



Zelinka Priamo Ltd.

LAND USE PLANNERS

May 17, 2023

Chair Lehman & Committee Members
Planning and Environment Committee
City of London
300 Dufferin Street
London, ON
N6B 3L1

**Re: Item 3.8 – PEC Meeting of May 23, 2023
Application for Zoning By-law Amendment
2796538 Ontario Inc., c/o Royal Premier Homes
129-131 Baseline Road W**

City File: Z-9578
Our File: RPH/LON/20-05

We are pleased to provide the Members of the Planning and Environment Committee (“PEC”) with the following information regarding the above-noted Zoning By-law Amendment application (“ZBA”), further to our review of the Staff Report, dated May 23, 2023

We appreciate the Staff Recommendation to approve the ZBA; however, prior to the PEC meeting on May 23rd, we wish to bring to your attention our concerns with the following matters being brought forward by Staff for consideration:

1. Requirement for Building Stepback

The Staff recommendation and draft amending By-law, includes a requirement for a building stepback of 2.0 metres above the 2nd, 3rd, or 4th floor.

We are opposed to the requirement for a building stepback for the following reasons:

- A building stepback is a design feature that is not in keeping with the character of surrounding existing and recently approved high-rise developments (see also Page 3 of the attached Project Fact Sheet).
- A building stepback would create inefficiencies in the design and cost of the proposed building. Revisions to the internal layout would result in larger unit sizes, which are not supportable from a marketing perspective and do not promote affordability.

2. Requirement for Orientation of Main Building Entrance

The Staff recommendation includes a requirement in the proposed zoning amendment that “the main building entrance shall be oriented to Base Line Road West.” In our opinion, the “orientation” of the main building entrance is a matter related to building design; and is not a matter that should be regulated by the Zoning By-law. As such, this requirement should be removed from the proposed zoning amendment.

3. Application of Holding (h) Symbol

The following holding provision is proposed to be included as part of the ZBA:

Purpose: To ensure that development will address the watercourse on site, the h-(_) shall not be deleted until a scoped Environmental Impact Study (EIS) is provided to address whether the watercourse is to remain open or to be enclosed, if buffer(s) need to be implemented, and if compensation is required to offset the loss of the feature, to the satisfaction of the UTRCA and the City.

We are opposed to the placement of a Holding (h) symbol for the following reasons:

- The watercourse that traverses the southeast corner of the site is proposed to be enclosed, similar to the approach taken by neighboring properties to the south and east, the satisfaction of the City and the UTRCA. The subject lands represent the final remaining portion of the watercourse that remains uncovered and, as such, there is no need for an EIS to determine whether or not the watercourse is to remain open or closed as part of the proposed development.
- Notwithstanding the above, correspondence has been prepared by MTE Consultants Inc., dated April 27, 2023 (see attached), providing the professional opinion “that replacing the open drain with a closed drain that ties together the north and south closed drains will have no detrimental impact to fish habitat or the natural heritage of the area.”
- An enhanced landscaping area of 335 m² is proposed in the vicinity of the watercourse, whereas an area of approximately 250 m² is warranted, according to MTE. In addition, the proposed development provides 39% landscaped open space, whereas a minimum of 30% is required. The additional landscaped open space is more than sufficient to address any buffering or compensation requirements that may be required. More details regarding the enhanced landscaping are more appropriately determined during the Site Plan Approval stage.
- City Ecology Staff confirmed that there are no ecological planning issues related to the subject lands; and there are no Natural Heritage Features on, or adjacent to the site, as per Map 5 of the London Plan.

The MTE correspondence was sent to UTRCA on May 1, 2023, and we have not received a reply to date. We acknowledge that the southeast corner of the subject lands is regulated by the UTRCA and subject to the issuance of a Section 28 permit. As such, we believe that any outstanding issues relating to this matter are more appropriately dealt with through the Section 28 permit process, and not through a holding provision, which adds unnecessary delays to the overall approvals for the proposed development.

In addition to the above, we have attached a Project Fact sheet, which summarizes the relevant information about the proposed development, including the provision of two (2) electric vehicle charging stations, and responses to the public/agency comments received thus far. In our opinion, we have satisfactorily addressed all of the relevant comments received relating to height, density, at-grade parking/landscaped open space/amenity space, and building setbacks.

On behalf of our client, we thank you for the opportunity to provide the above information in advance of the May 23rd PEC meeting, and look forward to your consideration of the ZBA, together with resolution if the above concerns. We believe that the proposed development will be a positive addition to the neighbourhood and will provide much needed housing opportunities.

The undersigned will be in attendance to address PEC and to answer any questions regarding the proposed development.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.



Harry Froussios, BA, MCIP, RPP
Principal Planner

Attachments

cc: 2796538 Ontario Inc., c/o Royal Premier Homes

129-131 BASE LINE ROAD

PROJECT FACT SHEET

ZPPLAN.COM

CLIENT/DEVELOPER: ROYAL PREMIER HOMES

Project Metrics At-A-Glance

UNITS



PARKING



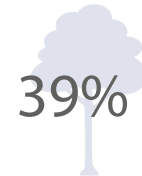
HEIGHT



DENSITY



LANDSCAPE OPEN SPACE

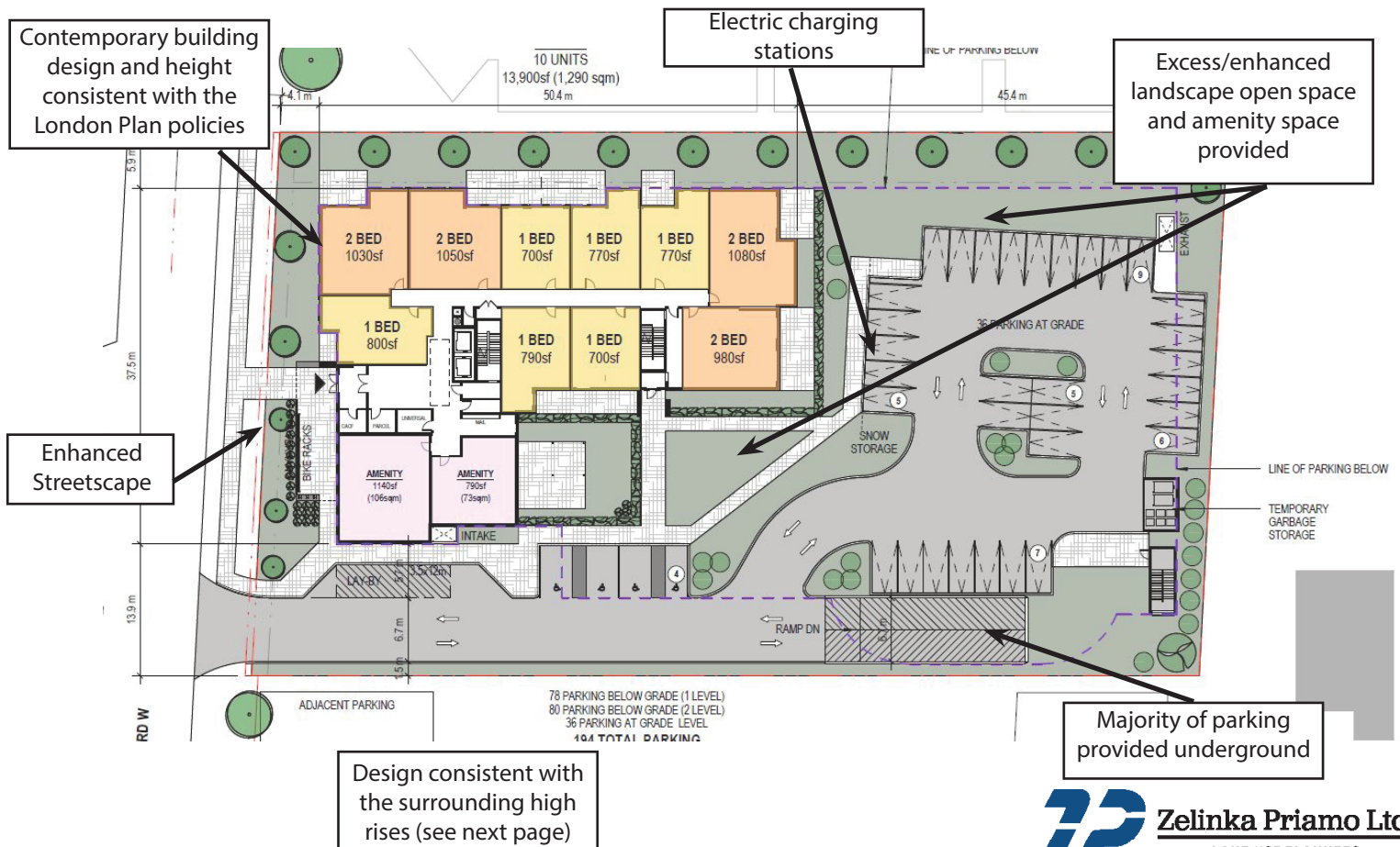


Requested Amendments

Rezone the subject lands to a site-specific "Residential (R9-7(_))"

- A front yard setback of 4.0 metres whereas 10 metres is required;
- An east interior side yard setback of 5.0 metres whereas 16.8 metres is required;
- A west interior side yard setback of 13.0 metres whereas 16.8 metres is required;
- A height of 51 metres whereas 32 metres is the maximum; and,
- A density of 306 units per hectare whereas 150 units per hectare is the maximum.

Key Design Features



Response to Comments

Height and Density too great/results in decreased setbacks/impacts on adjacent sites:

- Site-specific height and density permissions are in keeping with London Plan (HDR) policies
- Proposed side yard setbacks recognize separation with abutting high-rise buildings to the east and the west (min. 25m separation)

Lack of Amenity and Greenspace:

- Proposed development provides landscape open space (39%) in excess of minimum requirement (30%)
- Sufficient amount of at-grade amenity space provided (5.5 square metres per unit).
- Majority of parking provided in underground structure.

Response to Next Steps (Zoning):

- 3m minimum setback for the parking garage is provided to allow for tree plantings/vegetation
- At-grade parking reduced to a maximum of 36 spaces to allow for enhance landscaped/amenity open space; 2 electric vehicle charging stations are provided.
- Incorporating required stepback is not in keeping with character of existing high-rise development in the area (see Page 3); and, would create building design/cost inefficiencies, including larger unit sizes.

Proposed Development compared to other apartments in surrounding area.



Aerial Drone Photo of Proposed Development in surrounding context



Proposed 14 storey apartment building

**MTE****MTE Consultants**

123 St. George St., London, Ontario N6A 3A1

April 27, 2023

MTE File No.: 53145-100

Farhad Noory
2796538 Ontario Inc
c/o Royal Premier Homes
509 Commissioners Rd W, Suite 425
London, ON N6J 1Y5

Dear Farhad:

RE: Proposed Drainage Works - 129-131 Base line Road W, London, ON - Update

MTE was retained to complete a site review of the open drainage feature located at 129-131 Baseline Road W, London ("Subject Lands"). The drainage feature is classified as a class "F" (open, intermittent) drain by Fisheries and Oceans Canada (DFO) and is located between two sections of closed drains. The purpose of the site review was to review the current state of the drainage feature and assess it for fish habitat.

The site visit was completed on March 22, 2023, by Daniel Nydam, MTE Ecologist. The drain was confirmed to be intermittent (class "F" drain) with limited amount of water (0-6cm) present during wet conditions of the site visit. A regulation limit site map has been attached with site photographs (Appendix A). Two closed drains (Photograph 1) outlet onto the northerly edge of the site from the property to the south before converging into one small open drain. The open drain traverses the corner of the Subject Lands for approximately 25m before it outlets into a drop-inlet catch basin immediately adjacent to the subject lands (Photograph 2). The open section of drain within the subject lands contains no fish habitat given the blocked fish passage downstream (closed drain and drop inlet), extremely low flow path with no refuge and significant anthropogenic impacts (Photographs 3 & 4). In addition, the vegetation adjacent to this flow path is limited to grasses and limited shrub or tree cover with a width of only a 5 metres total.

It is MTE's opinion that replacing the open drain with a closed drain that ties together the north and south closed drains will have no detrimental impact to fish habitat or the natural heritage of the area. We also understand that the UTRCA is seeking compensation for riparian area as well. Assuming a riparian area of 10m (twice existing), then approximately 250 m² of enhanced planting would cover this request. We have reviewed the landscape plans (RKLA, April 2023 - attached) and 335 m² of enhanced landscaping has been provided. We are satisfied this is sufficient to be consistent with neighbouring land parcels.

Yours Truly,

MTE Consultants Inc.

Dave Hayman M. Sc
Senior Biologist
519-204-6510 ext. 2241
dhayman@mte85.com

DXH:sdm

Attach: Appendix A; RKLA, April 2023

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Appendix A

Site Map With Photos

129-131 Base Line Rd W



Photo 1. Upstream closed drains converging on site (facing southwest).



Photo 2. Drop-inlet catch basin immediately downstream of subject lands.

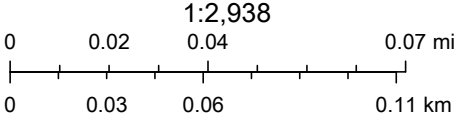


Photo 3. Garbage located within/adjacent to drain (facing southwest).



Photo 4. Garbage located within/adjacent to drain (facing northeast)

3/27/2023



Esri Community Maps Contributors, Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

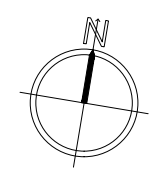


PLANT MATERIAL					
KEY	COMMON NAME	BOTANICAL NAME	QTY	SIZE	COND
Ar	RED MAPLE	<i>Acer rubrum</i> 'Sunset'	4	60mmcal	WB
Cs	RED OSIER DOGWOOD	<i>Cornus sericea</i>	13	80cm	POT
Em	JOE PYE WEED	<i>Eupatorium maculatum</i>	9	2yr gal	POT
Ha	SWAMP SUNFLOWER	<i>Helianthus angustifolia</i>	9	2yr 5gal	POT
Jf	RED CEDAR	<i>Juniperus virginiana</i>	3	120cm	POT
Ld	AMERICAN LARCH	<i>Larix laricina</i>	1	200cm	WB
Sa	BEBBS WILLOW	<i>Salix vebbiana</i>	5	100cm	POT
To	WHITE CEDAR	<i>Thuja occidentalis</i>	1	150cm	POT
VI	NANNYBERRY	<i>Viburnum lentago</i>	16	100cm	POT

335 SQ. M. OF ENHANCED LANDSCAPE



TITLE: **ENHANCED LANDSCAPE CONCEPT**
 129-131 BASELINE RD W,
 LONDON, ONTARIO



PROJECT NUMBER: 21-128Lj	SCALE: 1:250
DRAWN BY: RKLA Inc.	DATE: APRIL 2023
DRAWING NUMBER: 21-128Lj	