

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Gregg Barrett
Director, City Planning and City Planner
Subject: Housing Development Corporation London
122 Base Line Road West
Public Participation Meeting on: September 21, 2020

Recommendation

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application of Housing Development Corporation London relating to the property located at 122 Base Line Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 29, 2020 to amend the London Plan by **ADDING** a policy to Specific Policies for the Neighbourhoods Place Type to permit a low-rise apartment building on the subject site, and by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of the London Plan;

IT BEING NOTED THAT the amendments will come into full force and effect concurrently with Map 1 and Map 7 of the London Plan.

- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting September 29, 2020 to amend Zoning By-law No. Z.-1, in conformity with the London Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R8 (R8-3) Zone, **TO** a Holding Residential R8 Bonus (h-5*R8-3*B(_)) Zone;

The Bonus Zone shall be implemented through one or more agreements to provide for a low-rise apartment building with a maximum height of 4 storeys or 13.0 metres; an increased density of up to 100 units per hectare (61 units total); a rear yard depth minimum of 15.0 metres; an interior side yard depth minimum of 3.0 metres for building walls containing no windows to habitable rooms or 8.0 metres for building walls containing windows to habitable rooms; a parking rate of 1 space per unit; and a bicycle parking rate of 1 space per 4 units, in return for the provision of the following facilities, services and matters:

- 1) Provision of Affordable Housing: A mix of unit types (by number of bedrooms) and a minimum of 30% of each unit type within the development will be provided at affordable rent (at approximately 70% of Average Market Rent). An agreements shall be entered into with the Corporation of the City of London to secure those units for a minimum affordability period of 20 years.
- 2) Design Principles: Implementation of a site development concept, to be implemented through a future development agreement, which substantially achieves design principles that include:
 - a. Building footprint and spatial orientation that: serves to activate the street; is pedestrian in scale; and establishes safe, direct, and barrier-free accessible pedestrian connections throughout the Site and from the Site to the public realm;
 - b. A principle building entrance that further serves to activate the streetscape and reinforce the "front facing" built form;
 - c. A building footprint that mitigates impacts, noting an enhanced rear yard setback and enhanced interior side yard setback are identified in the Bonus Zone;

- d. A parking area that provides for safe, direct and barrier-free accessible pedestrian connections, is suitably sized to accommodate projected demand, and is strategically located to minimize impacts on the public realm;
- e. An outdoor amenity area that is sufficiently sized and strategically located to provide for privacy and additional buffering opportunities and plantings, and also serves to mitigate overland flows and other potential stormwater management (SWM) impacts; and
- f. Maintain, to the greatest extent possible, on-site green infrastructure in a manner consistent with the findings of the preliminary Tree Preservation Report.

Executive Summary

Summary of Request

The application includes requested London Plan and Zoning By-law amendments, including a bonus zone, to allow for a 4-storey (13 metre), 61-unit apartment building (100 units per hectare). A holding zone h-5 is recommended to require a subsequent public site plan process.

Purpose and the Effect of Recommended Action

The purpose and effect of the requested amendment is to permit a residential apartment building with a maximum height of 4 storeys which may include up to 61 units. The bonus zone shall be implemented through one or more agreements to facilitate the development of the requested apartment building in return for the provision of affordable rental units (a minimum 30% of the building's units and 30% of each unit type). The bonus zone shall also implement a high-quality design, to be confirmed through the site plan application.

The purpose of the requested application is also to facilitate development of a site acquired for the municipal purpose of creating new rental housing units and to address the City's significant need for affordable housing.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement 2020.
2. The recommended amendment conforms with the 1989 Official Plan.
3. The recommended amendment conforms with the policies of The London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies.
4. The recommended amendment facilitates infill and intensification of an underutilized urban site and encourages an appropriate form of development. Infill and intensification supports the City's commitment to reducing and mitigating climate change by supporting efficient use of existing urban lands and infrastructure and regeneration of existing neighbourhoods.
5. The recommended amendment facilitates the development of up to 61 affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.
6. The recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit-supportive development, and a quality design standard to be implemented through a subsequent public site plan application.

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 intensification and efficient use of existing urban lands and infrastructure and the regeneration of existing neighbourhoods. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encouragement of active transportation options.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located approximately 650 metres west of Wharncliffe Road South, on Base Line Road West. The subject site is approximately 0.62 hectares (1.52 acres) in size and is currently vacant. East and south of the property are apartment buildings of 11 storeys. West of the property is a townhouse complex. North of the property are single detached dwellings.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods Place Type
- Official Plan (1989) Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Residential R8-3 Zone

1.3 Site Characteristics

- Current Land Use – Vacant
- Frontage – 66.1 metres (216.9 feet)
- Depth – 93 metres (305.1 feet)
- Area – 0.62 hectares (1.52 acres)
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Two single detached houses
- East – Property with two 11-storey apartment buildings
- South – 11-storey apartment building, single-detached house, vacant lot
- West – Townhouse property

1.5 Intensification (identify proposed number of units)

- The proposed development will represent intensification within the Built-Area Boundary.
- The proposed development will represent intensification within the Primary Transit Area.

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposed development is a 4-storey (13 metre) "T-shaped" apartment building which will include 61 residential units (100 units per hectare on a property 0.62 hectares in size).

This application includes a conceptual site plan. The conceptual site plan shows a "T-shaped" building with the cross of the "T" along the Base Line Road West frontage to frame the street at a pedestrian scale. Surface parking is proposed in the interior side yard and rear yard to the west and northwest of the building, abutting the parking area of the neighbouring townhouse complex. Landscaped open space is proposed to the east and north of the building. The conceptual site plan is shown in Figure 1, below.

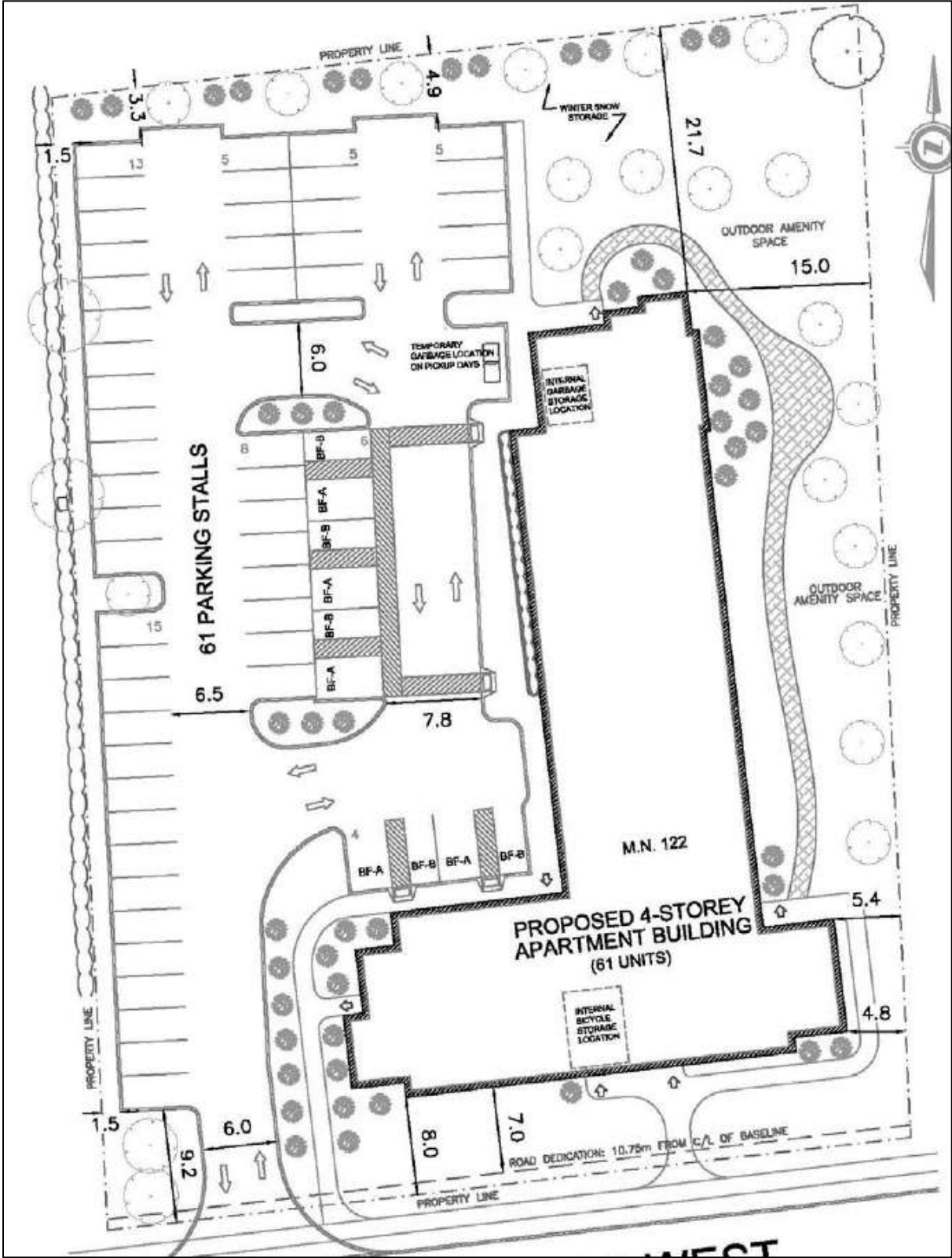


Figure 1: 122 Base Line Road West - Conceptual Site Plan

3.0 Relevant Background

3.1 Planning History

122 Base Line Road West has been vacant since the mid-1980s. A single detached dwelling was demolished in 1982.

In 2010 an application to rezone the property to permit a low-rise apartment building was received by the City. The rezoning to Residential R8-3 Zone was approved by City Council on July 25, 2011.

3.2 Requested Amendment

The requested amendment is for a London Plan amendment and a Zoning By-law amendment.

The subject property is designated Multi Family, Medium Density Residential (MFMDR) in the 1989 Official Plan. This designation permits apartment buildings. In the London Plan the subject property is in the Neighbourhoods Place Type and Base Line Road West is a Neighbourhood Connector street classification. The London Plan Amendment application is for a specific policy to the Neighbourhoods Place Type to permit a low-rise apartment and to add the subject property to London Plan Map 7 – Specific Policy Areas. No amendment is sought to the 1989 Official Plan.

The requested amendment to the Zoning By-law is to change from a Residential R8 (R8-3) Zone to a Holding Residential R8 Bonus Zone (h-5*R8-3*(B_)). The bonus zone is requested to permit a density of 100 units per hectare (61 units total). The site regulations requested under the bonus zone include a side yard setback of 4.0 metres from the east property line, a vehicle parking standard of 1 space per dwelling unit, a bicycle parking standard of 1 space per 4 units. The requested Holding “h” Zone is for an h-5, which in accordance with section 3.8.2 of the Zoning By-law is as follows:

h-5 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.

The applicant (HDC London) has identified in their application that they will issue a Request for Proposals (RFP) for a primary developer to develop the lands in accordance with the Bonus Zone and implement the conceptual site plan, confirm the built form, parking, outdoor amenity space and landscaping through a subsequent site plan application.

3.3 Community Engagement (also see Appendix B)

Notice of the requested amendment was published in the Londoner newspaper on Thursday, May 21, 2020. Notice of this application was also circulated to the public on May 11, 2020 and a sign was placed on the subject site. At the time of writing this report, a total of seven (7) members of the public have provided comments. Comments are summarized below and attached as Appendix ‘C’ to this report. The comments received included the following:

- The existing density in the area is believed to be high enough;
- Concern with maintenance of the future property;
- Concern regarding safety associated with the tenancy of housing;
- The property has a small wooded area which would be removed. The question was asked whether the City could find another property for the development and asks whether the City consider ecology;

- The neighbourhood does not have enough public recreation and green space and COVID-19 has raised issue of access to green space and questions of density. The subject site should remain undeveloped permanently;
- Concern for the many retirees and disabled persons in area;
- Question asked whether a minimum of 2 parking spaces per unit should be required to avoid street parking overflow.
- Staff also received inquiries asking how one could apply to live in the proposed new development.

3.4 Policy Context (see more detail in Appendix C)

The subject site is located in the Multi-Family, Medium Density Residential (MFMDR) designation in the 1989 Official Plan. The site is located in the Neighbourhoods Place Type, and Base Line Road West is a street classified as “Neighbourhood Connector” in the London Plan. Note that certain London Plan maps and policies are under appeal before the Local Planning Appeal Tribunal (LPAT).

Provincial Policy Statement, 2020

In accordance with section 3 of the Planning Act, all planning decisions shall be consistent with the Provincial Policy Statement (PPS).

The Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns” of the PPS encourages healthy, livable, and safe communities over the long-term. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses, as well as employment, institutional, recreation and open space land uses (s. 1.1.1.b); promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (s. 1.1.1.e); promoting land uses that address barriers and accessibility for persons with disabilities (s. 1.1.1.f); and addressing the natural environment and preparing or climate change (s. 1.1.1.h and 1.1.1.i).

The PPS encourages areas inside the urban growth boundary (i.e. “settlement areas” per s. 1.1.3 Settlement Areas) to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s. 1.1.3.2).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration an area’s existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4), and promote transit and active transportation (s. 1.6.7.4).

The PPS 2020 also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). First, it directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas. Then it also permits outward growth to greenfield areas designated for urban land uses (s. 1.4.1.a).

The PPS also encourages the range and mix of affordable and market-based housing to be built at densities that meet projected needs, by establishing targets for affordable housing (s. 1.4.3.a). Planning authorities are also required to permit and facilitate all housing options and all types of residential intensification.

Furthermore, the PPS ensures to protect environmental health by directing development away from natural hazards and the natural heritage system. Mitigating impacts of those hazards and on those natural features and their functions is also required (sections 2.0 and 3.0).

The London Plan

The London Plan is organized into nine parts. The “Our Strategy” part of the Plan establishes eight key directions that serve as the foundation for the policies and place types of the Plan (London Plan, s. 54). Under each key direction a number of planning strategies are identified. These directions and strategies include, but are not limited to, regeneration and intensification, affordable housing, and environmental protection. Strategies of the key directions include:

- Revitalize our urban neighbourhoods and business areas (s. 55_, Direction 1.4);
- Invest in, and promote, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners (s. 55_, Direction 1.13);
- Develop affordable housing that attracts a diverse population to the city (s. 57_, Direction 3.11);
- Protect and enhance the health of our Natural Heritage System (s. 58_, Key Direction 4.4).
- Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward” (s. 59, Key Direction 5.2);
- Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods (s. 59_, Key Direction 5.3);
- Plan for infill and intensification of various types and forms to take advantage of existing services and facilitate and to reduce our need to grow outward (s. 59_, Key Direction 5.4);
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place (s. 59_, Key Direction 5.5);
- Link land use and transportation plans to ensure they are integrated and mutually supportive (s. 60_, Key Direction 6.4);
- Dependent on context, require, promote, and encourage transit-oriented development forms (s. 60_, Key Direction 6.6);
- Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (s. 61_ Key Direction 7.2);
- Integrate affordable forms of housing in all neighbourhoods and explore creative opportunities for rehabilitating our public housing resources (s. 61_, Key Direction 7.10).

The London Plan also includes a City Structure Plan that identifies the framework for growth and change over the planning horizon. Within this City Structure, the subject site is located within the urban area (within Urban Growth Boundary and Built Area) and within the Primary Transit Area (PTA). The PTA will be a focus of residential intensification and transit investment within London, and intensification will vary

depending on the Place Type and will be a good fit within neighbourhoods (s. 90). The London Plan also includes a city-wide intensification target and it is an objective of the London Plan that 75% of intensification will occur within the PTA. Regeneration projects will also be focused on neighbourhoods within the PTA, and such development and redevelopment should be transit-oriented (s. 92).

The subject site is located within the Neighbourhoods Place Type. The Neighbourhoods Place Type permits a range of residential uses as well as certain non-residential uses that are neighbourhood-serving. The subject site is on a street classified as “Neighbourhood Connector”, which permits townhouses and small-scale community facilities. The proposed low rise apartment building is not identified as a permitted use in this location, and requires an amendment to the London Plan subject to the conditions for specific area policies.

Where a proposed development does not conform with certain policies of the London Plan and the Place Type, Council may consider adopting specific policies for a site or an area through an amendment to the London Plan, subject to the conditions of policy 1730. These conditions include that the proposed development and policy are in the public interest, represent good planning, and meet all other policies of the Plan without causing an adverse impact on the Plan or Place Type.

Certain policies of the London Plan remain under appeal to the Local Planning Appeal Tribunal, including certain use, intensity, and form policies of the Neighbourhoods Place Type. However, the London Plan should be considered in the evaluation of the application as it represents the most current policy direction for making decisions related to city building and development.

Official Plan 1989

The subject site is designated Multi Family, Medium Density Residential (MFMDR) in the Official Plan 1989. The MFMDR designation permits multi-unit residential development with low-rise profiles. Primary permitted uses of the MFMDR designation include low-rise apartment buildings, row houses, cluster houses, and specialized facilities such as small-scale nursing homes and rest homes (1989 OP, s. 3.3.1).

The 1989 Official Plan identifies that the preferred location for the MFMDR designation is adjacent to High Density Residential development and other higher intensity uses. The MFMDR designation can serve as a transition area between low-density residential areas and more intensive commercial, industrial, or high-density residential development (s. 3.3.2 and 3.3.3)

Height limitations are sensitive to the scale of development in the surrounding neighbourhood, and normally development heights will not exceed 4 storeys, subject to the regulations of the implementing Zoning By-law Z.-1 (s. 3.3.3.ii).

Medium density developments in the MFMDR designation have a maximum density of 75 units per hectare. If the development qualifies for Bonus Zoning this density limit may be exceeded to a maximum of 100 units per hectare without an amendment to the Plan, subject to an analysis of the planning impacts described in Section 3.7 of the Plan. Planning impact includes a review of existing character and an evaluation of compatibility and fit within the neighbourhood context. This includes how the proposal reflects existing and planned neighbourhood building height and scale, urban design elements and streetscape.

No Official Plan Amendment is required to the Official Plan 1989 to permit the proposed development on the subject site.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Use

The PPS 2020 encourages settlement areas (i.e. within urban growth boundaries) to be the main focus of growth and development. Supporting the vitality and regeneration of urban areas is also critical to long-term economic prosperity of communities (s. 1.1.3). Appropriate land use patterns within the urban growth boundary is established by providing densities and a mix of land uses that efficiently use land and resources and the surrounding infrastructure, public service facilities, and are transit-supportive, as well as minimizing impacts of climate change. The proposed development is an infill development on a vacant lot, and it will fit within the existing mix of residential forms, densities and uses along the Base Line Road West street corridor. The requested infill development will provide an appropriate increase in density and a land use that is compatible with the scale of surrounding land uses. It will efficiently use the subject site and take advantage of surrounding infrastructure. The subject site will promote public service facilities, be accessible (barrier-free), and transit-supportive.

The proposed residential development will also provide an alternative form of housing that will complement an appropriate affordable and market-based range and mix of residential types in the areas (s. 1.1.1.b). The proposed low-rise apartment building will include a minimum 30% affordable housing units to meet the needs of current and future residents, which is in keeping with the municipal targets for affordable housing required under the PPS and The London Plan.

1989 Official Plan

The Multi Family, Medium Density Residential (MFMDR) designation provides for a transition between Low Density Residential areas and higher intensity commercial, industrial, or High Density Residential areas (s. 3.3.2 and 3.3.3). The primary uses of the designation are residential, and as a transitional use the MFMDR designation generally has a maximum height of four (4) storeys.

The London Plan

The Neighbourhoods Place Type policies permit a range of residential uses and certain non-residential uses at a neighbourhood-serving scale. The street classification of Base Line Road West is a Neighbourhood Connector (per Map 3) and the subject site is located “mid-block”.

All planning and development applications will be evaluated based on the planning and development applications section in the Our Tools part of the London Plan. Specific Policies for the Neighbourhoods Place Type augment the general Neighbourhood policies and prevail where there is a conflict. The Official Plan Amendment requested is to add a specific policy for the subject site to permit a low-rise apartment building.

Evaluation criteria for planning and development applications includes consistency with the PPS and applicable legislation, conformity with the goals, directions, and policies of the London Plan, consideration of guideline documents, consideration of servicing and growth management policies, and impacts of development on surroundings, including fit, context, and impact mitigation.

As identified above, the subject site is located within the Primary Transit Area and within the Urban Growth Boundary of the City. The London Plan includes key directions for infill and regeneration within urban areas. The London Plan also includes targets for creation of affordable housing units within new residential development. The proposal is for a residential land use, which is an appropriate land use that fits within the surrounding context of the Southcrest neighbourhood.

4.2 Issue and Consideration # 2 - Intensity

The PPS 2020 requires municipalities to identify appropriate locations and promote intensification and redevelopment, taking into account existing building stock (s. 1.1.3.3). The proposed low-rise apartment building provides a compact form that appropriately intensifies a vacant site located with accessible and transit-oriented development within the Primary Transit Area. The subject site is of a sufficient size to accommodate the increase in density and a built form that responds to its surrounding context, which includes a range and mix of housing options, including low-rise and mid-rise apartment buildings and townhouses (PPS 1.4.3). The proposed development meets the intent of the PPS 2020 by providing a density of new housing units through intensification that will efficiently use land, resources, infrastructure, and public service facilities, and supports transit routes found on Base Line Road West and Wharncliffe Rd South (PPS s. 1.4.3.d, 1.4.3.e, and 1.8.1).

1989 Official Plan

The proposed use as a low-rise residential apartment building is permitted in the Multi Family, Medium Density Residential designation (s. 3.3.1). The designation generally permits a maximum density of 75 units per hectare (uph), which may be increased through a bonus zone up to 100 units per hectare. MFMDR designated lands are to take into consideration the surrounding land uses height, scale and setback to not adversely impact amenities and character of the area (s. 3.3.2.i).

This application includes an increase in permitted density to 100 uph through the bonus provisions of s. 19.4.4 of the Official Plan. The 1989 Official Plan policies permit Bonus Zoning as a means to achieve public benefits that cannot be achieved through the normal development process in return for permitting increased building height and/or density. Planning Act s. 37 currently allows municipalities to permit the increase in height and density where a City has included bonusing provisions in their Official Plan. In return, the “facilities, services, and matters” of public benefit are to be set out in the Zoning By-law. The provision of a minimum 30% affordable housing units within the development and application of design principles through a subsequent site plan application will provide a commensurate public benefit for the additional density, and meets the criteria for Bonus Zoning in the Official Plan. These features are outlined in the Staff recommendation.

The application of a bonus zone within the MFMDR designation requires that the potential impacts of intensification be considered through a planning impact analysis as described in Section 3.3.3 and 3.7.3 of the Official Plan. Staff’s opinion is that the proposal demonstrates it is compatible in scale and intensity, including:

- a building oriented to face the street,
- setback from adjacent uses, as identified in the recommended zoning regulation;
- a low-rise building height compatible with the existing mix of low- and high-rise buildings; and
- a pedestrian-oriented streetscape.

In order to implement the identified items for bonus zoning, s. 19.4.4.iv) of the Official Plan states:

“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”

Bonus Zoning is implemented through one or more agreements with the City that are registered on title to the lands. The agreements intend to “lock in” public benefit and elements of the development that merit the additional density. Through the site plan approval process, the proposed development will be reviewed to ensure that all

facilities, services, and matters that have warranted bonus zoning have been incorporated into the agreements. Building and site features are highlighted in the recommendation and the amending by-law attached as Schedule “1” to Appendix B of this report.

The London Plan

The London Plan controls how intense lands can develop through specific criteria and a heights framework; however it does not limit densities of development by Place Type. The London Plan permits a maximum building height of 2.5 storeys on Neighbourhood Connector streets in the Neighbourhoods Place Type. At four-storeys the proposed development is, however, of a compatible height to the established neighbourhood context, which includes high-rise forms of 11 storeys and low-rise forms (townhouses and detached dwellings). The intensity is also in keeping with the key directions of the London Plan that plan for development activity to look inward to regeneration and intensification opportunities that utilize existing infrastructure, lands and services, and which provide a range and mix of housing to accommodate all demographics, incomes, and ages (Key Directions # 1.4, 5.2, 5.4, and 7.2).

Furthermore, the London Plan identifies that building heights and densities may be increased through Bonus Zoning to support the provision of affordable housing (policy 521_).

Mitigation of potential site impacts associated with increased density is also addressed through the bonus zone’s recommended zoning regulations, as identified in section 4.3 of this report, below.

4.3 Issue and Consideration # 3 – Form and Design

The proposed development is consistent with the PPS 2020 by providing intensification at an appropriate urban location, taking account of the existing building stock and neighbourhood fit and context. The proposed development provides a compact, low-rise built form, which will be required to meet current development standards. The conceptual site design will be confirmed through a subsequent public site plan application process.

1989 Official Plan

The objectives of the Multi Family, Medium Density Residential designation are to support the development of mid-rise residential uses at locations which have convenient access to public transit, shopping, public open space, recreation and other urban amenities (s. 3.1.3). MFMDR lands may serve as a transition area between higher-rise and higher-intensity uses and lower intensity uses (s. 3.3.3).

Height limitations of MFMDR sites will not normally exceed 4 storeys (s. 3.3.3.i). While bonus zoning may increase density within medium density residential areas the height limitation remains in effect (s. 3.3.3.ii). The proposed development seeks an increase in density through Bonus Zoning in exchange for public benefit, but does not seek to exceed the 4 storey (13 metre) height limit.

MFMDR intensification projects are also subject to public site plan review (s. 3.3.1.vii – permitted uses, residential intensification), which is in alignment with the recommendation for an h-5 holding zone. As part of a complete application, the applicant provided a conceptual site plan and requested an h-5 holding provision to require a public site plan process. The Zoning regulations recommended as part of the Bonus Zone will inform the subsequent public site plan application process. Staff feel this helps respond to concerns received regarding the potential impact of greater density. Such zoning regulations that will inform the site plan process include the requirement for a “T” shaped building that will frame the Base Line Road West street

frontage at a pedestrian scale. Interior side yard setback to the east of the building will also ensure the “T” shaped design of the building and mitigate massing impact on adjacent property by increasing the landscaped space to the east of the development. Enhanced rear yard setbacks are also recommended to mitigate the potential for future impacts.

The London Plan

The London Plan includes a number of building and site design considerations, including for the Neighbourhoods Place Type. The City Design policies of the Plan apply city-wide, and additional urban design considerations are evaluated for residential intensification in the Neighbourhoods Place Type.

The proposed development and conceptual site plan are in conformity with City Design policies of the London Plan, including but not limited to:

- a streetscape and building orientation that frames the street to enhance safety and encourages greater levels of passive surveillance (228_);
- a proposed site layout that respond to the existing and planned character of the surrounding area (252_);
- a proposed site layout designed to minimize and mitigate impacts on adjacent properties (253_);
- a proposed site designed to provide a direct, comfortable, and safe connection from the principle building entrance to the public sidewalk (268_);
- A proposed building sited to minimize visual exposure of parking areas to the street (269_)

Within the Neighbourhoods Place Type, there are also additional urban design considerations for residential intensification (policy 953_2). The proposed development addresses these matters, which include the compatibility of site layout; building and main entrance orientation; setback from street; character of neighbourhood; height transition with adjacent development; and appropriate massing and scale of building.

As noted above, a public site plan process will also be undertaken as a subsequent application under the Planning Act to confirm the conceptual site plan submitted as part of the complete application.

Proposed Regulations for Form and Site Plan

To ensure form and fit, and implement design policy objectives including streetscape and building orientation, site layout, mitigation of intensification, and accessibility, a number of regulations are recommended through the bonus zone. These include the design principles to be implemented through the subsequent site plan as follows:

- a. Building footprint and spatial orientation that: serves to activate the street; is pedestrian in scale; and establishes safe, direct, and barrier-free accessible pedestrian connections throughout the Site and from the Site to the public realm;
- b. A principle building entrance that further serves to activate the streetscape and reinforce the “front facing” built form;
- c. A building footprint that mitigates impacts, noting an enhanced rear yard setback and enhanced interior side yard setback are identified in the Bonus Zone;
- d. A parking area that provides for safe, direct and barrier-free accessible pedestrian connections, is suitably sized to accommodate projected demand, and is strategically located to minimize impacts on the public realm;
- e. An outdoor amenity area that is sufficiently sized and strategically located to provide for privacy and additional buffering opportunities and plantings, and also serves to mitigate overland flows and other potential stormwater management (SWM) impacts; and

- g. Maintain, to the greatest extent possible, on-site green infrastructure in a manner consistent with the findings of the preliminary Tree Preservation Report.

Staff also recommend regulations through the bonus zone to ensure setback from adjacent properties and mitigate site development impact. The recommended setback regulations also ensure a street-facing orientation is combined with enhanced setback for the rear portion of the building is established through the subsequent site plan application (i.e. a "T" shaped building or approved alternative). To achieve this, the recommended regulations are for a minimum interior side yard depth of 3.0 metres for building walls containing no windows to habitable rooms and a minimum interior side yard depth of 8.0 metres for building walls containing habitable rooms. Habitable Room is a defined term in the Zoning By-law and means any room intended to be used for living, sleeping, eating or food preparation. It does not include a washroom, laundry room, closet or other spaces used for the service and maintenance of the dwelling, including stairs or elevators.

A parking standard of 1 space per unit (61 spaces total) is also recommended through the regulations of the bonus zone. Public comments were received regarding a concern that the site would have insufficient parking. Parking standards are to ensure that sites may accommodate parking but that excessive amounts of parking are not required (London Plan policy 271_). The proposed development is transit-oriented and the site is within the Primary Transit Area and serviced by two public transit routes (on Base Line Road West and within a ten minute walk on Wharnccliffe Rd S.). In the application the Housing Development Corporation identified that forty-seven (47) of the units would be one-bedroom apartments. The parking standard proposed is comparable to parking rates in other multi-unit residential developments for specialized housing markets and affordable housing.

4.4 Summary of Development Considerations (Use, Intensity and Form)

The proposed development includes an appropriate land use, intensity, and form, which represents compatibility and fit within its context. For those reasons, and because the development will help to address the need for affordable housing, this proposal represents good planning.

The proposed development is consistent with the Provincial Policy Statement, 2020. This includes creating a range and mix of housing, including affordable housing to meet the city need; integrating land use and transportation planning (transit-oriented development); accessible (barrier-free) development; and addressing climate change through growth and intensification directed to existing built up areas using existing infrastructure.

The proposed development also conforms with the London Plan requirement for a specific area policy (policy 1730_). The proposal meets other policies of the London Plan, including Key Directions for growth, Primary Transit Area location, Intensification, Urban Regeneration, Affordable Housing, and City Design policies. The proposal is a unique opportunity to address a public interest, facilitating a development for rental housing and affordable housing stock needs. The proposal is compatible with the existing neighbourhood and character, which includes a mix of heights and forms. The proposal provides a transition in height between lower-rise development to the west and high-rise developments to the east and south. Setbacks recommended through the Bonus Zone provide mitigation of new development to adjacent properties.

Intensity and form of development are addressed through regulations in the Bonus Zone, including setback, parking, layout, access points, barrier-free development, and a pedestrian-oriented scale and orientation on the Base Line Road West frontage. The intensification through the Bonus Zone is appropriate and is in return for design elements and provision of affordable housing units, consistent with the facilities, services, and matters of public benefit in section 19.4.4 of the Official Plan.

4.5 Issue and Consideration # 4 – Hazard and Tree Protection

The proposed development is consistent with the Provincial Policy Statement, 2020, and will be required to adhere to Provincial Ministry and Conservation Authority requirements for the protection of natural hazards and species at risk.

The subject site is traversed by the Silver Creek watercourse. Silver Creek and adjacent lands are regulated by the Upper Thames River Conservation Authority (UTRCA) as “hazard lands” per section 3.1 of the Provincial Policy Statement, 2020. The applicant will require a Conservation Authority Act section 28 permit for the proposed development and associated works to occur within the Conservation Authority’s regulated area. During pre-consultation, it was identified that Silver Creek would be enclosed as part of the development proposal. City and UTRCA Staff identified a stormwater approach to address the enclosure of Silver Creek and connections to upstream and downstream portions of the feature. This includes requirements for an External Drainage Brief as part of the complete application, and a scoped Environmental Impact Study required as part of the subsequent Site Plan Application.

The purpose of an EIS is to evaluate the impact of a specific development on lands adjacent to the natural heritage system (London Plan policy 1431_). Therefore this scoped EIS will be conducted concurrent with the Site Plan Application so that the environmental study can coordinate with, and evaluate, the finalized development concept.

The studies required as part of the Site Plan Application satisfy the Provincial Policy Statement requirements for protection and mitigation of natural hazards. The UTRCA participated in consultation with the applicant and City prior to the application being submitted and the approach satisfies the requirements of the UTRCA (see Appendix C for UTRCA comments).

The subject site includes small vegetation patches along the Base Line Road West frontage and in the northeast. These areas include invasive species, such as buckthorn communities, as identified in the Tree Protection Plan. As part of the Tree Protection Plan assessment conducted in summer 2020, a potential butternut tree was identified adjacent to the property line. A butternut is an endangered species (Ontario *Endangered Species Act*). The potential butternut tree was assessed by a Certified Butternut Health Inspector, in accordance with the Butternut Health Assessor’s Field Guide 2015. The assessment concluded that it is a hybrid tree, not the protected species, and therefore does not require any special setbacks or buffers on the subject site.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020, conforms with the City of London 1989 Official Plan, and represents an appropriate land use, intensity and form that is good planning. The recommended amendment conforms with London Plan policies regarding intensification and regeneration, affordable housing, city design, and requirements to add a site-specific policy to the London Plan. The proposal facilitates the development of a vacant site and provides an appropriate form of residential development. The bonus zoning of the subject site ensures the provision of affordable housing and an energy efficient, transit-oriented and accessible development. The bonusing also ensures a high quality building and site design that fits within its context.

The building and site design will be confirmed through a subsequent public site plan application, including public participation opportunity. The subject site is situated in a location where intensification can be accommodated and the proposed development is an appropriate land use, intensity and form in keeping with the surrounding neighbourhood context.

The recommended amendment facilitates development of a site that was acquired by the Housing Development Corporation for the specific municipal purpose of creating new rental housing units and addressing the City's significant need for more affordable housing. The recommended amendments are consistent with the City's Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock). The Housing Stability Action Plan identifies that more than 300 affordable housing units need to be developed each year across the city to meet current and future needs for affordable housing.

The recommended amendment is consistent with the City's commitment to reducing and mitigating climate change. On April 23, 2019, Council declared a Climate Emergency. The amendment encourages intensification and growth at an appropriate location, intensifies and efficiently uses existing urban land and infrastructure and contributes to regeneration of an existing neighbourhood. The amendment also facilitates transit-supportive development.

Prepared by:	Travis Macbeth, MCIP, RPP Planning Policy, City Planning
Submitted by:	Justin Adema, MCIP, RPP Manager, Planning Policy
Recommended by:	Gregg Barrett, AICP Director, City Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

September 11, 2020
TM/tm

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. C.P.- ____ - ____

A by-law to amend The London Plan for
the City of London, 2016 relating to 122
Base Line 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 for
the City of London Planning Area – 2016, as contained in the text attached hereto and
forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection
17(27) of the *Planning Act, R.S.O. 1990, c.P.13.*

PASSED in Open Council on September 29, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 29, 2020
Second Reading – September 29, 2020
Third Reading – September 29, 2020

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To add a policy to the Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London, to permit a low-rise apartment use within the Neighbourhoods Place Type.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 122 Base Line Road West in the City of London.

C. BASIS OF THE AMENDMENT

The amendment is consistent with the Provincial Policy Statement, 2020, conforms with the City of London 1989 Official Plan, and conforms with The London Plan, including but not limited to intensification, regeneration, affordable housing, city design and specific area policies. The proposed development is an appropriate land use, intensity and form, and is in keeping with the land uses of the surrounding area.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

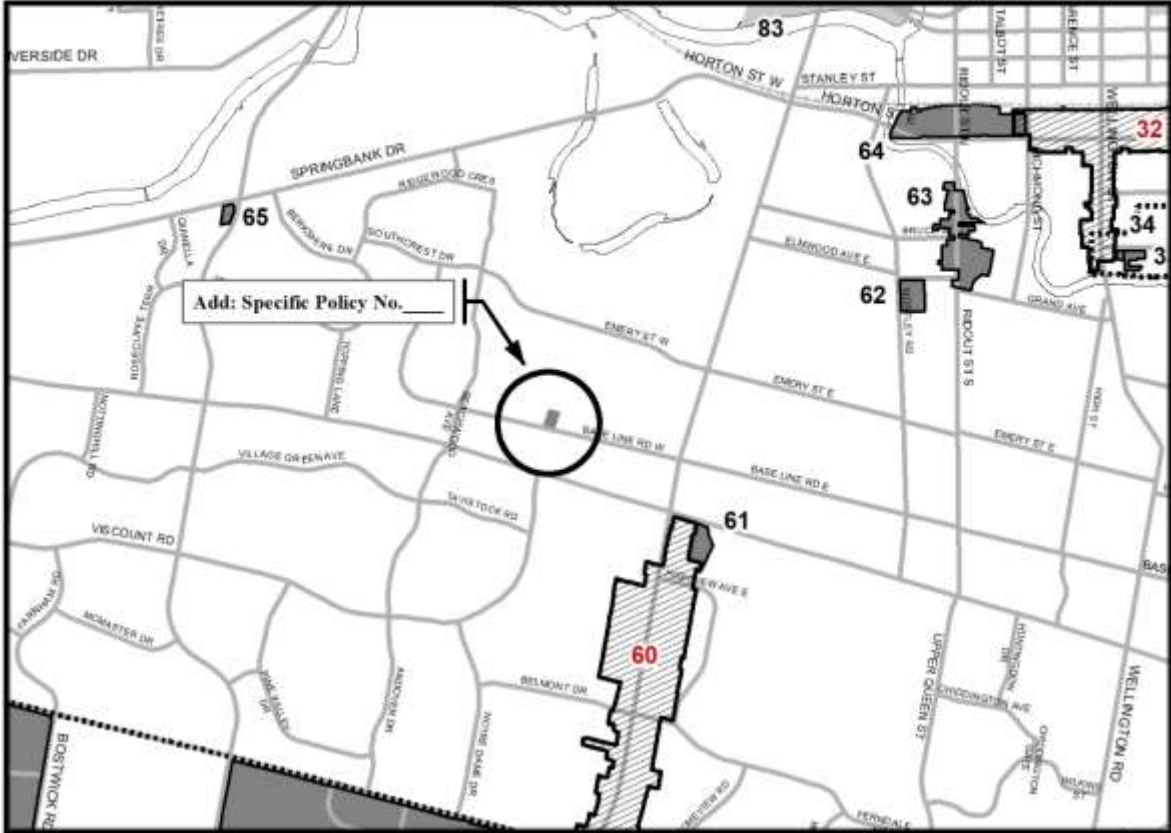
The London Plan is hereby amended as follows:

1. Specific Policies for the Neighbourhood Place Type of The London Plan for the City of London is amended by adding the following:

(_) In the Neighbourhoods Place Type applied to the lands located at 122 Base Line Road West, a low-rise apartment building up to 4 storeys in height may be permitted.
2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 122 Base Line Road West in the City of London, as indicated on “Schedule 1” attached hereto.

SCHEDULE 1

AMENDMENT NO: _____



LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

<p>SCHEDULE # TO THE LONDON PLAN AMENDMENT NO. _____ PREPARED BY: Planning Services</p>	<p>Scale 1:30,000 Meters</p>	<p>FILE NUMBER: OZ-9200 PLANNER: TM TECHNICIAN: MB DATE: 7/28/2020</p>
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Appendix B

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 122
Base Line Road West.

WHEREAS Housing Development Corporation, London, has applied to
rezone an area of land located at 122 Base Line Road West, 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 122 Base Line Road West, as shown on the attached map
comprising part of Key Map No. 107 from a Residential R8 (R8-3) Zone to a Holding
Residential Bonus (h-5*R8-3*B()) Zone.
- 2) Section Number 4.3 of the General Provision in By-law Z.-1 is amended by adding
the following new Bonus Zone:

4.3) B() 122 Base Line Road West

The Bonus Zone shall be implemented through a development agreement to
facilitate the development of a low-rise apartment building with a maximum
height of 4-storeys, 61 dwelling units and density of 100 units per hectare and
provides:

i) Affordable Housing

The provision of a minimum 30% of each unit type (i.e. type by number of
bedrooms) set aside at affordable rent of approximately 70% of Average
Market Rent. Affordable rental units will be established by an agreement
entered into with the Corporation of the City of London, which will secure
those units for a minimum twenty (20) year term.

ii) Design Principles

Implementation of a site development concept, to be implemented through
a future development agreement, which substantially achieves design
principles that include:

1. Building footprint and spatial orientation that: serves to activate the
street, is pedestrian in scale; and, establishes safe, direct and barrier-
free accessible pedestrian connections throughout the Site and from
the Site to the public realm;
2. A principle building entrance that further serves to activate the
streetscape and reinforce the "front facing" built form;
3. A building footprint that mitigates impacts, noting an enhanced rear
yard setback and enhanced interior side yard setback are identified in
the Bonus Zone;
4. A parking area that provides for safe, direct and barrier-free accessible
pedestrian connections; is suitably sized to accommodate projected

- demand; and, is strategically located to minimize impacts on the public realm;
5. An outdoor amenity area that is sufficiently-sized and strategically located to provide for privacy and additional buffering opportunities and plantings, and also serves to mitigate overland flows and other potential stormwater management (SWM) impacts; and
 6. Maintain, to the greatest extent possible, on-site green infrastructure in a manner consistent with the findings of the preliminary Tree Preservation Plan.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a)	Regulations	
	i) Density (Maximum)	100 units per hectare (247 units per acre)
	ii) Parking (Minimum)	61 Parking Spaces
	iii) Bicycle Parking (Minimum)	15 Parking Spaces
	iv) Rear Yard Depth (Minimum)	15.0 metres (49.2 feet)
	v) Interior Side Yard Depth (Minimum)	3.0 metres (9.8 feet) for building walls containing no windows to habitable rooms or 8.0 metres (26.2 feet) minimum for building walls with windows to habitable rooms.

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 September 29, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 29, 2020
Second Reading – September 29, 2020
Third Reading – September 29, 2020

Community Engagement

Prescribed Agency and City Department liaison: On April 30, 2020, Notice of Application was sent to prescribed agencies and City departments.

Public liaison: On May 19, 2020, Notice of Application was sent to 393 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 21, 2020. A “Planning Application” sign was also posted on the site.

7 replies were received

Nature of Liaison: The purpose and effect of the proposed Official Plan and Zoning change is to permit a four-storey (4-storey), 61 unit low-rise apartment building with a minimum of 30% of the residential units set aside as affordable housing units. Possible amendment to the London Plan to add a specific policy to the Neighbourhoods Place Type to add low-rise apartment building as a permitted use at this property. Possible amendment to add the site to London Plan ‘Map 7 – Specific Policy Areas’. Possible amendments to Zoning By-law Z.-1 **FROM** a Residential R8-3 **TO** a Residential R8-3 Special Provision Bonus Zone with a holding provision for future public site plan (h-5*R8-3*B(□) Zone). Amendments requested through the Bonus Zone include permitting a density of 100 units per hectare (61 total units), reducing the east interior side yard to 4.0 metres, reducing vehicle parking requirement to 61 stalls and reducing bicycle parking requirement to 1 bicycle stall per 4 units.

Responses:

Public comments included concern that the parking rate of one per residential unit was too low; that there are a number of seniors and disable persons in the area; concerns for area safety; concern that the area has a lack of accessible public parks and open space; and inquires about applications to become a tenant in the proposed building.

The parking rate proposed through the bonus zone is consistent with parking in other multi-unit developments.

Comments were received regarding concern about safety and that the proposal includes affordable housing. The Zoning By-law does not differentiate between ownership and rental forms of tenure in identifying land use regulations. Tenure is not a land use planning issue. Long-term planning of the city is based on an assessment of appropriate land use, intensity of use, and form.

Comments were received regarding a general lack of accessible park, recreation, and open space within the area. Parks are considered accessible to residents if they are located within an 800 metre “service area”. Within 800 metres of the subject site there is access to:

- Basil Grover Park;
- Odessa Park;
- The Coves Environmentally Significant Area (ESA) – both Euston Meadows and the Southcrest Ravine trail; and
- Southcrest Park and Southcrest Pool.

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

Telephone	Written
Jockline Gibson	Rosemary Mounsey 609-135 Base Line Road West
	Oleg Kodolov 95 Base Line Road West
	Suzanne Pearson 120 Centre Street
	Janette Jones 95 Base Line Road West
	Dan Kazymyrskiy 208-95 Base Line Road West
	Anne Brister 704-80 Huxley Street

From: Mounsey, Rosemary
Sent: Tuesday, May 26, 2020 11:00AM
To: Macbeth, Travis; Turner, Stephen
Subject: 122 Base Line Rd. W.

Hello Travis:

I own a condo at 135 Base Line Rd. W. and received your notice yesterday regarding amending the current zoning.

Base Line Rd. W. starting from Wharncliffe Rd. S. is already a very high density location. While the current zoning for 65 units cannot be disputed, I do question the increase to 100 units.

While I appreciate what the City of London is trying to do....we do not need more density.

My recommendation is to stick to your original zoning..... 65 units are quite enough.

ROSEMARY MOUNSEY

135 Base Line Rd. W. # 609
London, ON

From: Mounsey, Rosemary
Sent: Thursday, May 28, 2020 11:37 AM
To: Macbeth, Travis; Turner, Stephen
Subject: 122 Base Line Rd. W.

Hi Travis:

I now have a clearer picture of the proposal put forward by the City of London. Basically, this lot size is 1.59 Acres or approximately 62% of a hectare. The proposal put forward is to increase the number of units from 40 to 61.

I now have a clearer picture of the proposal.

Interesting that the application details were clear about the 61 units proposed. There was no mention of the 40 unitsjust maximum density for current zoning as 65 units per Hectare. Not sure if this was a slip up or intended to confuse.

Regards, Rosemary Mounsey

From: Mounsey, Rosemary
Sent: Thursday, May 28, 2020 2:55PM
To: Turner, Stephen; Macbeth, Travis
Subject: 122 Base Line Rd. W.

I understand the intent. Thank you
Regarding the increased density to 61 units from 40 units. We don't need more density added to the original zoning

I understand the City is trying to get in as much housing as possible. Drive to Base Line head west from Wharncliffe Rd S
We have enough density already.
The city cannot take care of the properties they currently own. They are completely Run down. Some requiring new roofs and fencing.

You represent this area. You should not be in agreement to this zone change.
As previously stated there are other properties in the area looking for zone changes as well

Every night I have to worry about vandalism around my building and continuous damage to our vehicles.

Consider all this before you vote for more density.

Regards. Rosemary Mounsey

From: Jones, Janette
Sent: Sunday May 31, 2020 4:57 PM
To: Turner, Stephen; Macbeth, Travis
Subject: File OZ-9200

Re: 122 Baseline Road West. My concern about this apartment building is the lack of parking spaces. Most families own 2 vehicles low income or not. Also there is no provision for visitors parking. Traffic from this property would require street parking to facilitate the overflow.

From: Pearson, Suzanne
Sent: Friday June 5, 2020 8:56PM
To: Macbeth, Travis
Subject: file: oz-9200

Mr. Macbeth,

I received the planning application for 122 Baseline Rd East. Currently, I live in the condos at 120 Centre Street. As far as I can tell from the map it will be behind the Top Hat business. This saddens me because they have a couple of horses. Also, if I am correct this is a small wooded area. It seems like soon we can not be called the "Forest City". We tend to cut every tree down for homes.

On Centre Street there is an old abandoned building (maybe a storage unit). It is a total eyesore; can this lot not be considered?

Thank you for listening.

Sincerely,
Suzanne Pearson

From: Kazymyrskiy, Dan
Sent: Monday June 8, 2020 3:49 PM
To: Macbeth, Travis
Subject: Plan Zone 122 Base Line Road West

Hello,

I have received a Notice of Planning Application from you regarding new construction to our Condominium.

I have concerns regarding this new development as our area is designated for many retired and disabled people.

So, if you count my vote- I do not support this construction plan.

Thank you,

Dan Kazymyrskiy

208-95 Baseline Rd.W., London, ON

From: Kodolov, Oleg
Sent: Friday June 26, 2020 12:24 AM
To: Macbeth, Travis; Planning@London.ca; DevelopmentServices@London.ca; DocServices@London.ca
Subject: 122 Baseline Road West – Notice of Planning Application

Dear Travis Macbeth:

I have read with concern you note re. Notice of Planning Application for 122 Base Line Road West (should be spelled Baseline).

Reflecting the opinion of many concerned local residents and property owners like myself (I own a unit at 95 Baseline Road West), I strongly suggest you reject applications from the current or possible future applicants to develop the said territory. The lot allocated for the development should remain a partially wooded lot creating a barrier of environmental green space in the midst of an already excessively developed and congested area.

The lot's development was already proposed earlier, 8 or 9 years ago, and I participated in the local meeting objecting to potential development. As you are undoubtedly aware, the development was eventually abandoned for the same environmental reasons I present in this letter, and the developers have decided to pursue the project elsewhere. Since then, our area on Baseline Road West has only become more congested due to other hi-rise developments on the nearby streets. Save for a very small path in the tiny park next to 95 Baseline Road West, the whole area lacks public recreation space even for a short walk, and the territory proposed for the development will essentially eliminate the last piece of undeveloped greenery in the whole area of hi-rise apartments in this part of the city.

There may be other issues raised as well, such as questions from property owners re. the value of nearby properties as a result of this development, and the increased concentration of 'affordable rent' properties in the area whereas spreading such properties around the city instead of literally squeezing them into an already developed/overdeveloped sections of Baseline Road West is a more desirable policy. It is possible you might have received submissions on these lines. Irrespective of whether these issues are addressed, it is still essential to reject any attempts at developing the 122 Baseline Road West section now and in future due to increased concentration this development creates in an already congested area and due to lack of attention to environmental issues such development implies. Instead, nearby residents need more space and more fresh air, an issue that has become even more essential since the onset of COVID-19 pandemic - excessive housing concentration makes these problems worse. The City of London must declare this piece of land 100% off limits for any future development, and thus reject the amendments to the London Plan. Planning and Environment Committee must issue a negative opinion on this project.

From my discussions, there are serious concerns by owners about this project, and I would not be surprised if under certain circumstances, some of the concerned parties may go as far as pursuing this issue in Local Planning Appeals Tribunal. I very much hope you make a decision to reject any new development in the area entirely before it gets to this stage.

ATTENTION CITY CLERK. I also request to e-mail me or mail me the relevant info on any future developments in this case, including all the changes, public meeting notices and the eventual decision.

Sincerely,

Dr. Oleg Kodolov
unit owner
95 Baseline Road West

From: Brister, Anne
Sent: Wednesday, July 29, 2020 2:53 PM
To: Macbeth, Travis
Subject: File OZ-9200, 122 Base Line Rd West

July 29, 2020

Hello Mr. MacBeth

This property is thickly wooded with numerous mature trees. Why, Why, Why is another beautiful green space going to be destroyed? What about the creatures who already live there. Does the City of London ever consider ecology? We live on a dying planet. Someone estimated that at least 1 trillion trees need to be planted. The City of London is more interested in destroying green spaces. Look at the children, the world they are going to live in will not be pleasant.

Anne Brister

Agency/Departmental Comments

London Hydro – May 1, 2020

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. Note: Transformation lead times are minimum 16 weeks. Contact the 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.

Upper Thames River Conservation Authority – June 8, 2020

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2020)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the *Planning Act*.

PROPOSAL

The applicant is proposing to construct a four-storey, 61 unit apartment building containing a minimum 30% affordable rent units. The proposal is requesting a reduced interior side yard setback, and a reduced parking rate for both vehicles and bicycles. The subject lands are currently zoned "Residential R8 Zone (R8-3)" and this application is requesting a zoning of "h-5*R8-3*B_". Additionally, the subject lands are designated "Multi-Family Medium Density Residential" and "Neighbourhoods" in the City of London Official Plan (1989) and The London Plan (2016), respectively, and a site specific amendment to Policy 961 and Map 7 are being sought to permit the proposed use.

BACKGROUND

Further to our letter provided through the Site Plan Consultation process (SPC18-061, addendum), dated January 20, 2020, the UTRCA has participated in a pre-consultation process with the applicant and their consulting team to establish a set of requirements based on the proposed development concept for an apartment building on the subject lands. Through this process, detailed discussions were undertaken with both City of London and UTRCA staff to develop a stormwater strategy to address the enclosure of Silver Creek and connections to upstream and downstream portions of this feature. These discussions alongside the preparation of an External Drainage Brief have satisfied the UTRCA's requirements at this stage in the planning process.

CONSERVATION AUTHORITIES ACT

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing. This means that the Conservation Authority represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards and ensures that the proposal is consistent with the PPS.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development proposals meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents as well as the policies in the UTRCA's Environmental Planning Policy Manual. (2006) Permit applications must meet the

requirements of Section 28 of the *Conservation Authorities Act* and our policies as set out in our Environmental Planning Policy Manual. This approach ensures that the principle of development is established through the *Planning Act* approval process and that subsequently, the necessary approvals can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

Section 28 Regulations - Ontario Regulation 157/06

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 regulation limit is comprised of:

- A riverine flooding hazard associated with Silver Creek.

Please refer to the attached mapping for the location of the identified feature. It should be noted that where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape is regulated by the UTRCA.

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.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

NATURAL HAZARDS

As indicated, the UTRCA represents the provincial interest in commenting on Planning Act applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority's regulations with respect to site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

2.2.4 Natural Hazard Features

An allowance of 15 metres has been added to the Riverine Hazard Limit for the purpose of maintaining sufficient access for emergencies, maintenance and construction activities. This allowance provides for an extra factor of safety providing protection against unforeseen conditions that may adversely affect the land located adjacent to a natural hazard area.

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands which is consistent with the Provincial Policy (PPS) and is intended to limit the number of owners of hazardous land and thereby reduce the risk of unregulated development etc.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach and uses that may be allowed in the flood plain subject to satisfying the UTRCA's Section 28 permit requirements.

3.2.5 Watercourse Policies

The UTRCA discourages the conversion of open surface watercourses and/or drains to closed drains. It appears that the applicant is proposing to alter Silver Creek.

In considering any proposed channel alterations, the following matters need to be addressed to the satisfaction of the UTRCA:

- Downstream and upstream flooding
- Loss of floodplain
- Flow and velocity
- Adjacent land use
- Biodiversity habitat
- Loss of stream functions
- Loss of groundwater infiltration
- Loss of buffers – corridors and terrestrial habitat
- Increased maintenance and chance of blockage

This information/justification should be included in an scoped Environmental Impact Study.

- Stormwater Management Report;
- Scoped EIS, speaking to the existing features and functions of Silver Creek and how the proposal will result in a net environmental benefit;

DRINKING WATER SOURCE PROTECTION: *Clean Water Act*

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are not** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA and a Section 28 permit application will be required for the proposed development and associated works. The UTRCA has no objections to this application.

Should the Official Plan Amendment and Zoning By-law Amendment applications be approved, the UTRCA would have the following requirements through the Site Plan process:

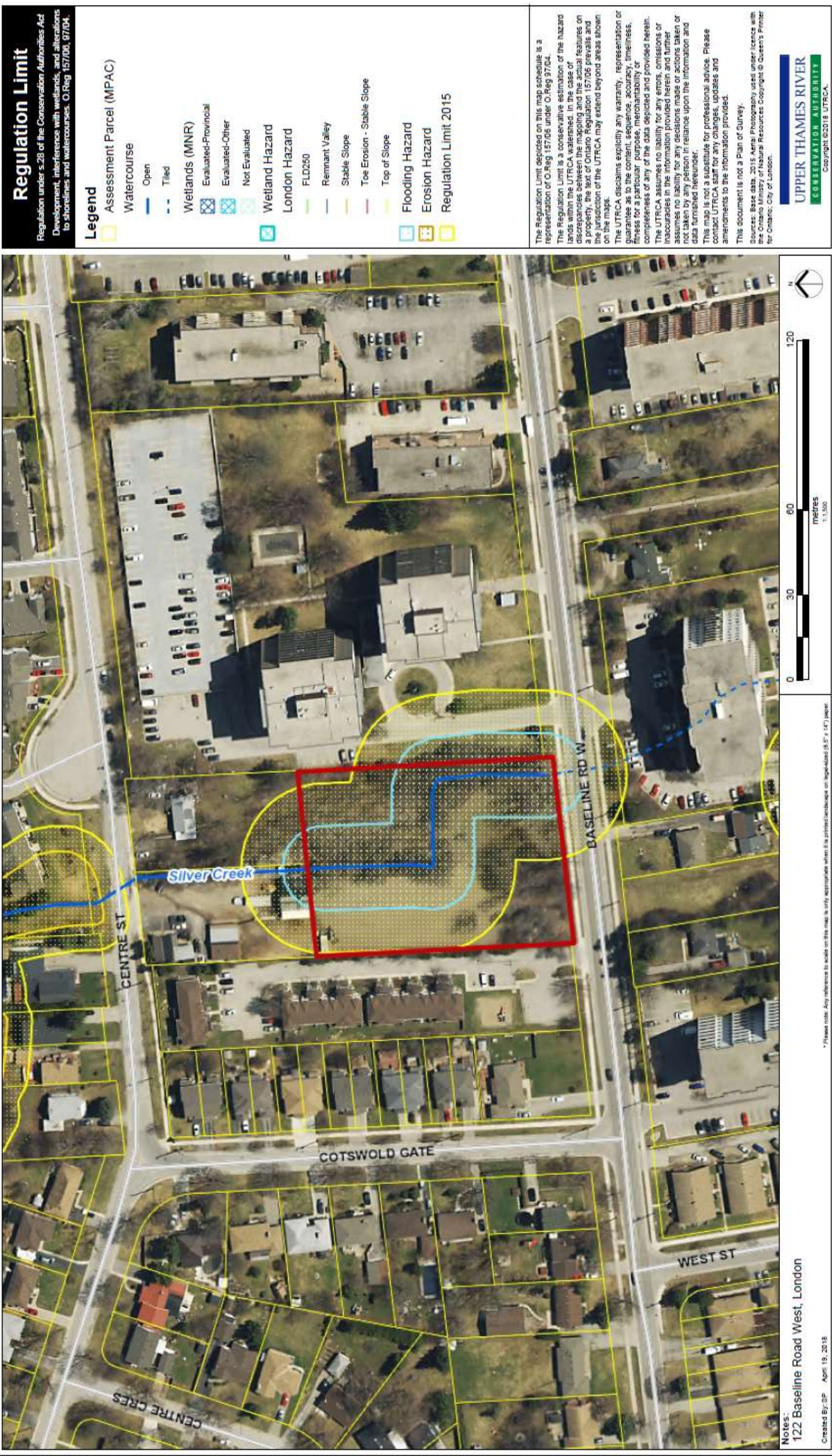
- Stormwater Management Report;
- Scoped EIS, speaking to the existing features and functions of Silver Creek and how the proposal will result in a net environmental benefit;
- Detailed site plan including identification of overland flow route and appropriate setback from this feature (future discussions required);
- Detailed landscape plan (retaining as much existing vegetation as possible);
- Grading plans; and,
- Sediment and erosion control plans.
- Please note that should any revisions to the proposal occur, these requirements are subject to change.

MUNICIPAL PLAN REVIEW FEE

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications and associated technical peer reviews. Our fee for the review of the Official Plan and Zoning By-law Amendment application is \$550.00. These fees will be invoiced to the owner under separate cover.

An additional fee will also be charged for the review of the site plan application and Section 28 permit application upon submission.

Enclosure [to UTRCA comments]: UTRCA Regulation Limit Mapping



Development Services

Urban Design – June 29, 2020

- Urban design staff have no concerns with the proposed site development concept as it generally implements many of the existing urban design related policies of the Official Plan as well as The London Plan.
- As the applicant is seeking to bonus without a fully developed site plan and building elevations they are proposing "Performance Standards" to be followed at time of site plan application. Although this is not a typical approach it is understood that the Housing Development Corporation will be seeking RFP's for the development of this site through a process following the rezoning. In order to provide further certainty to the neighbourhood and the City, the applicant should seek to tailor the zone in relation to its proposed Performance Standards, and only include standards for elements that could not be achieved through a zoning provision. The following is an excerpt from the Planning Justification report, specifically the proposed Performance Standards, followed by comments for each standard:
 - a building footprint, built height and spatial orientation that: serves to activate the street, is pedestrian "in scale"; and, establishes safe, direct and barrier-free accessible pedestrian connections throughout the Site and from the Site to the public realm;
 - *The height of the building should be established within the zoning permissions. The remainder should remain as a performance standard.*
 - a principle building entrance that further serves to activate the streetscape and reinforce the "front facing" built form;
 - *This should remain as a performance standard.*
 - a built form that serves to transition seamlessly and logically into the neighbourhood;
 - *This performance standards should be removed as the ultimate height of the building is established through zoning permissions, that maximum height should be such the future building will achieve this objective.*
 - a building footprint that serves to provide for enhanced rear and side yard setbacks serving to mitigate and contain on-site potential land use impacts;
 - *In order to be able to implement this objective, it should be built into the bonus zone. This can be done by providing rear yard and side yard setbacks that are greater than what is found in the standard zone. In order to implement a similar 'T'-shaped building the zoning for the side yard setbacks could be written to allow for 4.0m (as requested) for portions of the building with non-habitable room windows and a greater setback for portions of the building with habitable room windows.*
 - a parking area that: provides for safe, direct and barrier-free accessible pedestrian connections; is suitably sized to accommodate projected demand; and, is strategically located to minimize impacts on the public realm;
 - *This can remain as a performance standard.*
 - an outdoor amenity area that is not only sufficiently-sized and strategically located to provide for privacy and additional buffering opportunities and plantings, but also serves to mitigate overland flows and other potential SWM impacts;
 - *This can remain as a performance standard.*

- a desire to maintain, where possible, on-site green infrastructure in a manner consistent with the findings of the preliminary Tree Preservation Report; and,
 - *This can remain as a performance standard.*
- a defined snow storage area and temporary outdoor garbage collection pickup point (all screened from the public realm).
 - *This should be removed as a performance standard as these elements are standard elements of site design that will be dealt with through the Site Plan Application process.*
- The finalized performance standards should be included within the Bonus Zone provisions in order to be implementable through the subsequent Site Plan Application process.
- As there are no elevations included with this bonus zone, there will likely be further building design related urban design comments at time of Site Plan Application.

Site Plan (Initial) – June 16, 2020

1. Please verify that trees up to 3m outside of property line were captured in Tree Protection Report
2. Potential butternut setback of 25m is encroached by building footprint and excavation works. Will require assessment by Certified Butternut Health Inspector, DNA testing and report to MNR.
3. Inspect Silver Maples in Baseline road allowance, inspect for health, safety. Accurately record location of a plan to be submitted to Roadside Operations for assessment. Make recommendations on which trees to be remove and which trees are to be retained. Include any methods to lessen impacts of development on trees proposed for retention.

Site Plan (Updated) – July 9, 2020

1. The new report does capture the offsite trees as requested. They are showing on the plan tree protection fencing for these trees at their drip lines.
 2. The building footprint does not enter into the habitat protection. A small arch of pathway comes into the zone but we can address this in Site Plan.
 3. Less trees were identified in the road allowance. I have sent the plan to Roadside. The applicant will need to contact Roadside Operations to remove the three trees from the road allowance.
-

Environmental and Engineering Services Department – June 1, 2020

Transportation:

- Right of way widening dedication of 10.75m from centre line required along Baseline Road West
- Access to comply with AMG and provide for a 10m tangent between curb returns of adjacent driveway located to the west (132 Baseline Road West)
- Detailed comments regarding access design and location will be made through the site plan process

Sewers:

- The Municipal sanitary sewer available is an existing 1050 mm diameter sanitary sewer on Baseline Road West.
- A new 150mm diameter or larger PDC will be required consistent with City of London Standard and design criteria for the proposed use. PDC 200mm in diameter will require that the connection be to the main sewer using a maintenance

hole. In addition, any existing services (PDCs) no longer proposed for use are to be properly abandoned.

Water:

- Water is available for the subject site via the municipal 200mm watermain on Baseline Road West.

Stormwater:

- At the site plan application a comprehensive SWM Report is required addressing any outstanding issues previously identified/discussed through of-line dialogs/consultations with SWED and UTRCA during the preparation of the feasibility report for this site.
- Additional SWM related comments will be provided upon future review of this site.

Parks and Recreation

Parks Planning and Design – May 25, 2020

- Parkland dedication will be calculated at 5% of the total site area and will be taken at the time of site plan approval in the form of a cash-in-lieu payment pursuant to the values in By-law CP-9.
- A tree preservation report and plan shall be completed for the application. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation. The report will also identify the locations for tree preservation fencing to protect existing.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 b, e, f, h, i

1.1.3 Settlement Areas

1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6

1.4 Housing

1.4.1, 1.4.3

1.6.7 Transportation Systems

1.6.7.4

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1

2.0 Wise Use and Management of Resources

2.1

3.0 Protecting Public Health and Safety

3.1, 3.1.1, 3.1.7

1989 Official Plan

3.1.1 General Objectives of all Residential Designations

3.1.3 Multi Family, Medium Density Residential Objectives

3.3.1 Permitted Uses (MFMDR)

3.3.1.vii Residential Intensification (MFMDR)

3.3.2 Location (MFMDR)

3.3.3 Scale of Development (MFMDR)

3.7 Planning Impact Analysis

19.4.3 Holding Zones

19.4.4 Bonus Zoning

The London Plan

Key Directions – 55 to 62

City Structure Plan (Intensification, Primary Transit Area) – 79 to 92, Figure 3

Our City (Urban Regeneration) – 152, 154, 161

City Building (Homelessness Prevention and Housing) – 492 to 524

City Design (Streetscapes) – 221 to 241

City Design (Site Layout) – 252 to 269

Urban Place Types (Neighbourhoods: Vision, Use, Intensity, Form) – 916 to 936

Urban Place Types (Residential Intensification in Neighbourhoods) – 937 to 953

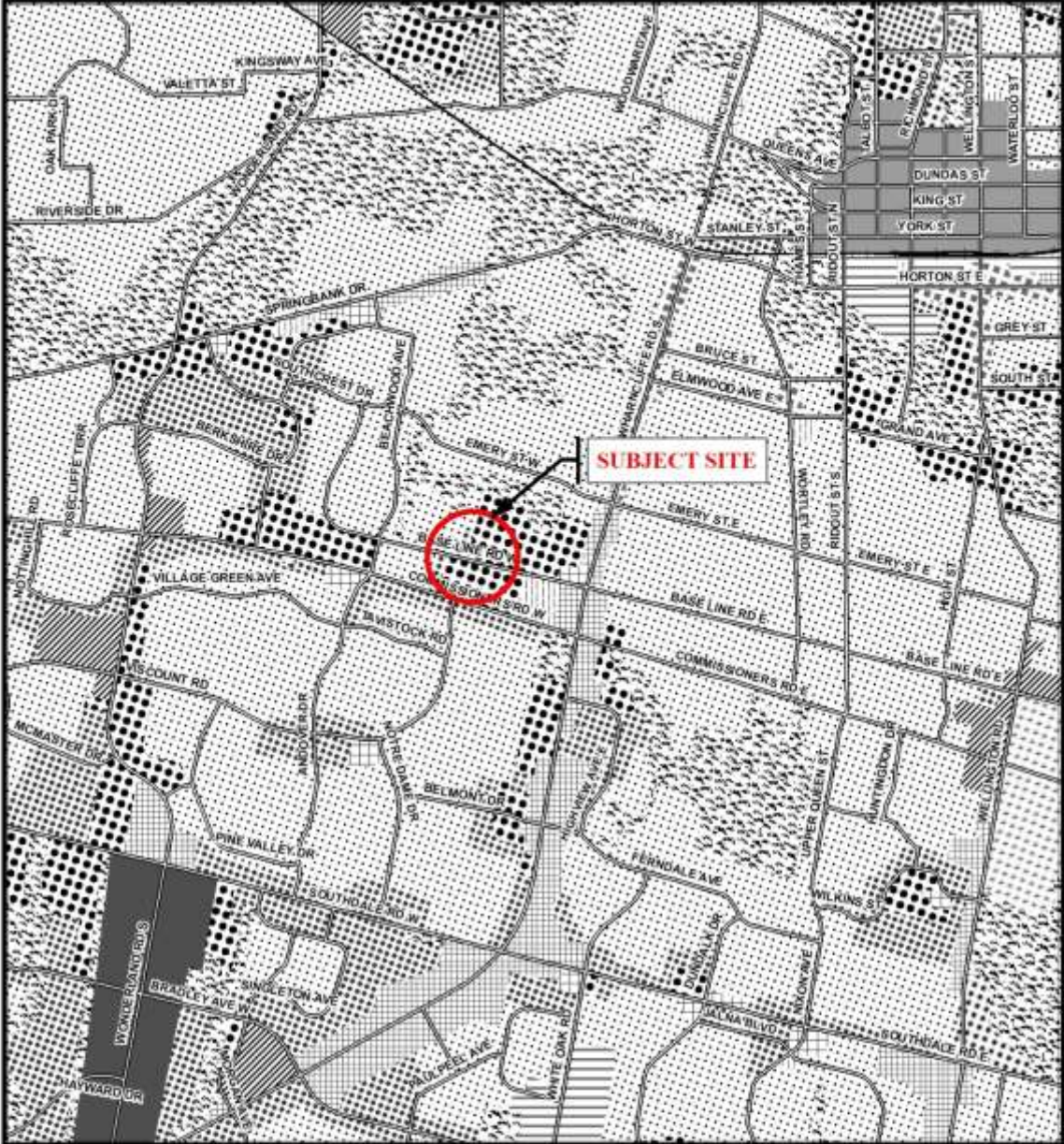
Our Tools (Specific Area Policies) – policies 1729 to 1734

Conservation Authorities Act

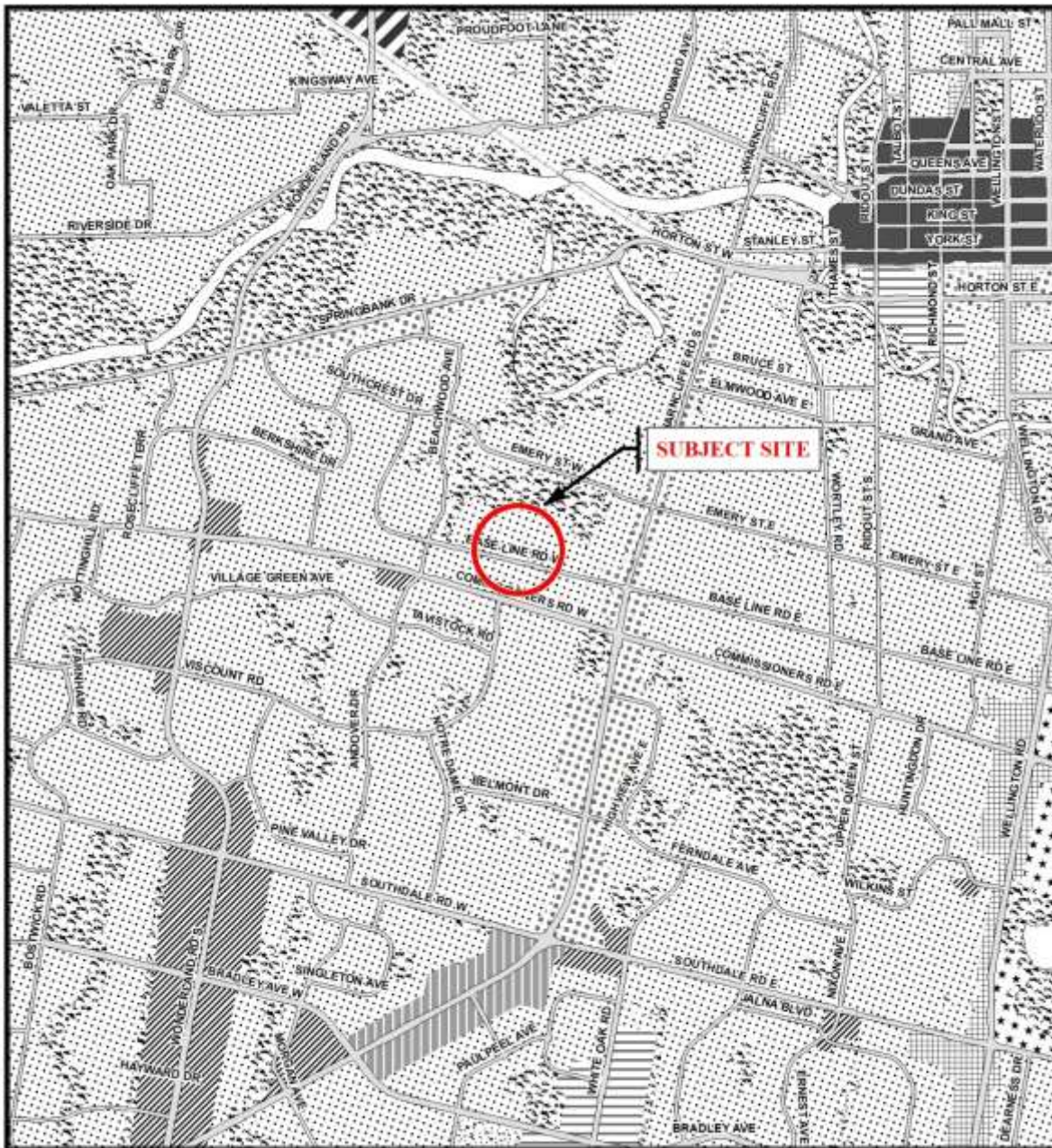
s. 28 Regulations

Appendix D – Relevant Background

Additional Maps



<p>Legend</p> <table border="0"> <tr> <td> Downtown</td> <td> Multi-Family, Medium Density Residential</td> <td> Office Business Park</td> </tr> <tr> <td> Wonderland Road Community Enterprise Corridor</td> <td> Low Density Residential</td> <td> General Industrial</td> </tr> <tr> <td> Enclosed Regional Commercial Node</td> <td> Office Area</td> <td> Light Industrial</td> </tr> <tr> <td> New Format Regional Commercial Node</td> <td> Office/Residential</td> <td> Commercial Industrial</td> </tr> <tr> <td> Community Commercial Node</td> <td> Regional Facility</td> <td> Transitional Industrial</td> </tr> <tr> <td> Neighbourhood Commercial Node</td> <td> Community Facility</td> <td> Rural Settlement</td> </tr> <tr> <td> Main Street Commercial Corridor</td> <td> Open Space</td> <td> Environmental Review</td> </tr> <tr> <td> Auto-Oriented Commercial Corridor</td> <td> Urban Reserve - Community Growth</td> <td> Agriculture</td> </tr> <tr> <td> Multi-Family, High Density Residential</td> <td> Urban Reserve - Industrial Growth</td> <td> Urban Growth Boundary</td> </tr> </table>			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
Downtown	Multi-Family, Medium Density Residential	Office Business Park																											
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<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9200</p> <p>PLANNER: TM</p> <p>TECHNICIAN: MB</p> <p>DATE: 2020/07/28</p>																											



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.

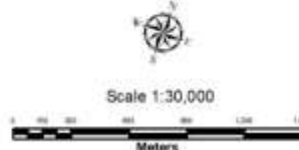
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
 Development Services

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services

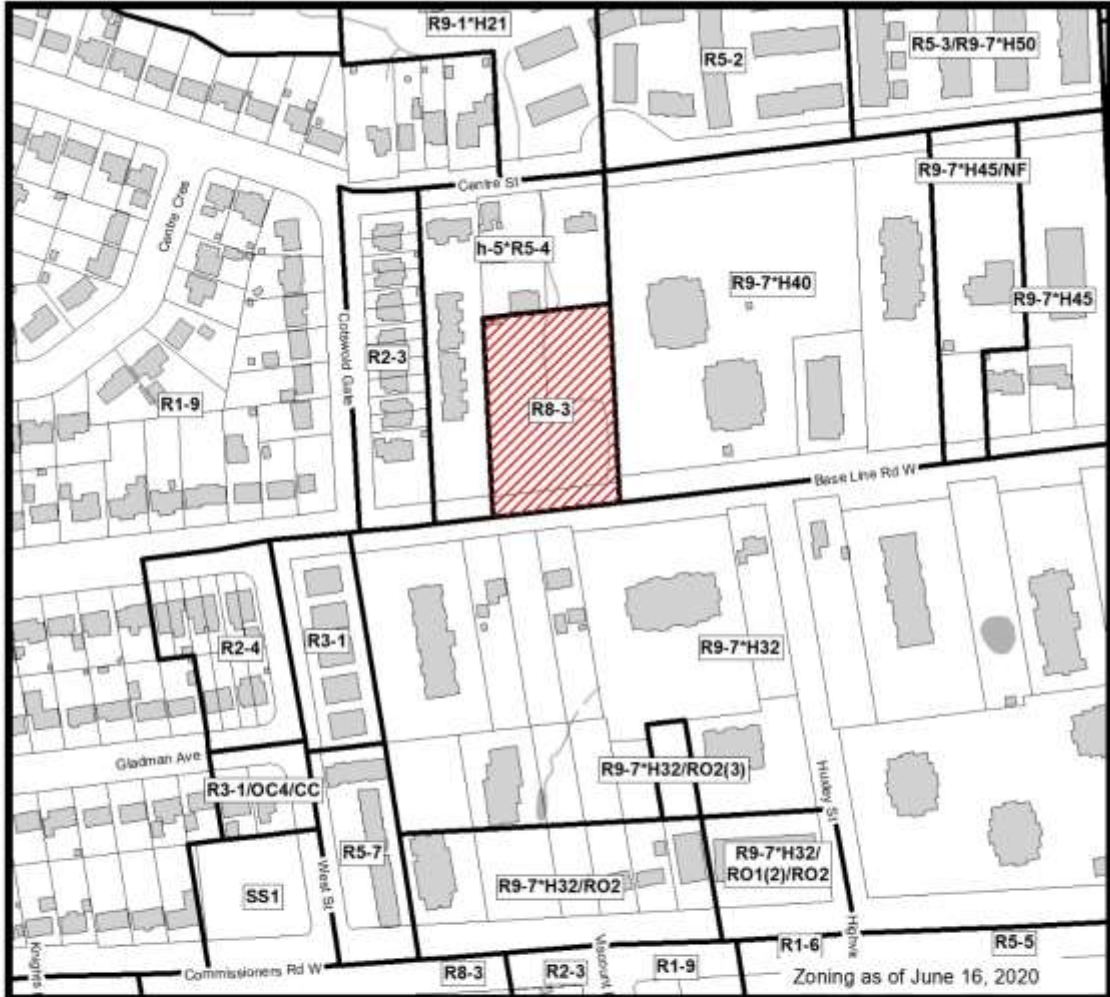


File Number: OZ-9200

Planner: TM

Technician MB

Date: 2020/07/28



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R8-3

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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
 "B" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

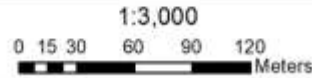
ZONING BY-LAW NO. Z-1 SCHEDULE A

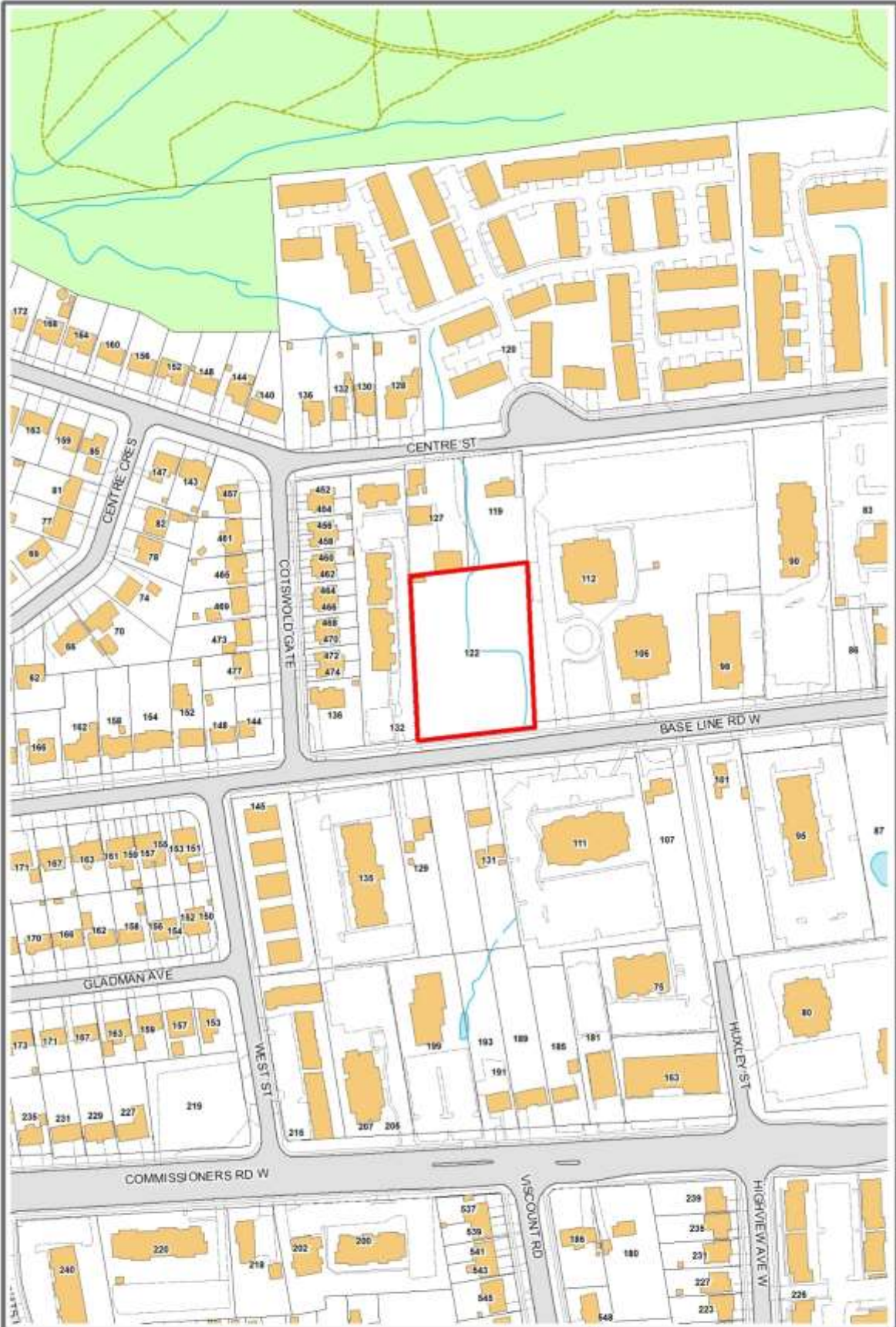


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
 OZ-9200 TM

MAP PREPARED:
 2020/07/28 MB





LOCATION MAP

Subject Site: 122 Base Line Rd W
File Number: OZ-9200
Planner: Travis MacBeth
Date: 28/07/2020

Corporation of the City of London
Prepared By: Planning and Development



Scale 1:2500

Legend

-  Subject Site
-  Buildings
-  Parks
-  Driveways/Parking Lots