

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: 2445727 Ontario Inc. (Phil Pattyn)
16 Wethered Street
Public Participation Meeting

Date: October 03, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 24457277 Ontario Inc. (Phil Pattyn) relating to the property located at 16 Wethered Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2022 to amend Zoning By-law No. Z-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** Residential R1 (R1-6) Zone **TO** a Residential R5-4 Special Provision (R5-4()) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan process:
 - i) If board-on-board fencing will impact the existing trees, infill plantings will be required (damage to trees will require consent of adjacent landowners if they are not owned by 16 Wethered);
 - ii) Provide an alternative site design to allow a minimum of 2 street-oriented units along Wethered Street with the front face and primary entrances being oriented to Wethered Street;
 - iii) The applicant shall provide mirrored driveways for dwelling units fronting Wethered Street;
 - iv) Centrally located amenity space that is safely and comfortably accessible from all units.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site to permit the development of a two-storey, townhouse building, containing 8 units which is equivalent to 40 units per hectare.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to rezone the subject site to a Residential R5 Special Provision (R5-4()) Zone providing for townhouses that will permit the development. The following special provision would facilitate the development: permitted townhouse dwelling use, a minimum front yard setback of 5.0 metres whereas a 6.0 metre front yard setback is required, a maximum height of 10.5 metres and a minimum of 2 street-oriented units shall be required along Wethered Street with the front face and primary entrances being oriented to Wethered Street.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and

land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;

2. The recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Low-Density Residential Designation and Near-Campus Neighbourhoods;
3. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and Near-Campus Neighbourhoods
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and Primary Transit Area with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

In November 2021, the applicant, 2445727 Ontario Inc. (Phil Pattyn), submitted a zoning application to rezone the subject site to a Residential R5 Special Provision (R5-4(_)) Zone to facilitate the development of a 2-storey, 8-unit townhouse building. At the May 31st, 2021, Planning and Environmental Committee Public Meeting, the decision was made to defer the application and direct Civic Administration to review the proposal within the context of the Near Campus Neighbourhood Polices, as they relate to residential intensification, focusing on lots that front onto neighbourhood streets, but are immediately adjacent to rapid transit place types or urban corridor place types.

1.2 Planning History

After decades of planning policies that reacted to land use matters and applied policies on a site-specific basis in Near-Campus Neighbourhoods, Council directed Staff to undertake a comprehensive planning approach that *proactively* addressed residential intensification opportunities in these Near-Campus Neighbourhoods. This resulted in an initiative called “Closing the Gap: New Partnerships for Great Neighbourhoods Surrounding our University and Colleges.” This initiative was presented to the Planning Committee in February 2007 and highlighted the gaps between the vision for the Near-Campus Neighbourhoods and the state of affairs at that time. In November 2008, the results of these consultations were presented to the Planning Committee in the form of the Great Near-Campus Neighbourhoods Strategy and Implementation Plan, both of which were approved to address Near-Campus planning issues. The Great Near-Campus Neighbourhoods Strategy has been in effect since 2008, with Official Plan policies and Zoning regulations being in effect as of 2012.

In 2016 a review of the NCN was undertaken to determine whether the strategy is having

the desired effect and whether any changes are required to close the gaps between the vision and current conditions in the Great Near-Campus Neighbourhoods. As a result of that review the NCN boundary was redrawn and minor amendments were made in the existing policies.

1.3 Property Description

The subject site consists of one property located on the east side of Wethered Street, north of Oxford Street East. The subject site is approximately 0.2 hectares in size with a lot frontage of approximately 30m and yard depth of approximately 66m. Currently a single detached dwelling exists on the subject site.



Figure 1: 16 Wethered Street, facing west (Google Image, October 2020)

1.4 Current Planning Information

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type fronting a Neighbourhood Street (Wethered Street)
- Special Area Policy- Near Campus Neighbourhood Area
- Existing Zoning – Residential R1 (R1-6) Zone

1.5 Site Characteristics

- Current Land Use – Single Detached Dwelling
- Frontage – 30 metres
- Depth – 66 metres
- Area – 0.2 hectares
- Shape – Rectangular

1.6 Surrounding Land Uses

- North – Low Density Residential
- East – Low Density Residential
- South – Low Density Residential/ multi-unit commercial plaza
- West –Low Density Residential

1.8 Intensification

The 8 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing a new, two (2)-storey, eight (8) unit townhouse building development, which is expected to yield 40 units per hectare (UPH). The building is positioned at 5.0 metres from the front lot line; 6.0 metres from the northernly lot line; 6.6 metres from the rear lot line; and 12.8 metres from the southernly lot line.

The applicant has submitted a site plan where the townhouse building is to be located on the north side of the subject site, with the rear or each townhouse unit interfacing with the side and rear yards of the abutting properties to the north and east. Vehicular access is provided by a two-way, full turns driveway extending along the south side of the property, providing access to each individual driveway, which leads to each unit. A total of two (2) parking spaces are provided for each unit: one (1) parking space in each attached garage and one (1) parking space in each individual driveway.

After the application was deferred for further review, the applicant made changes to the design of the proposal. The change related specifically to the elevations of the eight (8)-unit building in a effort to reflect the visual appearance of a single detached dwelling along the street and help blend the development into the neighbourhood. The notable changes to the elevations include greater portion of fenestration on all elevations; addition of more articulation features, including additional gables and parapets; a front door facing Wethered Street for the westerly townhouse unit, with a wide front porch and canopy and a greater variety of orientation of cladding materials. The site concept plan is shown in Figure 2, and a series of building renderings are shown in Figure 3 through 7. For comparison purposes, the original and revised street-facing elevations are shown in Figures 3 and 4.

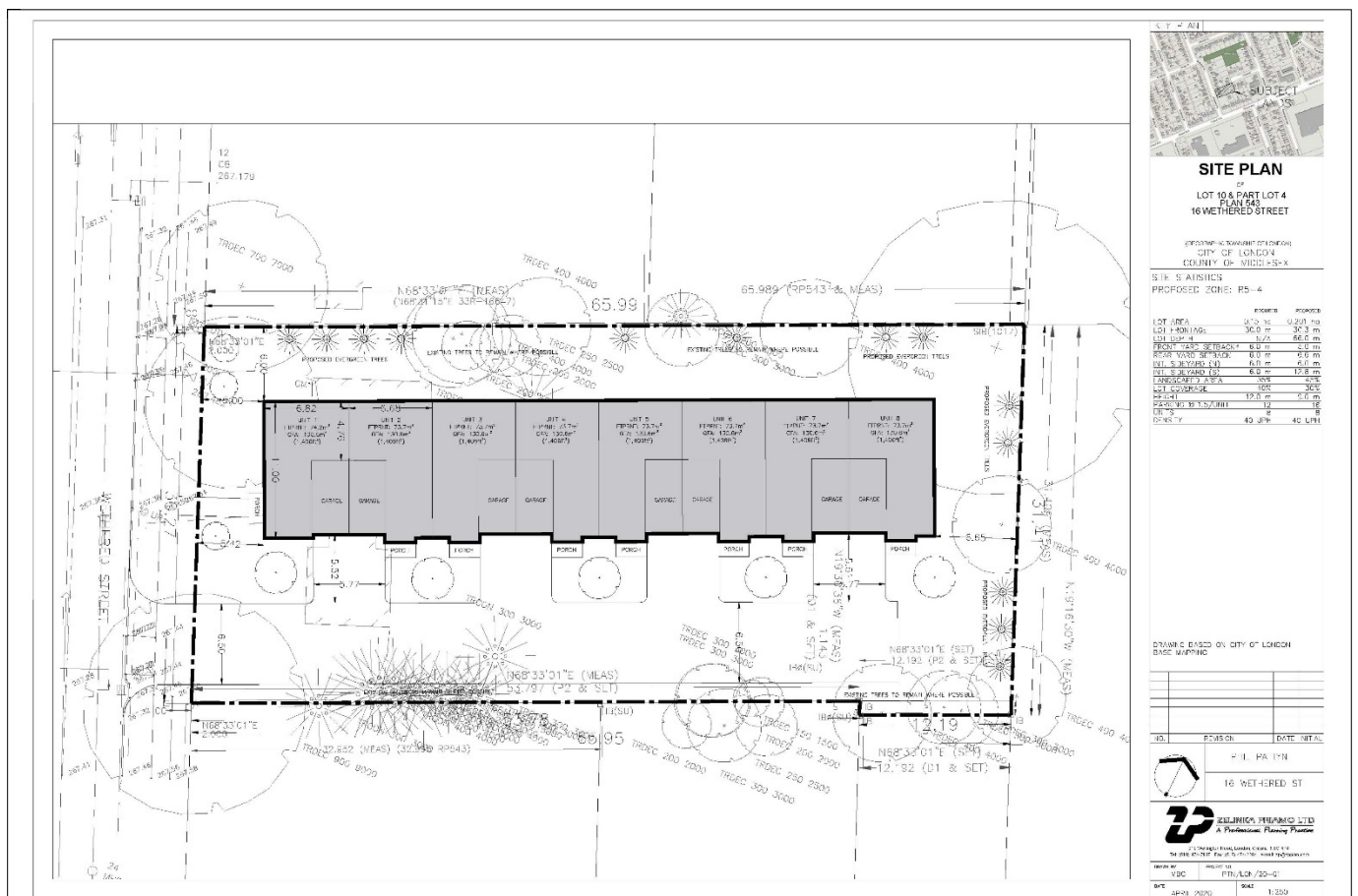




Figure 3: Original Wethered Street Elevations



Figure 4: Revised Wethered Street Elevations



Figure 5: Building Elevations



Figure 6: Rendering; View from Wethered Street looking Northeast



Figure 7: Rendering; View from Wethered Street looking Southeast

2.2 Requested Amendment

The applicant is requesting a Residential Special Provision (R5-4(_)) Zone, which permits cluster townhouse dwellings and cluster stacked townhouse dwellings with a maximum of 40 units per hectare. Special provisions are being requested for:

- a minimum front yard setback of 5.0 metres in place of 6.0 metres

2.3 Community Engagement (see more detail in Appendix B)

Members of the public were given an opportunity to provide comments on this application in response to the notice of application given on February 10, 2021. Written and verbal replies were received from fifteen individuals.

The public's concerns generally included:

- Intensity
- Form
- Student Housing
- Loss of property value

Members of the public were given another opportunity to provide comments on this application in response to the notice of revised application give on June 30, 2022. Written responses were received from 2 members of the public.

The public's concerns generally included:

- Loss of privacy
- Noise

A petition of support was submitted by the applicant with 15 household signatures.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents of the regional market area (1.4.1).

The London Plan

The London Plan is the new Official Plan for the City of London. On May 25th, 2022, an Ontario Land Tribunal decision resolved all remaining policy appeals within The London Plan, effectively bringing The London Plan into full force and effect. Any applications in process prior to the May 25th date should continue uninterrupted as per the “clergy principle” (the policies that were in force at the time the application was received will continue to direct that application). Both the 1989 Official Plan and The London Plan policies will be considered as part of this analysis.

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

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

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 2, 4 and 5).

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

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Neighbourhoods Place Type fronting on a Neighbourhood Street (Wethered Street), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise

residential uses, such as single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 1 storey, and the maximum permitted height is 3 storeys (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The subject site is located within the Near-Campus Neighbourhood Area, in proximity to Fanshawe College, as identified on Map 7- Specific Policy Areas of The London Plan. Policy 964_ of The London plan, states the Goal for Near-Campus Neighbourhoods will be planned to enhance their livability, diversity, culture, sense of place and quality of housing options for all residents.

The subject site is also within the Primary Transit Area which will be a focus of residential intensification and transit investment within London. The nature and scale of intensification will vary depending on the Place Type within the Primary Transit Area and will be a good fit within existing neighbourhoods (90_). Directing infill and intensification to this area is a major part of this Plan's strategy to manage growth in the city as a whole and to target 45% of all future residential growth in the Built-Area Boundary (91_).

1989 Official Plan

The subject site is designated Low Density Residential in accordance with Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single detached, semi-detached and duplex dwellings. Residential intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments, subject to specific criteria (3.2). The 1989 Official Plan identifies the subject site as being within the Near-Campus Neighbourhoods. The land use planning goals for Near-Campus Neighbourhoods encourage appropriate intensification to create balanced neighbourhoods that preserve stable low density residential neighbourhoods (3.5.19.4).

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Provincial Policy Statement, 2020 (PPS)

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes 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 (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Consistent with the PPS, the recommended 8-unit townhouse development will contribute to the existing range and mix of housing types in this area. Further, this development will provide choice and diversity in housing options for both current and future residents. No new roads or public infrastructure are required to service the site, making efficient use of land and existence services. The recommended amendment facilitates the development of an underutilized site within a settlement area. In conformity of the PPS, the increased intensity of development on the site will make use of existing transit services, nearby recreational opportunities, institutional uses, shopping and entertainment service uses.

4.2 Issue and Consideration #2: Use

The London Plan

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix of unit types and should avoid the broad segregation of different housing types, intensities and forms. The development of a two (2)-storey, 8-unit townhouse development would contribute to a mix of housing types available in the area.

The subject site is in the Neighbourhoods Place Type of the London Plan fronting a Neighbourhood Street. Table 10 - Range of Permitted uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed based on the fronting street classification (921). At this location, Table 10 would permit a range of residential uses including single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10-Range of Permitted Uses in Neighbourhoods Place Type).

1989 Official Plan

The subject property is designated Low Density Residential in the 1989 Official Plan. This designation contemplates primarily single detached, semi-detached and duplex dwellings. Residential intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments. Zoning will ensure that infill housing recognizes the scale and character of the adjacent land uses and reflects the character of the area.

Analysis:

The recommended townhouse development will contribute to the existing range and mix of housing types in the area, which consists of one (1) to two (2)-storey single detached dwellings to the north, east and west. The abutting lands to the south contain duplex and triplex dwellings and are within the Urban Corridor Place type which permits mixed-use buildings with a policy context which could support maximum heights of up to eight (8)-storeys.

The townhouse use is permitted within the 1989 Official Plan and The London Plan and provides an appropriate land use to help buffer the abutting Urban Corridor to the internal neighbourhood. The development can be appropriately accommodated on the subject site, allows for an appropriate intensification and development, and increases the diversity of housing types within the neighbourhood.

The R5-4 zone also permits stacked townhouses which is not a permitted use in The London Plan on a neighbourhood street. As such staff is recommending removing stacked townhouses as a permitted use on the subject site.

4.3 Issue and Consideration #3: Intensity

The London Plan

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (83_, 937_, 939_ 5. and 6., and 953_ 1. and 2.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_). The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. Prior to The London Plan appeal being finalized, a minimum height of 1 storey and a maximum height of 2.5 storeys is contemplated within the Neighbourhoods Place Type where a property has frontage on a Neighbourhood Street (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). Post May 25th, 2022 when The London Plan appeals were finalized, a minimum height of 1 storey and a maximum height of 3 storeys is contemplated. (Table 11- Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953_3.). The London Plan encourages intensification within existing neighbourhoods to help support aging in place, diversity of built form, affordability, vibrancy and the effective use of land in neighbourhoods (59_5).

1989 Official Plan

Development within the Low Density Residential designation shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. While residential densities are generally limited to 30 units per hectare, the Plan also provides for residential intensification through the development of vacant and/or underutilized lots within previously developed areas (3.2.1. and 3.2.3). Residential intensification can be permitted up to 75 units per hectare, if appropriate (3.2.3.3.). Zoning By-law amendments will ensure that infill development recognizes the scale of adjacent land uses and reflects the character of the area.

Analysis:

Through both the 1989 Official Plan and the London Plan, intensification is supported, where appropriate, if it can be demonstrated that the development is sensitive to, and a good fit within, the existing neighbourhood. The proposal will redevelop an underutilized lot at an appropriate location. The requested height of two (2)-storeys and density of 40 units per hectare is in keeping with the policies of the 1989 Official Plan and The London Plan. The height is considered appropriate for this location and Staff are satisfied that the subject lands are of a size accommodating a more intensive redevelopment.

Additionally, the subject site is located within 400 metres of a broad range of commercial, retail, open space and institutional uses. The notable features within this 400-metre radius include Krupp Park, Flanders Park, Oxbury Centre Commercial Plaza, Mornington Park and Blessed Sacrament Catholic Elementary School. The increased intensity of development on the site will make use of existing transit and public services in the area. In particular, the site is within 500 metres to the future Bus Rapid Transit at Highbury and Oxford which connects to Fanshawe College and downtown.

4.4 Issue and Consideration #4: Form

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of site layout, access points, driveways, landscaping, amenity areas, building location and parking, building and main entrance

orientation, building line and setback from the street, height transitions with adjacent development, and massing (953_ 2.a. to f.). City Design policies further encourage/require design details, such as principal building entrances along the public right-of-way (291_), the inclusion of outdoor amenity spaces (295_), and reduction in parking in areas with transit (271_). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

1989 Official Plan

Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. Infill projects are subject to the preparation of a Neighbourhood Character Statement assessing the physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment (3.2.3.3.). They are also subject to a Statement of Compatibility to demonstrate that the project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (3.2.3.4.). Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii).

Analysis:

The changes which the applicant implemented include a greater portion of fenestration on all elevations, addition of more articulation features, including additional gables and parapets, a front door facing Wethered Street for the westerly townhouse unit, with a front porch and canopy, a greater variety and orientation of cladding materials. The revisited elevations more closely resemble a single detached dwelling façade that will further enhance the Wethered Street streetscape.

Planning and Development Staff acknowledge the efforts made by the applicant to adjust the form of development to make it a better fit within the neighbourhood however, Staff are not satisfied that the revised elevations provide a significant change which help the development achieve an appropriate level of compatibility within the neighbourhood. Staff is not supportive of the proposed site layout and is recommending an alternative layout. Staff's recommendation will ensure the future development of the lands will provide a site layout that provides street-oriented development which maintains and reinforces the prevailing street wall of existing buildings and provides a built form that is in keeping with and compatible within the surrounding context. Staff are recommending that any future development provide a minimum of 2 units parallel to and facing Wethered Street with a unit layout that supports and fits within the existing height and massing of the neighbourhood (256_). An additional townhouse block can be located at the rear of the property with individual driveways for each unit. Further, Staff are recommending that any surface parking be buffered from the street by the building with the driveway located closer to the south property line. This would be a preferable layout if the properties to the south redevelop to a higher built form (272_). Lastly, a centrally located amenity space that is safely and comfortably accessible from all units should be provided (295_). An example of the site concept staff is seeking to achieve for the subject site is shown in Figure 8. The site design and layout will be confirmed through a subsequent site plan application process and will be subject to Site Plan Control (1674_).

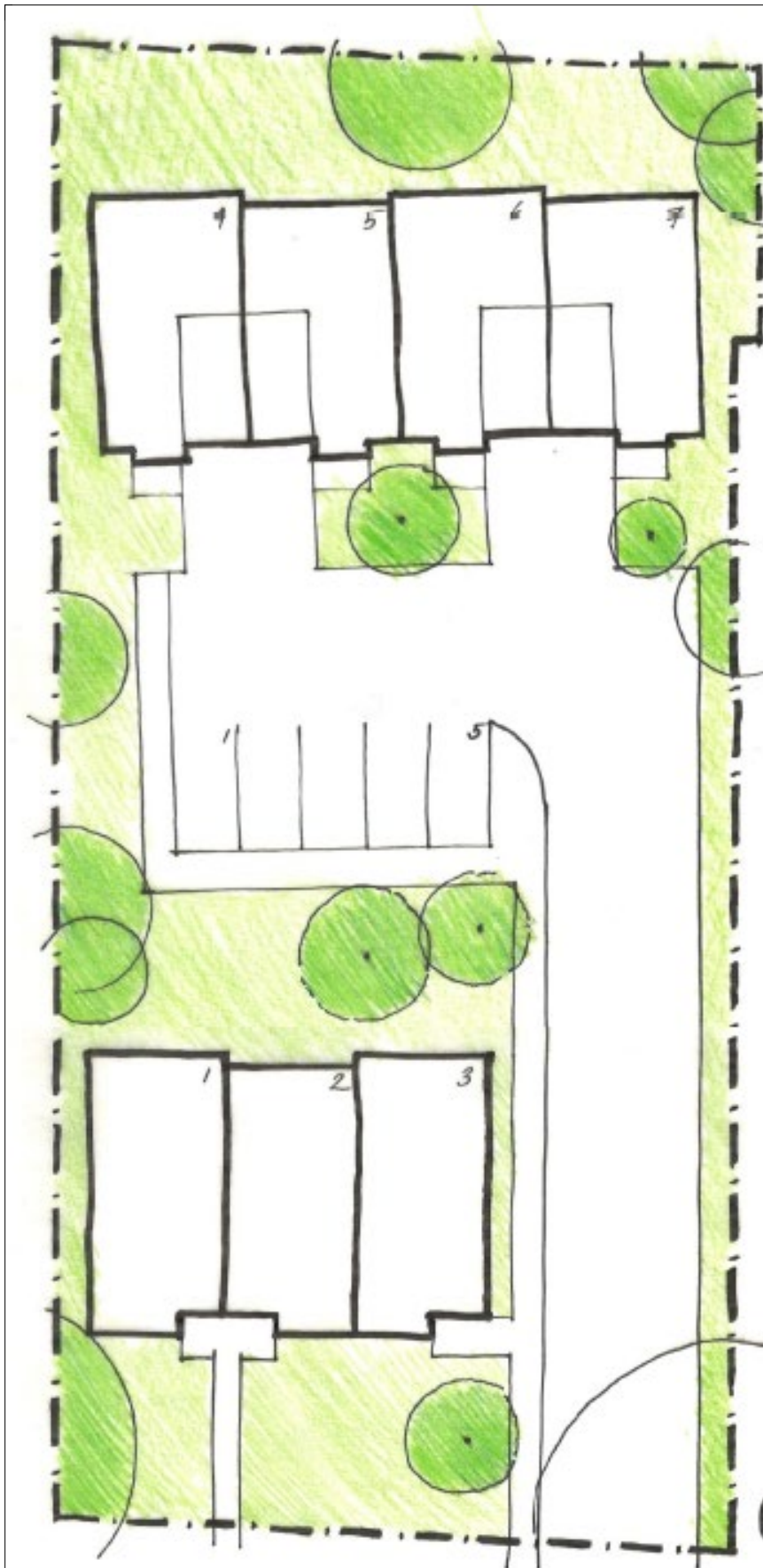


Figure 8: Alternative Site Layout for Discussion Purposes

4.5 Issues and Consideration #5: Near Campus Neighbourhood Policy

Near-Campus Neighbourhoods are identified as extremely valuable city neighbourhoods that will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all (963_ and 964_ ; 3.5.19.3). The policies of The London Plan and 1989 Official Plan establish a number of planning goals in an effort to support this vision for these neighbourhoods (965_ ; 3.5.19.4.). These goals are intended to serve as an additional evaluative framework for all planning applications within Near-Campus Neighbourhoods, and include:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;

- Identifying strategic locations where residential intensification is appropriate within Near-Campus Neighbourhoods and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;
- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas and recognizing areas that have already absorbed significant amounts of intensification;
- Encourage appropriate forms of intensification that support the vision for Near-Campus Neighbourhoods and encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior of neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties.
- Encourage affordable housing opportunities; and,
- Ensure intensification is located and designed to respect the residential amenity of nearby properties.

In Near-Campus Neighbourhoods, residential intensification or an increase in residential intensity may be permitted in the Neighbourhoods Place where the following criteria is met (968_; 3.5.19.9):

- The development is consistent with Tables 10 to 12 in the Neighbourhoods Place Type;
- The development provides for adequate amenity area;
- Mitigation measures are incorporated which ensure surrounding residential land uses are not negatively impacted;
- The proposal does not represent a site-specific amendment for a lot that is not unique within its context and does not have any special attributes;
- The proposal is appropriate in size and scale and does not represent over-intensification of the site; and
- The proposal establishes a positive and appropriate example for similar locations in the Near-Campus Neighbourhoods areas.

Policy 969_ of The London Plan and Policy 3.5.19.5 of the 1989 Official Plan further discourage forms of intensification within Near-Campus Neighbourhoods that:

- Are inconsistent with uses and intensity shown in Tables 10 to 12 of The London Plan;
- Are within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity;
- Require multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
- Are located on inadequately sized lots that do not reasonably accommodate the use, intensity or form of the use;
- Contain built forms that are not consistent in scale and character with the neighbourhood;
- Continue an ad-hoc and incremental trend towards residential intensification within a given street, block or neighbourhood

In general, Residential Intensification is contemplated in Near Campus Neighbourhoods where the site can function and accommodate the site requirements related to servicing, parking, grading and the retention of significant vegetation for the development, is appropriate within the context of the neighbourhood and adheres to the policies set forth in both the London Plan and 1989 Official Plan. Staff are satisfied that the recommendation will provide an appropriate form of residential intensification within a Near Campus Neighbourhood Area. Given the site's location on the periphery of a low

density neighbourhood and in the proximity to the Urban Corridor Place Type, the proposal is considered an appropriate location and form of intensification to provide a transition from future higher intensity development along Oxford Street East to the existing low density residential neighbourhood.

The development is consistent with range of uses and heights shown in Tables 10 to 12 in the Neighbourhood Place Type. The 2-storey townhouse is an appropriate form of intensification. The site is appropriately sized to accommodate the intensification, providing for all the necessary functions, including amenity space, parking, landscaped areas and privacy. Further, in evaluating the policies set forth in both Official Plans pertaining to intensification in Near-Campus Neighbourhoods, the proposal is in conformity given the following:

- The Neighbourhood has been subject to limited amounts of residential intensification and the subject lands are well suited for redevelopment;
- The development encourages a balanced streetscape;
- The development is appropriate for the subject lands;
- The subject site is sufficiently sized to support the use;
- The proposal maintains the intent of the Zoning By-law;
- The proposal provides sufficient on-site amenity areas and parking;
- The building is an appropriate scale and character within the context of existing and future development within the neighbourhood

4.6 Issues and Consideration #6: Lots Fronting Neighbourhood streets but are immediately adjacent to rapid transit place types or urban corridor place types.

As directed by the Planning and Environment Committee, proposal has been evaluated in the context of fronting a Neighbourhood Street but immediately adjacent to Rapid Transit Place Types or Urban Corridor Place Types. The subject site is approximately 60 metres from Oxford Street to the South, classified as an Urban Thoroughfare in Map 1, and is directly abutting the Urban Corridor Place Type.

Within the Urban Corridor Place Type, there is support for the development of a variety of residential types, with varying size, affordability, tenure and design that a broad range of housing requirements are satisfied (837.1) Urban Corridors will be places that encourage intensification over the course of The London Plan so that they can mature to support higher-order transit in the future (828_). Further, within intensification will be carefully managed through the interface between corridors and the adjacent lands within less intense neighbourhoods (830.6) Given the planned function of Oxford Street East for more intense mixed-use development, the development is an appropriate example for appropriate intensification in a location that can provide a transition between high-and low-intensity uses.

Within the Urban Corridor Place Type, buildings have a standard maximum height of six (6) storeys and are to be sensitive to adjacent land uses and employ such methods as transitioning buildings heights or providing sufficient buffers to ensure compatibility (840.1). The townhouse building is to be two (2)-storeys and below the maximum height permitted in the Urban Corridor Place Type. The surrounding dwellings are generally one (1) to two (2) storeys which is a compatible building height to the neighbouring low density residential uses. Further, adequate setbacks are provided to ensure compatibility with surrounding land uses. In addition to the setbacks, there is also adequate space available to increase privacy through screening and buffering, to minimize the loss of privacy for adjacent properties. Through the Site Plan approval process, the proposal will ensure that privacy is achieved through the provision of board on board fencing, the use of landscaping and planting to enhance screening and buffering, and maximize privacy between neighbours. Staff are satisfied that the intent of the Urban Corridor Place Type policies have been achieved.

4.7 Issue and Consideration #7: Zoning

The stacked townhouse building requires special provisions to facilitate the development. The following is an analysis of the request and staff's response:

- *A minimum front yard depth of 5.0 metre, whereas 6.0 metres is required* - The reduced front yard depth reflects current urban design standards in The London Plan, which encourages buildings to be positioned with minimal setbacks to public rights-of way to create a street wall/edge that provides a sense of enclosure within the public realm (259_). Additionally, the reduced front yard setback is appropriate for the site as it helps to activate the streetscape. Staff has no concerns with this proposed setback.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Near-Campus Neighbourhood Area Policies. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

Prepared by: Olga Alchits
Planner I, Planning Implementation

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

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 16 Wethered Street.

WHEREAS 24457277 Ontario Inc.has applied to rezone an area of land located at 16 Wethered Street, 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 16 Wethered Street, as shown on the attached map comprising part of Key Map No. A103, from a Residential R1 (R1-6) Zone **TO** a Residential R5 Special Provision (R5-4(_)) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-4) Zone is amended by adding the following Special Provision:
 -) R5-4(_) 16 Wethered Street
 - a) Permitted Use
 - i) Townhouse Dwelling
 - b) Regulations
 - i) Front Yard Depth 5.0 metres (16.4 feet)
(Minimum)
 - ii) Height 10.5 metres (34.4 feet)
(Maximum)
 - iii) A minimum of 2 street-oriented units shall be required along Wethered Street with the front face and primary entrances being oriented to Wethered Street.

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.

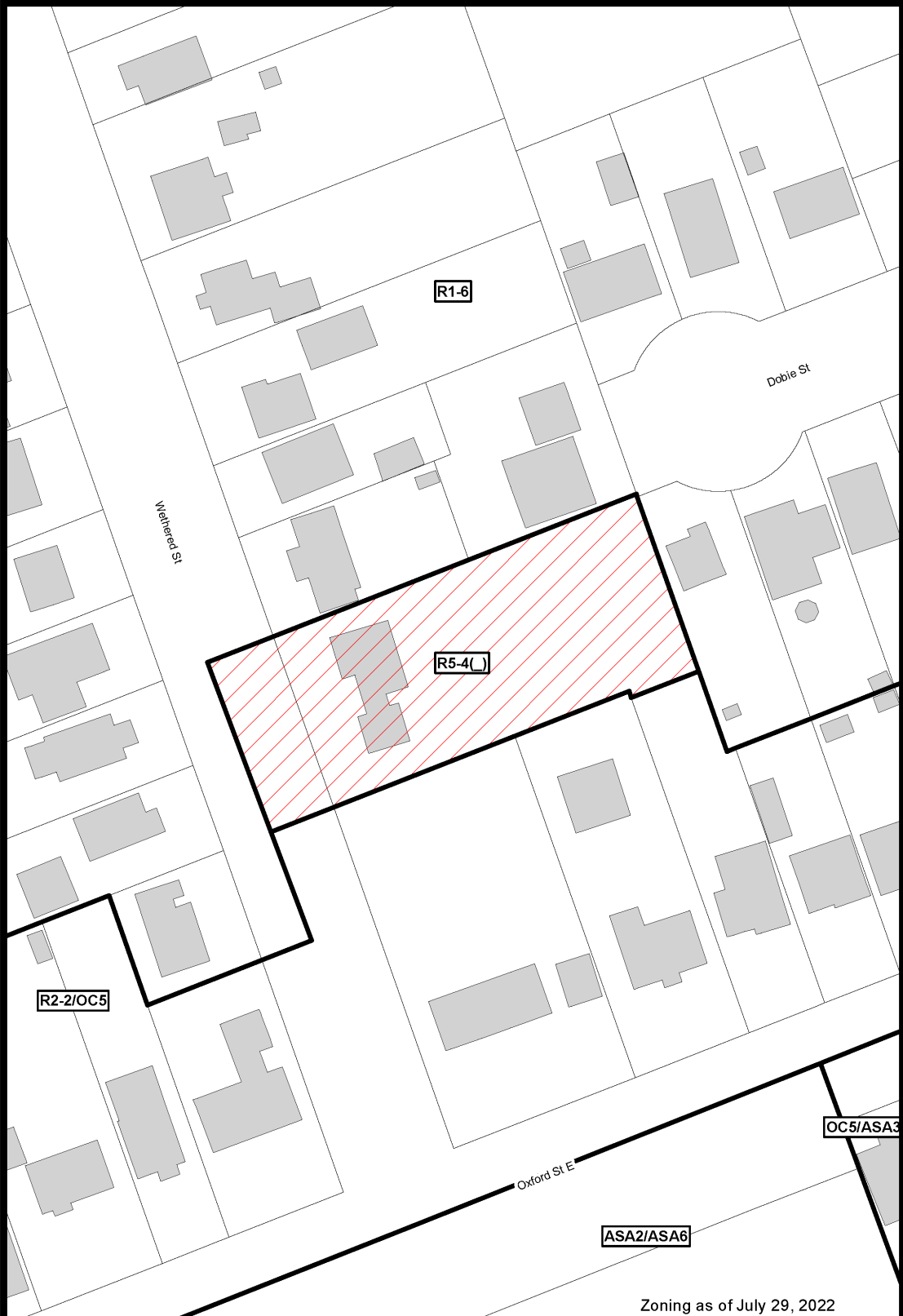
PASSED in Open Council on October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk


First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

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




Zoning as of July 29, 2022

File Number: Z-9309
Planner: OA
Date Prepared: 2022/09/07
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



Appendix B – Public Engagement

Community Engagement

Notice of Application:

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

Replies from 15 individuals were received

Nature of Liaison:

16 Wethered Street – The purpose and effect of this zoning change is to permit an 8-unit, 2-storey townhouse building with a density of 40 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-6) Zone **TO** a Residential R5 Special Provision (R5-4(_)) Zone. A zoning special provision is requested to permit a front yard depth of 5.0 metres in place of 6.0 metres. File: Z-9309

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

Concern for:

The public’s concerns generally included:

- Intensity
 - Traffic volume and safety issues
 - Noise issues resulting from an increased amount of traffic and number of people
 - On-street parking, garbage
 - Privacy and overlook
- Form
 - Ignores the single-family home characteristics of the neighbourhood
 - Decay of the neighbourhood
 - Encroachment into the neighbourhood
- Student Housing
 - The proposal will contribute to a pre-existing imbalance of student to non-student population in the neighbourhood
 - Neighbourhood is underpopulated in the summer which isolates long-term residents, creates social problems such as squatters, criminal activity, and hurts local businesses
 - Purpose-designed student housing is not diverting students from single family homes as some students prefer the lack of behavioural regulation of this form of housing
- Loss of property value

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

I am inquiring about File: Z-9309 - 16 Wethered St and the proposed zoning change.

Would you please provide details about the builder? When this is proposed to start and when a hearing will be for this proposal?

I had called on Friday and left a voicemail regarding this file and am expecting to hear back from you early this week. I recognize Monday is a holiday, but I had called first thing on Friday morning.

Thanks so much,

Marjorie Leyland

I am hoping to acquire further information on the current planning application at 16 Wethered Street, with the hope that the implications and concerns therein can be considered when reviewing the application. My family and I reside at 1171 Dobie Street, immediately east of the property under review. Below is a list of our questions at this time.

1. Will the proposed units be freehold townhouses? Having individual ownership is an important factor in ensuring the occupants of the units have the pride of place needed to retain integrity in the property, but as well, the neighbourhood as a whole.
2. Will garbage be collected at the curb of each individual unit, or in communal dumpsters? Once again, having individual ownership in combination with individual garbage collection will encourage individual accountability and eliminate the issues of sights, sounds, and smells associated with communal waste storage bins and/or dumpsters.
3. The site plan included in the notice does not indicate fencing. However, the rendering illustrated that which appears to be a standard 6' tall privacy fence. A full fence wrapping the entire property will be important to maintain privacy, as well as reduce the likelihood of people cutting through the back of the property to reach Dobie Street.

I am looking forward to hearing back from you with any information and insight that you can provide.

All the best,

Enrique Banuelos

Hello my names Roberto Voivoda. 1166 Dobie street. I have multiple concerns about 16 wethered street rezoning and the notice of planning. As I live right next door to the proposed new zoning and build, we feel that it will make an unsafe area for my family and kids. First is a lengthy build period, interrupting my family's day to day life, kids learning, study time and safe outdoor play in our yard. Also electric outages, water stoppage, sewer, and other unforeseen events. Not to mention the dust, garbage, noise, smells, workers being able to look into our home, and backyard playing area for my kids. As they deserve there safe space on our property to play and grow up. Next is the proposed build itself, being 2 story's there will be 8 units with visibility from window directly into our home, and safe place backyard where we enjoy our time with our kids. As my wife has anxiety issues, logged issue at my daughter's school of a stalker in the area. There are concerns of noise, cleanliness, "privacy violations", and being a townhouse complex encroaching on small family homes. Also this is complex there will be a garbage dumpster according to law, as the proposed building images show and the land images there would only be a few area to place the garbage area, towards our home front yard corner or the neighbour's back yard, bringing in pests, animals, people and more. Also considering there are many family's of young kids, and elderly in this area, we worry of students aswell, improper behavior, loud noises late at night, garbage, trespassing on properties for short cuts across lawns and damages to properties.

Our largest concerns is my kids and wife well being and safety. We feel this proposal will be non beneficial to the area, not just in safety of the people living here, Canadian privacy issues and our rights, our children's safety and health, and property values as this area has been zoned for a long time as single family homes and dwelling. We ask

that this proposal be stopped and unable to continue. Also that the land be rezoned to its original status for single family residence.

We humbly ask to be kept up to date on all decisions on this proposal.

Sincerely,
ROBERTO VOIVODA

I am writing to advise that I am against the zoning change to 16 Wethered Street, to permit the building of an 8-unit, 2-storey townhouse.

I live on Bucke Street, which is very close to the proposed building site. Over the past 30 years of living here, I have seen an ever increasing decay in the neighbourhood, due primarily to the presence of rental units. Of the thirty odd residential buildings on Bucke Street, I estimate that currently at least ten of them are rented to students and other individuals. Currently, on my right, two houses away, the residence is rented; the two houses on my left are both rented and the house behind me is rented.

We do not need an 8 unit townhouse in the area. I am afraid this will just further speed up the decay of the area.

I believe the area should be single family residences, lived in by families that care about the area and take care of their properties.

The City is also negligent in looking after the area. We were to get new sewers and our street redone five or six years ago. This has now been put on hold. All of the streets around us have been upgraded, but our street is the same as it was back in 1960.

I do not want a rental townhouse building in my area. Once one is built, I am afraid others will follow.

Thanks and regards, Derwin Lamont

I talked to a few home owners, and they all oppose the change to the zoning, like me, I will also talk to the Ward Councillor Jesse Helmer. WE DO NOT NEED MORE CONGESTION IN TRAFFIC, AND GARBAGE ON THE STREET. GIVE THE ENVIRONMENT PRIORITY. Please register my letter against the BY-Law Amendment change.
Domenico Piovoso

We are concerned about the proposed amendment for 16 Wethered Street. The proposed zoning change to an eight-unit, two-storey townhouse is what we and many of our neighbours are opposed to. We live in a pleasant neighbourhood and have a wonderful community. One of the concerns is adding all these houses will cause many extra vehicles to be parked on the nearby streets. Our desire is to keep and maintain the desirability and quiet community we have here in Mervin Heights.

Please do not change the zoning for 16 Wethered Street. Please do not let them build and overcrowd our neighbourhood.

Thank you
Rik and Christina Kool

Our neighbourhood does not need a two story walkup, please do not rezone, we have enough unruly students living in the area already affecting property values.

Jim Hilliard

The lack of visitor parking in the proposed application will result in additional people parking on the street south of 16 Wethered.

I would like more visible "no parking" signage on the east side of Wethered just south of 16 Wethered St. The existing signage is not sufficient and there are often vehicles parked in the "no parking" area. The increased number residences and visitors of the new residents increases the likelihood of parking in the "no parking" area.

Zach

I do not wish to see a change in the current Zoning bylaw (Residential R1 (R1-6)). I also realize that the lot size of 16 Wethered St. is large but as the neighbourhood is all single family homes, a 8 unit two storey townhome would not fit the area profile.

I would not object to two or perhaps three single family dwellings on that lot.

There are many homes in our neighbourhood with fairly large lot sizes, so I would not want to set a precedent with the approval of this project.

Thank-You

Paul Rooks

pertaining to the address: 16 Wethered Street.

I also would like to introduce myself as Jordan Hough, owner of 99 Oakside Street for the past seven plus years as of now. I am quite enthused in receiving this notice as our property at 99 Oakside went through a similar, though, not as ambitious project in the respective neighbourhood. I have been elated these past few years to see many planning applications and the complete process of infill within and around our neighbourhood.

I would like to be included throughout this process inclusive of any committee meetings etc. The best way to contact myself would be through e-mail:

jordan@jcocarpentry.ca

Thank you for your time,
Jordan

I have received and entirely examined the Notice of Planning Application (File: Z-9309)

I saw the sign went up at this address to say they want to turn it into a 8 unit apartment.

I would object to this proposal as all the homes in this area are single family homes and does not fit with the rest of the neighborhood.

Also with 8 units there will be an increased traffic flow to this area too, which is not good for the area as this way is the main way to a major road.

Also this is a school bus route and having more traffic along this route will impact that as well.

Lastly with the increased number of people on such a small property will result in more street parking and more people on the road.

I would approve a single family home like all the properties in this area. Anything other than that will affect the lively hood of all people in the area.

Thanks,
Wayne

I am writing you this morning as we only found out this morning of this plan of zone change. I am very disappointed that you think this is not a decision that everyone on the street should have been notified of.

My husband and I would like to express that we do not agree with these changes and will be notifying the rest of our neighbours, as many will have the same views.

I hope a decision has not already been finalized and if so that it was NOT approved.

Thank you for taking the time to read this and to pass along to all who need to read.

Hello all,

I, Roberto Voivoda, and my wife Moo Ching Chang, are writing this email again, opposing 16 Wethered Street zoning amendment to allow an eight-unit, two-storey townhouse complex from being built.

It took us a lot of effort, tens of failed housing bidding wars, more than 3 years to finally get a house, a quieter environment for our very young kids to live and grow in due to the rapidly climbing housing market in London since 2016 when our first baby was born. We have moved to 1166 Dobie Street (which is right beside the proposed rezoning house) since August 01, 2020, less than a year, only 6 months, and we have received the letter from London City about the notice of planning application, we were very sad to see the news because we knew if there is eight-unit, two storey townhouse being built right next to our house, our backyard, us and our kids' safety and privacy will be fading away.

Firstly, we are very concerned about our kids (boy - 2 years old and girl - 4 years old) safety and privacy. According to the plan, the eight-units will have visibility from first and second storey windows directly into our home, our daughter's room, son's room, our kitchen and adjacent rooms and our backyard. We won't feel comfortable or safe to let our kids play in our backyard.

Secondly, thirdly and ongoing concerns are repeatedly from our 1st complaint email.

We humbly ask this eight-unit, two-storey townhouse proposal of 16 Wethered Street be stopped, and remain its original status for single family residence.

Thank you.

Sincerely,
ROBERTO VOIVODA

Notice of Revised Application:

Public liaison: On June 30 2022, Notice of Application was sent to surrounding property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 30, 2022. A "Planning Application" sign was also posted on the site.

2 written responses were received and letters of support with 15 signatures was submitted by the applicant.

Nature of Liaison:

16 Wethered Street – The purpose and effect of this zoning change is to permit an 8-unit, 2-storey townhouse building with a density of 40 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-6) Zone **TO** a Residential R5 Special Provision (R5-4(_)) Zone. A zoning special provision is requested to permit a front yard depth of 5.0 metres in place of 6.0 metres. File: Z-9309

I received a notice of revised planning application in the mail today regarding 16 wethered st. I live at 27 wethered st. I think many of us have concerns of placing a 8 until 2 storey townhouses on or quiet street. It needs to be a reduced unit. I don't want to see traffic and garbage. We are in a public school street also.

Robyn Nakagawa

Dear Olga

This is in response to the letter received by us on July 5th 2022. We have a number of concerns with the rezoning of 16 Wethered St. Aside from this change negatively affecting property values we have a few more concerns:

1. This is a single dwelling residential zone and the changing of the zoning for this area will invite many more developers to come in and build multi-dwelling buildings on this street. Almost all the properties on our street have these ample backyards of appx. 66 metres in depth.
2. The additional traffic and limited parking will be problematic. We already have a high volume of cars on our street partially due to a public school at the end of the street. Small children coming to and from school will be met with additional traffic as well as more cars parked on the street.
3. We are situated at 22 Wethered St which is right next door to the proposed site. This means that instead of 1 dwelling occupying the property next to us, we will have 8 dwellings next to our property. Increased noise of cars, people, animals, etc. The property's back yards will back onto our back yard encroaching on our privacy; especially from the upper floors looking down on our back yard. There will be only 6 metres from the physical building of the new dwellings to our property line. The amended proposal's only change from 2021 is that the frontage of the building is reduced even more from 6 metres to 5 metres.
4. Eight units is too many for that small space. I would think a maximum of 4 units. Or if the units could be situated facing Wethered Street in 2 or 3 rows that would give some relief to so many units backing onto or facing any one property.
5. There is no mention of a fence or how high the fence would be separating our 2 properties. The plans only show that landscaping and trying to preserve existing trees will be done to try and give some privacy.
6. How will garbage be addressed? 8 units with garbage cans in their back yard - which faces my back yard.... Will there be a central garbage collection site/ bin on the property and if so where will that be located?

I hope you will take these points into consideration when making a decision of rezoning this area.

Judy Vatcher
Jim Young

RE: File Z-9309 Zoning By-Law Amendment

To Whom it may concern,

We are the property owners at 22 Wethered St. London On.

We have our front and back yards abutting next to the pending development at 16 Wethered St.

We heard that some people were suggesting a change in the direction of the property in that the front of the new development would be facing our property instead of the back of the new development facing our property.

We are against the change in positioning the building for the following reasons:

Noise and fumes from people leaving and returning home since their driveways would be facing our property.

The front of the property would be facing our property so they would be able to look into our back and front yards from their property. If the back of their property was facing us then only the upstairs bedroom windows would be looking down on our back and front yard space.

If the front of the property was facing our property the roadway into the units would have to be practically butting up against the fence separating our 2 properties meaning that traffic going in and out of the property would be right next to us.

If there is a central garbage bin for the new townhouses units then a garbage truck would also be using this roadway into the units adding to the noise and pollution.

We hope you will take into consideration our concerns of this proposal to change the placement of the building. If not then we will be much more likely to oppose the development from going forward

Judy Vatcher
Jim Young

Letters of Support

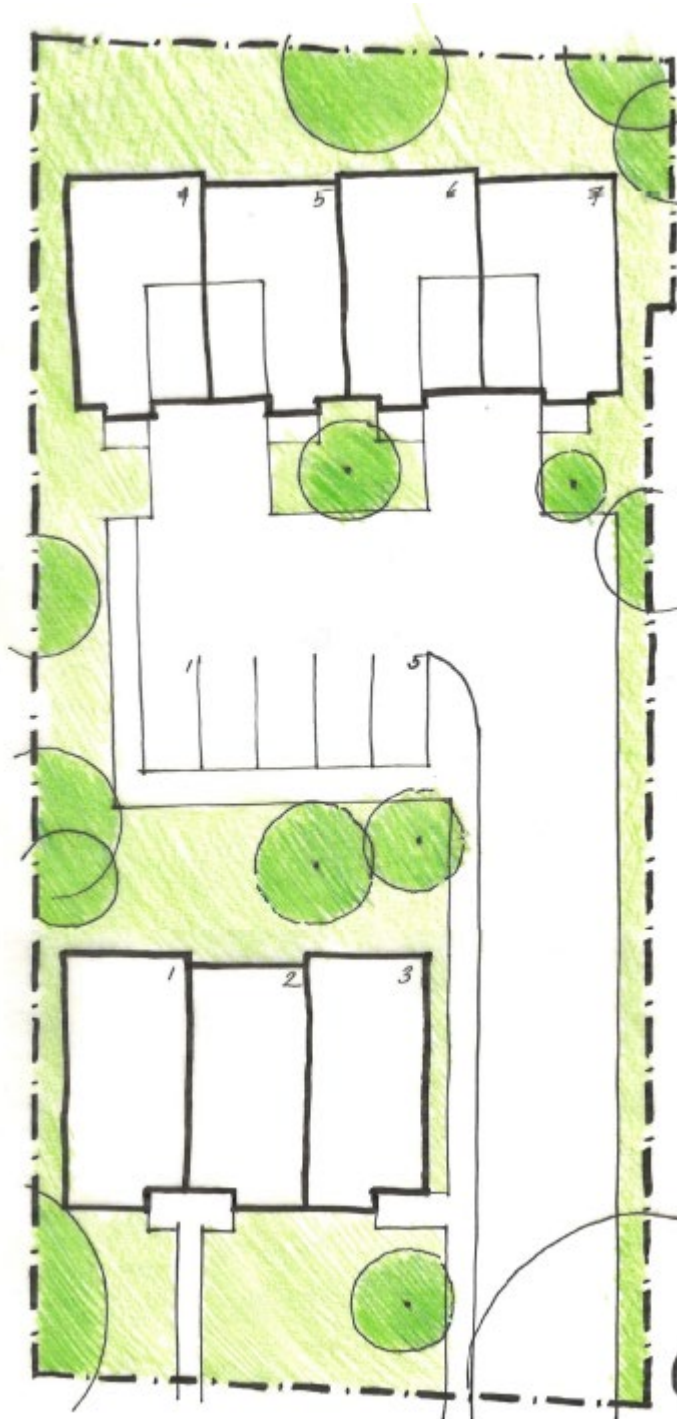
I am a resident of the neighbourhood and wish to advise the City that I support the proposed Zoning By-Law Amendment at 16 Wethered Street. This property has been vacant for too long and it would be great to see something done with it.

	Signed By	Address
1.	Martin Liersch	19/21 Wethered Street
2.	Refa Makagawa	27 Wethered Street
3.	Tara Soppet	28 Wethered Street
4.	Dylan McMurray	31 Wethered Street
5.	Emir Mudds	33 Wethered Street
6.	Sachia	15 Wethered Street
7.	Zack McIquis	38 Wethered Street
8.	Haley Roberts	38 Wethered Street
9.	Owner	1160 Oxford Street East
10.	Satyen Verma	1168 Oxford Street East
11.	Owner	1150 Oxford Street East
12.	Andrew Hall-Holland	1185 Oxford Street East
13.	Andrew Hall-Holland	1128 Oxford Street East
14.	Andrew Hall-Holland	1132 Oxford Street East
15.	Owner	99 Oakside Street

Departmental and Agency Comments

Urban Design (July 21, 2022)

- The applicant is asked to provide an alternative site layout that better demonstrate the policies of The London Plan. Please see below for a concept sketch based on the below comments, for discussion purposes only.
 - Provide street orientated development that maintain and reinforce the prevailing street wall of existing buildings. Provide units that are parallel to and facing Wethered Street with a unit layout the supports and fits within the existing height and massing of the neighbourhood **[TLP 256_]**. An additional townhouse block can be located at the rear of the property with individual driveways for each unit.
 - Ensure surface parking is buffered from the street by the building with the driveway located closer to the south property line. This would be a preferable layout if the properties to the south redevelop to a higher built form **[TLP 272_]**.
 - Provide a centrally located amenity space that is safely and comfortably accessible from all units **[TLP 295_]**.



Site Plan (August 11, 2022)

1. The applicant is to confirm the intent for garbage pick-up. If deep waste collection is proposed, identify the proposed location on the site plan.
2. If board-on-board fencing will impact the existing trees, we would be looking for infill plantings for the gaps (this may go in the Council Reso to further look at through the SP process). Where possible, we will be looking for board-on-board fencing.
3. Similar to comments provided by UD, provide an alternative site design to allow street facing units with garages at the rear and units along the back. This will provide for the continued street-wall and have the rear block private amenity spaces abutting the other private amenity spaces.

Parks Planning and Design (July 21, 2022)

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Ecology (August 11, 2022)

Confirmation that there are currently no ecological planning issues related to this property and/or associated study requirements.

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

Heritage Planning, August 17, 2022:

Re: Archaeological Assessment Requirements- Heritage Comments

This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment requirements for (Z-9309)

- Lincoln Environmental Consulting Corp. Stage 1-2 Archaeological Assessment of 16 Wethered Street. Middlesex County, Ontario November 2020.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "no archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended."

An Ontario Ministry of Heritage, Sport Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has been received, dated March 16, 2021.

Archaeological conditions can be considered satisfied for this application

Landscape Architect, Long Range Planning Research and Ecology (August 11, 2022)

I reviewed the Tree Assessment Report prepared by RKLA for 16 Wethered St and have no concerns with its accuracy.

The proposed setback from the south property line will impose construction impacts to a number of trees growing on adjacent properties. In particular, one tree, #34 will lose approx. 35% of its critical root zone. The critical root zone of a tree is the portion of the root system that is the minimum necessary to maintain tree vitality and stability. Tree can become hazardous. Where critical root zones cannot be adequately protected with adequate setback and protection from construction, tree shall be recommended for removal with owner consent.

Additionally, the setback does not provide sufficient soil volumes to support the required tree planting in Site Plan Control Bylaw. A 3 meter setback would be ideal.

Six boundary trees were identified for removal. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Letters of consent to remove are to be included with Site Plan Application Documentation.

A large silver maple proposed for removal is co-owned by applicant, the City of London and the owner of 1160 Oxford St. The applicant will need to coordinate the tree's

removal with the City Forestry Operations and provide proof of payment for removal with Site Plan Application documentation.

Engineering (July 25, 2022)

A Servicing and Lot Grading Plan will be required for the subject property. Attached are notes and commentary to assist the applicant in providing the necessary Site Servicing and Grading Plan and engineering reports to progress this development.

- The site servicing and grading plans are to show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, watermains, utilities, etc.
- Should a private drain connection(s), or other works be installed on a City street to service this site, then details of these works including restoration of the City street are to be shown on the site servicing plan or a separate drawing to City standards.
- The Owner is required to obtain all other necessary and relevant permits and approvals such as MECP Approvals, Permits for Approved Works (PAWS) etc.
- ECA may be required for on-site infiltration.

Transportation:

- Detailed comments regarding access location and design will be made through the site plan process.

Water:

- The municipal watermain available is the 200mm PVC watermain along Wethered Street.
- Servicing shall comply with section 7.9.4 of the Design Standards and Requirements Manual.
- A water servicing report will be required addressing domestic water demands, fire flows, water quality and future ownership of the development.

Sewers:

- The municipal sanitary sewer available for the subject lands is the 200mm sanitary sewer on Wethered St.

Stormwater:

1. As per as-constructed drawings 17468C & 17468D, the site at C=0.40 is tributary to the existing 450 mm storm sewer on Wethered Street. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
2. Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
3. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4); therefore, the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and,
 - shall comply with riparian right (common) law.

The consultant shall update the servicing report and drawings to provide calculations, recommendations and details to address these requirements.

Upper Thames River Conservation Authority Comments (June 30, 2022)

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*, Section 28 of the *Conservation Authorities Act*, the *Planning Act*, the *Provincial Policy Statement (2020)*, and the *Upper Thames River Source Protection Area Assessment Report*.

CONSERVATION AUTHORITIES ACT

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

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

The UTRCA has no objections or requirements for this application. Thank you for the opportunity to comment.

London Hydro Comments (July 21, 2022)

- Servicing the above proposal should present no foreseeable problems, Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Appendix C – Planning Impact Analysis

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	<p>The recommended land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.</p> <p>Factors such as setbacks from the street, and height and transitioning with adjacent properties enhance the compatibility with the surrounding neighbourhood.</p>
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The recommended site concept achieves an intensity that allows for other on-site functions such as parking and amenity space. The recommended development is located along a neighbourhood street and the area is supported by public transit, pedestrian sidewalks and full services are available to the site.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The proposed development is within close proximity to neighbourhood and community facilities as well as open space, recreational opportunities and all transit services.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	Dwelling units in a townhouse complex are typically more affordable than the neighbourhood's prevailing single detached dwelling units. The addition of the proposed units to the housing supply may also free-up other more affordable units elsewhere in support of Municipal Council's commitment to the Housing Stability Action Plan, Strategic Area of Focus 2: Create More Housing Stock.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed townhouse development is appropriate at this location. Privacy impacts will be mitigated through the use of landscaping, tree retention, fencing and appropriate building setbacks. The visual impacts of the development will be minimal given the height of the proposal, spatial separation from the abutting yards, and future landscaping and fencing.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	Landscaping and screening opportunities through vegetation will be considered at the site plan approval stage.

The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;	Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied. Further refinements will be addressed at the Site Plan stage.
The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The exterior design will be compatible with the existing and future lands uses in the area.
The potential impact of the development on surrounding natural features and heritage resources;	Not applicable.
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	Not applicable.
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;	The requested amendment is consistent with the in-force policies of the Official Plan. The majority of requirements of the Site Plan Control By-law have been considered through the design of the site, including provision of amenity space, landscaping, parking and setbacks
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	Tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.

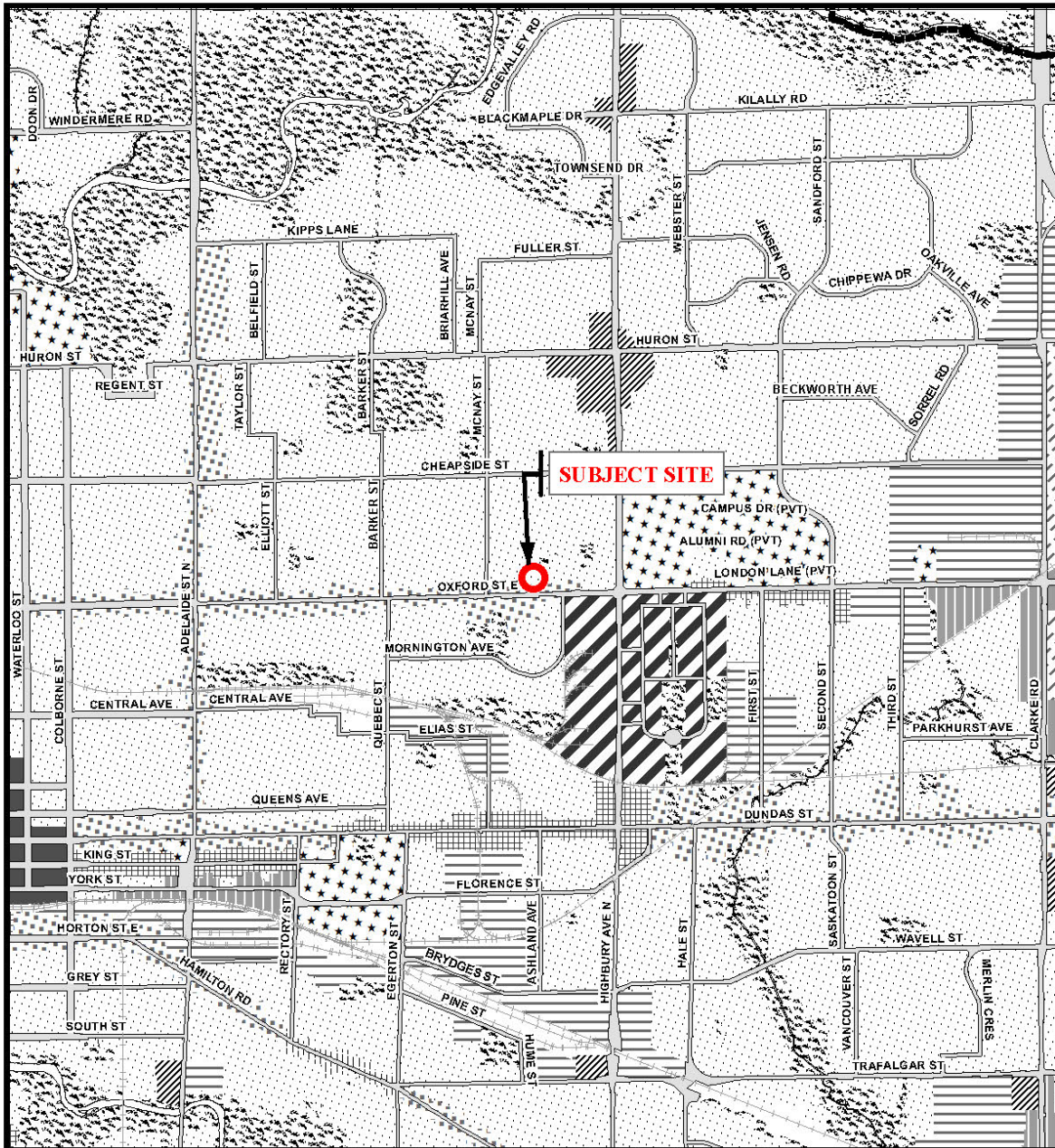
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.

Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for residential intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a mixed-use compact City and strong, healthy and attractive neighbourhoods. The massing and scale of the recommended built form can be appropriately integrated into the community through the application of the relevant City Design policies at the site plan approval stage.
Conformity with the policies of the place type in which they are located.	The recommended 2 storey townhouse proposal provides for the use and intensity of development contemplated within the Neighbourhoods Place Type.
Consideration of applicable guideline documents that apply to the subject lands.	The Near-Campus Neighbourhood Area is an applicable guideline and has been considered throughout the report.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water, sanitary and storm sewers.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Further consideration of traffic controls will occur at the site plan approval stage. A Traffic Impact Assessment was not required as part of this application. Transportation Staff have no concerns.
Noise	The development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was not required for the Zoning By-law amendment application.
Parking on streets or adjacent properties.	Staff is satisfied that sufficient parking can be provided for the development. It is not anticipated that overflow parking will be required on local streets.
Emissions generated by the use such as odour, dust or other airborne emissions.	The development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Site Plan Control covers waste collection along with mail pick (door-to-door or shared location), snow storage and other site functionalities. Waste collection is tied to the approved site plan for the Site Plan Approval Development Agreement.
Privacy	Board fence and landscaping are proposed, there will be limited sight lines between abutting properties. Buildings

	are similar heights, being 1-2-storey buildings abutting the proposed 2-storey townhouses. Board fencing is proposed along each lot line with tree plantings. In time, the trees will grow to provide visual screening between properties above the fence. It
Shadowing	Given the recommended built form, orientation, height, and location shadowing impacts will be limited. Ample windows provide for sufficient natural sunlight penetration
Visual Impact	Landscaping, articulated building design, and architectural details and materials to be implemented at the site plan stage are expected to have a positive visual impact on the area.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the development.
Trees and canopy cover.	Landscaping is proposed to the front of each unit and abutting the shared driveway. Opportunities for additional landscaping is provided in the private, outdoor amenity areas to the rear of each unit, including a row of evergreen trees along the north lot line where gaps in trees currently exist. Detailed landscaping and other site-specific details, including landscaping, tree plantings, other vegetation, and fencing will be refined through the Site Plan Approval process
Cultural heritage resources.	Not applicable.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

Appendix D – Relevant Background

The London Plan – Map 1 – Place Types



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 | |

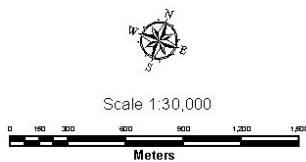
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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
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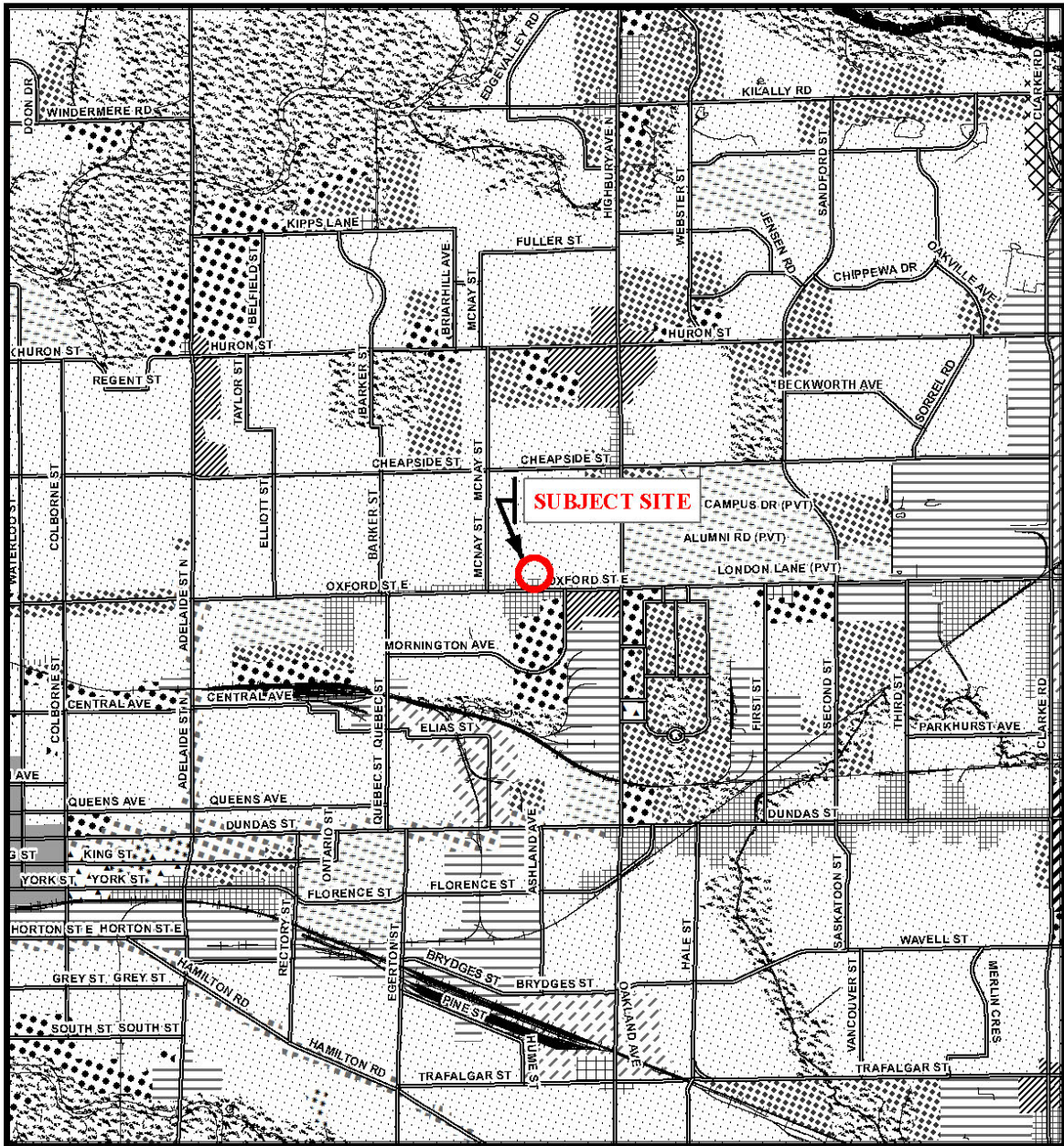
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



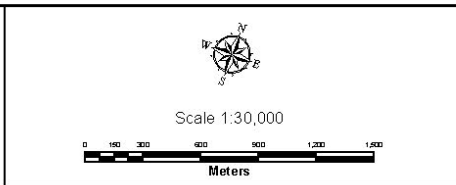
File Number: Z-9309
Planner: AR
Technician: RC
Date: May 5, 2021

1989 Official Plan – Schedule A – Land Use



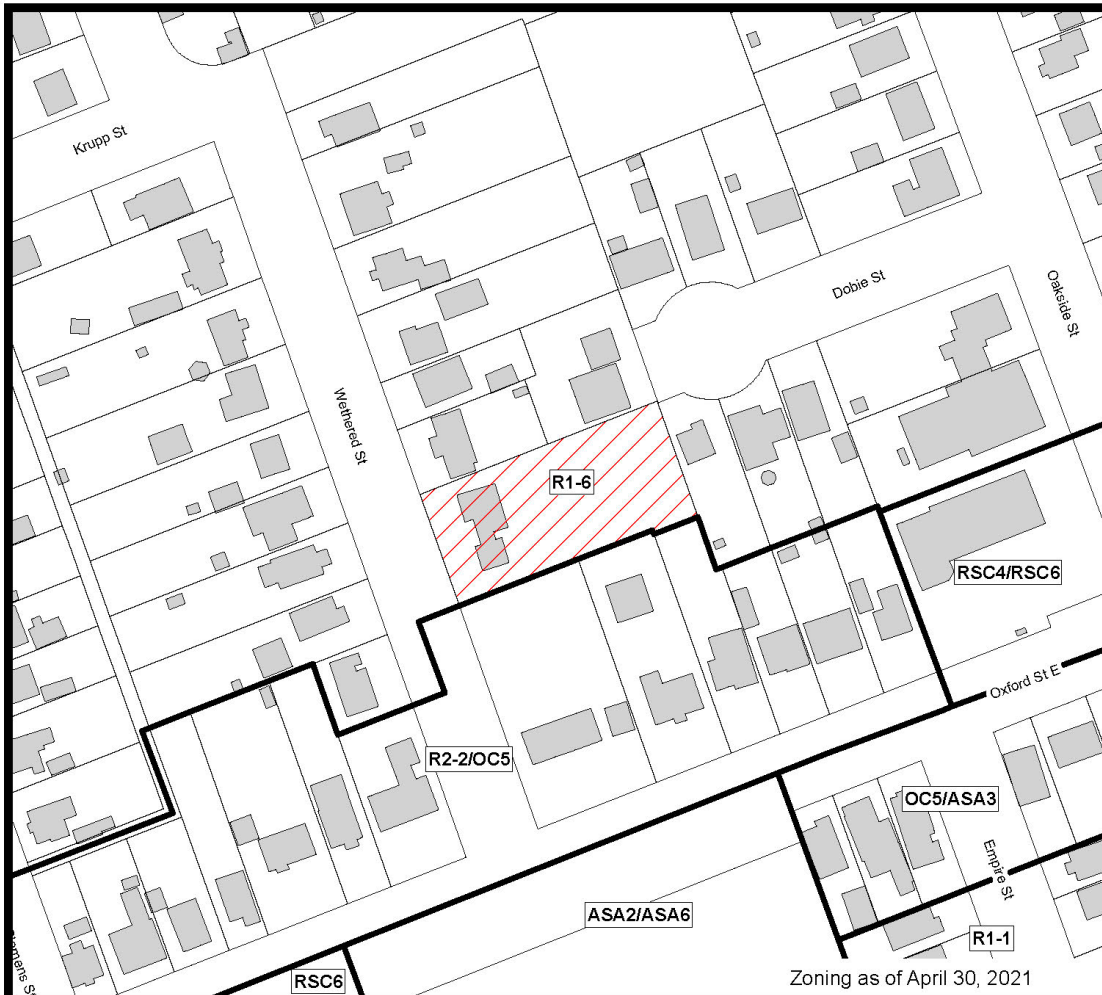
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented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

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



FILE NUMBER: Z-9309
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2021/05/05

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| DA - DOWNTOWN AREA | LI - LIGHT INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | GI - GENERAL INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| NSA - NEIGHBOURHOOD SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | UR - URBAN RESERVE |
| AC - ARTERIAL COMMERCIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | AG - AGRICULTURAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION | TGS - TEMPORARY GARDEN SUITE |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "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:

Z-9309

AR

MAP PREPARED:

2021/05/05

RC

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