zone line/proposed development limit should have been submitted as part of a complete application and certainly prior to this application being brought forward to the Planning and Environment Committee. Instead, the requirements including [but not limited to] the preparation of a floodline analysis, servicing study, Final EIS and Hydrogeological and Water Balance Assessment and Geotechnical Study for the proposed retaining wall will be addressed either through a Holding Provision and/or at detailed design and/or the site plan process. This is not ideal or the Conservation Authority’s preferred approach when dealing with a sensitive and complex site such as this one.

We understand that City planning staff have been working with the applicant to advance the applications to Committee and Council. The recent discussions with the applicant have involved the negotiation of a reduced ecological buffer for the PSW and its functions. These discussions did not include the Conservation Authority.

Should the Planning and Environment Committee decide to approve the applications, the UTRCA requests the following conditions for the approval –

- i. That the Zoning By-Law Holding Provision stipulate that a Final EIS, Final Hydrogeological Assessment and Water Balance Analysis, a Servicing Report, a Floodline Analysis and a Geotechnical Report for the proposed Retaining Wall [not shown on the September 2022 drawings/concepts] be prepared to the satisfaction of the UTRCA. We require both a hard copy and an electronic copy of all the supporting documentation.
- ii. That infrastructure including but not limited to stormwater/LIDs, a retaining wall shall not be permitted to be located in the buffer.
- iii. That the lands in the south east corner of the site identified as Future Residential Phase all be zoned Open Space - OS5.
- iv. That the necessary Section 28 approvals be secured for –

- a) The proposed development as defined in the Conservation Authorities Act.
- b) The proposed paved pathway that is to be located within the reduced buffer/setback. Additional technical studies will be required as part of the permit process for the pathway.

With respect to Recommendation i. - based on further discussions, City Planning Staff and the Conservation Authority have agreed that in addition to the preparation of a Final EIS and a Final Hydrogeological Assessment and Water Balance Analysis, the holding provision will include the submission of a Floodline Analysis, prepared to the satisfaction of the UTRCA.

As per the UTRCA's February 11, 2022 correspondence – Floodline Analysis

As indicated, the subject lands are located in the Dingman Subwatershed Screening Area and may be impacted by increased floodlines. Accordingly, a Floodline Analysis was required. The applicant submitted the following technical documents:

- a) Memo - 952 Southdale Road Floodline Elevation Analysis prepared by Stantec dated April 14, 2020
- b) 952 Southdale Road Development and the 250-year Floodline for the Buttonbush Wetland prepared by Stantec dated September 28, 2020

The Conservation Authority reviewed the submissions and met with the consultant on February 11, 2021 to discuss the Floodline Analysis. In principle, the floodline was deemed to be acceptable and the required cut and fill analysis has potential. However, this analysis cannot be advanced until the development limit has been confirmed. We understand that a retaining wall is required to raise and level the site. The retaining wall cannot be located within the required buffers/setbacks which have yet to be accepted. Based on the discussion, it was the UTRCA's understanding that the servicing for the site was still be worked out. We request a copy [both an electronic and one hard copy] once available.

The development limit has been confirmed through the preparation of the EIS and Hydrogeological Study. However, the Planning Act applications are proceeding to the Planning and Environment Committee for consideration prior to the completion of the requisite Floodline Analysis and therefore, must be included in the holding provision to ensure that the proposed development is located outside of the riverine flooding hazard, will not impact upstream and downstream properties/landowners and will be safe. Planning Staff have assured the Conservation Authority that the balance of our requirements can be addressed either at detailed design, the site plan process and/or as part of the UTRCA's Section 28 Permit process.

Hydrogeologist (Stormwater Management) (June 6, 2022)

As requested, I have completed my review of the following documents:

- LDS Consultants Inc. Hydrogeological Assessment. Proposed Mixed Use Development 952 Southdale Road West, London, On. April 6, 2022.

Overall, the consultant has adequately described the hydrogeological conditions at the Site, including assessing and documenting the shallow groundwater contributions to the Provincially Significant Wetland (PSW) system (Button Bush Wetland – South). However, there remains several elements which require more information/details, which will likely impact the final proposed stormwater management strategy servicing the Site. While many of these elements can be deferred to detailed design, some of the issues will require further clarification as they may have an impact on the current proposed development limits for the Site.

As such, I have the following outstanding comments/concerns related to the Hydrogeological Assessment:

- As noted in the report, site-specific assessment and testing and correlating field saturated hydraulic conductivity (Kfs) to infiltration rates within proposed LID

footprint areas will be required to support any LID design, as well as a comparative analysis of the proposed LID invert elevations with the seasonal high groundwater elevations present at the Site.

- As noted in comments from previous submissions, Section 3.2.3 of the report indicates that only one single well response test (SWRT) was completed at the Site, in BH5 (MW), even though multiple monitoring wells are present and completed in varying hydrostratigraphic units. As part of future work at the Site, a more comprehensive assessment of hydraulic conductivity within representative hydrostratigraphic units which allows for a more complete assessment of the hydraulic conductivity distribution across the site will be required.
- As noted in Section 4.4, “there is a risk that surface water run-off from the site could be responsible for increased salt loading during late winter and early spring periods”. To this end, a salt and snow management plan should be developed and adhered to by the owner of the site to ensure proper management of snow, and appropriate use of any de-icing salts. This will be required as part of the detailed design of the Site.
- Although the water balance provided in Section 6.0 and calculations shown in Appendix G are described as a “feature-based water balance”, calculations appear to be developed based on a site-based water balance approach. Please note that a feature-based water balance approach for a wetland complex is predicated on an analysis and comparison of the pre- and post-development hydroperiods for a wetland environment as outlined in Appendix D in the Toronto and Region Conservation Authority (TRCA) Stormwater Management Criteria (August 2012). For the purposes of this submission, however, the current water balance is acceptable.
- It is noted that the buffer associated with the PSW is minimal in certain areas, and does not appear to be consistent with current City of London and UTRCA Policy. Regard should be given to increasing buffer areas to help minimize post-development water balance deficits and impacts to the wetland feature.
- If the site is proposed to be phased over time, the consultant should also provide calculations details/assurance, that the water balance objectives are able to be achieved not only in the ultimate post-development scenario, but also throughout the phased development of the site.
- As noted in Section 6.1, runoff volume generated by the rooftops of commercial buildings are proposed to be directed to infiltration galleries located along the buffer area. Although the detailed sizing of the LID features can be deferred to detailed design, a cursory LID footprint of the proposed LID infiltration galleries should be provided at this time, to ensure there is adequate space within the proposed development limits to accommodate the galleries, as well as to ensure there is no encroachment with potential conflicting features or infrastructure (e.g., retaining walls, proposed pathways, ecological buffers, etc.).
- Please note, that the construction of any infrastructure (e.g., pathways, LIDs, etc.) into the ecological buffer area is subject to review and approval of the UTRCA.
- Based on a review of the water balance calculations, it is currently unclear how LIDs are being incorporated into the post-development calculations scenario. Is there an overall assumption in terms of the net effectiveness of the LIDs (i.e., application of an infiltration factor) in the post development conditions? Please clarify.
- As described in Section 6.1, runoff generated by the parking surfaces and building on the southwest corner of site will be directed to underground storage tanks, and the water balance has assumed that water in the storage tanks will infiltrate (approx. 50%) and overflow treated water (remaining 50%) into the wetland. At this time, with the current level of information submitted to the City of London, we are not able to validate this assumption.
- As described in Section 6.1, there is a reliance on the City of London’s Southdale Road Widening project and the installation of a proposed round-about at the intersection of Colonel Talbot Road and Southdale Road to accommodate stormwater runoff from the Colonel Talbot Road and the external lands to the west. The water balance analysis has assumed that the road improvements will

address 50% of the existing run-off which is currently directed into the site and the remaining 50% of the run-off is expected to be accommodated through the surface grading allowing some surface water ponding, and through the proposed on-site stormwater infrastructure (i.e., subsurface holding tanks). This assumption cannot be confirmed by the City's Hydrogeologist and should be validated with the City of London's Transportation Engineering Division. Further, the timeline for construction of the City's Southdale Road Widening project is unclear and subject to change. The proposed stormwater management strategy will be required to have regard for the interim conditions (i.e., pre-Southdale Road Widening) as well as the ultimate conditions (i.e., post-Southdale Road Widening). Both of these issues will have an effect on the water balance calculations.

- As noted in Section 6.3, As such, the report indicates that only clean stormwater run-off should be directed towards the wetland area however, the current SWM strategy is to direct all stormwater to the wetland. While it is acknowledged that a certain level of pre-treatment would occur (via an OGS), this will not remove dissolved phase constituents collected from parking area run-off.
- Section 7.1 indicates that if water treatment is required, beyond treatment levels achieved using an OGS unit to address potential dissolved contaminants, additional / alternative water quality treatment measures may need to be considered. Please described viable water treatment options which can be considered to remove dissolved phase contaminants.
- As noted in Section 7.2, a retaining wall is proposed to be constructed along the easterly limit of the development, next to the Wetland feature. As previously noted, this retaining wall will be subject to UTRCA review and approval.
- Section 7.6 indicates that on-going monitoring is recommended pre-, during-, and post-construction. Once the final development limits have been established and the SWM strategy and water balance have been finalized, any future on-going monitoring should be scoped with the City and UTRCA, and be completed in conjunction with an appropriate ecological monitoring plan.
- Once the final development limits are established and the detailed design for the Site is underway, a formal water taking and discharge plan will be required, assuming anticipated water takings are less than 400,000 L/day. This plan will be required to determine dewatering locations, anticipated dewatering rates, ESC measures to be implemented, monitoring locations, and most importantly dewatering discharge locations. As noted in the report, the western portion of the wetland may fall within the anticipated radius of influence and, as a result, mitigation measures may be required to ensure adequate water quantity and quality protection to the wetland during construction. The City of London would like an opportunity to review the water taking and discharge plan, once completed.
- As noted in Section 8.3, residential buildings are currently proposed in the north end of the site. The underside of footing levels for new residences (if constructed with full basements) would also likely extend into the uppermost stabilized groundwater table, particularly during the seasonal high spring conditions. Please note, that the ability to construct basements in some or all units may be limited, if it cannot be demonstrated that there will be no impacts to the wetland area from a water balance perspective and/or that continual sump pump operation will not occur.

Hydrogeologist (Stormwater Management) – Revised Comments (June 6, 2022)

I have gone through the responses provided by LDS. I have no further comments at this time. All outstanding issues can be deferred to detailed to design, at which point we will require a revised hydrogeological assessment, or a technical addendum to the current version of the report.

Landscape Architect (January 14, 2022)

- The Tree Preservation Report does not clearly identify the ownership of trees along the north property line. The TPP shows trees on the property line and off site to be removed. Consent must be obtained from the owner of 2574 Colonel Talbot Rd. for removals on their property and for boundary tree removals.

Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21.

- Off site trees not proposed for removal will have significant root loss to construction. Move proposed north sidewalk location closer to townhomes to reduce construction impacts; move tree protection fencing to boundary and offsite trees' driplines.

Landscape Architect (November 9, 2022)

A total of 29 trees were captured on the Tree Preservation Report growing near the shared property line with 2574 Colonel Talbot Road N. Fourteen will be removed to accommodate the development; 15 trees will be preserved; and all trees within the North Talbot Wetlands PSW boundary on the east side of the site will be preserved. Buffer to be determined.

The Tree Preservation Plan is not complete. Trees are not labelled with tree numbers to reference information contained in the accompanying inventory table. Please update Plan to include these numbers. This is required to identify tree ownerships, applicable legislature, consents required and removal administrative process.

The applicant will need to confirm ownership of all trees proposed for removal on or near the mutual property line shared with 2547 Colonel Talbot Rd N and provide explicit permission from the abutting landowners to remove off-site and/or boundary trees. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, boundary trees can't be removed without written consent from co-owner. Every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the land owners is guilty of an offence under this Act. 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Letters of consent from neighbour must be included with Site Plan Application documentation.

Engineering (May 4, 2022)

The preliminary noise assessment report is acceptable. It appears that the applicable noise sources have been identified. Noise mitigation measures/building components will be implemented at the time of detailed design and appropriate noise warning clauses will be added to the development agreement.

Transportation (January 12, 2022)

Transportation Impact Assessment

- The submitted TIA is not acceptable. The site concept and proposed access points analyzed in the TIA do not comply with the requirements communicated by staff via email during TIA scoping phase based on the City's Access Management Guidelines. To adequately demonstrate the ability of the transportation network to accommodate the proposed development, the proposed site concept and TIA must be updated as detailed below. The proposed site plan concept and TIA must also be updated based on final accepted recommendations of an EIS and determined limits of the PSW.
- Detailed comments
- Section 2.0 and 7.0 of the TIA references the addition of 15 townhouse, however none are shown on the site concept. It is further noted in the TIA that access to the proposed townhouses is to be provided via the existing access onto Southdale Rd from 920 Southdale Road. As communicated via email on Jan 30, 2020 access to 920 Southdale Rd west shall be provided through 952 Southdale via an easement for access as per the Highland Ridge Phase 1 Subdivision agreement related to Block 68, subject to the findings of an accepted EIS to determine the limits of the PSW. TIA required to be updated.
- Section 2.0, second paragraph states that "the required configuration and intersection control of these accesses will be determined as part of the subject TIA". It should also be noted that the recommended intersection

control shall be determined based on the City's Access Management Guidelines.

- Section 2.0 and various other locations throughout the report, there is reference to the proposed Colonel Talbot Rd and Southdale Rd roundabout scheduled to be constructed by 2031, this should be updated note that it is currently scheduled for construction in 2024, subject to funding and approvals. Existing conditions should still be considered as part of this study for the 2025 horizon based on the potential for the City project to be delayed.
- Section 3.1 notes that Colonel Talbot Road has a posted speed limit of 70km/h. This should be updated to reflect a posted speed limit of 60km/h.
- Section 3.1 should be updated to note that Cherrygrove Dr is neighbourhood street, and that as per the London Plan, Garrett Ave is planned to be extended to intersect with Colonel Talbot Rd at Cherrygrove Dr. The proposed timing for the extension of Garrett Ave is unknown and assumed to be beyond the horizon years considered as part of this study.
- As communicated via email on Aug 15 and Sept 4, 2019, a full access on Colonel Talbot Rd within 200m of Southdale Rd is not acceptable as per the City's Access Management Guidelines. The minimum spacing of 200m between access connections is based on a divided urban arterial. The northerly access on Colonel Talbot is noted to be 170m north of Southdale Rd. As Colonel Talbot is not currently a divided arterial, the City is willing to accept the minimum 150m spacing in the interim, based on an urban arterial classification. As always, the City reserves to restrict movements in the future if required based on operational or safety concerns and/or in conjunction with other improvements such as the planned roundabout for Colonel Talbot and Southdale Rd which will include splitter islands. As communicated via email on Aug 15, 2019 the request for a full moves access to/from Colonel Talbot will not be granted based on minimum spacing requirements alone. Any full moves access proposed will be subject to the availability of space to provide for appropriate infrastructure (turn lanes) and that there are no adverse impacts to the operation of nearby intersections and their associated auxiliary lanes.
 - The TIA needs to be updated to consider the existing access to 2615 Colonel Talbot Road. As per the City Access Management Guide it is preferred to have the access to 952 Southdale aligned with the existing access to 2615 Colonel Talbot Road. A minimum of 100m separation is required in between driveways not directly opposing.
 - As communicated on July 4, 2019 and Jan 30, 2020 the northerly access on Colonel Talbot Rd requires the construction of left and right turn lanes on Colonel Talbot Rd. TIA must be updated to demonstrate the availability of space to accommodate minimum NB left turn lane for Cherrygrove Drive and the SB left turn to the northerly site access. As per DSRM Section 2.1.15., storage lengths shall be determined based on a traffic study. The minimum storage on a Civic Blvd shall be 45m with storage starting 15m from the centreline of the cross street of at the stop bar, with a 30 parallel length and 65m taper (based on a design speed of 60km/h).
- As communicated via email on Aug 15 and Sept 4, 2019, a full access on Colonel Talbot Rd within 200m of Southdale Rd is not acceptable as per the City's Access Management Guidelines (reduced to 150m min spacing as noted above). The southerly access as proposed in the TIA is noted to be 100m north of Southdale Rd and therefore needs to be restricted to right-in/right out. TIA must be updated accordingly.
- As communicated via email on Jan 30, 2020, as this is a mixed-use development the applicant should consider providing an internal drive linking the northerly

purposed residential with the southerly commercial to make use of the full moves access to Colonel Talbot Road

- As per the City's Access Management Guide right turn lanes should be considered when the volume of right turning vehicles is between 10 to 20 percent of the through volume, subject to a minimum of 60 vehicles per hour in the design hour. Based on the TIA the southerly access is forecasted to generate 112 to 130 vehicles per hour turning right in the AM, PM and Sat Peak, which is equivalent to 18 to 36 percent of the forecasted NB through volumes for 2025 (avg 26%). Based on this data a right turn lane is required. TIA to be updated to include these recommendations.
- As per the TIA, for the Future Background 2025 Operational Conditions, the SBL at Colonel Talbot and Southdale Rd is forecasted to operate at a LOS E in the AM peak with a 95th percentile queue of 48.4 and v/c of 0.85. The 95th percentile queue in the PM and Sat Peak is projected to be 53.8 and 45.5. The existing parallel and storage of the existing SBL turn lane is about 27m in length (i.e. less than the forecasted queue). The addition of the site generated traffic makes the future total 2025 forecasts a LOS F for the SBL in the AM peak with a with a 95th percentile queue of 55.9m and v/c of 0.97. The 95th percentile queue in the PM and Sat Peak is projected to be 60.8m and 47.5m. The TIA should be updated to include commentary on the queue extending beyond the limits of the left turn lane and the impact on the through/right delay and LOS and recommend mitigation measures as appropriate.
- The 2030 future total conditions should not include the optimizations and improvements recommended as part of the 2025 future total conditions analysis unless those optimizations and improvements are recommended to be completed by the applicant. The 2030 future total conditions analysis should be based existing conditions (plus any improvements recommended to be complete by the applicant).
- Section 7.0, Summary and Conclusions shall be updated to clearly indicate what improvements are recommended to be completed to support the proposed development including auxiliary lanes and storage length requirements, as well as median islands to restrict turning movements on Southdale Rd and Colonel Talbot Rd. As communicated via email on Aug 9, 2019 the City will not accept pork-chop islands to restrict movements as we have experienced compliance issues. The south access on Colonel Talbot Rd shall be designed as per the City's Access Management Guidelines Exhibit 2-3 for a Rights-In/Rights-Out. As the access on Southdale Rd is within the limits of the proposed splitter island as part of the City planned roundabout project currently scheduled to go to construction in 2024, a pork-chop island will be accepted as an interim measure as per the City's Access Management Guidelines Exhibit 2-4 for a Rights-In/Rights-Out "Pork-Chop".

Stacking Space Justification Study

- Please provide a copy of the Paradigm Transportation Solutions Limited, 944 Hamilton Road Starbucks, London – Queuing Study, February 2020, so it can be reviewed in conjunction with this submitted study (which is mainly based on the above referenced study). Based on a review of the final site plan for 944 Hamilton Rd it appears that at least 13 staking spaces were ultimately provided.

Parking Assessment Memo

- The submitted Parking Assessment Memo does not adequately justify a reduction from the City's parking rates. The study references the City's goal to improve mobility and reduce reliance on the automobile. It notes that reasonable limits on the supply of available parking can be an effective travel demand management measure. The TIA does not support this rationale for reduced parking space:
 - Section 3.2 of the TIA notes that the current route headways in the study area would make transit usage an unattractive option for travel for people travelling to/from the subject development.
 - Section 6.1 of the TIA notes that the proposed development is located on a site that is currently not very conducive to the application of TDM

measures due to the poor availability of transit, long walking distances to businesses and amenities, and the limited bicycle infrastructure. This limitation is due to the site being located on the edge of the developed area of the City of London.

- Improving mobility and reducing reliance on the automobile is an important goal for the City, however it cannot be used as justification for not providing the minimum parking requirements, in particular where sufficient mobility infrastructure is not currently in place.
- The parking utilization at 3000 Colonel Talbot Rd is also referenced in the study. It is unclear who the parking utilization observation was completed by and no back-up documentation is provided (such as a photo). In comparison, based on a review of 2019 City Aerial imagery, there is very high utilization of the parking lot as shown in Figure 1 below. The example of 3000 Colonel Talbot Rd supports the need to meet the City's minimum parking requirements.
- Based on the Parking Assessment Memo and Supplemental Parking Assessment based on the Revised Site Plan, 51 residential parking spaces are proposed whereas 87 are required. This is over a 40% reduction and is not acceptable.
- It is recommended that the applicant revise the site plan to meet the City's parking rates. The City is willing to consider the ITE parking rates, if the applicant wishes to propose them. The site plan must also be updated based on final accepted recommendations of an EIS and determined limits of the PSW.

Transportation - Revised Comments (September 27, 2022)

Transportation has completed the review and we have the following comments for re-zoning.

1. The applicant should be aware that no access to the north future development block will be permitted off of Colonel Talbot. It is recommended that the site layout be revised so access can be provided via the single access to Colonel Talbot, opposite of 2615 Colonel Talbot. Based on the currently proposed layout the application should be aware that they are landlocking the north future development block. Access to the block may be feasible in the future when the extension of Garret Ave is completed. Timing for that is unknown.
2. A 0.3m (1ft) reserve is required along Colonel Talbot Rd -Future Residential Block 2 frontage.
3. As communicated via email on Jan 30, 2020 access to 920 Southdale Rd west shall be provided through 952 Southdale via an easement for access as per the Highland Ridge Phase 1 Subdivision agreement related to Block 68, subject to the findings of an accepted EIS to determine the limits of the PSW.

The application should be aware that the following TIA updates and other details to be addressed through site plan include:

4. Updated TIA based on comment #3 above.
5. The proposed Colonel Talbot Rd access generates from 93 to 139 vehicles per hour turning right in the AM, PM and Sat peak H. Previous outstanding comments: *As per the City's Access Management Guide right turn lanes should be considered when the volume of right turning vehicles is between 10 to 20 percent of the through volume, subject to a minimum of 60 vehicles per hour in the design hour. Based on the TIA the southerly access is forecasted to generate 112 to 130 vehicles per hour turning right in the AM, PM and Sat Peak, which is equivalent to 18 to 36 percent of the forecasted NB through volumes for 2025 (avg 26%). Based on this data a right turn lane is required. TIA to be updated to include these recommendations.*
6. Consistent with the previously provided TIA comments: As communicated on July 4, 2019 and Jan 30, 2020 the access on Colonel Talbot Rd requires the construction of left and right turn lanes on Colonel Talbot Rd. TIA must be updated to demonstrate the availability of space to accommodate minimum NB left turn lane for Cherrygrove Drive and the SB left turn to the northerly site

access. As per DSRM Section 2.1.15., storage lengths shall be determined based on a traffic study. The minimum storage on a Civic Blvd shall be 45m with storage starting 15m from the centreline of the cross street of at the stop bar, with a 30 parallel length and 65m taper (based on a design speed of 60km/h).

7. Consistent with the comments previously provided, the number of stacking spaces for the drive-through does not meet city standards. Justification/modification required through site plan.

Sanitary (SED) (January 14, 2022)

- This is to be read in conjunction with Stantec' March 2016 analysis, , regarding the proposed development at 952 Southdale Rd W. SED offers the following comments:
- In general SED has no objection to the proposed development, however, noting the suggested mix of residential and commercial land uses and shared sanitary sewers SED will require the sanitary sewer in this instance be a municipal sanitary sewer with appropriate easements (from Southdale Rd to proposed MH S6). The proposed sanitary sewer routing is to be adjusted to align more with municipal standards.
- With this being a municipal sanitary sewer, it must be confirmed that the municipal address 2615 Colonel Talbot Road can also be included in the future as an external area contributing flow that ultimately discharges to the existing 200mm diameter sanitary sewer on Southdale Rd West. SED's expectation is that Stantec also include these lands as external land to a proposed municipal sanitary sewer through 952 Southdale Rd West or in an alignment along Colonel Talbot Road to Southdale and co-ordinated with Transportation's roundabout project in their final report.
- The proposed sanitary sewer fronting the residential component will not be supported by City Staff unless it can be confirmed that OHS trenching requirements are met and no encroachment on to City lands is permitted. If this can not be achieved, the proposed sanitary sewer will have to be relocated.
- According to the Transportation master plan, there is roundabout planned for 2024 at the intersection of Southdale Rd W and Colonel Talbot Road. SED's expectation is that the consulting engineer consider the future roundabout and ensure that no MH' will be located in the future side walk or incur any conflicts.
- P&D can be contacted if further details/meeting is required. SED will need to be copied on the revised municipal sewer alignment, appropriate easements, maintenance access, and revised area and population prior the application moving forward.

Sanitary - Revised Comments (September 7, 2022)

- The City is planning to install a municipal sanitary sewer in the ROW (outside of the site plan) since the roundabout is now planned for 2023. The new sanitary sewer for this area is not expected to affect these lands. Sanitary will coordinate service connections with 952 Southdale as part of the infrastructure project. Nothing further needed at this time.

Water and Stormwater Management (January 31, 2022)

- It is understood that the site does not have a municipal stormwater outlet, or access to an external storm sewer connection. As such, the consultant is to acknowledge that stormwater run-off generated from the site is expected to be handled and treated onsite.
- No comments received from Water.

EEPAC Working Group (December 5, 2021)

- EEPAC has two principal concerns with this development: first, the proposed buffer width of 10 m is grossly inadequate to protect the PSW from further degradation of function and is significantly smaller than the minimum width (30m) as required by the 2007 Environmental Management Guidelines

- At least the minimum buffer width should apply unless compelling evidence is provided that shows the natural heritage feature or function will be adequately protected by a narrower buffer.
- Second, the post development stormwater management plan is also inadequate to protect the PSW from further degradation of function. Taken together, EEPAC considers this development in its current form to be wholly inadequate at protecting the PSW.
- **We recommend that the development plan be redesigned as EEPAC believes the current design does not ensure no net loss.**
- Specific details and recommendations, as well as other observation from our review of the EIS and Hydrogeological Assessment are provided below.

Topic 1: Buffer Width

- The proposal states that a “10 m distance has been provided in all locations of the development proposal, with the exception of the road access from Southdale Road where it narrows to 3.5 m.” (EIS p.23) The City of London’s Environmental Management Guidelines (2007) recommend “a 30 m minimum buffer width for wetlands for water quality benefits” (p.122). Additionally, Beacon (2012, Table 7) indicated that buffers under 10 m from the Critical Function Zone (“CFZ”) of the wetland have a high risk of not protecting the wetland feature (Core Habitat protection) and function (water quality). There is no CFZ proposed hence the risk to both core habitat protection and water quality is very high in EEPAC’s opinion.
- The proposal identifies a number of incursions into the buffer including the construction of a retaining wall on the eastern boundary of the Subject Lands to accommodate the amount of fill needed to create more accessible grading and slopes within the site. EEPAC is concerned about possible construction damage as it is anticipated to take place within the all too small 10 m being allocated for the buffer (Figure 12 EIS). As well, page 23 of the EIS makes reference to Table 4 “A Net Impact Table” of a pedestrian trail. EEPAC also notes a cycle walking trail is shown on Map 4 of the London Plan. Figure 7 – Development Plan, shows the pathway within the wetland boundary in the northern part of the site. The pathway itself would take up 5 m (3 for a paved path and 1 m on each side) of the buffer reducing its effectiveness.
- Another outcome of the construction and an inadequate 10 m buffer described in the EIS is the impact on Terrestrial Crayfish chimneys found in the proposed buffer along the edge of Community 2 adjacent to the wetland communities [Figure 6] (EIS p12). Development within habitat for the Meadow and Chimney crayfish will result in direct loss of their habitat and possibly extirpation of the local population.”
- “Excavation and filling where there are burrows will physically destroy the burrows and associated tunnels used by terrestrial crayfish. Heavy machinery may cause sufficient soil compression to damage or destroy burrows and subterranean tunnels.” Additionally, where development alters the habitat’s hydrology, ecological function may be reduced or lost. (P. 391 – 392 SWHMiST 2014)
- **Recommendation #1:** Redesign the proposal incorporating a consistent 30 m buffer along the eastern edge of the property.

Topic 2: Stormwater Management Proposal

- The proposal states that the stormwater will be managed on-site with a mixture of two underground storage facilities and rooftop water storage [Figure 8 and 10], of which the latter drains directly into the adjacent PSW. Water collection via storm sewers routed to oil-grit separators will be used to treat the water entering the storage facilities. Water will be released from the storage area slowly and the outlet will spill to a rip-rap pad to help diffuse the velocity of the flow and minimize erosion (Stantec 2019, EIS p. 21). The storage is designed to capture the entirety of a 2-yr storm event over 83% of the property. Lastly, the groundwater table onsite is at or close to ground surface during seasonally wet periods, which limits the potential for LID. EEPAC has specific concerns with respect to this stormwater management proposal:
 - This appears to be a complex system and EEPAC is unaware of similar systems in London for similar sites and their long term track record.

- Water collected on the roof of the store may be at too high a temperature for discharge to the PSW (thermal pollution).
- The system appears to be designed to handle a 2-yr storm event, which is inadequate to manage quantity and quality control for discharge to the PSW in the event of a larger storm, which are certain to occur (e.g. London has had larger storm events a number of times in just the past few months).
- Given that the PSW is already negatively impacted from high salt concentrations, this storm water plan does not adequately address how salt will be managed – the Groundwater Report noted that “there is a risk that surface water run-off from the site could be responsible for increased salt loading during late winter and early spring periods.” (LDS pg. 35)
- The design is unclear as to what will be managed on site and what will be sent offsite through stormwater sewers. “It is understood that the site does not have a municipal stormwater outlet, or access to an external storm sewer connection. As such, stormwater run-off generated from the site is expected to be handled and treated onsite.” (LDS paragraph 1, pg. 45) followed by “Stormwater run-off containing contaminants (from site pavements) are expected to be captured and directed into a storm sewer system for treatment.” (LDS bottom of page 48, top of page 49).
- Overall due to the complexity of the system outlined in the Hydrogeological Assessment, the case has not been made that a SWM system can be designed to protect either the Significant Wildlife Habitat (see above regarding terrestrial crayfish) or the wetland features and functions.
- **Recommendation 2:** Additional monitoring be conducted on site to validate the conclusions from the hydrogeology report (consistent LDS’ recommendation on pg. 36 of the Hydrogeology Assessment). Additionally, it was not clear if a monitoring well had been placed in a location where LID measures were proposed to demonstrate that LID is feasible for the site. With these concerns in mind, EEPAC feels insufficient information is available at this time and therefore we recommend that the application should not move forward until the ongoing fieldwork is completed to the satisfaction of the City and the UTRCA. Waiting for detailed design is not appropriate, the data collection needs to take place sooner and throughout the spring of 2022.
- Additional recommendations include:
 - If the final SWM design includes roof run off, the thermal impacts of stormwater run off must be mitigated to the satisfaction of the City and the UTRCA. Standing water on flat roofs will be hot in summer.
 - The detail design of the SWM and development may result in changes to the LID areas and whatever additional measures are necessary to ensure adequate infiltration is achieved. There needs to be a check on the SWM design prior to approval of construction to ensure it actually meets objectives.
 - “It is recommended that geotechnical inspection of materials which are used onsite and field testing during the construction phase of the project be carried out to confirm that infiltration rates which have been used for design purposes are appropriate to the actual site conditions.” (LDS p.22)
 - Additional LID measures are recommended to ensure that adequate infiltration is achieved. These measures may include but are not limited to the use of grass swales in greenspace areas, infiltration trenches, and reduced lot grading (LDS, 2021).”

Topic 3: Hydrology and Water Balance Assessment

- Maintaining current surface and groundwater flow conditions is important to maintaining the health of the PSW. Both the shallow unconfined overburden aquifer surface water (via two swales) drain into the wetland. Water quality testing indicates elevated chloride and sodium levels, which is “unsurprising” based on the adjacent main roads and the use of salt for snow and ice control. From the Hydrogeological Assessment: “Due to the surface water flows that occur under current conditions, and the base flow contributions from upgradient areas around the wetland feature, it is anticipated that both surface water and groundwater

contributions help to sustain the form and function, and recharges the wetland feature.” (LDS p.35)

- With the need to maintain current flow conditions, we felt the water balance calculations made it difficult to determine the extent to which the proposed development will impact waterflow within the site to the PSW given the assessment was for the site its entirety, and did not, in our opinion, adequately differentiate flow from the proposed development areas to the PSW (i.e. all flows were co-mingled).
- A better understanding of the impact on the development would be an evaluation of Catchment 101 (pre-development) and Catchments 201, 203, and 204 (post development) – i.e. exclude the wetland feature from the analysis as the wetland will not be changing. Additionally, the assumptions for post-development are somewhat unclear – does it assume the entire site concept is developed, or just the retail portion? Please note the post development catchment areas were not shown correctly in the Hydrogeology Assessment received from EEPAC (second figure in Appendix G). Additional comments and questions for each catchment noted on LDS page 42 are:

Catchment Area	Description	EEPAC's comments
201	Contains the future parking lot and small commercial buildings in the southwest quadrant of the site. It has been assumed that stormwater run-off in this area will be directed to storm sewers for water quality treatment.	Why is it assumed stormwater will be directed offsite when in the previous paragraph (p. 42) LDS states: "it is understood that the site does not have a storm sewer outlet, and that it is anticipated that the stormwater generated from the site will be accommodated onsite."
203	Contains the future development block in the southeast corner of the site. May be used for future townhouse block, however details for this area are not currently confirmed.	It is not clear what assumptions are being used for this parcel – does the water balance assume the site is fully developed with townhouse blocks?
204	Contains the rooftops of the proposed residential buildings, large grocery store, and commercial building closest to the wetland. It is recommended that stormwater run-off in this area be directed towards an infiltration feature which outlets at the wetland.	Does the water balance assessment include the impact from the infiltration galleries?

- **Recommendation #3:** In order to clarify the water balance on the site conduct an assessment of: pre-development conditions; post development conditions without any mitigating factors (e.g. LID); and post development conditions with the mitigating factors be carried out. In particular, the water balance assessment should also differentiate between a water balance assessment for the wetland itself and for the areas being developed. Lastly, EEPAC echoes the recommendation in the Hydrogeological Assessment that “when additional information regarding the stormwater management strategy is available for the site, the water balance should be updated to reflect stormwater catchments used in the design.” (LDS p 42)

Topic 4: Construction Related Impacts

- Given the relatively shallow groundwater table (according to the data collected so far, the surface of the tableland is covered in water at various times), coupled with the adjacent wetland, construction related dewatering must incorporate adequate quality and quantity controls to ensure that dewatering does not reduce (or increase) water flow to the wetland, nor result in an increase in sedimentation. The EIS noted that “it is during construction when the greatest potential impact to the adjacent feature can occur as the site is graded. Above and beyond sediment and erosion control measures, grading works within 30m – 50m of the wetland require a very high level of management. Interim stormwater management during site grading and construction will also be critical.” (EIS pg. 19-20) However, EEPAC points out there is no indication in either the LDS report or the EIS where dewatering will outlet to. Normally, it is into the city’s stormwater system but there are no outlets on this site nor are they proposed prior to construction.
- Given the current site design includes a retaining wall as close as 3.5 m from the PSW, construction will undoubtedly take place even closer. While the LDS report recommends a detailed erosion and sediment control plan be created, EEPAC is skeptical that even “robust” or “heavy duty” or a “multi-barrier approach” sediment control fencing (all forms used in the EIS pgs. 24-5) will prevent some siltation and other construction impacts to the feature, especially given how close construction will occur to the feature.
- **Recommendation #4:** EEPAC’s baseline recommendation remains that this development requires significant re-design to protect the integrity of the PSW. However, were the development to proceed as proposed, a detailed ESC plan approved by the City and the UTRCA must be a condition of approval. Additionally, the construction recommendations outlined in the Hydrogeology Assessment (LDS page 51) must be followed, at minimum, with additional stronger dewatering requirements which must be followed.
- **Recommendation #5:** EEPAC recommends that there be daily monitoring of water levels as suggested on page 57 of the LDS report, including measuring turbidity. Additionally, echoing other recommendations in the Hydrogeological Assessment, construction should only take place during the drier summer months given the shallow groundwater conditions and the lack of a clear outlet for dewatering activities. No excavation work should take place during wet weather seasons.

Topic 5: Post Construction – Snow Removal and Salt Management

- On page 52-3 of its report, LDS proposes a snow removal and salt management strategy. EEPAC is not aware of any property being managed to the standard suggested by LDS. EEPAC is concerned that there is no assurance such a plan would be implemented, monitored and sustained in the short or long term. The precautionary principle (a minimum 30 m buffer) should be followed rather than placing the bar so far above standard procedures for snow removal and salt management.

Topic 6: Review of Recommendations in the EIS

If the development as proposed is accepted, EEPAC provides the following comments on the recommendations contained in the EIS. Overall, the EIS discusses many requirements to avoid impacts – EEPEC overall views that the greater the buffer, the less the risk.

Nos.	EEPAC Comment
1	EEPAC does not support LID measures on private property as maintenance is an ongoing issue and there is no mechanism EEPAC is aware of to inspect and deal with maintaining the function of such facilities.
2	The current vegetation between the site and the wetland (Community 2) appears to be removed during construction. So rather than a more appropriate buffer this recommendation ignores the impact on Community 2 and recommends something called “active naturalization.” This recommendation also seems to ignore a paved pathway in the buffer (and at times, in the wetland at the north end of the site according to Figure 7 - Development Plan, in the EIS and LDS reports), which will essentially reduce the amount of “active naturalization.” What is active naturalization?

Nos.	EEPAC Comment
4	<p>There should be no need for a retaining wall with a 30 m buffer from the wetland. The construction of a retaining wall where proposed will likely result in a net loss of some of the feature because of the scale (4 m different in height between the tableland and the feature) and the distance from the feature (EIS p. 24 says the wall will be within 3.5 m of the feature). Construction will be even closer to the feature and possibly in the feature.</p> <p>Recommendation #6– If this development is approved as is, an ecologist, retained by the city at the proponent’s cost, should be required to be on site daily during construction and have authority to stop construction.</p>
4, 10, 11, 12	It is unlikely even “robust” or “heavy duty” or a “multi-barrier approach” sediment control fencing (EIS pgs. 24-5) will prevent some siltation and other construction impacts to the feature.
5, 6, 7	EEPAC agrees a detailed interim stormwater management, regardless of the final site design, is required. It must be to the satisfaction of the City and the UTRCA. It is unclear from the EIS how surface flows will be unaffected during construction or the time it will take between construction and the completion of the final stormwater design. EEPAC is not aware of a similar SWM project in the city adjacent to a PSW that has been successful.
13	EEPAC agrees, although one would have expected a clearer time line other than “as soon as possible.”
14	<p>This recommendation could be improved by making this a condition of development approval and included in the construction contracts. Or an inspection schedule, to the approval of the city, be developed to reduce the likelihood roof leaders will be connected before areas are vegetated. However, EEPAC points out this recommendation presupposes that connecting the roof leaders will be part of the approved SWM plan for the site. With a 30 m buffer, the final stormwater management plan may differ.</p> <p>Recommendation #7 – depending on the final SWM design an amended EIS may be required.</p>
15	EEPAC agrees that fencing MUST be required
16	<p>EEPAC agrees. Moreover, given the rest of the legal parcel is part of a PSW, the proponent consider donating the lands to the City which should result in no capital gains tax and obtaining a tax receipt for the value of the land.</p> <p>https://www.canada.ca/en/environment-climate-change/services/environmental-funding/ecological-gifts-program/publications/donation-income-tax-scenarios.html</p>
17	<p>The report was unclear as to the application of this recommendation as it relates to Kildeer (stated) and Bank Swallows (not stated)</p> <p>Recommendation #8 – a clearer recommendation re nesting birds be included in the development agreement and building permits</p>
18-21	EEPAC agrees. We appreciate the recommendation for permanent signage

With respect to the Monitoring Plan (page 27) of the EIS:

- Noted that there is nothing in this section of the EIS related to the feature or its functions. The LDS report also recommends an EMP and page 3 states: “Outline recommendations for an environmental monitoring program to characterize water quality in the wetland during and post construction.” Sadly, the HydroG report only has bullet points of what might be included at the detailed design stage (LDS p.55).
- **Recommendation #9** - EEPAC recommends that monitoring plan at detail design subject to the approval of the UTRCA and City be a requirement of all development agreements and site plans given that various phases are proposed.
- **Recommendation #10** – the monitoring plan must include base line condition of water quality and quantity, ecological function and reporting on these measures

must be reported at least annually to the City and UTRCA. In addition, given some impacts may be long term, a specific holdback of funds from the proponent be required for any mitigation or compensation that may be required for no less than 5 years.

Topic 7: Additional Comments

- The EIS did not address the following element at the end of the Scoping document included in the EIS (found on page 61 of 83 of the PDF document):
- “EIS to address potential wetland interference/ removal on edge/ within feature limits as identified on City of London 2020 air photos.”
- **Recommendation #11:** EIS be considered incomplete until this is addressed
 - p. 16 of the EIS - Water Quality and Quantity “Water quality and quantity contributions from the Subject Lands to the adjacent North Talbot PSW will need to be considered further in this EIS.’ This does not appear to have been addressed in the EIS.
 - EEPAC did not receive the Geotechnical Report LDS did from Oct 2020 which was referenced in the Hydrogeologic study. “LDS has also prepared the Geotechnical Report (October 2020) outlining geotechnical comments and recommendations related to the proposed site development.”
 - None of the Figures show where observer was while conducting the amphibian calling surveys. Surveys were conducted in 2017.
 - Appendix H includes a response from the MECP whose guidance expired Dec 31, 2020.
 - The London Plan policies and maps are in force and effect. Why are the previous Official Plan policies and schedules still referenced?
 - Figures showing features and outlines of built features are incomplete or even misleading. See Fig 9-11 for examples of headings in the key without lines on the site drawing or lines without headings in the key. Figure 5A was missing all of the information from the key.
 - The entire PSW is not shown in the air photo figures which is annoying at best and understates the significance of the feature.
 - The full extent of the PSW is noted on Ontario GeoHub (see appendix) and Map 5 of the London Plan. It should be clear to everyone the extent of the PSW.
 - LDS report p. 40 – “Based on information from Stantec, it is understood that Buttonbush Wetland has a contributing drainage area of 77.4 hectares, much of which has been subject to urbanization, and has an approximate impervious level of about 63 percent. It is important to note that this assessment does not consider the broader catchment area for the wetland area, which extends beyond the subject lands. This water balance is based on the onsite contributions, through surface water (stormwater run-off) and onsite infiltration which contribute to the adjacent wetland features. The following table summarizes the recommended elements of the assessment, and provides a reference to the corresponding material within this report.” Although the PSW has been negatively affected by urbanization and previous stormwater management it seems that limiting the water balance report and calculation to this small part (about 4 ha) of the 77 ha catchment means the work, while interesting, may not be very useful in determining post construction impacts to the feature or its functions.
 - From EIS p. 21 “To ensure that features are protected from sedimentation during development, a fill and grading staging plan has been prepared for the proposed development. This staging plan is discussed further under Section 7.2. Frankly, the LDS report on page 56 has more of an outline of ESC measures to be taken. The staging plan does little to mitigate the construction impacts which are more clearly outlined in the LDS report than in the EIS.
 - p. 19 “Further south, in the north Talbot community plan area, a wetland feature that receives major storm water to assist in quantity control has converted from a horse pastured wet meadow beforehand,...” It would be not a good idea to cite this example as a positive one. Beacon’s work in 2014 on EIS implementation noted that the Talbot Village site completely

changed from before development and its use as a SWM facility. See Appendix

- It is also noted that EEPAC previously reviewed work done at for the development at the northeast edge of the Buttonbush Swamp adjacent to the SWM facility built by the developer and noted significant functional issues with the facility that likely had deleterious impacts to the feature and its functions. (see appendix, extract from staff report to Planning Cte)

Enbridge (November 11, 2021)

- 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.

London Hydro (November 11, 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.

Appendix D – Planning Impact Analysis and Evaluation of Our Tools

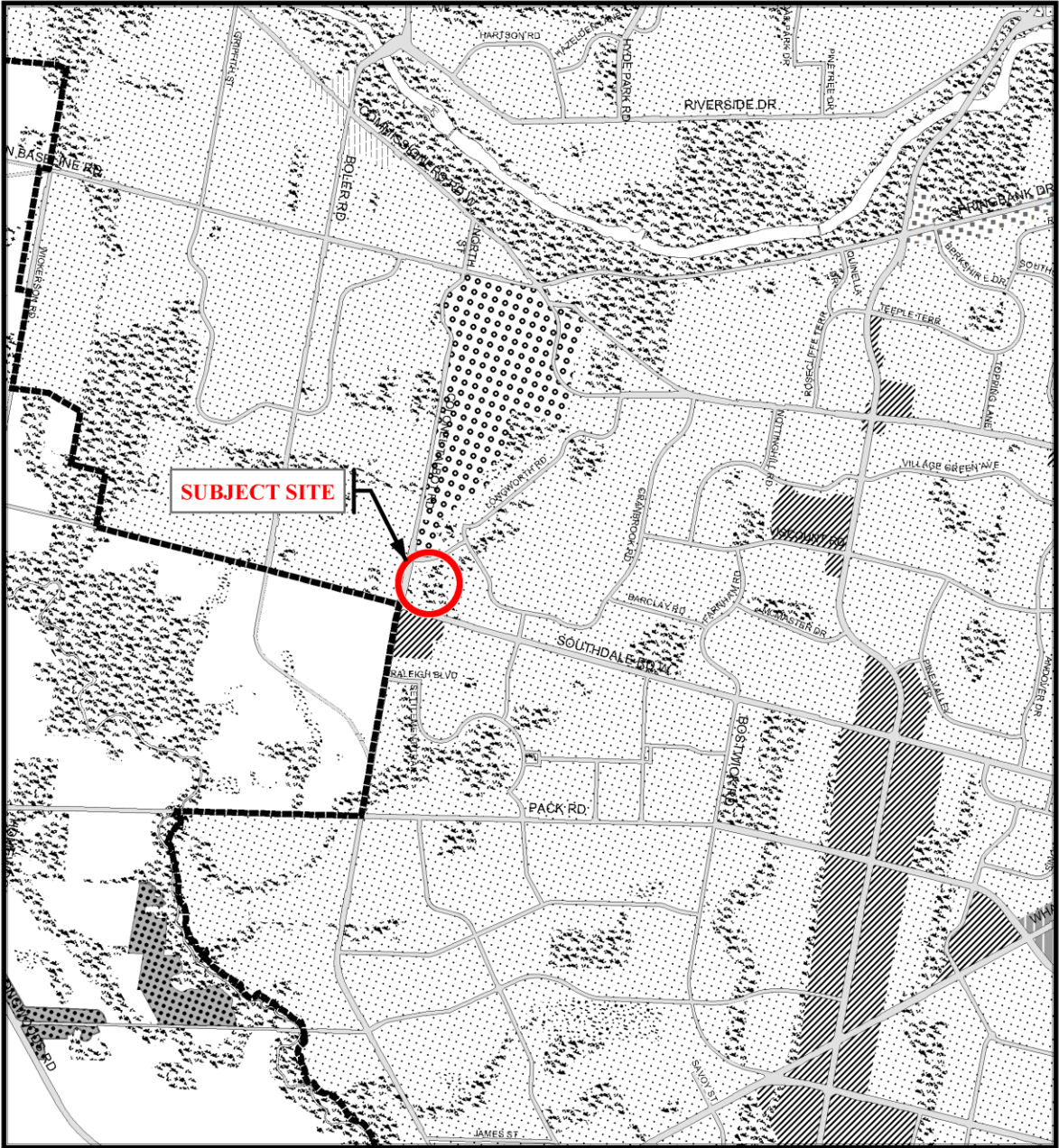
Planning Impact Analysis (3.7) and Evaluation of Our Tools Planning and Development Applications (1578)

Criteria	Response
3.7.a) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is contemplated as per the Specific Policy for the site. The site is in a location with convenient access to other services, shopping and public transit. The proposed development and recommended regulations result in a compatible form to existing and future land uses.
b) The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site is of an adequate size and shape to accommodate the mix of uses proposed. Special provisions are recommended to ensure any future development can be accommodated fully on site without impacting adjacent areas.
c) The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	<p>There is an existing large scale commercial area located on the south side of Southdale Road, and further east along Southdale. However, as per the OLT decision, a limited amount of residential, commercial and office uses are permitted on this site.</p> <p>The subject site is a good opportunity to accommodate additional population in a location within close proximity to existing and future transit.</p>
d) The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located in close proximity to public open spaces (Button Bush Wetland) and parks (Byron Hills Park). There are existing transit services available close by. Community facilities such as libraries and recreational centres are available in fairly close proximity (further east on Southdale Roads – Bostwick Community Centre).
e) The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	A component of this development will provide stacked townhouse units, which area generally smaller units which can be more affordable than the typical units available in the area.
f) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses; 1578_6) g) privacy 1578_6) h) shadowing 1578_6) i) visual impact 1578_7) f) height	The greatest height is located along the northern end of the site, adjacent to the future extension of Garrett Avenue. There is likely to be additional residential development located just north of the property boundary. The property to the north is low rise in nature (single detached dwelling) but is situated away from the property boundary. The proposed residential use on site is

1578_7) g) density 1578_7) h) massing 1578_7) i) scale 1578_7) j) placement of buildings 1578_7) k) setback and step-back 1578_7) l) relationship to adjacent buildings	unlikely to have an impact on privacy or shadowing, as the height will be limited to three storeys. The scale of the proposed development is generally in keeping with adjacent developments on the west side of Colonel Talbot.
g) 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; 1578_6) m) natural heritage features and areas 1578_6) k) trees and canopy cover 1578_6) n) natural resources 1578_7) p) landscaping and trees	<p>The significant environmental feature located on the eastern portion of the site will be retained, as well as the addition of a buffer (ranging in size from 15m - 30+m) to ensure its future protection.</p> <p>A tree preservation report was submitted with the application. A large number of trees are proposed to be retained along the northern property boundary. Additional information will be required at site plan to ensure tree protection is used during construction.</p>
h) 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; 1578_6) a) traffic and access management 1578_7) q) coordination of access points and connections	<p>Three access points are proposed for the development: two for the commercial portion (one on Southdale Rd and one along Colonel Talbot Road), and one for the residential block. The Southdale Road entrance and the residential block entrance will be limited to rights in-rights out. The Colonel Talbot access point for the commercial lands is proposed to align with the existing entrance to 2615 Colonel Talbot Road. A Transportation Impact Assessment (TIA) was provided as part of the application submission. Transportation Planning and Design staff are satisfied with the access arrangement and the conclusions of the TIA. Easements and access will further be refined at the site plan approval stage.</p>
i) 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; 1578_7) c) neighbourhood character 1578_7) d) streetscape character 1578_7) e) street wall 1578_7) m) proposed architectural attributes such as windows, doors and rooflines	<p>The height and scale of the proposed residential units will be in keeping with existing development in the area. Lands to the north of the site are primarily vacant. The height and scale of the commercial development is focused at the intersection of Colonel Talbot and Southdale which will help to minimize impacts. The existing neighbourhood character is comprised of low-rise commercial developments, and low-rise residential development on the west side of Colonel Talbot. The proposed first floor commercial units will provide for active uses along the street, add to the streetscape character and provide a street wall to assist with the pedestrian environment.</p>

<p>j) The potential impact of the development on surrounding natural features and heritage resources; 1578_6) l) cultural heritage resources 1578_7) o) relationship to cultural heritage resources on the site and adjacent to it</p>	<p>The site is adjacent to a listed heritage property at 2574 Colonel Talbot Road.</p> <p>A Heritage Impact Assessment (HIA) was submitted as part of the complete application. This HIA concluded that no direct or indirect impacts to the cultural heritage resource were identified as a part of the proposed development. As a result, no mitigation strategies are required and no further assessment is recommended. Based on the review, heritage staff are satisfied that there will be no adverse impacts to the adjacent listed property.</p>
<p>k) 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; 1578_6) b) Noise 1578_6) d) emissions generated by the use such as odour, dust or other airborne emissions</p>	<p>The site is located on a major road which has potential noise impacts for future residents. A noise impact study was required as part of the complete application, and mitigation measures will be implemented into the ultimate development agreement. No other environmental constraints have been identified.</p>
<p>l) Compliance of the proposed development with the provisions of the City's <i>Official Plan (1989)</i>, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; 1578_6) e) lighting 1578_6) f) garbage generated by the use</p>	<p>The proposed development is generally in compliance with the 1989 Official Plan and the policies within The London Plan. An amendment to the Zoning by-law is required to facilitate the use and intensity. The development will also be required to comply with the requirements of the City's Site Plan Control By-law.</p> <p>Detailed functional aspects of lighting and garbage would be addressed as part of standard site plan review.</p>
<p>m) 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;</p>	<p>Additional regulations proposed by staff will improve and enhance the design and mitigate certain impacts.</p>
<p>3.7) n) Impacts of the proposed change on the transportation system, including transit 1578_6) c) Parking on streets or adjacent properties</p>	<p>The intensification of the site is within an identified location for growth. The proposed intensification on this site will support and benefit from the transit system. Parking is proposed on site and will provide adequate parking spaces to cater to personal vehicle trips and storage. Parking on adjacent streets will not be possible.</p>

Appendix E – Relevant Background

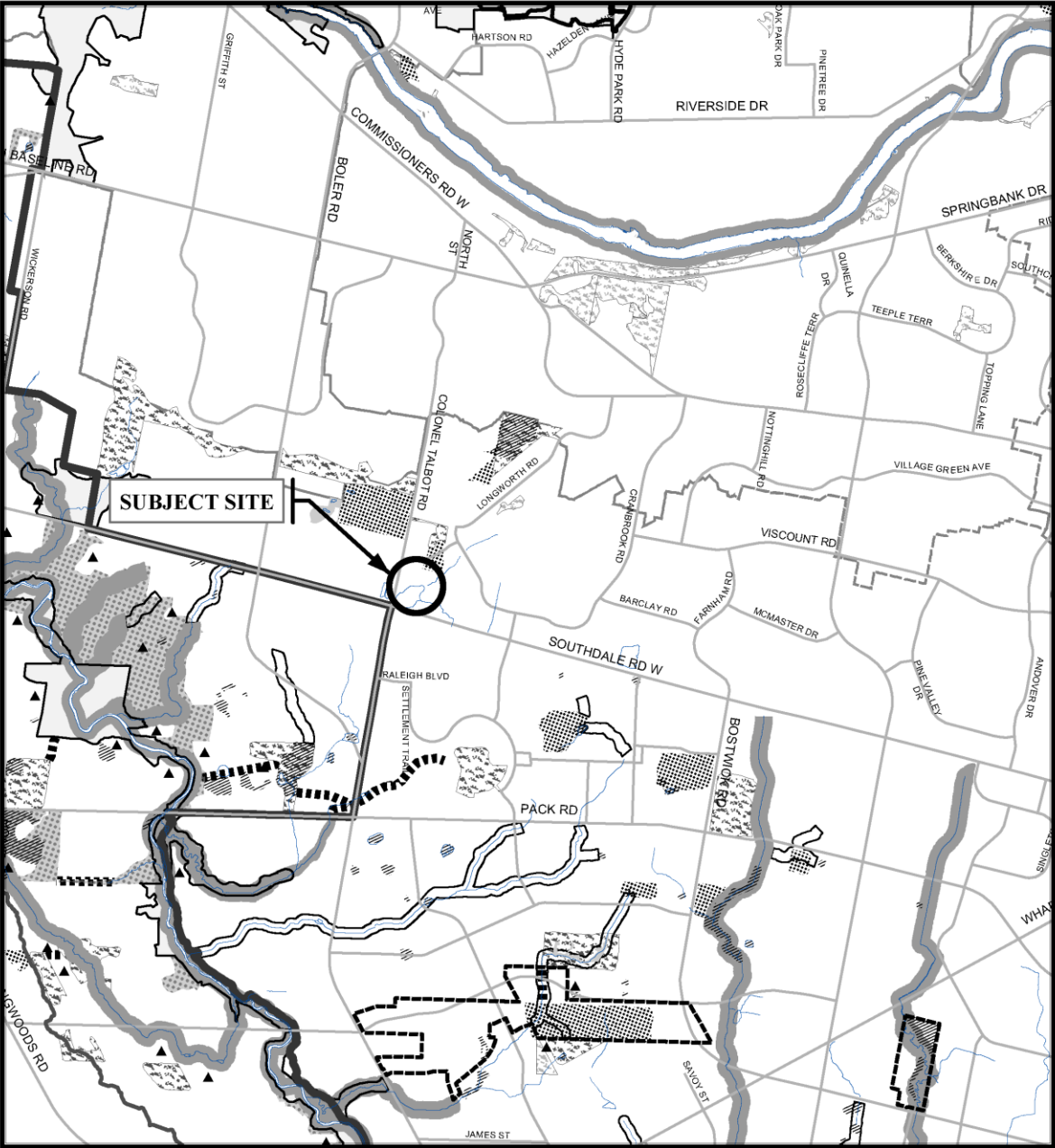


Legend

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.

<p>CITY OF LONDON</p> <p>Official Plan</p> <p>LONDON PLAN MAP 1</p> <p>- PLACE TYPES -</p> <p>PREPARED BY: Planning & Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>File Number: OZ-9431</p> <p>Planner: NP</p> <p>Technician JI</p> <p>Date: 2022/10/13</p>
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NATURAL HERITAGE SYSTEM

Provincially Significant Wetlands	Areas of Natural and Scientific Interest
Wetlands	Environmentally Significant Areas (ESA)
Unevaluated Wetlands	Potential ESAs
Significant Woodlands	Upland Corridors
Woodlands	Potential Naturalization Areas
Significant Valley Lands	Unevaluated Vegetation Patches
Valley Lands	

Base Map Features

Railways
Water Courses/Ponds
Streets (see Map 3)
Conservation Authority Boundary
Subwatershed Boundary
Subject to Site Specific Appeals (LPAT Appeal PL170100)

This is an excerpt from Planning & Development's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

CITY OF LONDON
Official Plan

LONDON PLAN MAP 5
- NATURAL HERITAGE -

PREPARED BY: Planning & Development

Scale 1:30,000

0 145 290 580 870 1,160 1,450

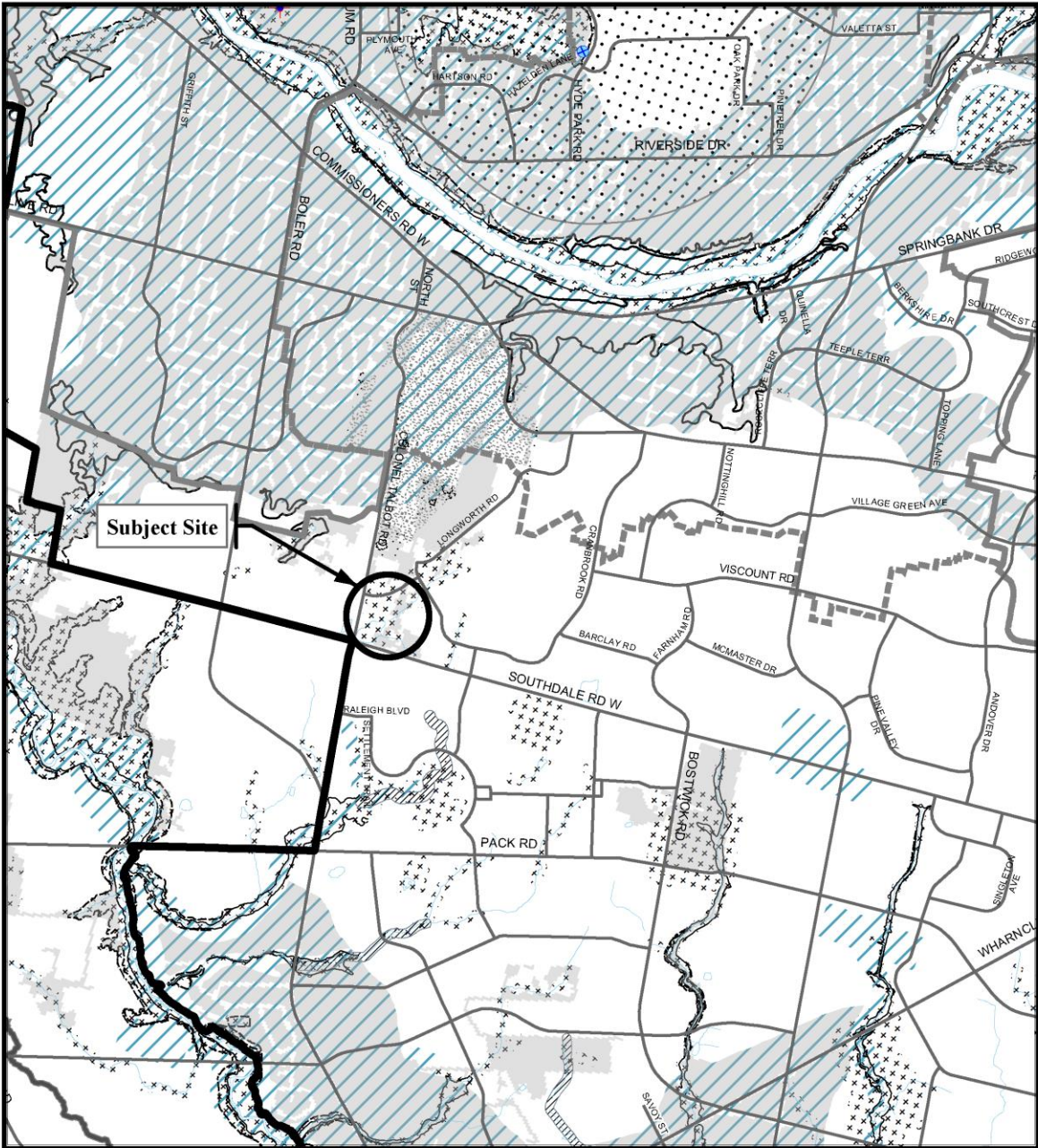
Meters

File Number: OZ-9431

Planner: NP

Technician JI

Date: 10/13/2022



HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the City is available from the Upper Thames Conservation Authority.
- Special Policy Areas
- Potential Special Policy Areas
- Riverine Erosion Hazard Limit for Confined Systems
NOTE: Steep Slopes Outside the Riverine Erosion Hazard Limit on the map are approximate. Precise delineation is available from the Conservation Authority having jurisdiction.
- Riverine Erosion Hazard Limit for Unconfined Systems
- Maximum Hazard Line

This is an excerpt from Planning & Development's working consolidation of Map 6 - Hazards and Natural Resources of the London Plan, with added notations.

- Conservation Authority Regulation Limit
- Abandoned Oil/Gas Wells
- NATURAL RESOURCES**
- Aggregate Resource Areas
- Extractive Industrial Areas
- Wellhead Protection Area
- Emergency Municipal Water Wells
- Significant Groundwater Recharge Areas
- Highly Vulnerable Aquifers

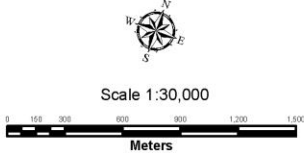
BASE MAP FEATURES

- Streets (see Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds
- Conservation Authority Boundary
- Subwatershed Boundary

**CITY OF LONDON
Official Plan**

**LONDON PLAN MAP 6
- NATURAL HAZARDS AND NATURAL RESOURCES -**

PREPARED BY: Planning & Development

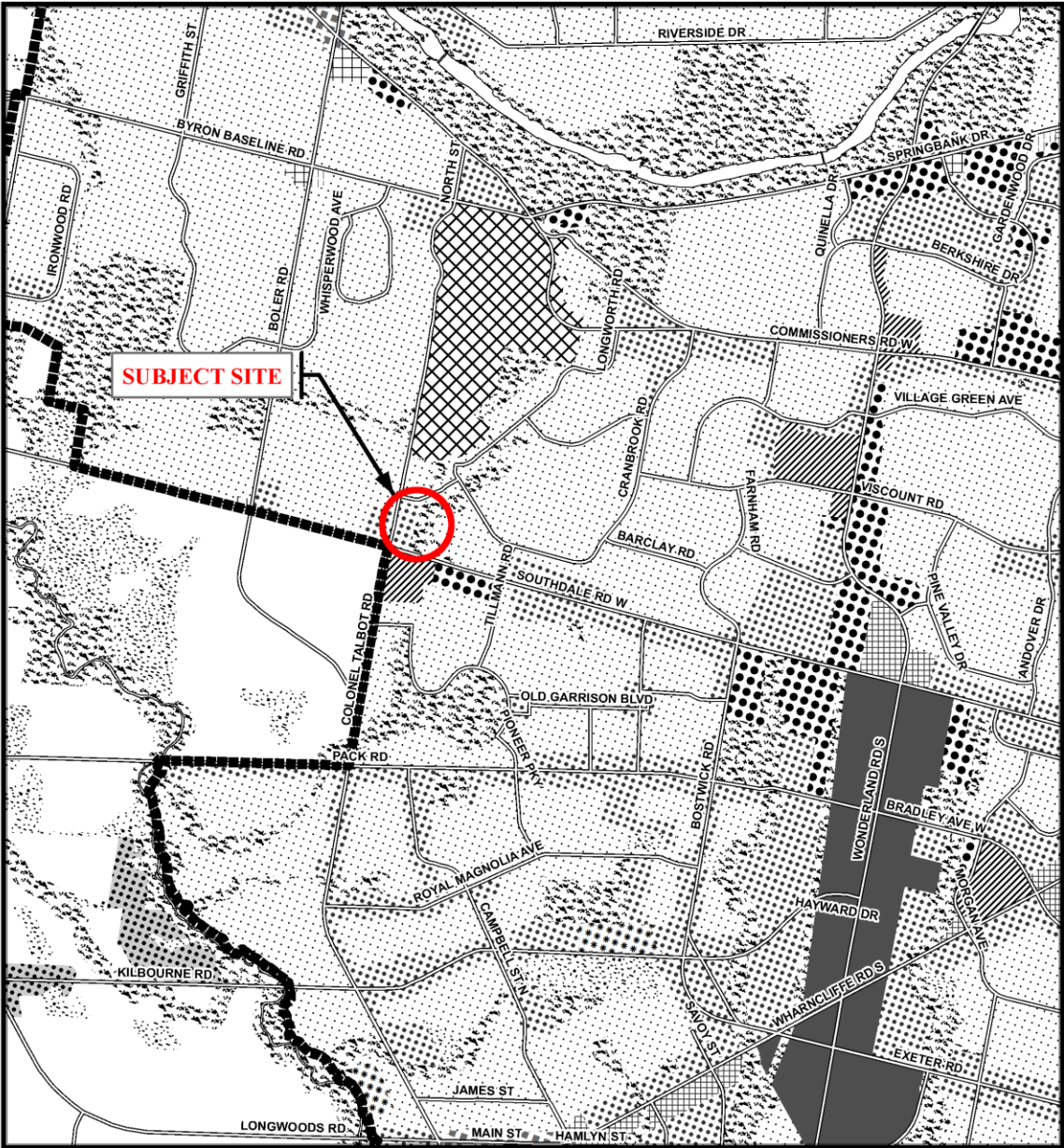


FILE NUMBER: O-9335

PLANNER: NP

TECHNICIAN: JI

DATE: 10/13/2022



Legend

Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 100 200 300 400 500 600 700 800 900 1,000

Meters

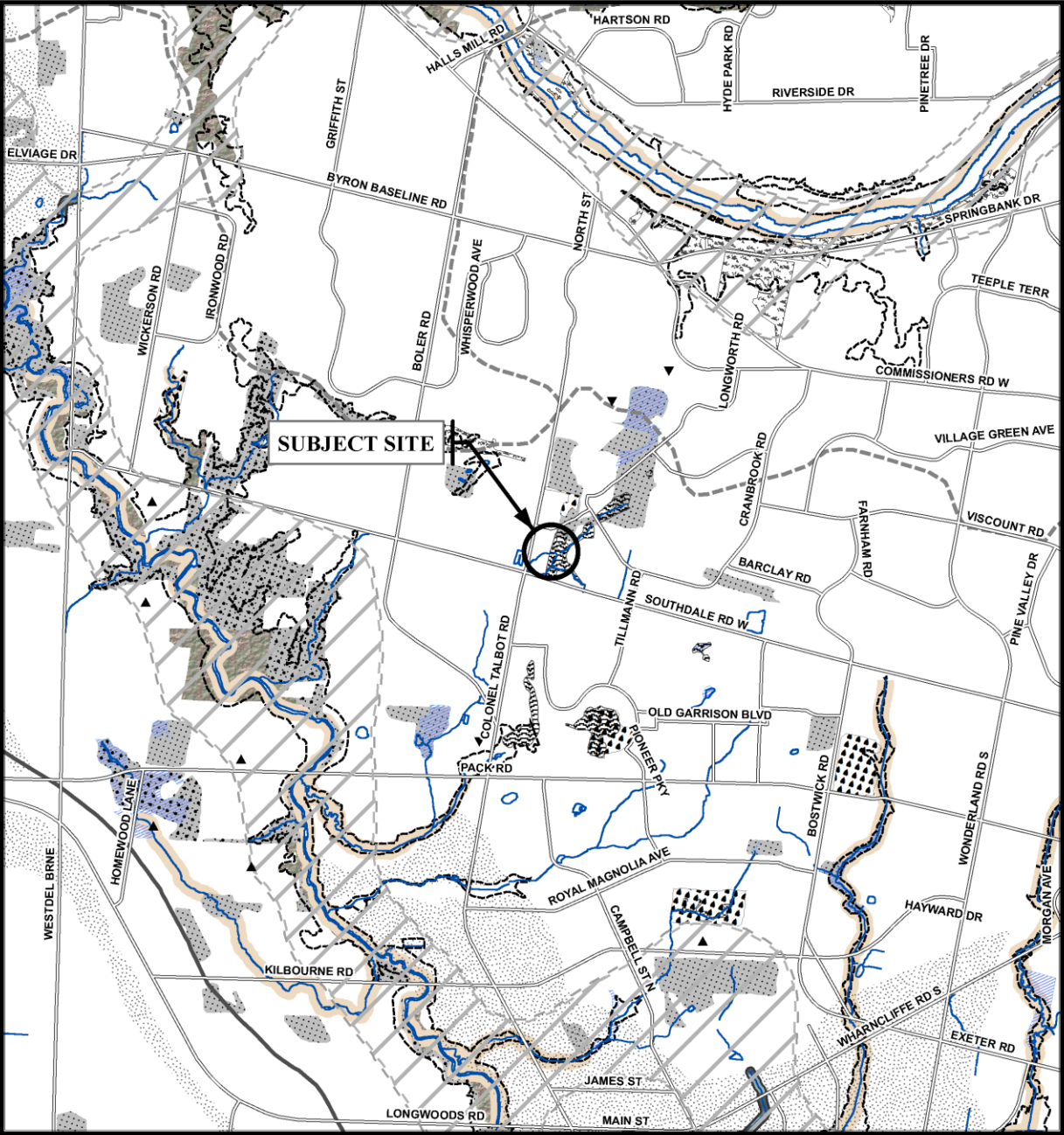
FILE NUMBER: OZ-9431

PLANNER: NP


TECHNICIAN: JI


DATE: 2022/10/13


PROJECT LOCATION: e:\planning\projects\lp_official\plan\work\consol\00\excerpts\lrmx_templates\scheduleA_b&w_8x14_with_SWAP.mxd





NATURAL HERITAGE SYSTEM


 ESAs


 Potential ESAs


 Significant Woodlands


 Woodlands


 Unevaluated Vegetation Patches


 Significant River, Stream, and Ravine Corridors


 Unevaluated Stream and Ravine Corridors


 Provincially Significant Wetlands

 Locally Significant Wetlands


 Unevaluated Wetlands

 Potential Naturalization Areas

 Potential Upland Corridors

 Ground Water Recharge Areas


NATURAL HAZARDS


 Maximum Hazard Line


NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.


NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.


Base Map Features


 Railways

 Water Courses/Ponds

 Streets (refer to Schedule "C")

 Conservation Authority Boundary



 Subwatershed Boundary

 Big Picture Meta-Cores and Meta-Corridors

CITY OF LONDON
Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE B1
- NATURAL HERITAGE FEATURES -

PREPARED BY: Graphics and Information Services

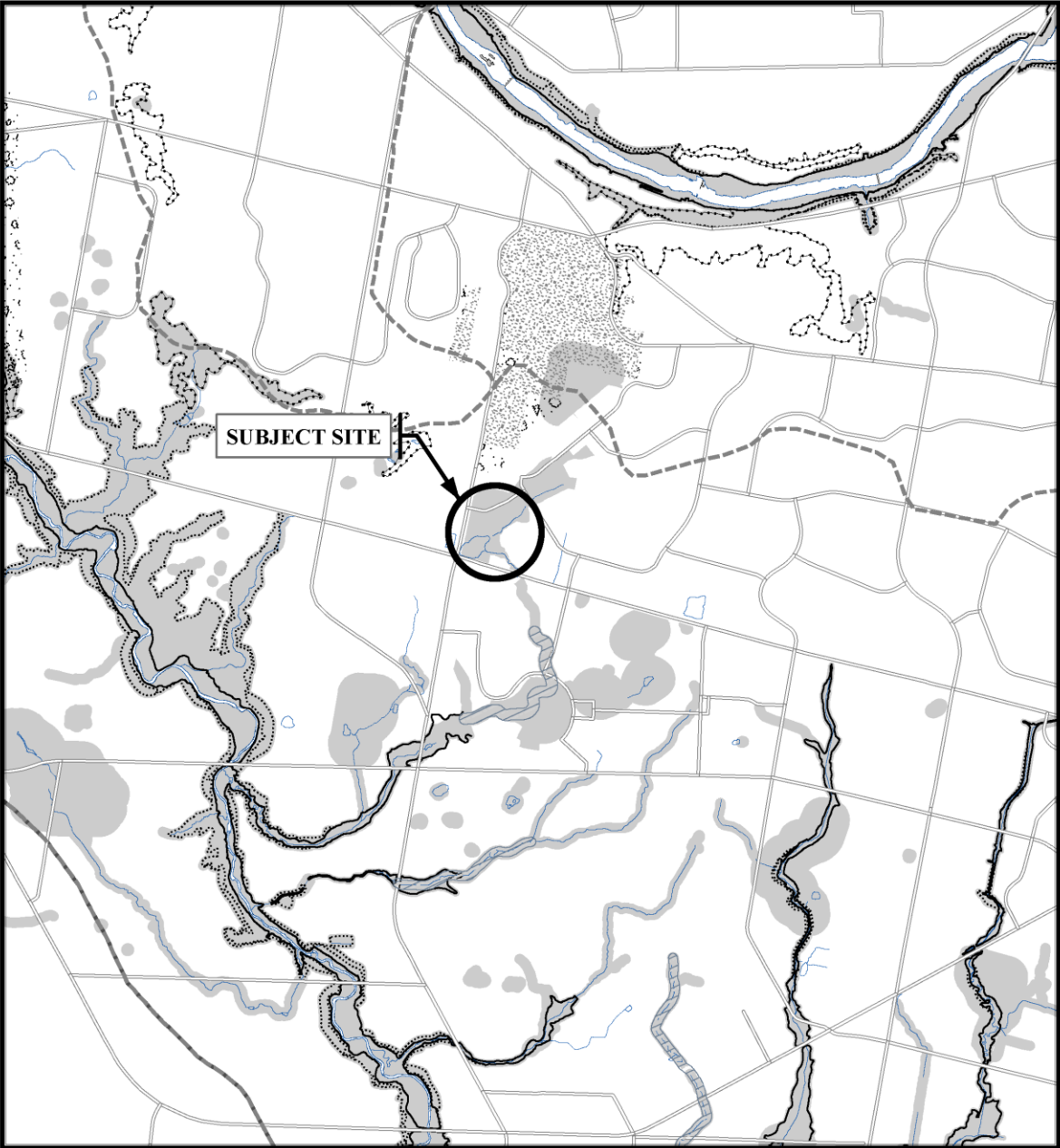

Scale 1:30,000

Meters

FILE NUMBER: OZ-9431

PLANNER: NP

TECHNICIAN: JI

DATE: 2022/10/13



NATURAL RESOURCES

- Aggregate Resource Areas
- Extractive Industrial
- Emergency Municipal Water Wells

Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Potential Special Policy Areas
- Special Policy Area

NATURAL HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.
- Riverine Erosion Hazard Limit For Confined Systems
- Riverine Erosion Hazard Limit For Unconfined Systems
- Steep Slopes Outside of the Riverine Erosion Hazard Limit
- Abandoned Oil/Gas Wells
- Conservation Authority Regulation Limit

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE B2
NATURAL RESOURCES
AND
NATURAL HAZARDS
PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 140 280 560 840 1,120 1,400

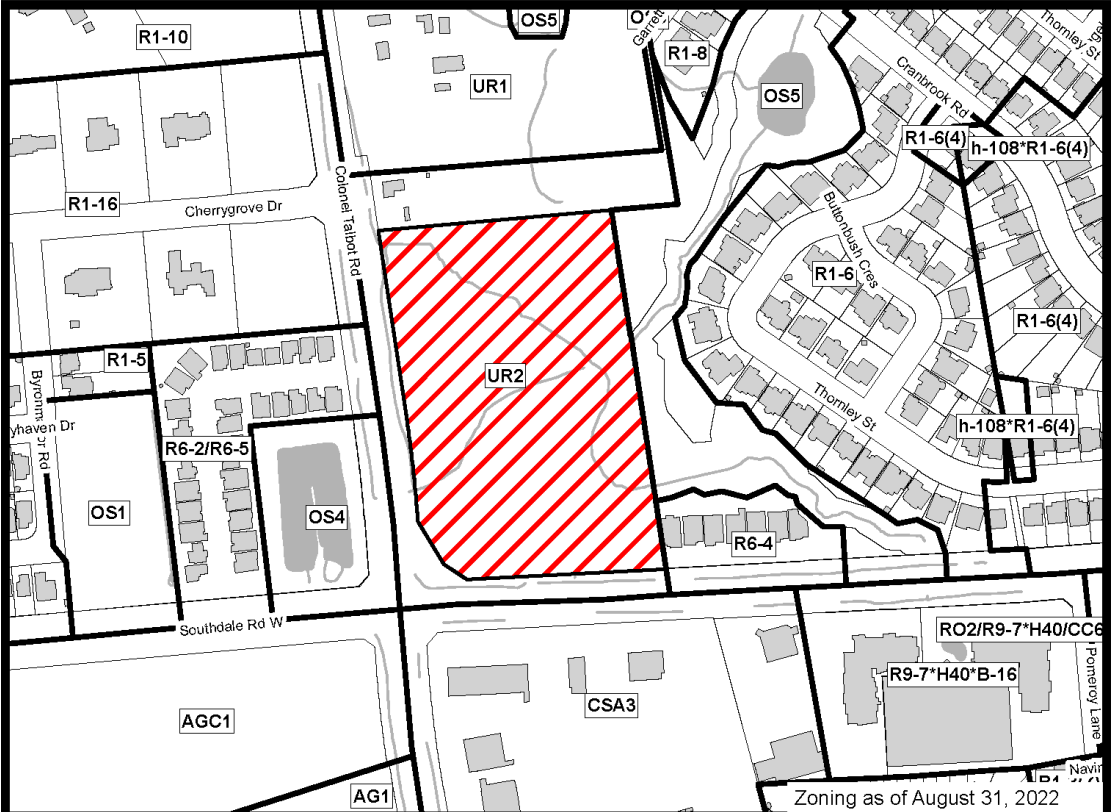
Meters

FILE NUMBER: OZ-9413

PLANNER: NP

TECHNICIAN: JI

DATE: 2022/10/14



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR2

1) LEGEND FOR ZONING BY-LAW Z-1

- | | | |
|---|-----------------------------|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | OR - OFFICE/RESIDENTIAL | AG - AGRICULTURAL |
| R2 - SINGLE AND TWO UNIT DWELLINGS | OC - OFFICE CONVERSION | AGC - AGRICULTURAL COMMERCIAL |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | RO - RESTRICTED OFFICE | RRC - RURAL SETTLEMENT COMMERCIAL |
| R4 - STREET TOWNHOUSE | OF - OFFICE | TGS - TEMPORARY GARDEN SUITE |
| R5 - CLUSTER TOWNHOUSE | | RT - RAIL TRANSPORTATION |
| R6 - CLUSTER HOUSING ALL FORMS | RF - REGIONAL FACILITY | |
| R7 - SENIOR'S HOUSING | CF - COMMUNITY FACILITY | "h" - HOLDING SYMBOL |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | NF - NEIGHBOURHOOD FACILITY | "D" - DENSITY SYMBOL |
| R9 - MEDIUM TO HIGH DENSITY APTS. | HER - HERITAGE | "H" - HEIGHT SYMBOL |
| R10 - HIGH DENSITY APARTMENTS | DC - DAY CARE | "B" - BONUS SYMBOL |
| R11 - LODGING HOUSE | | "T" - TEMPORARY USE SYMBOL |
| DA - DOWNTOWN AREA | OS - OPEN SPACE | |
| RSA - REGIONAL SHOPPING AREA | CR - COMMERCIAL RECREATION | |
| CSA - COMMUNITY SHOPPING AREA | ER - ENVIRONMENTAL REVIEW | |
| NSA - NEIGHBOURHOOD SHOPPING AREA | | |
| BDC - BUSINESS DISTRICT COMMERCIAL | OB - OFFICE BUSINESS PARK | |
| AC - ARTERIAL COMMERCIAL | LI - LIGHT INDUSTRIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | GI - GENERAL INDUSTRIAL | |
| RSC - RESTRICTED SERVICE COMMERCIAL | HI - HEAVY INDUSTRIAL | |
| CC - CONVENIENCE COMMERCIAL | EX - RESOURCE EXTRACTIVE | |
| SS - AUTOMOBILE SERVICE STATION | UR - URBAN RESERVE | |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING
BY-LAW NO. Z-1
SCHEDULE A



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

FILE NO:
OZ-9431 NP

MAP PREPARED:
2022/10/13 JI

1:4,000

0 20 40 80 120 160 Meters