

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: 400 Southdale Road East
Date: January 9, 2023

Recommendation

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application of LJM Developments relating to the property located at 400 Southdale Road East:

- (a) The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development; and,
- (b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

Executive Summary

Summary of Request

The development for consideration is a seven-storey apartment building, with a total of 181 units, on the north side of Southdale Road East, east of Dundalk Drive. The site is to be developed with vehicular access from Dundalk Drive. The proposed development is subject to a public site plan meeting in accordance with the h-5 holding zone regulations of the Z.-1 Zoning By-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Site Plan Approval.

Rationale of Recommended Action

1. The Site Plan, as proposed, is consistent with the Provincial Policy Statement, 2020, as it provides for development within an existing settlement area and provides for an appropriate range of residential uses within the neighbourhood.
2. The proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.
3. The proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law.
4. The proposed Site Plan meets the requirements of the Site Plan Control By-law.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – 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. The application for 400 Southdale Road includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

OZ-9261 – Zoning By-law Amendment Application at Planning and Environment Committee July 26, 2021

1.2 Property Description

The subject site is located at the corner of Dundalk Drive and Southdale Road East, on the north side of Southdale Road East. The subject site has an area of approximately 0.39 hectares. The subject site was once a service station but is now vacant.

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

- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Residential R9 Bonus Zone (h-5*R9-1*B-78)

1.4 Site Characteristics

- Current Land Use – Vacant (formerly a service station)
- Frontage – 36.46 metres
- Depth – approximately 46 metres
- Area – 0.39 hectares
- Shape – Rectangular

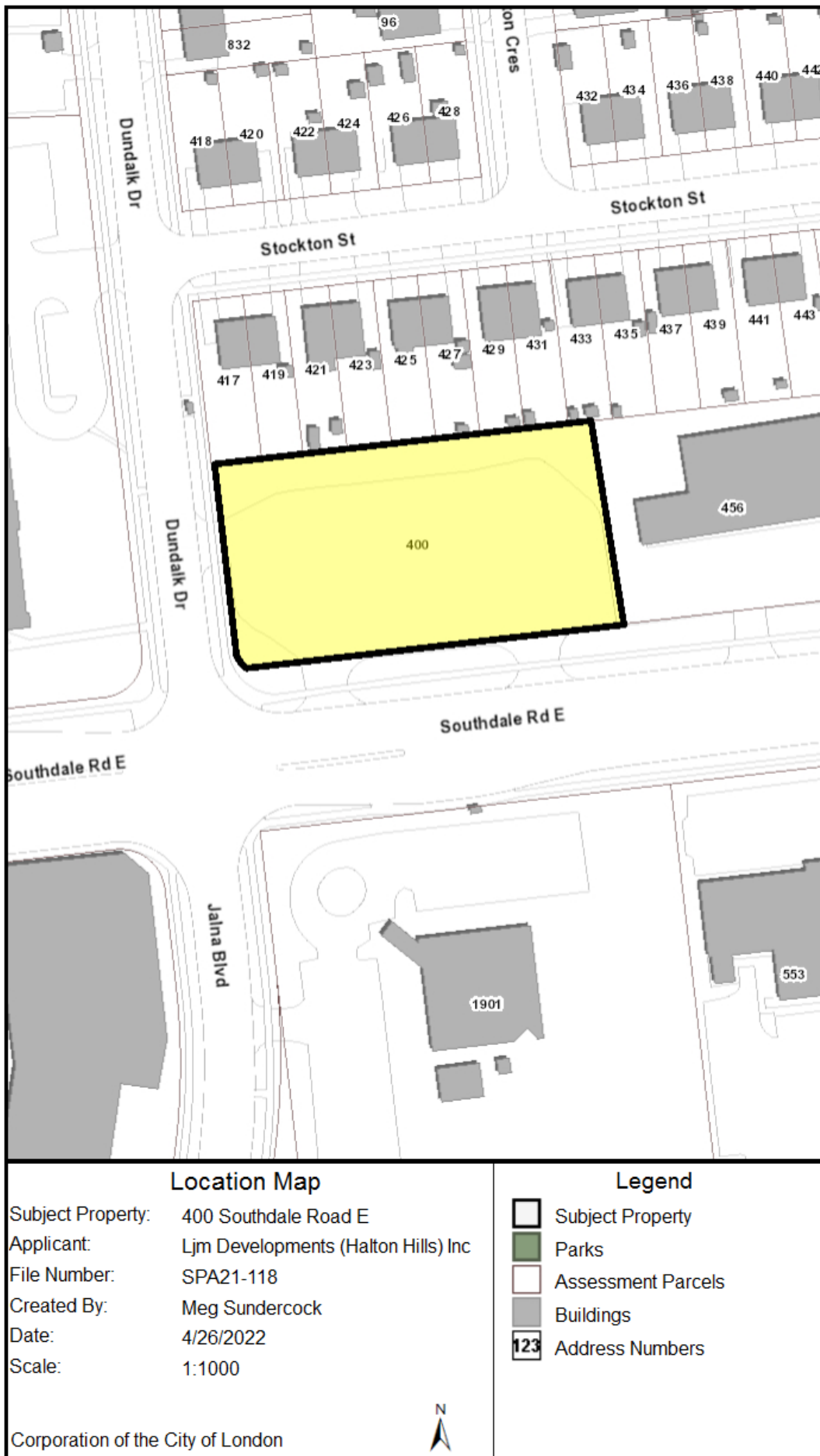
1.5 Surrounding Land Uses

- North – Residential
- East – Commercial
- South – Institutional and Commercial
- West – Residential (apartments)

1.6 Intensification

The proposed 181 residential units represent intensification within the Built-Area Boundary. The proposed residential units are located inside of the Primary Transit Area.

1.7 Location Map



Location Map

Subject Property: 400 Southdale Road E
 Applicant: Ljm Developments (Halton Hills) Inc
 File Number: SPA21-118
 Created By: Meg Sundercock
 Date: 4/26/2022
 Scale: 1:1000

Legend

- Subject Property
- Parks
- Assessment Parcels
- Buildings
- 123 Address Numbers

Corporation of the City of London

2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development consists of a seven-story apartment building with a total of 181 units. The proposed site plan includes 206 bicycle parking spaces and 192 vehicular parking spaces. Ten (10) vehicular parking spaces are located at grade, and 182 parking spaces are located throughout 3 levels of underground parking. An outdoor amenity area is proposed on a rooftop terrace.

Detailed plans of the development are contained in Appendix 'A' of this report.

2.2 Planning History

On August 28, 2020 a Zoning By-law Amendment (OZ-9261) was submitted for a 10-storey, mixed use development with 198 dwelling units and 915 square metres of commercial.

The development proposal was reviewed by the Urban Design Peer Review Panel (UDPRP) on November 18, 2020 where the Panel raised concerns regarding the massing of the building as proposed.

Revisions to the original proposal were provided based on concerns raised by City staff and the public on March 13, 2021. The revised proposal consisted of a seven-storey apartment building with no commercial component and 181 residential units for a density of 462 units per hectare.

On July 26, 2021, a Public Participation Meeting was held before the Planning and Environment Committee which recommended approval of the proposed Zoning By-law Amendment. On August 10, 2021 Municipal Council passed the Zoning By-law Amendment to change the zoning of the property from a Service Station (SS2) Zone to the Holding Residential R9 Bonus Zone (h-5*R9-1*B-78) presently applied to the subject lands. The resolution of Council also included consideration for a number of site plan matters, including enhanced landscaping and fencing, additional surface parking, and the existing sewer and associated license agreement.

On December 21, 2021 the Site Plan Control Application (SPA21-118) was received by City staff. Further submissions are required to address comments provided from the first submission review, and any comments directed to staff as part of the public meeting.

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

On April 28, 2022, Notice of Application for Public Site Plan was sent to all property owners within 120 metres of the subject lands and also to those who made comments throughout the Zoning By-law Amendment Application.

No responses were received in response to the Notice of Site Plan Control Application save and except two inquiries requesting general information regarding the timing and status of the application.

2.4 Housing Stability Action Plan 2019-2024

Council adopted the Housing Stability Action Plan 2019-2024 early in 2020. The Plan identifies a minimum 3,000 new affordable housing units are needed in London to meet current and potential future needs. Based on most recent data, the current vacancy rate in the rental market is 3.2% meaning there is little available rental housing stock that is affordable.

More than 300 additional affordable rental housing units are needed each year to close the gap. In the City of London, 14% of Londoners are in Core Housing Need and the City is ranked fourth nationally for individuals and families living within Core Housing Need.

The proposal at 400 Southdale Road East constitutes four (4) units towards the 3,000 new units needed. These units are to be transferred and held by the Corporation of the City of London.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

4.0 Key Issues and Considerations

4.1. Use, Intensity, and Form

The proposed development implements the Residential R9 Bonus Zone (h-5*R9-1*B-78) approved through the previous Zoning By-law Amendment. The R9-1 Zone permits the use of the lands for an apartment building and the Bonus Zone prescribes the maximum density of 462 units per hectare (uph) and building height of 29.2 metres, which permits the proposed building with a proposed density of 459 uph and a building height of 26.9 metres, both of which are below the maximum permitted zoning regulation.

4.2. Boundary Landscaping and Fencing

A number of site planning matters were raised through the review of the Zoning Amendment process, including the provision of enhanced boundary landscaping and fencing over and above the requirements of the Site Plan Control By-law with enhanced screening qualities.

The applicant has proposed a 1.8m board on board privacy fence along the northern property line that abuts low density residential land uses and is also showing a 3.5m landscape buffer between the property line and the drive aisle. The minimum parking area setback required by the Site Plan Control By-law is 1.5m to provide plantings and buffer parking spaces and drive aisles from adjacent uses. The applicant is providing more than double the required minimum with enhanced plantings at the northeast corner of the site where the surface parking is proposed.

4.3. Surface Visitor Parking

The resolution of Council also included the consideration of more surface parking for visitors. The site plan shown at the rezoning included 11 surface parking spaces for visitors located at the rear entrance to the building. Due to the building footprint being effectively established through the Bonus Zone, and in combination with the inclusion of surface barrier-free spaces, which are larger than standard sized spaces, 10 parking spaces are now shown on the site plan. Due to the size and massing of the building, additional surface parking would encroach into landscaped spaces and result in smaller parking area setbacks to property lines, which would impact the privacy of abutting uses.

The Site Plan Control By-law requires laybys for paratransit vehicles for all residential developments where there are at least 24 units within the building. The layby has been provided on the site plan which may mean that with accessible transit options, some residents may not use their parking spots. The layby may also be used for short term visitors such as delivery vehicles which would reduce the need for additional surface parking spaces.

4.4. Servicing

There is an existing private sanitary sewer that connects the neighbouring building at 356 Southdale Road East to the municipal sanitary sewer through the subject lands. The existing easement will be released and the sewer removed as part of this Site Plan Application, in coordination with the neighbouring owner. A new sewer connection will be constructed with a new easement through the site, and a clause will be included in the development agreement to this effect. The design and alignment of the new sewer

has been accepted by the engineering review team, save and except for an outstanding comment regarding a redundant valve.

4.5. Bonus Zone

The bonus zone which prescribes the following facilities, services, and matters in return for increased building height and density will be implemented through the development agreement where approved drawings (site plan, engineering plans, landscape plans, and building elevations) will be attached as schedules and registered on title through the Land Registry Office. Provisions for matters which are beyond the typical scope of Site Plan, in this case for affordable housing, will be prescribed in a bonus agreement which is drafted to include the terms and requirements of HDC and is also registered on title with the development agreement.

4.5(a) Exceptional Building Design

The approval of the bonus zone included general acceptance of the site plan and elevations, which were attached as schedules to the amending by-law, specifically in how they achieved the following:

- i) the building oriented to the corner of Southdale Road East and Dundalk Street providing a well-defined built edge and creating a positive public interface and human scale at street level;*
- ii) the inclusion of building step backs, from 7-storeys to 6-storeys and 5-storeys with a variety of building materials and building articulation to break up the massing of the building; and,*
- iii) purpose-designed amenity space on top of the apartment building and/or parking structure;*

The plans are still subject to Site Plan review and as such are typically subject to minor changes in site layout and building design as the proposal is further refined.

The building design still achieves the design requirements listed above, with the building still located at the corner of Southdale and Dundalk Roads with building stepbacks provided at the 5th, 6th, and 7th storeys, with a rooftop amenity area.

The building elevations have been approved and no further substantial changes are expected.

4.5(b) Underground Parking

Underground parking is provided for the proposed development in 3 levels of underground structure parking.

4.5(c) Affordable Housing

The following provisions were enshrined in the bonus zone and will be included in the bonus agreement which will be registered on title at the time of final Site Plan Approval:

Provision of Affordable Housing by requiring that LJM Developments enter into an agreement with the Corporation of the City of London (“the City”) to facilitate the transfer of ownership at no cost of four (4) new one-bedroom condominium units constructed within the development for the purposes of affordable housing, in a form prescribed by the City.

It being noted that a future development agreement will provide for the four new one-bedroom units and will include the following through further agreements as necessary:

- Assurances of the specific location, size, fixtures, and features of the bonus units are defined as to the City’s satisfaction. This includes any common and general attributes,*

(such as storage lockers, parking, or other building resident amenities) for each bonus unit.

- A purchase agreement, inclusive of securities as applicable, reflecting the process for the no-cost transfer of the 4 new one-bedroom units and any associated services and features upon condominium plan registration, in a form satisfactory to the City.
- Confirmation that the associated condominium declaration and by-laws shall in no way limit the use and function of the units for affordable rental housing in accordance with applicable residential rental laws. It is further recognized that, upon ownership, the City will retain and maintain the units within the function and business of affordable rental housing as managed through the City's Housing Stability Services. The City, as owner, would therefore be required to address costs associated with condominium and other standard fees. These factors have been considered within the bonus provisions and will be subject to separate reporting and details.

4.6 Garbage

As per the Site Plan Control By-law, Apartment Buildings are required to maintain garbage within the building and provide a pick-up location where bins are moved to on the day of pick-up. The building is designed with an internal garbage room, where garbage is wheeled to a pick-up point on the day of retrieval.

4.7 Lighting

The applicant submitted a lighting study as part of their first submission. The lighting shows an acceptable level of lighting on site, without impacts on abutting uses.

4.8 Outstanding Site Plan Comments

Third submission comments were provided to the applicant on November 15, 2022, which identified relatively minor outstanding site plan issues that largely consist of dimensioning and linework clarification as well as general engineering details.

Conclusion

The Site Plan, as proposed, is consistent with the Provincial Policy Statement, and is in conformity with The London Plan. The proposed Site Plan and elevations will result in development that will not conflict with the character of the area, and is in compliance with the Zoning By-law and the Site Plan Control By-law.

Prepared by: Meg Sundercock, MCIP RPP
Site Development Planner

Recommended by: Michael Pease, MCIP RPP
Manager, Site Plans

Recommended by: Britt O'Hagan, MCIP RPP
Acting Director, Planning and Development

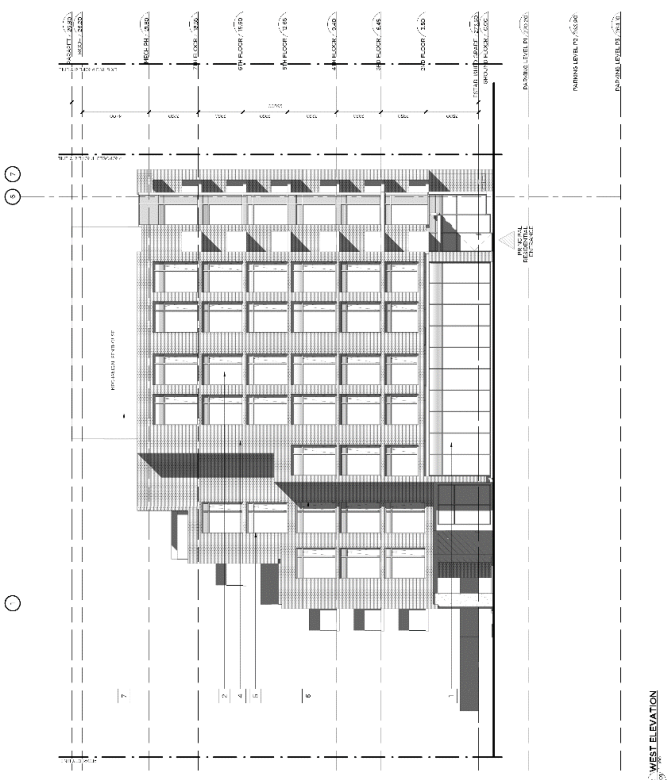
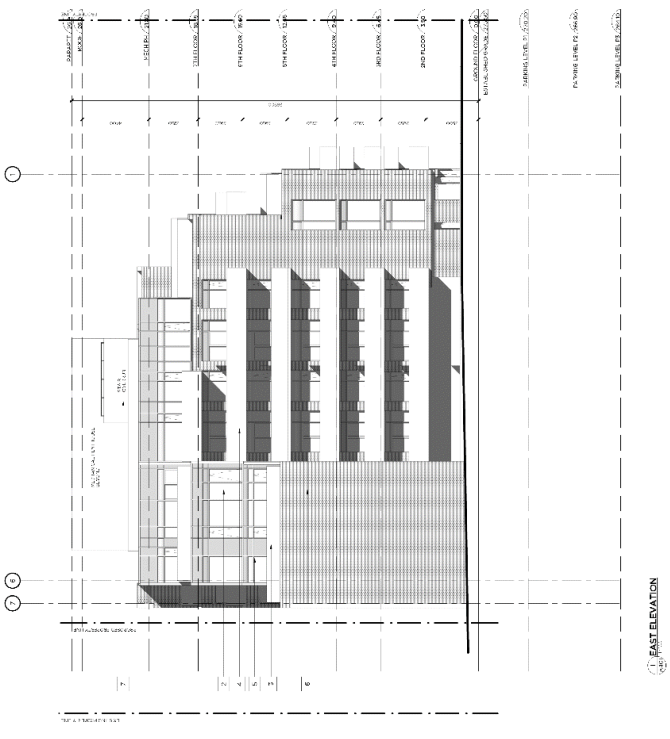
Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

December 19, 2022

CC: Heather McNeely, Director, Planning and Development
Ismail Abushehada, Manager Development Engineering

LEGEND

1	CLEAR GLASS CURTAIN WALL
2	CLEAR GLASS WINDOW WALL
3	SPANDREL PANEL
4	GLASS
5	ASH TERRACE / ROOF
6	BRICK (WESTERN)
7	A. JOURNALS PANEL



ARCHITECTURE
 20012
 1400 SOUTHDALE
 ROAD LALAS
 LUM
 DEVELOPMENTS

WEST ELEVATION
 SCALE 1:1000

WEST ELEVATION
 SCALE 1:1000

WEST ELEVATION
 SCALE 1:1000

Appendix B – Public Engagement

Public liaison:

Community Engagement

Public liaison: On December 21, 2022, Notice of Application was sent to 158 residents and property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 22, 2022. A “Planning Application” sign was also posted on the site.

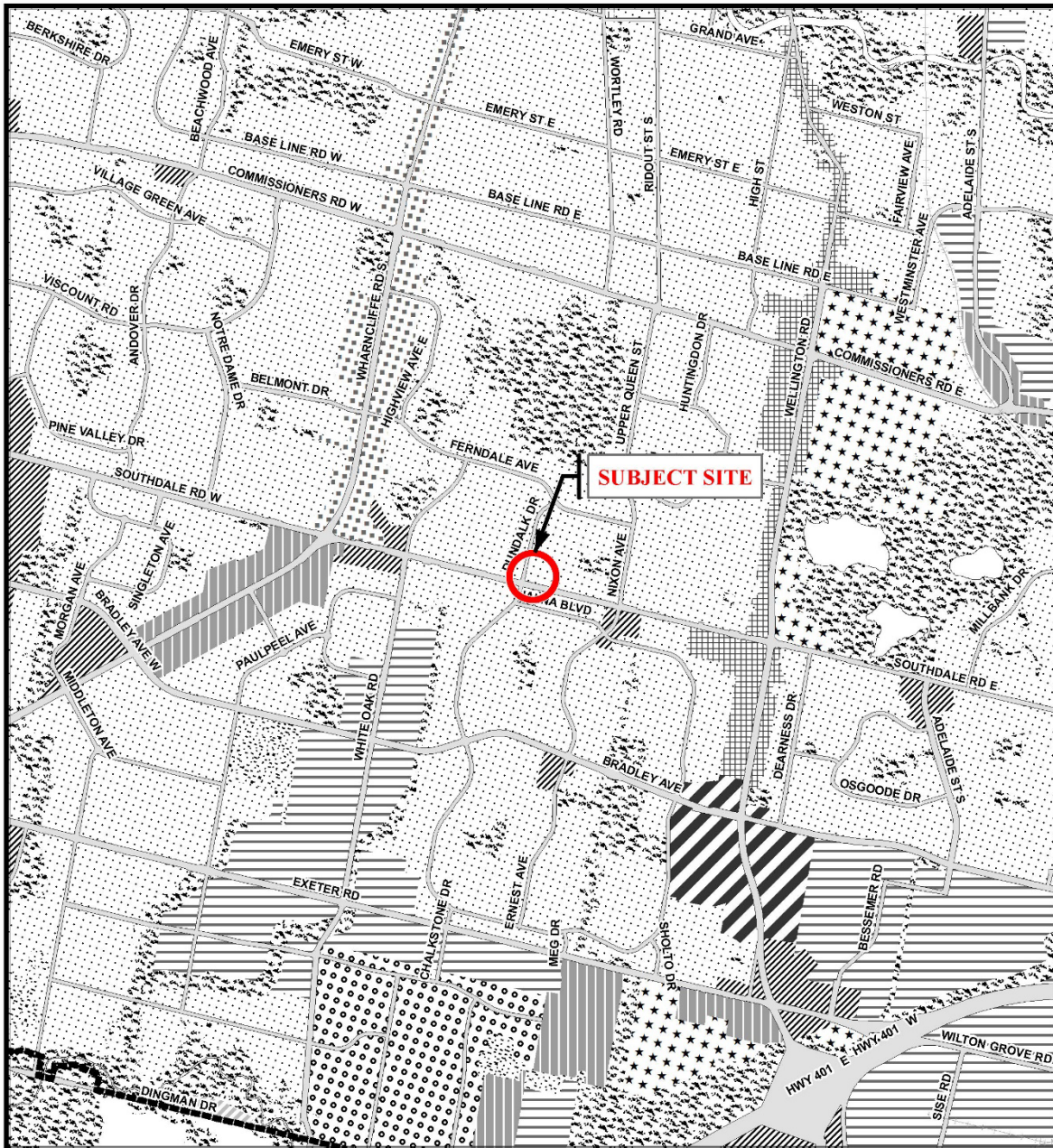
1 inquiry was received

Nature of Liaison:

400 Southdale Road E – SPA21-118 Application for Site Plan Approval by LJM Developments. Consideration of a site plan to permit a seven-storey apartment building, with a total of 181 units. The zoning on this site includes a holding provision to require a public site plan meeting before the Planning and Environment Committee.

Appendix C – The London Plan and Zoning excerpts

The London Plan



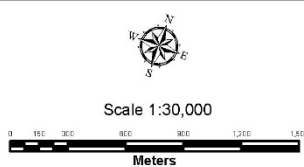
Legend

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

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

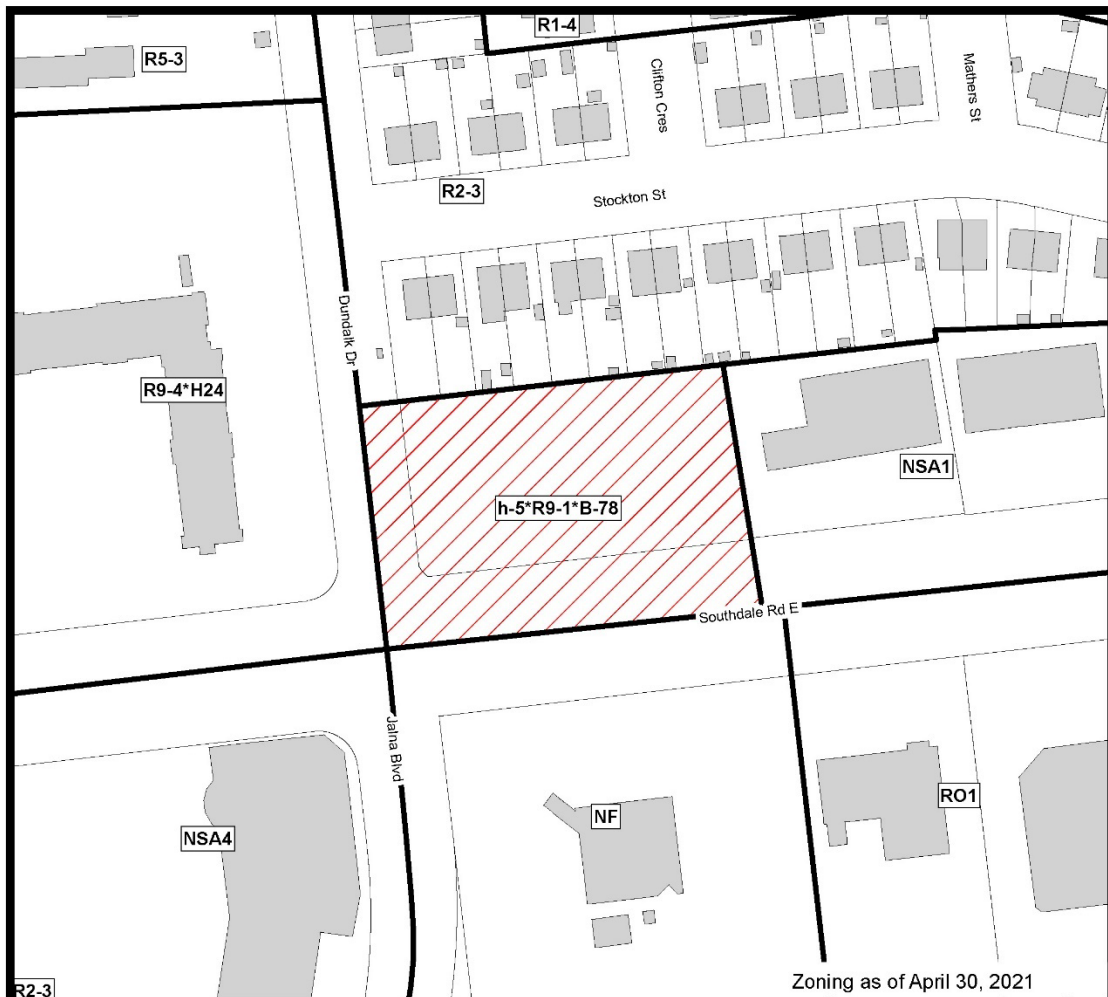
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: OZ-9261
Planner: AR
Technician: RC
Date: October 8, 2020

Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-5*R9-1*B-78

1) **LEGEND FOR ZONING BY-LAW Z-1**

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

SPA21-118 MS

MAP PREPARED:

2022/11/25 RC

1:1,500

0 5 10 20 30 40
Meters