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File: Z-8178
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: HIGHLAND COMMUNITIES LTD. 982 GAINSBOROUGH ROAD PUBLIC PARTICIPATION MEETING ON AUGUST 20, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Highland Communities Ltd. relating to the property located at 982 Gainsborough Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 27, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Business District Commercial (h-17*BDC1/BDC2) Zone which provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City and an Urban Reserve (UR3) Zone which permits existing dwellings; agricultural uses (except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities); conservation lands; managed woodlot; wayside pit; passive recreation use; kennels; private outdoor recreation clubs; riding stables; and a Holding Urban Reserve (h-2*UR3) Zone which permits the same range of uses as the UR3 zone subject to a holding provision which requires the submission of an Environmental Impact Study or Subject Lands Status Report to determine the extent to which development may be permitted, **TO** a Holding Business District Commercial (h-11*h-17*BDC1/BDC2) Zone and a Holding Residential R9 Special Provision (h-5*h-11*h-17*R9-7(_)*H50) Zone to permit apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings and continuum-of-care facilities up to a maximum height of 50 metres (15 storeys) and a density of 150 units per hectare. A special provision is recommended to allow for the reduction of the easterly side yard to 12 metres and a maximum projection into the required yard for apartment balconies to a maximum of 3 metres. The use of three holding provisions is required in order to ensure that access and sanitary servicing concerns are addressed before the development of the site and that the site plan will be reviewed through a public process.
- (b) The Site Plan Approval Authority, **BE REQUESTED** to address the following items through the site plan approval process:
- i) Ensure pedestrian paths are situated to maximize their direct and continuous connection with pedestrian paths in the commercially zoned portion of the site to the north;
 - ii) Detail the design of the 'hard landscape space' north of the podium component to create a 'forecourt' shared space linking the lobby entrance with the service road through the use of continuous paving treatments and landscaped features positioned to delineate vehicular and pedestrian pathways; .
 - iii) Position the lobby entrance, a public art installation, or significant landscape element to create a view terminus, visible from Gainsborough Road, aligned with the internal road connecting the residential portion of the site with Gainsborough

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Road;

- iv) Minimize surface parking and ensure all parking visible from the 'service road' is screened to emphasize the pedestrian quality in the north part of the residentially zoned portion of the site; and
 - v) Ensure siting and construction of the apartment buildings is consistent with the conceptual site plan and elevations/renderings included as Appendix "B".
- (c) The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR3) Zone and a Holding Urban Reserve (h-2*UR3) Zone which permits existing dwellings, agricultural uses except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities, conservation lands, managed woodlot, wayside pit, passive recreation use, kennels, private outdoor recreation clubs and riding stables, **TO** a Holding Residential R9 Special Provision (R9-7(_)*H50) Zone to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities with a special provision to allow for the reduction of the easterly side yard to maximum of 12 metres and maximum projection for the apartment's balconies into the required yards to a maximum of 3 metres **BE REFUSED** for the following reasons:.
- i) The City of London's Transportation Department has concerns about the proposed access to this site in relation to the proximity of the intersection of Gainsborough Road and Coronation Drive and is requesting a holding provision until the submitted Transportation Impact Analysis is updated to address this matter.
 - ii) The City of London's Wastewater and Drainage Engineering Division also has concerns regarding how the south portion of the property will be serviced as the future servicing for the subject site is have not been built in and will be located over adjacent lands to the east which is not owned by the applicant.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Hyde Park Community Plan, December 15, 1999

Z-7399 – Planning Committee Report, December 10, 2007 and January 14, 2008

PURPOSE AND EFFECT OF RECOMMENDED ACTION

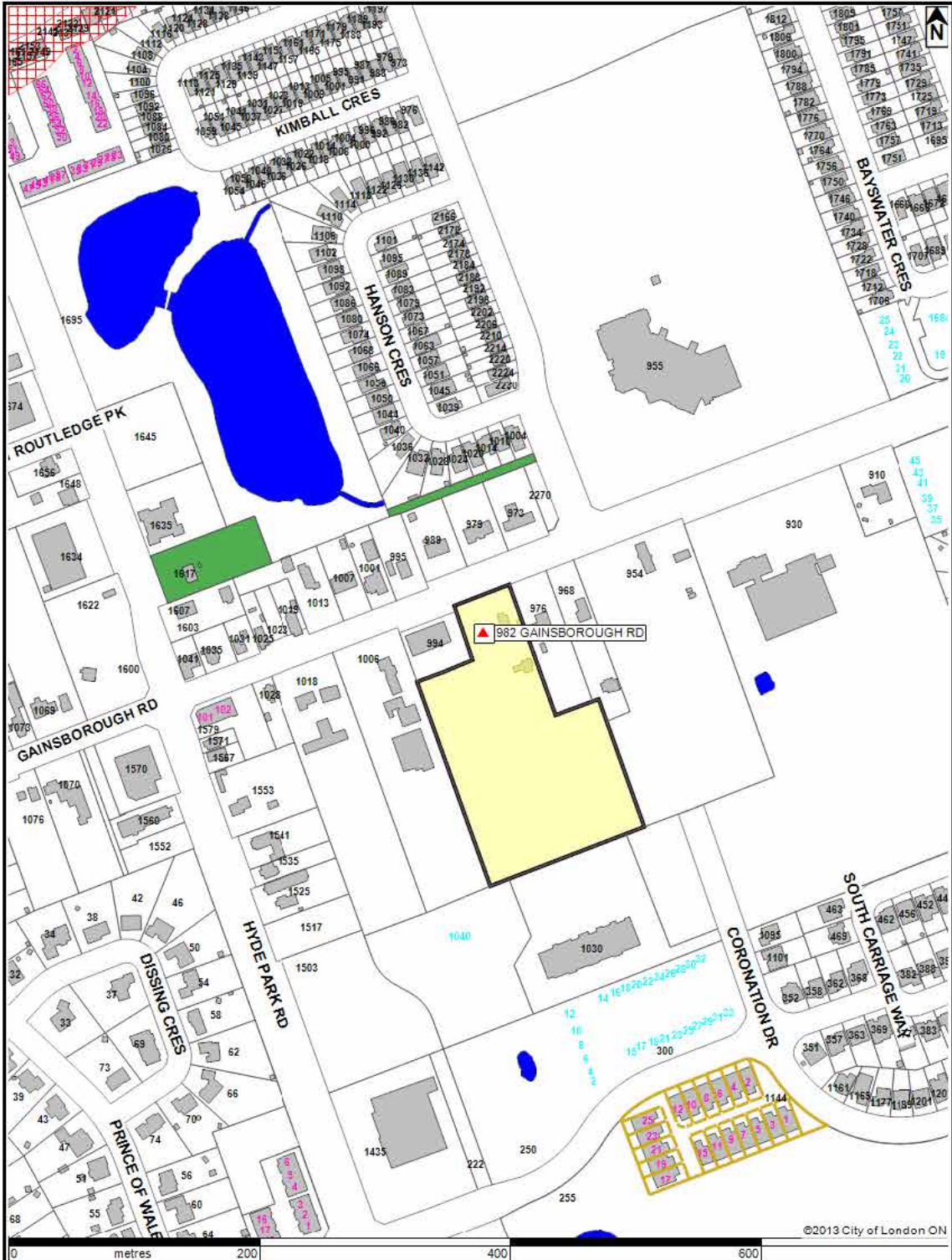
The purpose and effect of the requested Zoning By-law amendment is to facilitate the development of two 15 storey apartment towers totalling 176 units (88 each), on the southerly portion of the subject site.

RATIONALE

1. The recommended amendment is consistent with the polices of the Provincial Policy Statement (2005);
2. The proposed amendment is consistent with the High Density Residential policies of the City of London Official Plan;
3. The zoning by-law amendment will allow for high density residential development in the form of two 15 storey apartment buildings in conformity with the Hyde Park Community Plan.
4. The use of holding provisions will ensure that concerns about access and sanitary servicing are addressed.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 982 Gainsborough Rd Applicant: Highland Communities Ltd File Number: Z-8178 Planner: Mike Corby Created By: Mike Corby Date: 2013-04-25 Scale: 1:3700</p>	<p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	■	Assessment Parcels	■	Buildings	123	Address Numbers
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123	Address Numbers										
<p>Corporation of the City of London Prepared By: Planning and Development</p>											

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BACKGROUND

Date Application Accepted: April 23, 2013	Agent: IBI Group (Michael Pease)
<p>REQUESTED ACTION: Change Zoning By-law Z.-1 FROM an Urban Reserve (UR3) Zone and Holding Urban Reserve (h-2*UR3) Zone which provides for and regulates existing uses on lands which are primarily undeveloped for urban uses, TO a Residential R9 Special Provision (R9-7()*H50) Zone which regulates a wide range of medium and higher density residential developments in the form of apartment buildings.</p>	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - Vacant • Frontage – 46.9 metres • Depth – 213.5 metres • Area – 2.1 hectares • Shape - Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Low Density Residential • South - High Density Residential/Vacant Land • East - Commercial/ Vacant Land • West - Single Family Dwellings and Agricultural

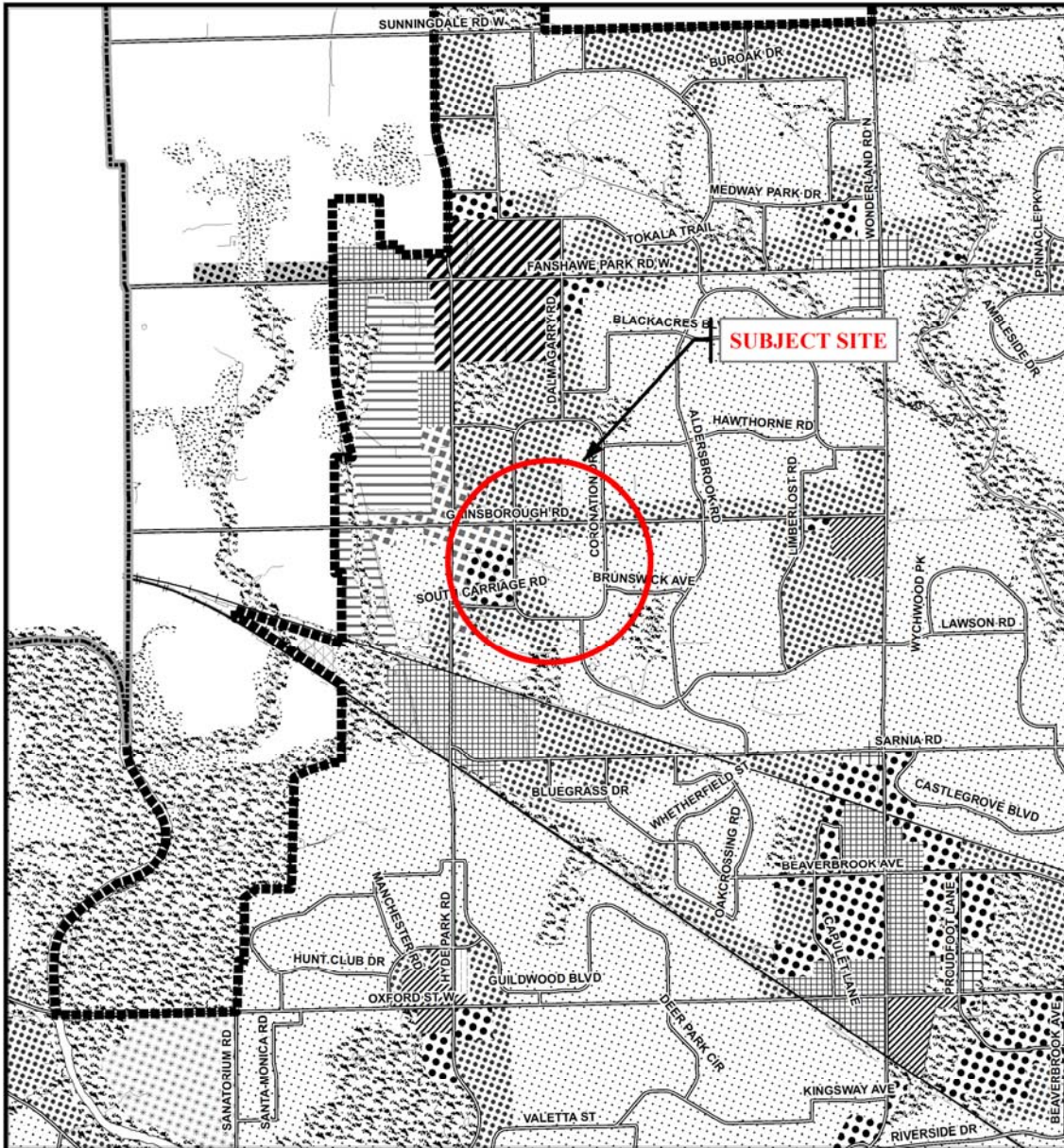
OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Multi Family, High Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Urban Reserve and Holding Provision Urban Reserve

PLANNING HISTORY

The subject site was part of the Hyde Park Community Plan process in 1999 and is considered to be located within the Hamlet of Hyde Park. Through the area plan process the north portion of the site along Gainsborough Road was designated as a Main Street Commercial Corridor and the rear portion was designated for Multi Family, High Density Residential uses. The designations are to be complementary as the increase in residential density will help create a strong residential community and support the commercial corridor along Hyde Park Road and Gainsborough Road which are to be the heart of the Hyde Park hamlet.

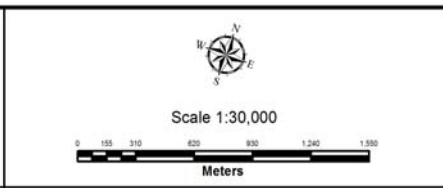
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Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility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

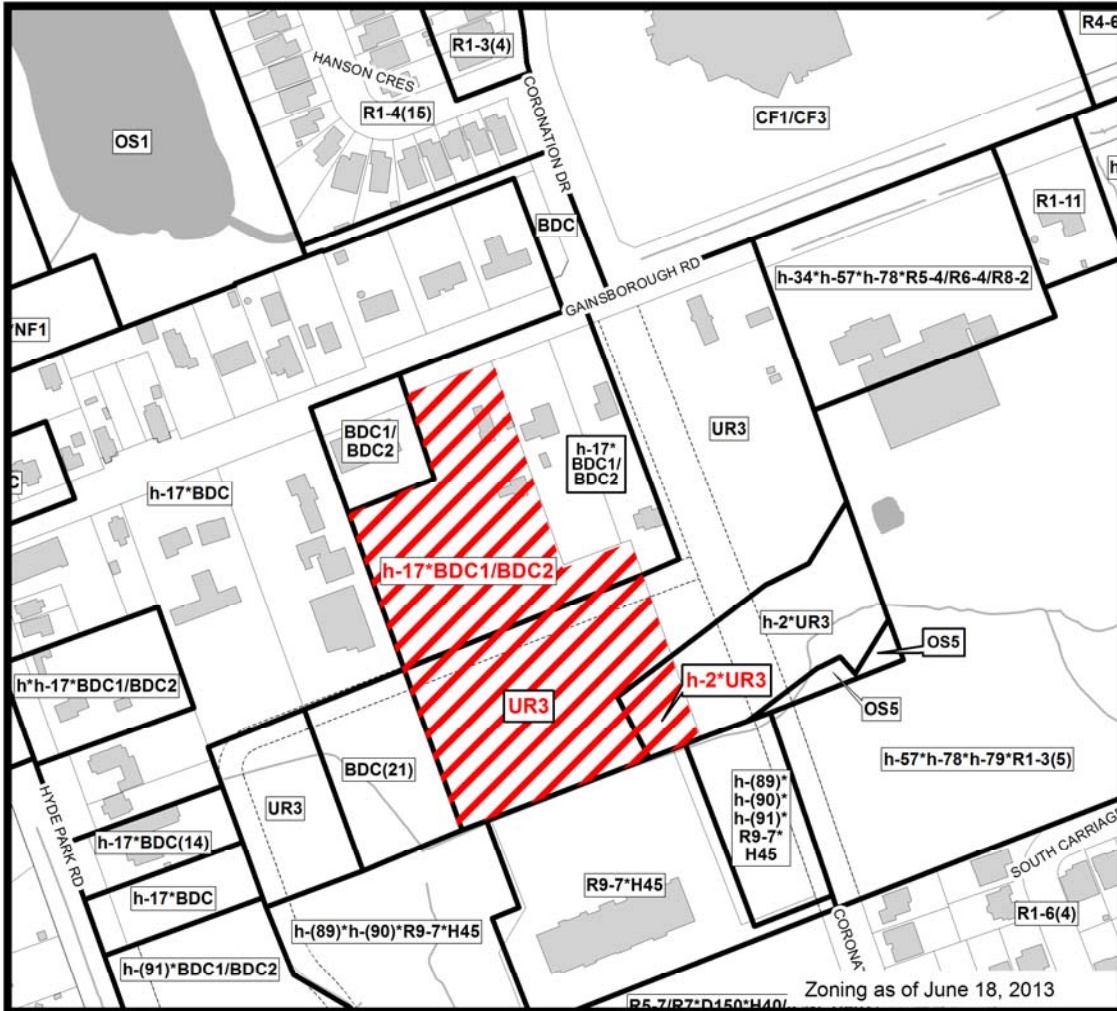
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8178
 PLANNER: MC
 TECHNICIAN: CK
 DATE: 2013/06/19

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17*BDC1/BDC2, UR3 & h-2*UR3

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APEALED AREAS

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING 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:
Z-8178 MC

MAP PREPARED:
2013/06/19 CK

1:3,000
0 15 30 60 90 120 Meters

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The City of London's Transportation Department:

- *Transportation has concerns with the proposed access to this site in relation to the proximity of the intersection of Gainsborough Rd and Coronation Dr. The distance between the access and Coronation Dr is approximately 110 m and we are concerned that there will be insufficient distance to provide adequate back to back left turn lanes into the site and Coronation Dr. A transportation study submitted with the application did not clearly indicate the length of turn lanes required for both and whether the distance between the two was sufficient to fit back to back turn lanes. The TIA is generally acceptable other than this issue and therefore we are requesting a holding provision for access until the TIA is updated to determine the length of turn lanes required and whether full access can be accommodated for the proposed access.*

The City of London's Wastewater and Drainage Engineering Division:

- *The applicant is advised that the future municipal sanitary sewers which need to be built to service the south high density portion of the subject property are to be located over adjacent lands to the east not owned by the applicant. The applicant is also advised that currently there is no Draft Plan of Subdivision over these adjacent lands; but, temporary/interim easements and a service road in accordance with all City of London requirements might be a possible sanitary servicing option. Therefore, a holding provision is recommended for the south half of the subject property to be designated as high density residential as an extension of the municipal sanitary sewer is not yet available to service this property from the designated sanitary sewer outlet. The 250 mm diameter sanitary sewer at Coronation Drive at the north limit of Registered plan 33M-526 is the designated sanitary outlet.*

City of London Stormwater Management Unit:

- *The subject lands are located in the Stanton Drain Subwatershed. The Owner shall be required to comply with the environmental targets and SWM criteria identified in the City of London Subwatershed Studies: Group 1 Subwatershed Medway, Stanton and mud Creeks and Hyde park Community Storm Drainage and the Stormwater Management Servicing Municipal Class Environmental Assessment: Schedule B Screening Report, which may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.*
- *The owner is required to provide storm-drainage and stormwater management servicing for the subject lands in accordance with the Hyde Park SWM Facility No. 181 Functional Design Report (AECOM, 2010) and with the Functional Design SWM Facility No. 1 Hyde Park South report (Earthtech, 2003).*
- *The subject lands is tributary to two catchment areas, according to drawings 20897 and 19211 the design C value for the subject lands are 0.75 for the approximately 0.3 ha of the northerly lands and 0.7 of the remainder of the lands to the south. If this value is exceeded, the owner shall provide alternative on-site SWM which is designed and certified by a Professional Engineer for review and approval by the Environmental Services Department.*
- *The municipal storm outlet for the approximate fronting 0.3 ha of the subject lands is 750 mm on Gainsborough Road to outlet into the Stanton Drain.*
- *The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and are effective as of January 01, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.*
- *Due to the amount of paved surface area (parking spots) the owner is required to have*

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- a consulting Professional Engineer design and install an Oil/Grit Separator to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.*
- *The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within this development application and all to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and all to the satisfaction of the City Engineer.*
 - *The Owner is required to provide a lot grading and drainage plan that includes, but it is not limited to, minor, major storm/drainage flows that are mostly contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.*
 - *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
 - *The owner shall be required to comply with the City's Drainage By-Laws (WM- 4) and acts, to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the satisfaction of the City Engineer.*

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

Urban Design Review Panel:

- *The Panel would like to commend the Applicant for a complete and thorough brief.*

[Comments below refer to the north half of the property which **is not** subject to the rezoning application]

- *A continuous streetscape is important to the success of the commercial development. Consider filling the void on the east side of the internal main street with another building or moving Building C north towards Building A. Urban amenity space could be considered to the south until further development takes place. Alternatively, Building A could be L-shaped to turn the corner and fill the void.*
- *Consider on-street parking on the internal main street which, at 8.5 metres wide, appears very generous. Further, the idea of a grand promenade only reinforces the pedestrian character of this street.*
- *The Panel encourages reducing the number of parking spaces for the residential towers to the required 125 spaces by eliminating as much of the surface parking at the perimeter of the site as possible. This will increase the amount of landscaped and outdoor amenity space for the residents.*

[Comments below refer to the south half of the property which **is** the subject of the rezoning application]

- *The Panel agrees that one of the weaknesses of the proposed development is the right-in, right-out vehicular access to Gainsborough Road. This will have a direct impact on the success of the commercial development and will be alleviated to some extent when the required service road can be connected to the future Coronation Drive extension. The panel would support full access for the internal main street until the development of the future Coronation Drive.*
- *The materials of the commercial buildings do not have to match those of the residential towers. The detailing is well resolved and it will be important to consider materials that are in keeping with the architectural quality.*
- *The Panel appreciates that the design of the residential towers takes privacy and views into consideration and the angled orientation is appropriate.*
- *Consider extending the sidewalks from the internal main street across the service road*

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to further define the pedestrian realm and to provide a connection to the residential development. Further development of the hard landscaped space in front of the 2 storey podium could respond to these sidewalk connections. In addition, a view terminus in the landscape in the form of the proposed sculptural screen for the internal main street would strengthen the scheme.

- *Ensure that a fully developed landscape plan is included in the Applicant's next submission to the City.*

City of London Urban Design:

- *Remove the drive aisle in front of the building and locate the buildings closer the "service road" in order to avoid a parallel lane situation. This will also create a larger distance separation between the proposed towers and the existing tower to the south.*
- *Include a two storey residential podium base for the entire building length along the "service road" frontage in order to continue the scale of development of the proposed commercial development directly to the north. Ensure that active building spaces (such as; residential units, lobbies, and amenity areas) with windows and doors are located along the internal road frontages in order to create an active building edge along the street.*
- *Ensure the main lobby entrance into the apartment buildings acts as the view terminus of the proposed internal road (running north-south). Alternatively, an element of public art could be placed strategically within the proposed "hard landscape space" to act as the view terminus.*
- *Extend the proposed "hard landscape space" from the edge of the building face into the intersection of the service road and internal drive in order to create a forecourt space(shared space) linking the main lobby with the proposed commercial main street to the north.*
- *Examine opportunities to eliminate as much surface parking as possible, in particular there should be no parking located in front of the apartment buildings. Any parking visible from the "service road" should be screened using enhanced landscaping in order to create a positive pedestrian experience.*
- *Examine opportunities to narrow the width of the "service road" as well as include on-street parking (parallel or angled) in order to create a more functional road cross section.*

PUBLIC LIAISON:	On May 3, 2013, Notice of Application was sent to 177 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on May 9, 2013. A "Possible Land Use Change" sign was also posted on the site.	7 phone calls and 13 email replies were received
<p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to facilitate the development of two 15 storey apartment towers totalling 176 units (88 each), on the southerly portion of the subject site.</p> <p>Change Zoning By-law Z.-1 FROM an Urban Reserve (UR3) Zone and a Holding Urban Reserve (h-2*UR3) Zone which provides for and regulates existing uses on lands which are primarily undeveloped for urban uses, TO a Residential R9 Special Provision (R9-7()*H50) Zone which regulates a wide range of medium and higher density residential developments in the form of apartment buildings.</p>		

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Responses: The responses received were all generally in objection of the proposed rezoning and development. The main areas of concern are listed below:

- loss of view to the north due to the two new apartment towers.
- an increase in traffic will create more congestion within the subdivision as well as along Hyde Park Road and Gainsborough Road.
- access to and from Gainsborough Road will be very busy and dangerous if trying to turn west.
- the owners living on the north side of the Northcliffe apartment building were told by their sales person that nothing higher than 3 storeys would be developed to the north of their apartment.
- residents are concerned about the loss of green space.
- interested if the apartments will be rentals vs. condominiums.

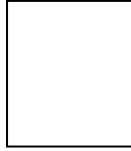
ANALYSIS

Subject Site

The subject site is located at 982 Gainsborough Road, east of the intersection at Hyde Park Road and Gainsborough Road. The site is a 2.1 hectare parcel of land which is designated and zoned for commercial uses on the northern half of the lot and designated for high density residential uses on the rear. Currently the rear half has an interim zone that allows existing uses to continue until a more comprehensive development plan is proposed which implements the High Density Residential Designation. The property is currently vacant with a remnant single detached dwelling along Gainsborough and former agricultural lands in the rear portion. The abutting properties consist of a small market, dental office, apartment building and single detached dwelling. The proposed apartments are intended to be developed on the rear (southerly) portion of the property.

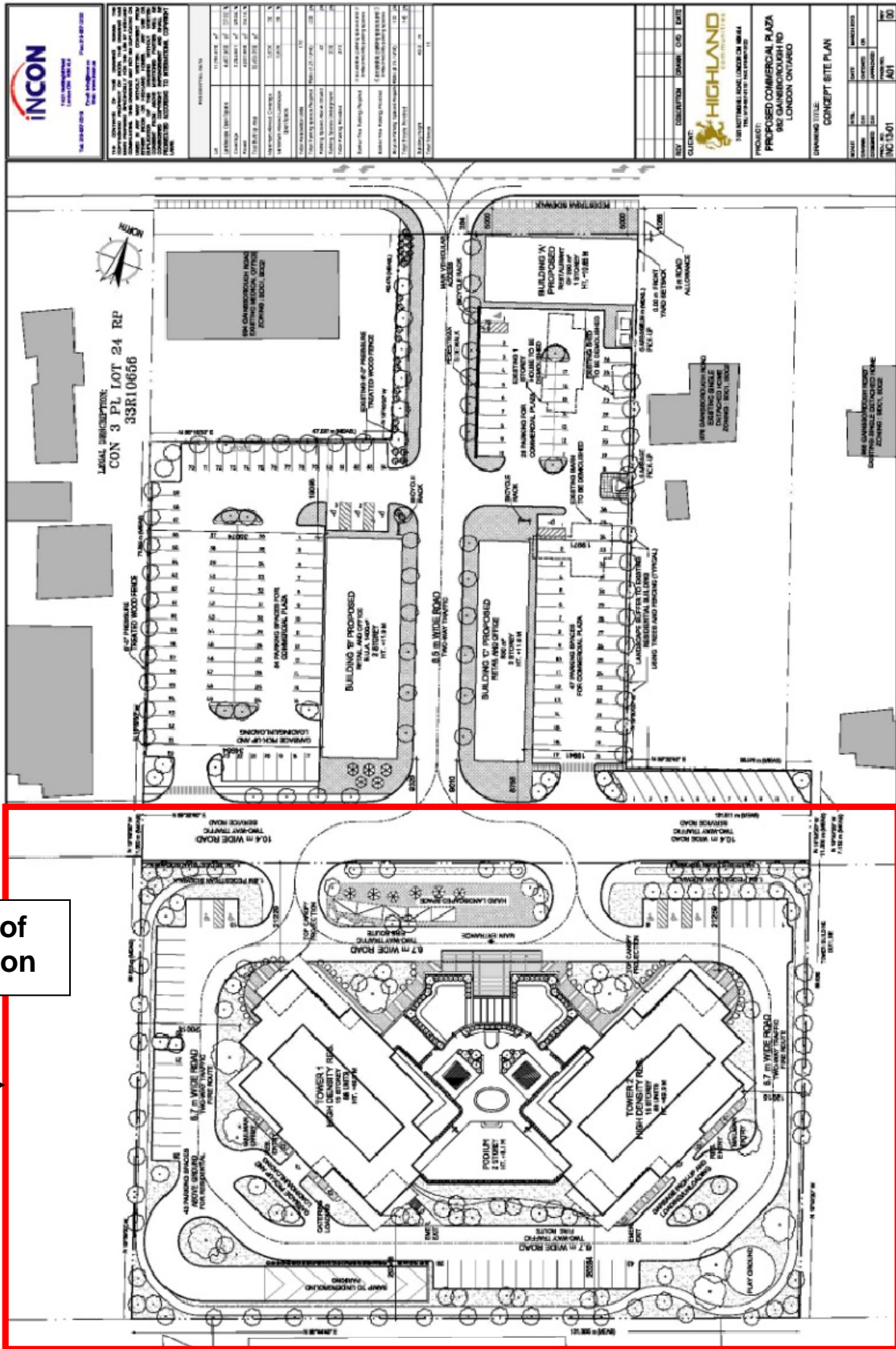
Nature of Application

The applicant is applying to rezone the subject site to a Residential R9 Special Provision (R9-7()*H50) Zone in order to develop two, 15 storey apartment buildings totalling 176 units (88 each). The proposed apartment use would implement the existing Multi Family, High Density Residential designation on the subject site and complement the commercial corridors of the Hyde Park area and the existing land uses in the area.



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Proposed Site Plan



Subject of Application

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Elevation from Gainsborough Road looking south



Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use and development. The following are relevant policies as they relate to this application.

Section 1.1 - Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

Section 1.1.1 of the PPS promotes healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of land uses; promoting cost effective development standards to minimize land consumption and servicing costs; and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. The requested amendments to intensify the subject site promote these goals of the PPS for the following reasons:

- The proposal will conform to the existing high density residential designation contributing to the range and mix of land uses in the area. The proposal will also contribute to the health of the community in terms of increasing the residential density population to support the local business along Hyde Park and Gainsborough Road which will all be within a short walk of the proposed apartment.
- The proposed intensification and utilization of an existing parcel will minimize land consumption and servicing costs.
- The proposed apartments will benefit from the existing infrastructure and public facilities as well as the planned infrastructure upgrades which include the widening of Hyde Park Road and extension of Coronation Drive in the future which will help with traffic flow.

Section 1.1.3.3 of the PPS requires municipalities to identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock of areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. For the following reasons this

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application meets the intent of this policy:

- Gainsborough Road and Hyde Park Road are main arterial roads where higher density uses are encouraged to locate near as they are able to accommodate an increase in traffic generated by the new use.
- The lot is identified as an area for a multi family, high density residential development and the proposed zoning would promote an appropriate form of development on the subject site.
- Currently the surrounding residential land uses are mainly made up of low density single detached dwellings with only one high density residential development in the area which is directly south of the subject site. The proposed apartments are appropriate as they provide a higher density residential use in close proximity to the core of the Hyde Park Hamlet and provide an alternative form of housing to the area.

Section 1.4.3. of the PPS requires planning authorities to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents by: permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and all forms of residential intensification and redevelopment in accordance with policy 1.1.3.3; and, directing 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. For the following reasons this application meets the intent of this policy:

- The recommended amendment is intended to facilitate the development of an appropriate housing type which will help meet the social, health and well-being requirements of current and future residents of the Hyde Park Community
- The proposed higher residential density developments will help support the development of the surrounding community and encourage local business to locate in the area helping to achieve the goals of the community plan.
- Promotes a mix of residential densities in an area where low density residential development in the form of single detached dwellings is the most common type of housing provided.
- Directs the development of a new housing type towards a location where the existing infrastructure and public facilities exist and planned infrastructure upgrades are proposed. A new fire and EMS station were located in the area to serve the new development in the Hyde Park area and starting in 2014 the widening of Hyde Park Road will begin starting at Oxford Street to Gainsborough Road. This extension along with the future extension of Coronation Drive which will help with traffic flow in the area.

Official Plan

The Official Plan contains policies to ensure that applications for high density residential developments are appropriate in terms of their use, scale and form promote compatibility with the surrounding established neighbourhood. Relevant Official Plan policies are located in Section 3 of the Official Plan, which include General Objectives for all Residential Designations and High Density Residential policies.

3.1.1. General Objectives for all Residential Designations

The General Objectives for all Residential designations outline several criteria, of which three relate to this application. The objectives that apply state:

- *Support the provision of a choice of dwelling types according to location, size, affordability, tenure, design, and accessibility so that a broad range of housing requirements are satisfied.*
- *Support the development of residential facilities that meet the housing needs of persons requiring special care.*
- *Encourage infill residential development in residential areas where existing land uses*

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are not adversely affected and where development can efficiently utilize existing municipal services and facilities.

3.1.4 Multi-Family, High Density Residential Objectives

The High Density Residential designation outlines two objectives, both of which relate to this application. The High Density Residential objectives state;

- *Support the development of multi-family, high density residential uses at locations which enhance the character and amenity of a residential area and where arterial streets, public transit, shopping facilities, public open space, and recreational facilities are easily accessible; and where there are adequate municipal services to accommodate the development.*
- *Promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to, the site.*

The requested zoning is in conformity with the above mentioned official plan policies as it will provide an alternative dwelling type that is in conformity with the land use designation and consistent with the Hyde Park Community Plan. It provides an alternative housing choice to the low density residential subdivisions that comprise large portions of the community. The development of the subject site for high density residential uses capitalizes on a large underutilized lot within the City's urban growth boundary and within the heart of the Hyde Park hamlet which was defined through the Community Plan. The proposal encourages a dense form of residential development taking advantage of the existing municipal services and has been designed in a manner that takes into consideration the established land uses in the area. The design, scale and character of the two apartment buildings is considered appropriate as they will complement the future development on the north half of the property creating a positive pedestrian connection between the proposed development and Gainsborough Road. The residential towers also take privacy and views into consideration with the angled orientation which will increase site lines for the buildings and limit adverse affects on the surrounding lands, specifically the abutting high density residential development to the south. The high density residential use is also located in close proximity to public open space, and recreational facilities that are easily accessible and implement the intentions of the Community Plan by locating higher density residential developments to the rear of the main street commercial corridor that fronts Hyde Park and Gainsborough Road. The high density development will provide a buffer between these corridors and the low density residential developments in the interior of the community and proximity to commercial development will directly benefit from an increase in density. This increase in residential density will provide a larger consumer base to help grow and support the commercial corridors in the area.

Section 3.4 Multi-Family, High Density Residential of the Official Plan, specifically section 3.4.1 Permitted Uses and 3.4.3 Scale of Development, identify relevant policies for the proposed application. Section 3.4.1 clearly indicates that the Multi-Family, High Density Residential designation shall include high-rise apartment buildings as primary permitted use. The Official Plan also identifies policies in the Multi-Family, High Density Residential designation that ensure any proposed development will be at an appropriate scale and density with the surrounding area. The following section identifies the requirements of any proposed High Density Residential development.

3.4.3. Scale of Development

Net residential densities in the Multi-Family, High Density Residential designation will vary by location and will be directed by the policies in this Plan. Excluding provisions for bonusing, net residential densities will normally be less than 350 units per hectare (140 units per acre) in the Downtown Area, 250 units per hectare (100 units per acre) in Central London (the area bounded by Oxford Street on the north, the Thames River on the south and west and Adelaide Street on the east), and 150 units per hectare (60 units per acre) outside of Central London.

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The subject site is located outside the Central London area and is subject to a net residential density of 150 units per hectare (60 units per acre). The requested 176 units on the subject property within two, 15-storey apartment buildings result in a density of 149 units per hectare which is in keeping with the Official Plan policies. The requested Residential R9 (R9-7) Zone permits a maximum density of 150 units per hectare ensuring the proposal is in keeping with the Official Plan.

Height and density limitations that are specified in the Zoning By-law will be guided by the following policies:

Height and Density outside of the Downtown and Central London Areas

- i) *Outside of the Downtown and Central London areas it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated Multi-Family, High Density Residential areas. Such areas, which will normally exceed 3 hectares (7.4 acres) in size, will be guided by the following criteria:*
 - a) *A transition in scale shall be encouraged, where appropriate, to avoid extremes in building height and bulk between the new development and the existing built fabric of adjacent properties;*
 - The proposed apartments are located behind the Main Street Commercial Corridor designation which runs along the main arterial roads of Hyde Park and Gainsborough Road. The higher residential densities are encouraged to locate behind these corridors through the community plan to act as a buffer to the surrounding medium and low density residential uses.
 - b) *all areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings, in order to minimize the overwhelming effect of large high-rise developments;*
 - Directly south of the proposed buildings is a large 14 storey apartment building which will minimize any impacts on the southerly lands. Though the area has not been fully developed out it is the intention of the community plan and official plan designations that medium density uses will be built around the higher density uses which will limit the effect of the high rise developments. The existing commercial corridors will minimize the impacts of the apartment buildings to the north and west.
 - c) *high-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service) with densities and building heights decreasing as the distance from an activity node increases;*
 - The intersection of Hyde Park and Gainsborough Road is the main intersection of the community and are both arterial roads. These roads are home to the Main Street Commercial Corridor designation which promotes a broad range of uses that cater to the adjacent residential neighbourhoods within easy walking distance. Generally the uses come in the form of small retail, commercial and office uses. This area is intended to be the main activity node and is considered the core of the Hyde Park hamlet. Behind this activity node is the higher density residential uses in the form of apartments as the community plan identifies. As you continue to move away from the activity node and high density uses a reduction in density occurs as you get closer to the existing low density residential subdivisions.
 - d) *massive, at-grade or above-grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation; and*
 - The majority of parking for the apartment buildings is located underground and the surface parking provided would not be considered "massive at-grade parking".

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- It has been recommended by the City's urban design staff that the surface parking provided which fronts the service road be removed and that any visible parking from the road should be screened using enhanced landscaping in order to create a positive pedestrian experience.

- e) *conformity with this policy and the urban design principles in Section 11.1, shall be demonstrated through the preparation of a secondary plan or a concept plan of the site, and the final approval of zoning may be withheld pending a public participation meeting on the site plan, and the enactment of a satisfactory agreement with the City.*
 - Through the submitted concept site plan and consideration of comments provided by the Urban Design Review Panel and Urban Design Staff the proposal is to be considered in conformity with this policy and the principles of Section 11.1 of the Official Plan.

Hyde Park Community Plan/Urban Design

The Hyde Park Community Plan was adopted by Municipal Council on April 17, 2000. The plan is based on a vision of creating a healthy, functional and pleasing community environment where a mixed-use environment will be created. The Hyde Park Community Plan focuses on the streetscape, integration of natural heritage features, a range of housing forms and lot sizes, well connected and linked open space and the creation of a mixed use "main street" environment in the Hyde Park hamlet.

The proposed apartments are situated within the Hyde Park hamlet and conform to the goals and objectives of this area. It is the intention for this area to be a high activity area which is pedestrian friendly, and a mixed use area where people can live, work and shop. The proposed apartments will contribute to the mix of uses and will increase the residential density in the area to support and draw local business. It is also in keeping with the existing Community Plan which designated the subject site for High Density Residential uses in the Official Plan. The apartments are arranged in such a manner to accommodate the service road identified through the Hyde Park Community Plan which is located behind the Main Street Commercial Corridor and helps facilitate linkages through the neighbourhoods. The Hyde Park Community Plan identified the Multi-Family, High Density Residential designations adjacent to Main Street Commercial Corridors to encourage higher densities within walking distance of the hamlet's commercial area. The subject lands are within this high density residential designation and will assist in facilitating these goals and objectives of the Community Plan.

Section 4.0 "Building Design" of the Hyde Park Community Plan identifies guidelines on how the buildings within the community should be developed. When reviewing proposals it is important to consider the "*Buildings terminating vistas should have a special attention to siting, massing and architectural detailing to create a visually stimulating landmark structure*" and "*diversity in architectural expression is encouraged. Building facades should be varied and articulated to provide visual interest for pedestrians.*"

Through the submitted urban design brief and comments collected from the Urban Design Review Panel and the City's Urban Design Staff the proposed design has been considered as conforming to the above mentioned guideline. Design features that contribute to creating a visually stimulating landmark structure include:

- Dividing the tower into 2 massing units (instead of a single elongated structure);
- Minimizing the tower floor plate area;
- Siting the tower massing units in an angled orientation;
- Using a high proportion of glazing on the facade to make the massing units appear 'lighter' architecturally; and
- the facade treatments by varying the material and textures differently over each component of the massing units, especially the penthouse portions of the towers and roofline expressions.

Though offset, the towers create a visually stimulating landmark and, with the aid of an element

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of public art placed strategically within the proposed 'hard landscape space', can act as the view terminus. The Urban Design Review Panel complimented the design and architectural quality of the residential towers and how they take the privacy and views into consideration of those living in the proposed apartments and for those living in the neighbouring apartment. The Panel is of the opinion that the angled orientation is appropriate.

Zoning

The property is currently zoned Urban Reserve (UR3) and small portion in the south east corner is zoned Holding Urban Reserve (h-2*UR3). This Zone provides for and regulates existing uses on lands which are primarily undeveloped as urban uses. Generally these uses have limited structures. The Urban Reserve Zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development on those lands. The UR1, UR2 and UR3 Zone variations are intended to be applied to undeveloped areas within the former City boundaries and to areas which have been reviewed through the Community Plan Process. Since a community plan has been completed and a comprehensive development proposal has been submitted it is appropriate to now rezone the subject site for its intended use.

It has been determined that the existing holding provision (h-2) in the southeast corner of the site is no longer required as it has been determined that the woodlot it was protecting is not significant and in fact has been designated for Residential development in the City's Official Plan.

The Residential R9 (R9-7) zone provides for and regulates a wide range of medium and higher density residential developments in the form of apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities. The requested zone will allow for the proposed development to proceed and the use of a height restriction will help ensure compatibility and conformity with surrounding land uses. The proposed high density residential development requires a height limit of 50m to accommodate the 15 storeys proposed. The maximum density within Residential R9 (R9-7) zoning is 150uph which ensures the net density conforms to the maximum 150 units per hectare requirement of the Official Plan. A special provision is also required to recognize a 12 metre (39.4 feet) easterly interior side yard setback where as 20 metres is required and 3.0 metre (9.8 feet) maximum projection for balconies on the apartment into the required yards.

Through the public and agency circulation process the City's Transportation Department identified an area of concern in relation to the access to the subject site and its proximity to the intersection of Gainsborough Road and Coronation Drive. (see agency comments on p.8)

In order to address the access concerns raised by the Transportation Department, it is recommended that a holding provision be placed over the entire property through the zoning amendment to ensure that the submitted Transportation Impact Analysis is updated in order to determine the length of turn lanes required and whether full access can be accommodated for the proposed access. The request to place the holding provision over the whole of the subject site is to ensure that if the northern half of the property were to develop first, separately from two apartments, that the access issue will be addressed. It should be noted that the remainder of the Transportation Impact Analysis was generally acceptable other than clarification on this issue. Development of the site will not proceed until the holding provision has been removed.

The recommended holding provision reads as follows:

Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

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The City of London's Wastewater and Drainage Engineering Division also provided comment during the circulation of this application and noted that the subject site did not have access to Sanitary Servicing as its connection is located off of the future extension of Coronation Drive and not Gainsborough Road. (see agency comments on p.8)

A holding provision (h-17) is recommended to be added to the subject site to ensure that the site does not development until a connection can be made to the appropriate sanitary services to the east off of Coronation Drive. The northern portion of the site currently contains the same holding provision and the recommended amendment will ensure consistency between the northern and southern portions of the site. The holding provision h-17 reads as follows.

Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-17" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site.

During the public circulation process and the public meeting held by the applicant several comments were received in relation to how the site functions. A holding provision for public site plan review is recommended to ensure that the public has a chance to review and comment during the site plan process. The holding provision h-5 reads as follows.

Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.

CONCLUSION

Staff recommend that the subject site be re-zoned to a Holding Business District Commercial (h-11*h-17*BDC1/BDC2) and a Holding Residential R9 Special Provision (h-11*h-17*R9-7()*H50) Zone. This recommendation is appropriate as the amendment is consistent with the polices of the Provincial Policy Statement (2005). The proposed amendment is consistent with the High Density Residential policies of the City of London Official Plan. The Zoning By-law amendment will allow for high density residential development in the form of two 15 storey apartment buildings in conformity with the Hyde Park Community Plan. The use of holding provisions will ensure that concerns about access and sanitary servicing are addressed. The proposed development will provide an appropriate increase in residential density to the Hyde Park Community helping to fulfill the goals of the Community Plan.

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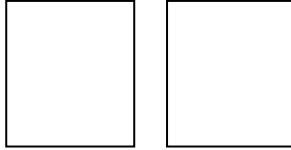
File: Z-8178
Planner: Mike Corby

PREPARED BY:	REVIEWED BY:
MIKE CORBY, PLANNER II COMMUNITY PLANNING AND DESIGN	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN
SUBMITTED BY:	RECOMMENDED BY:
JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN	JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

June 14, 2013

MC /mc

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**File: Z-8178
Planner: Mike Corby**

Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
Anna Smulazynski 1010 Hanson Cres	Roy and Pauline Phillips 954 Gainsborough Road
Marg Johnson 1030 Coronation Dr	Ryan Seed
Roy Phillips 954 Gainsborough Road	Cliff and Deb McFarlane 1306-1030 Coronation Dr.
Vanessa & Doug Kennedy 1030 Coronation Drive	Remi and Rhoda Van Horik 989 Gainsborough Road
Ryan Seed 1405 – 1030 Coronation Drive	Murray Cutler 1030 Coronation Drive
Lisa LaFrance	Keith and Barbara Taylor 309-1030 Coronation Drive
Trevor and Doloris Mayne	Gordon an Carole Gregoire 1105-1030 Coronation Drive
	Larisa and Vadim Gaisinski 605-1030 Coronation Drive
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	Virginia Stockton 1109-1030 Coronation Dr.
	Doug and Vanessa Kennedy 810-1030 Coronation Dr
	Henry and Margaret Kling 1030 Coronation Dr
	Dan Foster 509-1030 Coronation Drive
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File: Z-8178
Planner: Mike Corby

**Bibliography of Information and Materials
Z-8178**

Request for Approval:

City of London Zoning by-law Amendment Application Form, completed by Highland Communities Ltd., April 19, 2013.

Reference Documents:

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IBI Group, *Transportation Impact Study*, April 2013.

IBI Group, *Urban Design Brief*, April 2013.

Correspondence: (all located in City of London File No. Insert File No. unless otherwise stated)

City of London -

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Macpherson A., City of London Parks Planning and Design. Various e-mails with Bill Veitch. November 7 to November 15, 2007.

Antonsen D., City of London Parks Planning and Design. E-mail to H. McNeely. November 1, 2007.

Macpherson A., City of London Parks Planning and Design. Letter to H. McNeely. October 5, 2007.

Leunissen J., City of London Planning Division. Memo to H. McNeely. July 25, 2007.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Corby. May 21, 2013.

Raffoul L., Bell, Letter to M. Corby, May 21, 2013.

Dalrymple D., London Hydro. Memo to M. Corby. May 7, 2013.

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**File: Z-8178
Planner: Mike Corby**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-13_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 982 Gainsborough Road.

WHEREAS Highland Communities Ltd. has applied to rezone an area of land located at 982 Gainsborough Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 982 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A101, from a Holding Business District Commercial (h-17*BDC1/BDC2), and an Urban Reserve (UR3) Zone and a Holding Urban Reserve (h-2*UR3) Zone to a Holding Business District Commercial (h-11*h-17*BDC1/BDC2) Zone and a Holding Residential R9 Special Provision (h-5*h-11*h-17*R9-7(_)*H50) Zone.
- 2) Section Number 13.4 of the Residential R9 (R9-7)) Zone is amended by adding the following Special Provision:
 - g) R9-7() 982 Gainsborough Road
 - a) Regulation[s]
 - i) Easterly Interior Side Yard Depth (minimum) 12metres (39.4 feet)
 - ii) Yard Encroachment for balconies 3.0 metres (9.8 feet) provided the projection is no closer than 3.0 metres (9.8 feet) to the lot line.

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 August 27, 2013.

Agenda Item # Page #

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File: Z-8178
Planner: Mike Corby

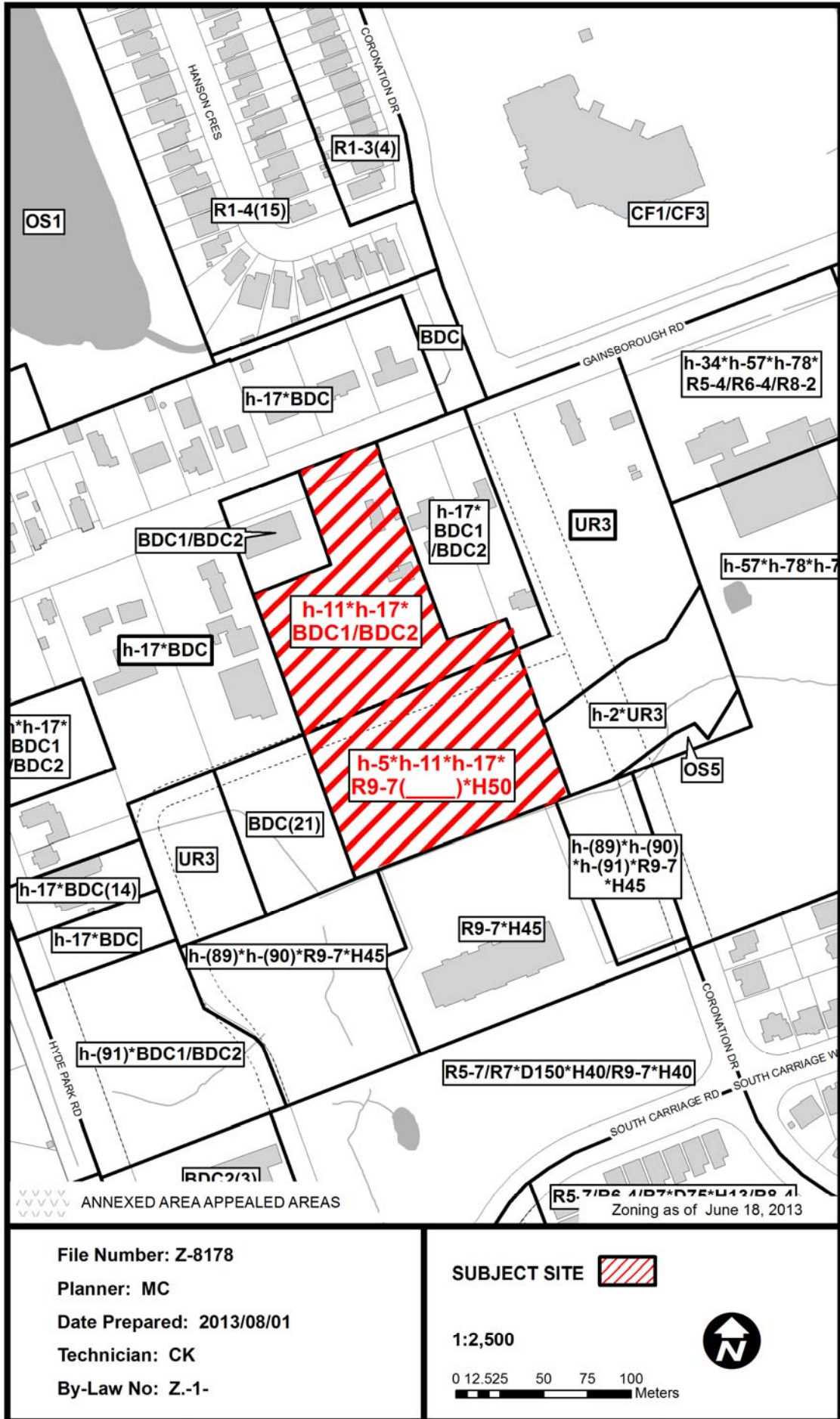
Joe Fontana
Mayor

Catharine Saunders
City Clerk


First Reading - August 27, 2013
Second Reading - August 27, 2013
Third Reading - August 27, 2013

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

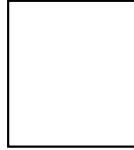


File Number: Z-8178
Planner: MC
Date Prepared: 2013/08/01
Technician: CK
By-Law No: Z-1-

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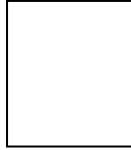


Geodatabase



Appendix "B"





Appendix "B"

Subject of Application

