

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: 2804904 Ontario Inc. (c/o Siv-ik Planning & Design Inc.)
1982 Commissioners Road East and part of 1964
Commissioners Road East
City File: Z-9668, Ward 14
Public Participation Meeting

Date: January 9, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2804904 Ontario Inc. (c/o Siv-ik Planning & Design Inc.) relating to the property located at 1982 Commissioners Road East and part of 1964 Commissioners Road East:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 23, 2024, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) and Urban Reserve Special Provision (UR4(7)) Zone **TO** a holding Residential R5 Special Provision (h*h-18*R5-7(_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i. Design the side elevation of the corner units that are facing the driveway and the common amenity space with enhanced detail.
 - ii. Provide pedestrian connectivity through the proposed development to the public streets.
 - iii. Connect walkways directly from individual units of the 2 storey townhouses to Constance Avenue and Commissioners Road East, respectively.
 - iv. Provide enhanced tree planting.

IT BEING NOTED that the above noted amendment is being recommended for the following reasons:

- i. The recommended amendment is consistent with the *Provincial Policy Statement, 2020 (PPS)*, 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. The *PPS* directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- ii. The recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies;
- iii. The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood; and
- iv. The recommended amendment facilitates an infill development on an underutilized site and contributes to the range and mix of housing options within the area.

Executive Summary

Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from an Urban Reserve (UR4) and Urban Reserve Special Provision (UR4(7)) Zone to a Residential R5 Special Provision (R5-7(_)) Zone.

Purpose and the Effect of Recommended Action

The recommended action will permit a two-storey townhouse building, containing 7 units, and a three-storey back-to-back (stacked) townhouse building containing 14 units, with a maximum density of 60 units per hectare. Special provisions are required to consider Commissioners Road East as the front lot line; permit a minimum front yard depth of 3.0 metres whereas 8.0 metres is the minimum required; a minimum rear yard depth of 3.0 metres whereas 3.0 metres is the minimum required; and a north interior side yard depth of 1.8 metres.

The recommended action will permit a 2-to 3-storey, **21-unit**, townhouse development.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

1. **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
2. **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
3. **Housing and Homelessness**, by supporting faster/streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.

Analysis

1.0 Background Information

1.1 Property Description and Location

The subject lands, municipally known as 1982 Commissioners Road East and part of 1964 Commissioners Road E. (39T-19501, Block 62), are located in the Jackson Planning District on the northside of Commissioners Road East. The site has an area of approximately 0.353 hectares with a frontage of approximately 57.8 metres along Commissioners Road East. The site is a future through lot with dual frontage along Commissioners Road East and the future Constance Avenue road extension. The site currently contains a one-storey single detached dwelling.

The surrounding neighbourhood consists of a mix of current and future residential uses north of Commissioners Road East and agricultural uses to the south with intermittent open spaces. The Thames River and tributary creeks are in close proximity to the site.

1.2 Site Statistics

- Current Land Use – Single Detached Dwelling
- Frontage – 57.8 metres (Commissioners Road East)
- Area – 3,530 metres square (0.353 hectares)
- Shape – Irregular
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No

1.3 Surrounding Land Uses

- North – Residential; Open Space
- East – Urban Reserve; Residential

- South – Agriculture
- West – Residential; Open Space

1.4.1 Existing Planning Information

- The London Plan Place Type – Neighbourhoods fronting a Neighbourhood Street and Civic Boulevard.
- Specific Policy Area – Old Victoria Community
- Existing Zoning – Urban Reserve (UR4) Zone (1982 Commissioners Road East) and Urban Reserve Special Provision (UR4(7)) Zone (part of 1964 Commissioners Road East)

Additional site information and context is provided in Appendix B.

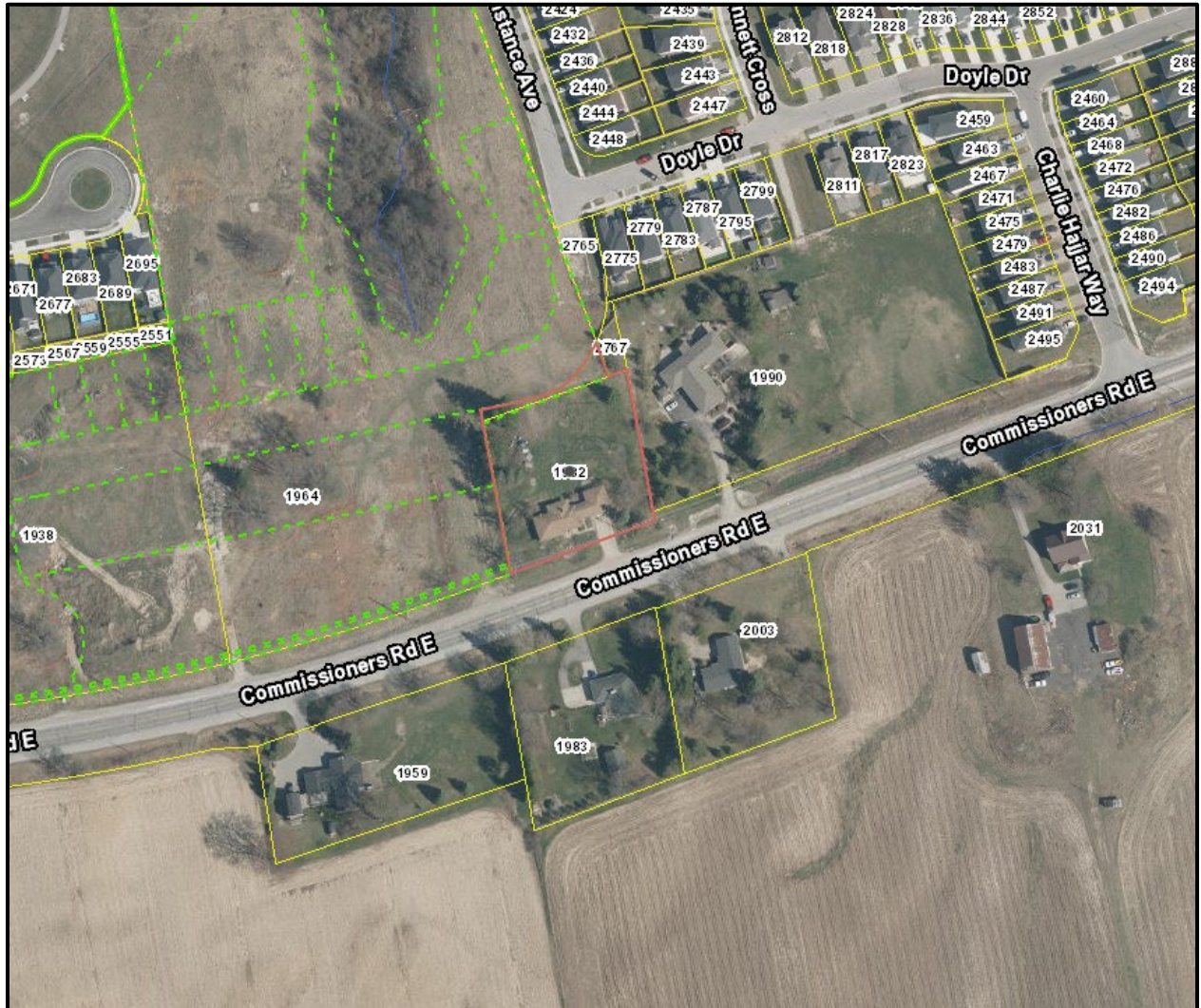


Figure 1. Aerial Photo of 1982 Commissioners Road East and part of 1964 Commissioners Road East and surrounding lands.



Figure 2. Streetview of 1982 Commissioners Road East (view from Commissioners Road East).

2.0 Discussion and Considerations

2.1 Development Proposal

In November 2023, the City accepted a complete zoning by-law amendment application to redevelop the subject lands for medium density residential uses. The development proposal is comprised of a two-storey townhouse building, containing 7 units, and a three-storey back-to-back (stacked) townhouse building containing 14 units for a total of 21 residential units, with a maximum density of 60uph. The three-storey townhouse block would be oriented towards Commissioner Road East with the two-storey townhouse block oriented towards the future Constance Avenue extension.

The existing driveway access from Commissioners Road East would be removed and a new vehicle entrance from the future Constance Avenue extension would be created. The required vehicular parking for the new townhouse forms is provided through a combination of integrated/attached garages and driveways, targeting the anticipated market rate of approximately 2.1 spaces for each unit. Landscaping will enhance the development and pedestrian walkways, while creating screening from the abutting streets and adjacent residential uses.

The application included a conceptual site plan, shown below as Figure 3. Building rendering and elevations are shown in Figures 4-6 below.

The proposed development includes the following features:

- Land use: Residential
- Form: Cluster and Stacked Townhouses
- Height: two and three-storeys
- Residential units: 21 units
- Density: 60uph
- Building coverage: 43%
- Landscape open space: 30%
- Parking spaces: 42 residential stalls; 2 visitor stalls

Additional proposal information and context is provided in Appendix B and C.

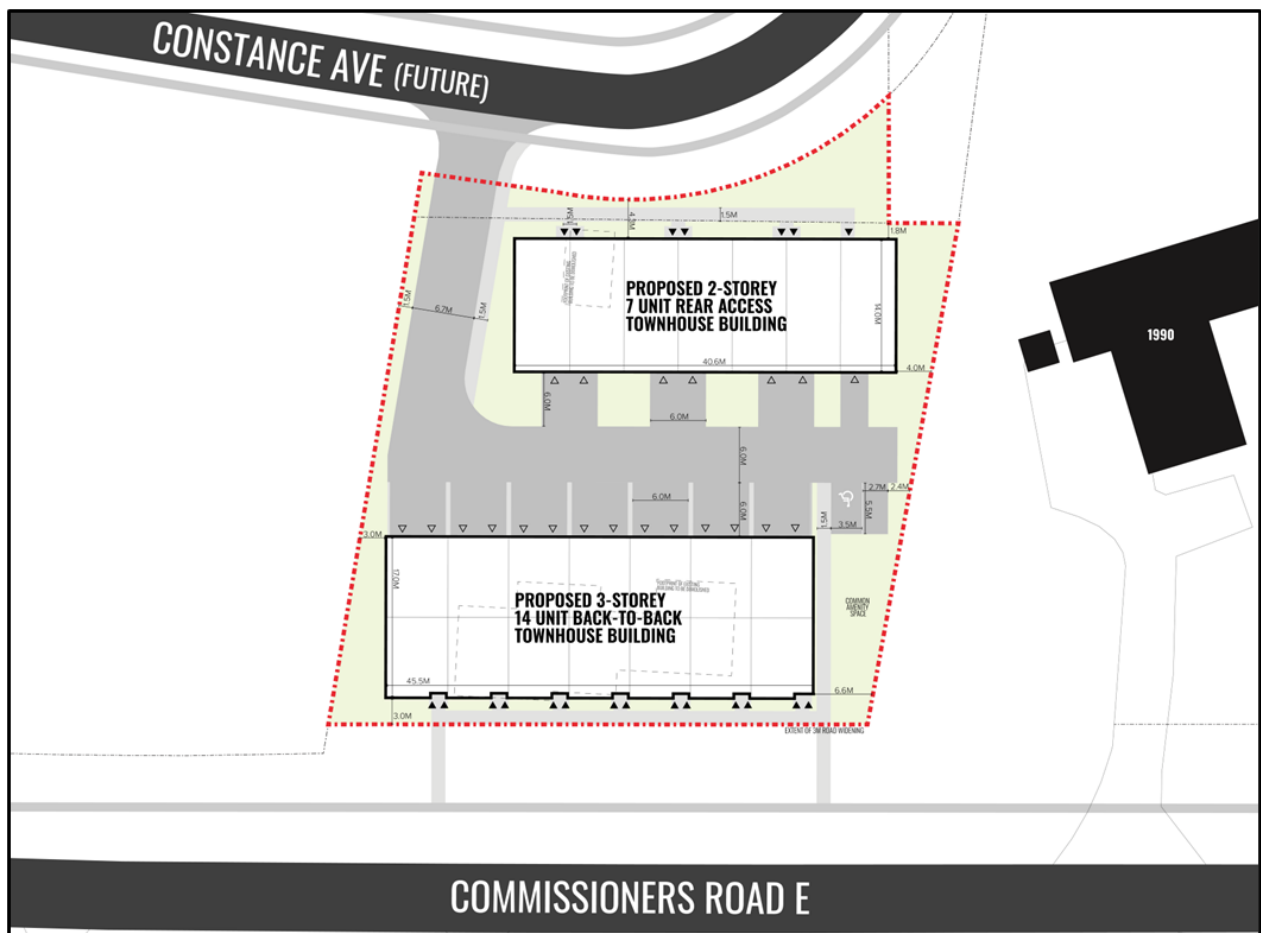


Figure 3. Concept Site Plan



Figure 4. ISO View of Proposed Development.



Figure 5. Building Renderings (view from future Constance Avenue).



Figure 6. Building Renderings (view from Commissioners Road East).

2.2 Requested Amendment

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from an Urban Reserve (UR4) and Urban Reserve Special Provision (UR4(7)) Zone to a Special Provision Residential R5 (R5-7()) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R5-7)	Required	Proposed
Road Considered the Front Lot Line	Constance Avenue	Commissioners Road East
Front Yard Depth (minimum)	8.0 metres	3.0 metres
Rear Yard Depth (minimum)	8.0 metres	3.0 metres
North Interior Side Yard Depth (minimum)	0.5 metres per 1.0 metres of main building height, or fraction thereof, but in no case less than 3.0 metres when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres when the wall of a unit contains windows to habitable rooms.	1.8 metres

2.3 Public Engagement

On November 6, 2023, Notice of Planning Application and Notice of Public Meeting was sent to 32 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, November 9, 2022. A “Planning Application” sign was also placed on the site.

There were zero responses received during the public consultation period.

Detailed public comments are included in Appendix D of this report.

2.4 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies include:

- The side yards may need to accommodate fencing, retaining walls, drainage features [above and below ground] and tree planting. Reduced setbacks will cause conflicts between these features. Tree planting is essential to provide privacy to adjacent residential properties.
- A minimum setback from the ultimate right-of-way from Commissioners Road East to the south to encourage street-orientation while avoiding encroachment of footings and canopies.
- Ensure there are direct and safe walkways connecting both the townhouse blocks to the public streets.
- Archaeological matters for this property have not yet been addressed as the City has not yet received confirmation of acceptance of the Archaeological

Assessment report by the Ministry of Citizenship and Multiculturalism (MCM). The report also indicates that a Stage 3 Archaeological Assessment is required.

- Engineering would be requiring a holding provision on the property until the municipal servicing outlets and roads have been installed and commissioned as part of the Victoria on the River Phase 6 subdivision.

Detailed internal and agency comments are included in Appendix E of this report.

2.5 Policy Context

2.5.1 The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption, and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in The London Plan analysis below.

As the application for a Zoning By-law amendment complies with The London Plan, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

2.5.2 The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the *Provincial Policy Statement* and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial Impact/ Considerations

3.1 Financial Impact

There are no direct municipal financial expenditures with this application.

3.2 Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Details on the characteristics of the proposed application related to the City's climate action objectives are included in Appendix C of this report.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed residential use is supported by the policies of the *Provincial Policy*

Statement, 2020 (PPS) and contemplated in the Neighbourhoods Place Type where a property has frontage onto a neighbourhood street and civic boulevard in The London Plan (Table 10). The proposed residential use, cluster, and stacked townhouses, aligns with the goals of the Neighbourhoods Place Type by contributing to neighbourhoods that allow for a diversity and mix of housing types that are compatible with the existing and future neighbourhood character (TLP 918_2 and 13). The residential uses also promote housing for all Londoners and attract a diverse population to the city (TLP 57_11).

4.2 Intensity

The proposed residential intensity is consistent with the policies of the *PPS* that encourage residential intensification, redevelopment, and compact form (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity conforms with the Neighbourhoods Place Type in The London Plan which contemplates a standard maximum height of four-storeys and an upper maximum height of six-storeys where a property has frontage onto a Civic Boulevard (Table 11). As the applicant has provided heights of two-to three-storeys, the proposed development is in keeping with The London Plan policies.

The proposed residential intensity will facilitate an appropriate scale of development that is considered compatible within the existing neighbourhood character, directing the height and intensity toward the higher order street (TLP 918_13). The three-storey townhouse block would be oriented towards Commissioners Road East with the two-storey townhouse block oriented towards the future Constance Avenue extension, providing a transition in height towards the existing and future low-density residential uses to the north (TLP 953_2). The residential use is accommodated on a parcel that is of sufficient size to support the proposed use and can provide sufficient setbacks to buffer to existing and future abutting residential developments. The redevelopment of the parcel will facilitate the efficient use of land and existing municipal services, as servicing is available for the proposed uses identified (TLP 953_2 and 3).

The proposed building heights and maximum density comply with the regulations of the Residential R5 (R5-7) Zone.

4.3 Form

The proposed built form is consistent with the Neighbourhoods Place Type and the City Design policies in The London Plan by facilitating an appropriate form and scale of residential intensification that is compatible with the existing and future neighbourhood character (TLP 953_2). Specifically, the proposed built form supports a positive pedestrian environment, a mix of housing types to support ageing in place and affordability and is designed to be a good fit and compatible within its context/neighbourhood character (TLP 193_).

The three-storey townhouse block is proposed to be situated with minimal setbacks and oriented towards Commissioners Road East, to define the street edge, and create an inviting, active, and comfortable pedestrian environment (TLP 259_). The two-storey townhouse block is also proposed to be situated with reduced setbacks and oriented towards the future Constance Avenue extension, acknowledging the uniqueness of the through lot. The proposed built form and massing of the townhouse blocks has consideration for the surrounding land uses and is appropriate to the scale of the low-density residential uses to the north and future medium density uses along Commissioners Road East (TLP 953_2).

Access to the subject lands will be provided from the future Constance Avenue extension, promoting connectivity and safe movement for pedestrians, cyclists, and motorists (TLP 255_). The townhouses are also sited to minimize the visual exposure of the parking areas to the streets (TLP 269_). Identifying Commissioners Road East as the lot frontage for the subject lands through the special provisions is appropriate in accordance with Policy 920_4 which states, "Where development is being considered at the intersection of two streets of different classifications the higher-order street onto

which the property has frontage, will be used to establish the permitted uses and intensity of development on Tables 10 to 12.” As Commissioners Road East is the higher-order street and the proposed development is situated with the built edge along the Commissioners Road East frontage, staff are satisfied that utilizing the street frontage as the legal frontage is appropriate.

4.4 Holding Provisions

Servicing and Road Access

Until such time as the municipal servicing outlets and roads have been installed and commissioned as part of the Victoria on the River Phase 6 subdivision a standard h holding provision is recommended in order to ensure the orderly development of lands.

Archaeological Assessment

As part of the complete application a Stage 1-2 Archaeological Assessment was required and submitted. However, the City has not yet received confirmation of acceptance of this report by the Ministry of Citizenship and Multiculturalism (MCM). In addition, the report indicates that a Stage 3 Archaeological Assessment is required for this property, and that consultation with the MCM should occur regarding any potential Stage 4 mitigation required, based on the findings of the Stage 3 Archaeological Assessment. As such, the archaeological matters for this property have not yet been addressed. The h-18 holding provision is recommended in order to ensure that the outstanding archaeological matters are addressed prior to soil disturbance.

4.5 Zoning

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from an Urban Reserve (UR4) Zone to a Residential R5 Special Provision (R5-7(□)) Zone. The following summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

A minimum front yard depth (Commissioners Road South) of 3.0 metres.

The intent of a front yard depth is to ensure sufficient space between the buildings and front lot line to accommodate all site functions while still facilitating a pedestrian oriented development. In this case, the reduced front yard depth will help facilitate a pedestrian oriented development by, establishing a strong street edge. Additionally, the proposed building orientation of the three-storey back-to-back (stacked) townhouse building fronting Commissioners Road East will help establish a positive interface with the public realm.

A minimum rear yard depth (Constance Avenue) of 3.0 metres.

The intent of a rear yard depth is to provide adequate separation and to mitigate potential impacts between the proposed development and adjacent properties, while also providing access and amenity space. As the property is a through lot with dual frontage along Commissioners Road East and the future Constance Avenue road extension, the rear yard depth functions the same as a front yard depth. In this case, the development is oriented to have the two-storey townhouse block oriented towards the future Constance Avenue extension. The proposed 3.0 metre setback will help establish a positive interface with the public realm, providing flexibility while the concept plan generally achieves a rear yard setback of 4.3 or more metres.

A minimum north interior side yard depth of 1.8 metres.

The intent of interior side yard depths is to provide adequate separation and to mitigate potential impacts between the proposed development and adjacent properties, while also providing access and amenity space. In this case, the reduced north interior side yard depth refers to a specific pinch-point between the proposed two-storey townhouse building and the lot line as a result of the irregular shape of the lot. The minimum interior

side yard depth of 1.8 metres is considered sufficient for the provisions of site maintenance and functionality between the building and lot line. The setback is also not anticipated to negatively impact abutting properties as the reduction is situated along the north interior side yard away from current and future residential developments.

Conclusion

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from an Urban Reserve (UR4) and Urban Reserve Special Provision (UR4(7)) Zone to a holding Residential R5 Special Provision (h-*h-18*R5-7(_)) Zone. Staff are recommending approval of the requested Zoning By-law Amendment with special provisions.

The recommended action is consistent with the *Provincial Policy Statement, 2020 (PPS)*, conforms to The London Plan and will permit a two-storey townhouse building, containing 7 units, and a three-storey back-to-back (stacked) townhouse building containing 14 units for a total of 21 residential units at a density of 60 units per hectare. The amendment will facilitate the redevelopment of the subject site and will contribute to the range and mix of housing options within the area.

Prepared by: **Michaella Hynes**
Planner, Planning Implementation

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

Recommended by: **Heather McNeely, MCIP, RPP**
Director, Planning and Development

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

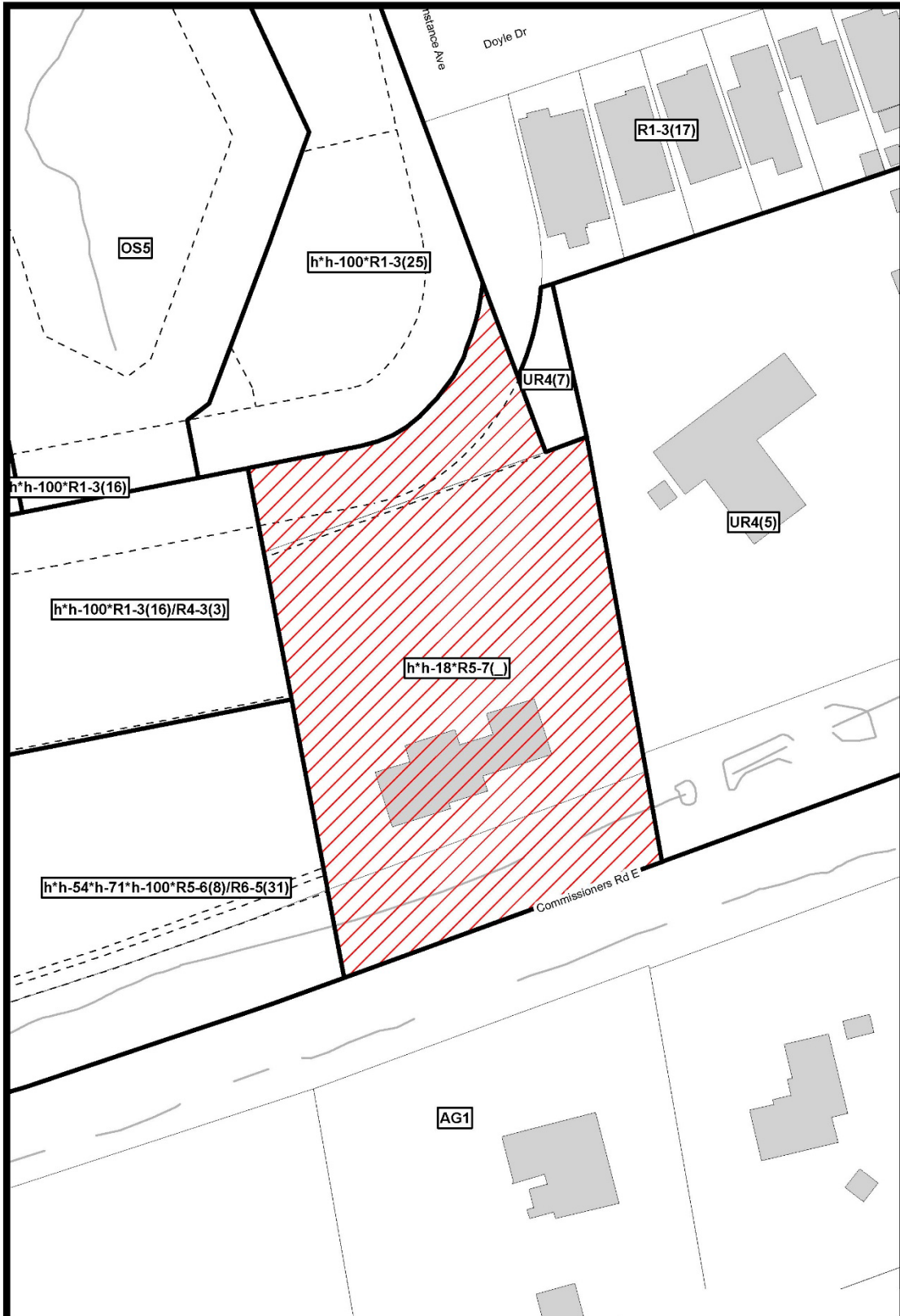
Copy: Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Josh Morgan
Mayor


Michael Schulthess
City Clerk

First Reading – January 23, 2023
Second Reading – January 23, 2023
Third Reading – January 23, 2023

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




File Number: Z-9668
Planner: MH
Date Prepared: 2023/11/27
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Single Detached Dwelling
Frontage	57.8 metres (Commissioners Road East)
Depth	Irregular
Area	3,530 metres square (0.353 hectares)
Shape	Irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

Surrounding Land Uses

North	Residential/ Open Space
East	Urban Reserve/ Residential
South	Agriculture
West	Residential/ Open Space

Proximity to Nearest Amenities

Major Intersection	Commissioners Road East, Old Victoria Road and Hamilton Road (560 metres)
Dedicated cycling infrastructure	Sheffield Boulevard and Commissioners Road East (450 metres)
London Transit stop	Route 10 via Southdale Road East and Route 93 via Jalna Boulevard (onsite) Route 38 Hamilton at Oriole SB (400 metres)
Public open space	Sheffield Park (175m)
Commercial area/use	Food Basics (3600 metres)
Food store	Food Basics (3600 metres)
Community/recreation amenity	City Wide Sports Park (2,300 metres)

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods fronting a Neighbourhood Street and Civic Boulevard
Current Special Policies	Old Victoria Community
Current Zoning	Urban Reserve (UR4) Zone (1982 Commissioners Road East) and Urban Reserve Special Provision (UR4(7)) and (part of 1964 Commissioners Road East)

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Residential R5 Special Provision (R5-7()) Zone

Requested Special Provisions

Regulation (R5-7)	Required	Proposed
Road Considered the Front Lot Line	Constance Avenue	Commissioners Road East
Front Yard Depth (minimum)	8.0 metres	3.0 metres
Rear Yard Depth (minimum)	8.0 metres	3.0 metres
North Interior Side Yard Depth (minimum)	0.5 metres per 1.0 metres of main	1.8 metres

Regulation (R5-7)	Required	Proposed
	building height, or fraction thereof, but in no case less than 3.0 metres when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres when the wall of a unit contains windows to habitable rooms.	

C. Development Proposal Summary

Development Overview

The development proposal comprises of a two-storey townhouse building, containing 7 units, and a three-storey back-to-back (stacked) townhouse building containing 14 units, with a maximum density of 60uph.

Proposal Statistics

Land use	Residential
Form	Cluster and Stacked Townhouses
Height	two and three-storeys
Residential units	21
Density	60uph
Gross floor area	N/A
Building coverage	43%
Landscape open space	30%
Functional amenity space	Provided onsite
New use being added to the local community	No

Mobility

Parking spaces	42 residential stalls; 2 visitor stalls
Vehicle parking ratio	2.1 spaces/ unit
New electric vehicles charging stations	N/A
Secured bike parking spaces	N/A
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	No

Environmental Impact

Tree removals	Yes
Tree plantings	Yes
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	No
Green building features	Unknown

Building Renderings – View from future Constance Avenue



Building Renderings – View from Commissioners Road East



Appendix D – Public Engagement

Community Engagement

Public liaison: On November 6, 2023, Notice of Planning Application and Notice of Public Meeting was sent to 32 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, November 9, 2022. A “Planning Application” sign was also placed on the site.

Nature of Liaison: The purpose and effect of this zoning change is to facilitate the development of a two-storey townhouse building, containing 7 units, and a three-storey back-to-back (stacked) townhouse building containing 14 units for a total of 21 residential units at a density of 60 units per hectare. Possible change to the Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone TO a Special Provision Residential R5 (R5-7(_)) Zone. Special Provisions include a front yard depth of 3.0 metres whereas 8.0 metres is the minimum required; and rear yard depth of 1.5 metres whereas 3.0 metres is the minimum required; and an interior side yard depth of 1.8 metres when the wall of a unit contains no windows to habitable rooms or 6.0 metres when the wall of a unit contains windows to habitable rooms.

Public Responses: Zero replies received.

Appendix E – Internal and Agency Comments

UTRCA

- The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.
- The UTRCA has no objections to the application, and we have no Section 28 approval requirements.

Urban Design

- **The following site and building design features are supported and should be carried forward:**
 - Locating the 3 storey townhouses facing Commissioners Road East and the 2 storey townhouses to the rear facing Constance Avenue
 - Providing a street-oriented built form with primary entrances and walkway connections to city sidewalks
 - Locating garages away from the streets and behind the blocks

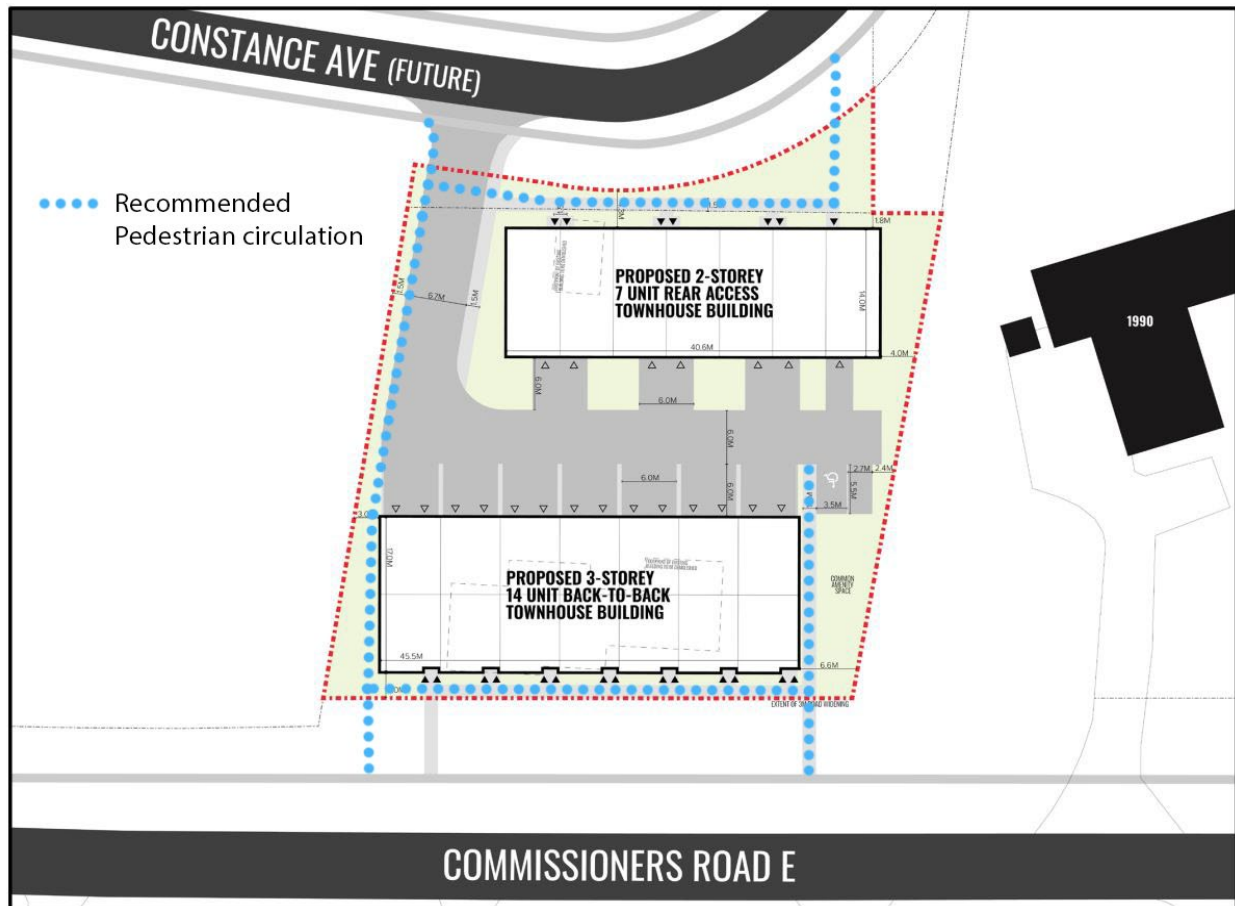
Mattered for Zoning

- Zoning should ensure the following setbacks along the property boundary:
 - **A minimum setback from the ultimate right-of-way from Commissioners Road East** to the south to encourage street-orientation while avoiding encroachment of footings and canopies, and considering the incorporation of patio or forecourt space that spills out into the setback to further activate the space and provide an amenity for the residents. *[TLP 259, 286, 288]*
 - **A maximum rear yard setback from Constance Avenue** (the future Neighbourhood Street to the north) to ensure a sense of enclosure to the street. *[TLP, 269, 272, 288]*
 - **A minimum rear yard and interior yard setbacks to the east and west with and without windows to habitable rooms** should ensure. *[TLP, 253, 252]*
 - Where unit windows face the rear yard/side yard, a minimum setback should allow for privacy and not hinder the redevelopment of adjacent properties.
 - Where no unit windows face the rear yard/side yard, a minimum setback should accommodate access and maintenance in the side yard.

Matters for Site Plan

- Design the side elevation of the corner units that are facing the driveway and the common amenity space with enhanced detail, such as wrap-around porches and a similar number of windows as is found on the front elevation to offer reasonable level of passive surveillance throughout the site. *[TLP 228, 290]*
- The pedestrian connection through the amenity space to the proposed active mobility network on the Civic Boulevard is acknowledged.
 - Provide landscape elements along the interface of the amenity area with the parking (to the north) and the Civic Boulevard (to the south) to create a comfortable and safe environment.
 - Ensure there are direct and safe walkways connecting both the townhouse blocks to the public streets. *[TLP 255, 268]*
 - Consider providing a walkway along the west property line connecting the sidewalks along the public streets and the townhouse blocks for enhanced pedestrian circulation throughout the site. (Refer to the attached sketch)
- Direct walkways from individual units of the 2 storey townhouses connecting Constance Avenue were preferred.

- If individual connections are not feasible, consider providing an additional walkway connection from the public sidewalk to the east side of the property for providing a direct route for pedestrians leaving and arriving to the east. [TLP 268]
- Clarify if a retaining wall along Constance Avenue is required. Avoid retaining walls along the street frontages where possible. Consider incorporating terraced landscaping and tiered retaining wall that adds visual interest, creates a comfortable pedestrian environment, and offers passive surveillance. [TLP 230, 285, 228]
- Submit a full set of dimensioned elevations for all sides of the proposed buildings. Further urban design comments may follow upon receipt of the elevations.



London Hydro

- 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.

Parks Planning

Matters for Site Plan

- Parkland dedication will be required in the form of cash in lieu, pursuant to By-law CP-25 and will be finalized through the Site Plan Approval process.

Heritage

- Please note that I have reviewed the following report as a part of the submission for Z-9668 for 1982 Commissioners Road East:
 - Lincoln Environmental Consulting Corp., Stage 1-2 Archaeological Assessment of 1982 Commissioners Road East, in Part of Lot 8, Concession 1, Former Township of Westminster, Now City of London,

Middlesex County, Ontario (PIF P1289-0432-2023) July 2023.

- The City has not yet received confirmation of acceptance of this report by the Ministry of Citizenship and Multiculturalism (MCM). In addition, the report indicates that a Stage 3 Archaeological Assessment is required for this property, and that consultation with the MCM should occur regarding any potential Stage 4 mitigation required, based on the findings of the Stage 3 Archaeological Assessment.
- Archaeological matters for this property have not yet been addressed. The h-18 holding provision should be applied in order to ensure that the outstanding archaeological matters are addressed prior to soil disturbance.

Site Plan

Major Issues

- Clarify the ownership of the portion of 1964 Commissioners Road East (parcel to the north), to provide frontage and access on Constance Avenue. Consider adding a holding provision to merge if a consent is not obtained ahead.

Matters for Zoning

- Currently the front yard along Commissioners Road East is providing frontage for the subject site. Ensure all setbacks accurately reflect the eventual yards.
- Provide a floor plan of the *proposed 2-storey 7-unit rear access townhouse building* to clarify that no windows to habitable rooms are provided along the segment of the northern elevation that abuts the interior side yard.

Matters for Site Plan

- Provide a full set of dimensioned elevations in metric. (Site Plan Control By-Law 1.8,f)
- Identify locations for snow storage on-site. (Site Plan Control By-Law 1.5.)
- Clarify the location and type(s) of fencing and/or screening that is proposed and demonstrate how planting in accordance with the SPC By-law can be accommodated.
- Clarify how waste collection and waste vehicle turnaround will function on the proposed development. Specify the proposed waste collection method, screening, storage location and collection point. (Site Plan Control By-Law 10.3.b))
- Outline the access routes for emergency vehicles including the location, width, turning radius, vertical alignment, and location of the fire route. Show the location of the fire route sign(s) on the site plan. Consider how your fire servicing route will function. (Site Plan Control By-Law 6.7. 7)
- Ensure that the proposed Type A accessible parking spot includes a curb ramp and a shared access aisle with white or yellow hatch markings. Show the location of the accessible parking sign(s) on the site plan. (Site Plan Control By-Law FIGURE 7.1: PARKING SPACE FOR PERSONS WITH DISABILITES TYPE A)

Ecology

- This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.
- 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.

Engineering

- No issues for the zoning. Please see the comments below for the future site plan.
- We would be requiring a holding provision on the property until the municipal servicing outlets and roads have been installed and commissioned as part of the Victoria on the River Phase 6 subdivision.

Water

- Confirm the water service size required for the development. The body of the report references a 50mm water service connection, while the servicing drawings in the Appendix, and civil drawings for the subdivision by Development Engineering reference a 100mm water service connection to the site. Coordinate site requirements with Development Engineering and update accordingly.
- As referenced in the report, water is available via a future 250mm watermain on Constance Avenue. This watermain will be constructed under Phase 6 of 39T-19501 – Victoria on the River.
- A water servicing report will be required with hydraulic modelling results addressing domestic water demands, water quality, fire flows and resulting pressures.

SWED

- MN#1990 is proceeding with a concurrent application. The consultant is to ensure the most up to date grading information for the shared property line is updated to inform the design of MN#1982.
- As per the subdivision design, the consultant is to increase the proposed C value by 25% in the 100-yr storm event to account for impermeability.

Transportation

- Right-of-way dedication of 18.0 m from the centre line be required along Commissioners Rd E. Presently the width from centerline of Commissioners Rd E at this location is 15.24m as shown on Expropriation By-law 2884 (166862 Misc.). Therefore, an additional widening of 2.76m is required to attain 18.0m from centerline.
- Detailed comments regarding access design and location will be made through the site plan process.

Landscape Architecture

Major Issues

- The Development and Planning Landscape Architect does not support reduced rear and side yard setbacks. Sufficient volume of soil must be provided to support tree growth, as required in Site Plan Control Bylaw and to meet canopy goals of the London Plan and the Urban Forest Strategy. London Plan Key Direction #4 is for London to become one of Canada's greenest Cities. The side yards may need to accommodate fencing, retaining walls, drainage features [above and below ground] and tree planting. Reduced setbacks will cause conflicts between these features. Tree planting is essential to provide privacy to adjacent residential properties.

Matters for OPA/ZBA

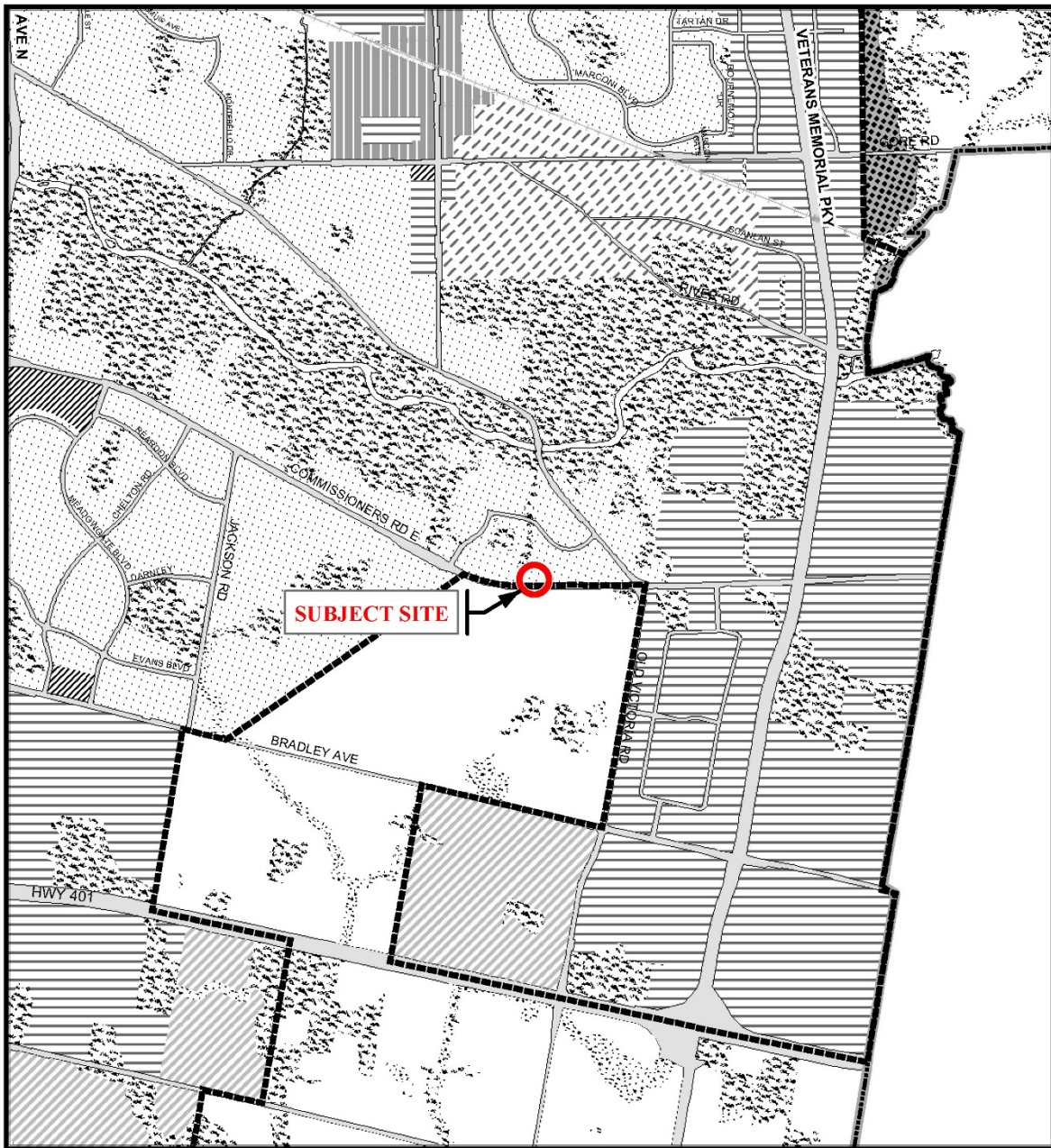
- If boundary trees are identified on a tree preservation plan, consent to injure or remove will be required. If consent cannot be obtained from co-owner, then a non-disturbance setback will need to be established at each tree's critical root zone limits as determined by dbh.

Matters for Site Plan

- The proposed development poses some risk of injury to CoL boulevard trees. The consent from Forestry Operations and proof of payment will need to be supplied to the City as part of the Site Plan Application process.
- If boundary trees are identified in the tree preservation plan, consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for approval will be forwarded for Site Plan Review.
- Replacement trees to be recommended to Site Plan Review based on total dbh removed.

Appendix F – Relevant Background

The London Plan – Map 1 – Place Types



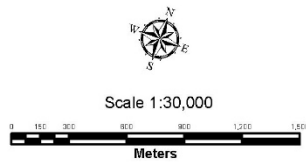
Legend

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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

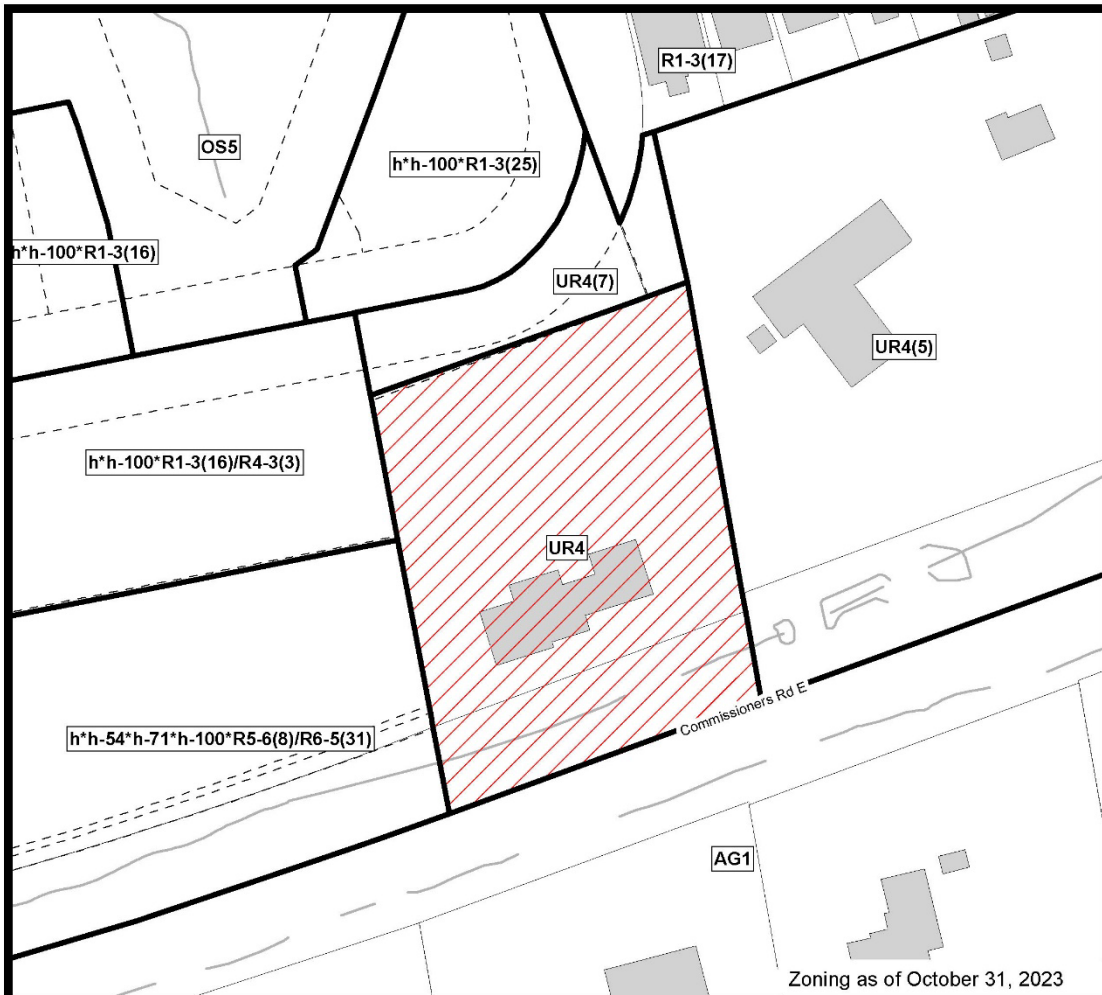
CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning & Development



File Number: Z-9668
Planner: MH
Technician: RC
Date: 2023/11/27

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 |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| 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-9668

MH

MAP PREPARED:

2023/11/27

RC

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