



**PLANNING & DESIGN REPORT (Revised)**

**“WESTROCK”**

**1856 - 1870 OXFORD STREET WEST, LONDON**

**Proposed Zoning Bylaw Amendment  
to permit a Mixed Use Apartment Building**

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SBM-20-3418

November 2023





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10 November 2023  
SBM-20-3418

**RE: Planning & Design Report – 1856-1870 Oxford Street West, London**

Dear Mr. Corby,

Strik, Baldinelli, Moniz Ltd. has been retained by Oxford West Gateway Inc. to coordinate the preparation and submission of a Zoning By-law Amendment (ZBA) application for landholdings municipally addressed 1856-1870 Oxford Street West in the Riverbend South planning area of London, ON.

This report provides an introduction and policy review of the proposed development and the applicable relevant provincial and municipal policies. The application is being brought forward with the intent to construct a mixed use building with two towers, consisting of 223 apartment units and approximately 840 m<sup>2</sup> of ground floor commercial uses.

Respectfully submitted,

**Strik, Baldinelli, Moniz Ltd.**

Planning • Civil • Structural • Mechanical • Electrical

A handwritten signature in black ink, appearing to read 'NDyjach', is positioned above the contact information.

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# 1 INTRODUCTION

The purpose of the following land use Planning Justification Report is to evaluate a proposed Zoning By-Law Amendment (ZBA) application for the lands at 1856-1870 Oxford Street West (the “Subject Lands”) within the context of existing land use policies and regulations, including the Provincial Policy Statement, the City of London Official Plan (*The London Plan*), Riverbend South Secondary Plan, and the City of London Zoning By-law.

The applicant is seeking to amend the Zoning Bylaw to permit a high density, mixed-use apartment building with ground floor commercial within the southeast corner of the existing commercial shopping node that is marketed under the name “WestRock” (**Figure 1**). The intent of this application is to strive toward a complete community within WestRock that includes shopping, office employment and residential land uses – live, work and shop.

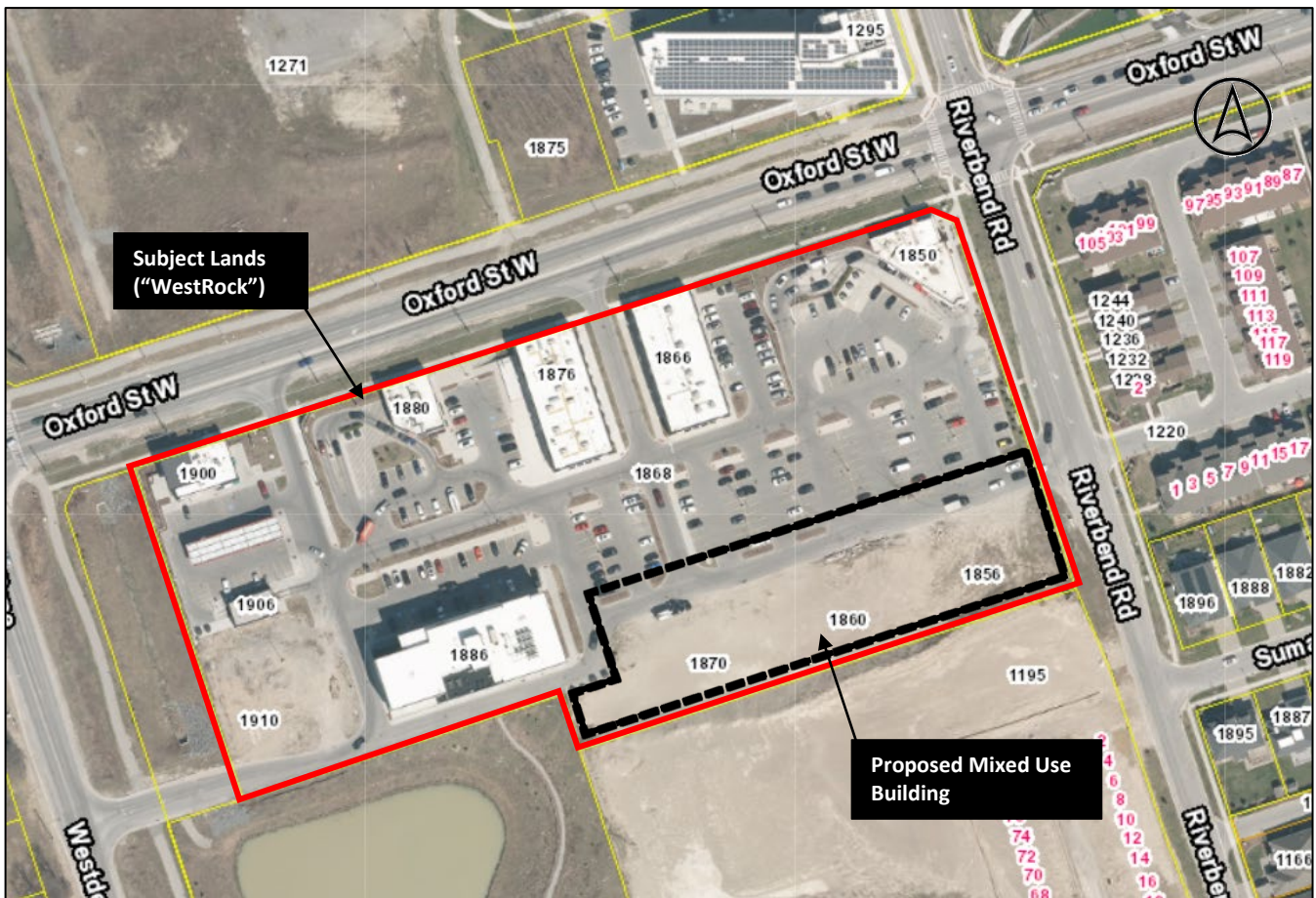


Figure 1. Subject Lands – Aerial View

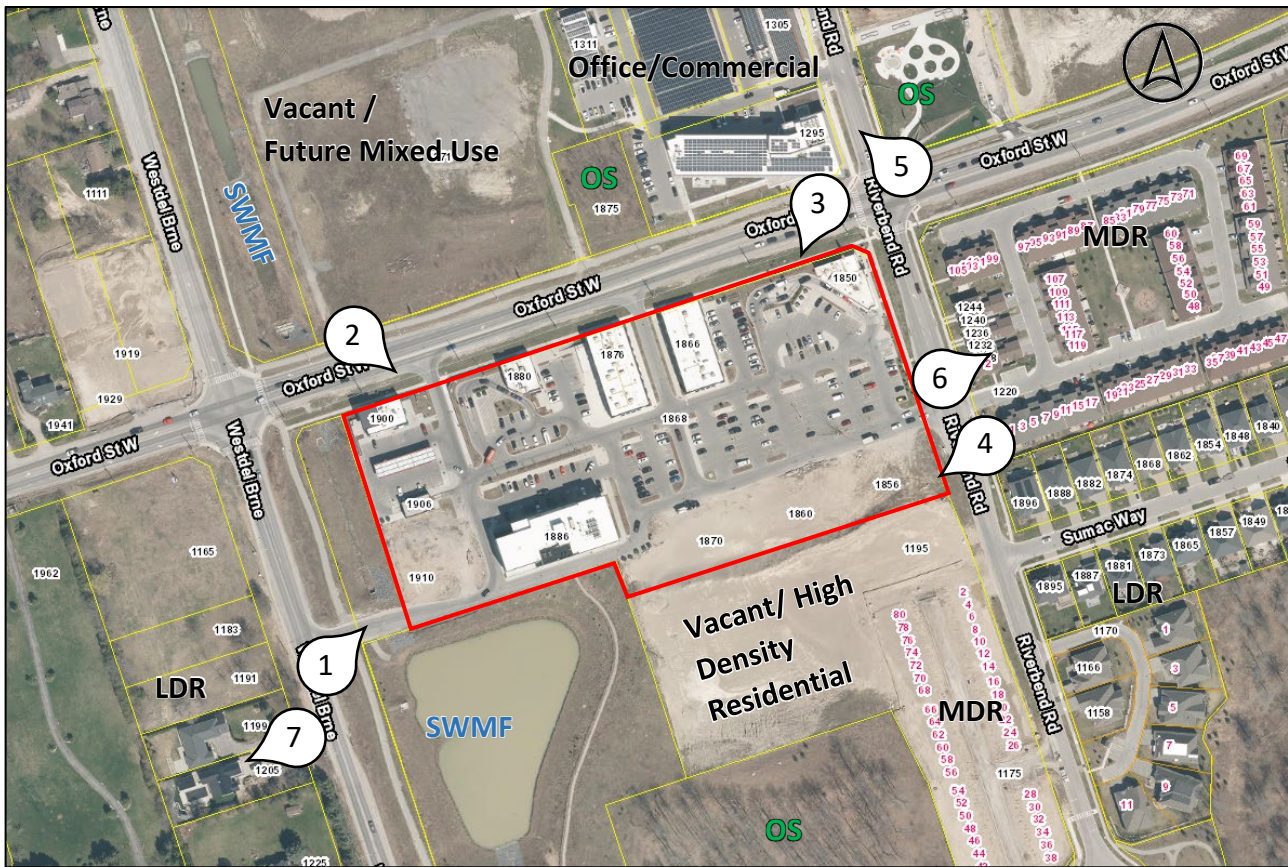


Figure 2. Location and Photo Key Map

## 2 SITE DESCRIPTION

WestRock is located in the west quadrant of the City of London, south of Oxford Street West, between Westdel Bourne to the west and Riverbend Road to the east. The large commercial lot that is approximately 3.28 hectares (8.1 acres) in area and is offered high visibility, frontage and access onto the two arterials (Westdel Bourne and Oxford Street West) and a collector (Riverbend Road). The commercial lot has been developed with eight existing commercial/office buildings and associated surface parking within the west and north portions of the site.

The proposed mixed use building would be located within the southeast portion of the site, which is currently vacant (refer to **Figure 1** and **Figure 2**). **Photos 1 – 4** reflect the existing context of the Subject Lands.



**Photo 1.** View of Subject lands looking east from Westdel Bourne.



**Photo 2.** View of Subject Lands looking southeast from Oxford Street West.



**Photo 3.** View of Subject Lands looking southwest from Oxford Street West and Riverbend Road intersection.



**Photo 4.** View of Subject Lands and proposed Development Area, looking west from Riverbend Road.

### **3 SURROUNDING LAND USES**

The surrounding uses consist of a mix of low to medium density residential, open space, commercial and office uses. Vacant lands to the south are planned for high-density residential development and townhouses under construction. More specifically:

**North:** Across Oxford Street West is the West Five community, consisting of Sifton Properties offices/headquarters (**Photo 5**), and ground floor retail uses (BDC(31) Zone). To the west of the office use is the Kilbourne Cemetery (OS3 Zone) and vacant lands planned for future commercial development (CSA5(7) Zone).

**East:** Across Riverbend Road is a cluster townhouse development (R5-4(13) Zone) (**Photo 6**) and single detached dwellings (R1-5 Zone) on Sumac Way.

**South:** Directly south is vacant land that is planned for high density (R10-3(7) Zone) residential developments with a maximum height 48 m. Along Riverbend Road are cluster townhouses currently under construction (R5-7, R6-5 & R8-4 Zones).

**West:** Directly abutting the Subject Lands is a linear stormwater management facility (OS Zone), abutting Westdel Bourne. Across the Westdel Bourne are large residential lots (**Photo 7**) with single detached dwellings (R1 Zone) fronting onto the arterial road with significant front yard setbacks.



**Photo 5.** View of Offices (Sifton), looking north from Oxford Street West and Riverbend Road intersection.



**Photo 6.** View of Medium Density Residential (Townhouses), looking east from Riverbend Road.





**Photo 7.** View of Low Density Residential (Single Detached Dwellings), looking west from Westdel Bourne.

## **4 SPATIAL ANALYSIS**

### **4.1 REGIONAL SPATIAL ANALYSIS (800M)**

The Subject Lands are located within the South Riverbend Neighbourhood that is actively being developed as a “complete community” with a mix of low, medium, and high density residential, commercial, employment, open space land uses, and St. Nicholas Catholic Elementary (K-9) School. **Figure 3** illustrates the community context within a 400m and 800m radii, representing straight line walking distances of 5 and 10 minutes, respectively.

Surrounding features include a connected network of open spaces and lands that are currently under development or planned for new community-oriented uses. The surrounding area provides several open space destinations including pedestrian paths and other recreational opportunities. Areas such as Warbler Woods & Kains Woods ESAs, Hickory Woods, Riverbend Park, as well as a connected stormwater management system offer unique recreational and ecological amenities throughout the community within an 800m distance.

Oxford Street West is a high-volume arterial roadway serving the surrounding communities as a Gateway into the city with direct connection to the downtown. Bus transit is anticipated to be extended to the Subject Lands when warranted. Presently, bus stop facilities are located to the east on Commissioners Road and Riverbend Road, providing linkage to Route #17 – Byron/Riverbend – Argyle Mall.

WestRock is a prime destination in the area, providing a large commercial destination that offers the day-to-day needs of the residents within the neighbourhood, as well as surrounding communities.

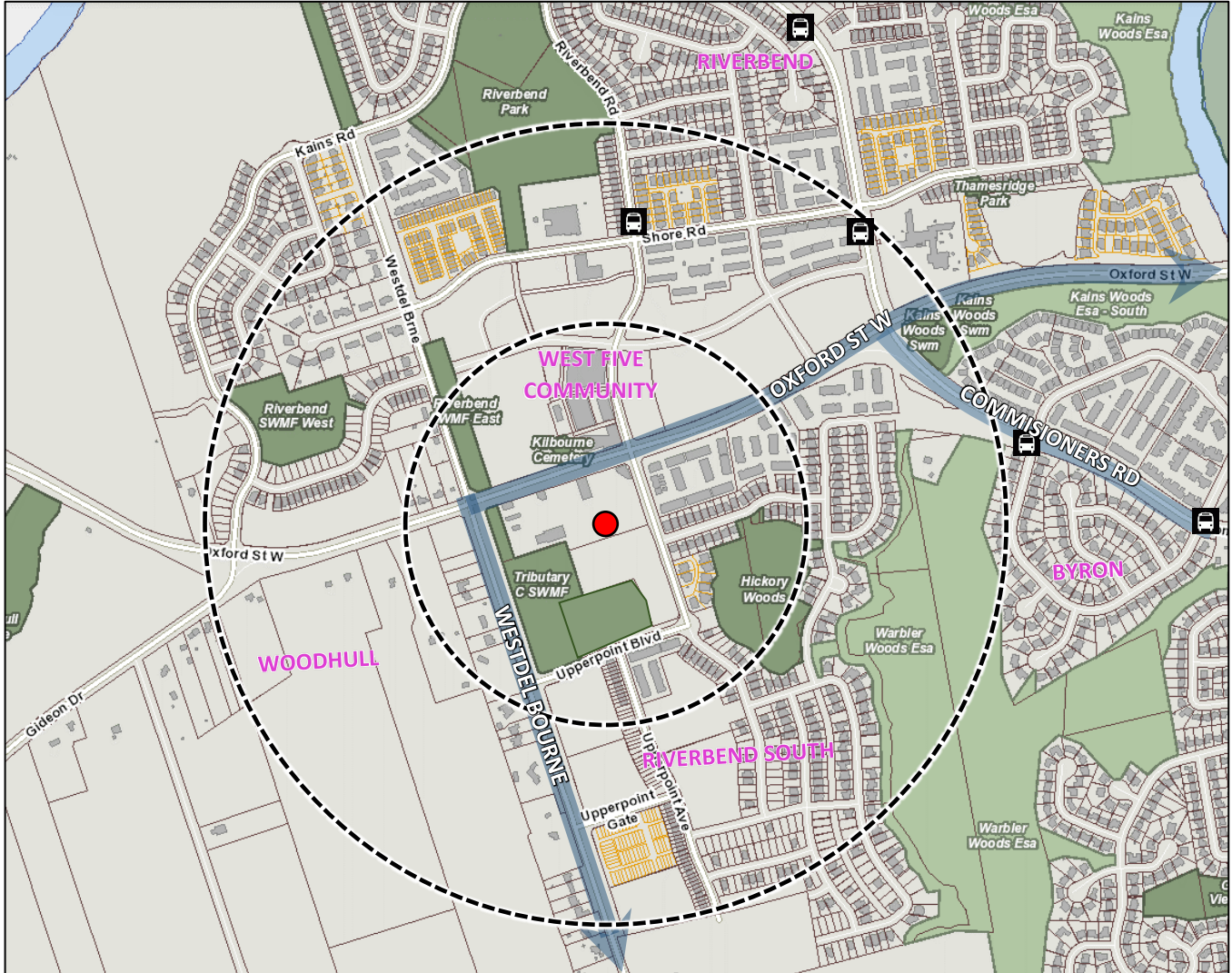


Figure 3. Regional Spatial Analysis (400m and 800m Radius)

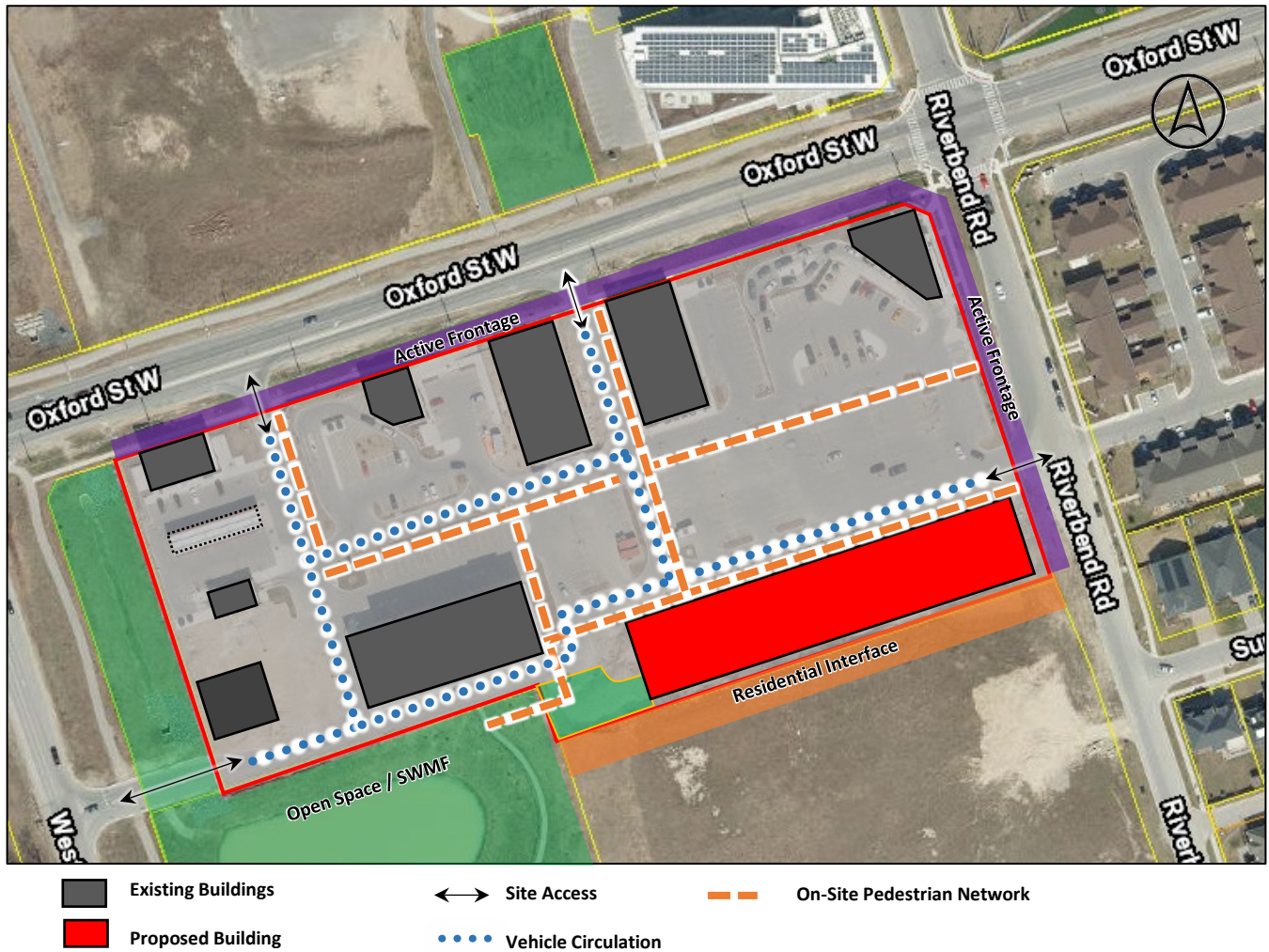


Figure 4. Site Specific Spatial Analysis

#### 4.2 SITE SPECIFIC SPATIAL ANALYSIS

A Site Specific Spatial Analysis was conducted on the Subject Lands, including:

**Composition and Built Form:** The Subject Lands are presently being developed. There are eight commercial/office buildings constructed on the site. These existing buildings comprise over 6,500 m<sup>2</sup> of gross commercial (non-residential) floor space for commercial and office uses. The existing buildings have been located along the periphery of the property limits and at the access points of the site, framing the entrances, and maintaining the surface parking internal to the site.

**Edge Conditions:** The site is afforded with “Active Street Frontages” along two streets; however, several physical conditions do not permit convenient pedestrian access to Westdel Bourne or Oxford Street West requiring retaining walls and stair connections. A similar grading constraint would also be present along

the south and southeast property limits. The proposed building would locate primary building entrances to “front” onto Riverbend Road, have a façade that is architecturally treated to emphasize the street edge and improve visual interest, and landscaping that promotes pedestrian activity and connections to the public sidewalk. The south property limits, south of the proposed building, is identified as an “Residential Interface”. The abutting lands are currently under development, with townhouses setback from the property limit and land zoned for a future high-rise building.

Connectivity: There are presently four access points into the WestRock commercial development and no new accesses would be created with the proposed development. Public sidewalks are currently located on Westdell Bourne, Oxford Street West, and Riverbend Road. Walkways from the proposed development would connect residential and commercial entrances through the site and to the public sidewalk network. A stormwater management facility is located to the southwest of the proposed building and would also be connected by parkette and walkway connection to provide additional amenity to residents and visitors.

## **5 PRE-APPLICATION CONSULTATION**

A Pre-Application Consultation meeting was held on April 20<sup>th</sup>, 2021, with staff from the City of London to discuss the initial development proposal. At the meeting several urban design/site layout alternatives were recommended to the applicant. A subsequent redesign of the building has been made to increase tower separation by reducing the number of towers (from 3 to 2), create additional setbacks from Riverbend Road, increase the podium height, and refine the architectural treatment of the façades.

The Record of Pre-Consultation identified that: *“There are inconsistencies with the proposed form, and intensity of the proposed development with the contextual and policy framework. The development of the lands should be consistent with intensity, and form for the lands contemplated within the policy framework.”* This is further reviewed in Section 8 of this Report. The proposed development and Land Use policy framework defers to the Riverbend South Secondary Plan, which provides the more detailed land use and built form policies envisioned for the Riverbend South community, while being consistent with or having regard for the citywide Official Plans.

This application was also presented to the Urban Design Peer Review Panel on April 20, 2022. A response to the Panel’s comments has been submitted separately.

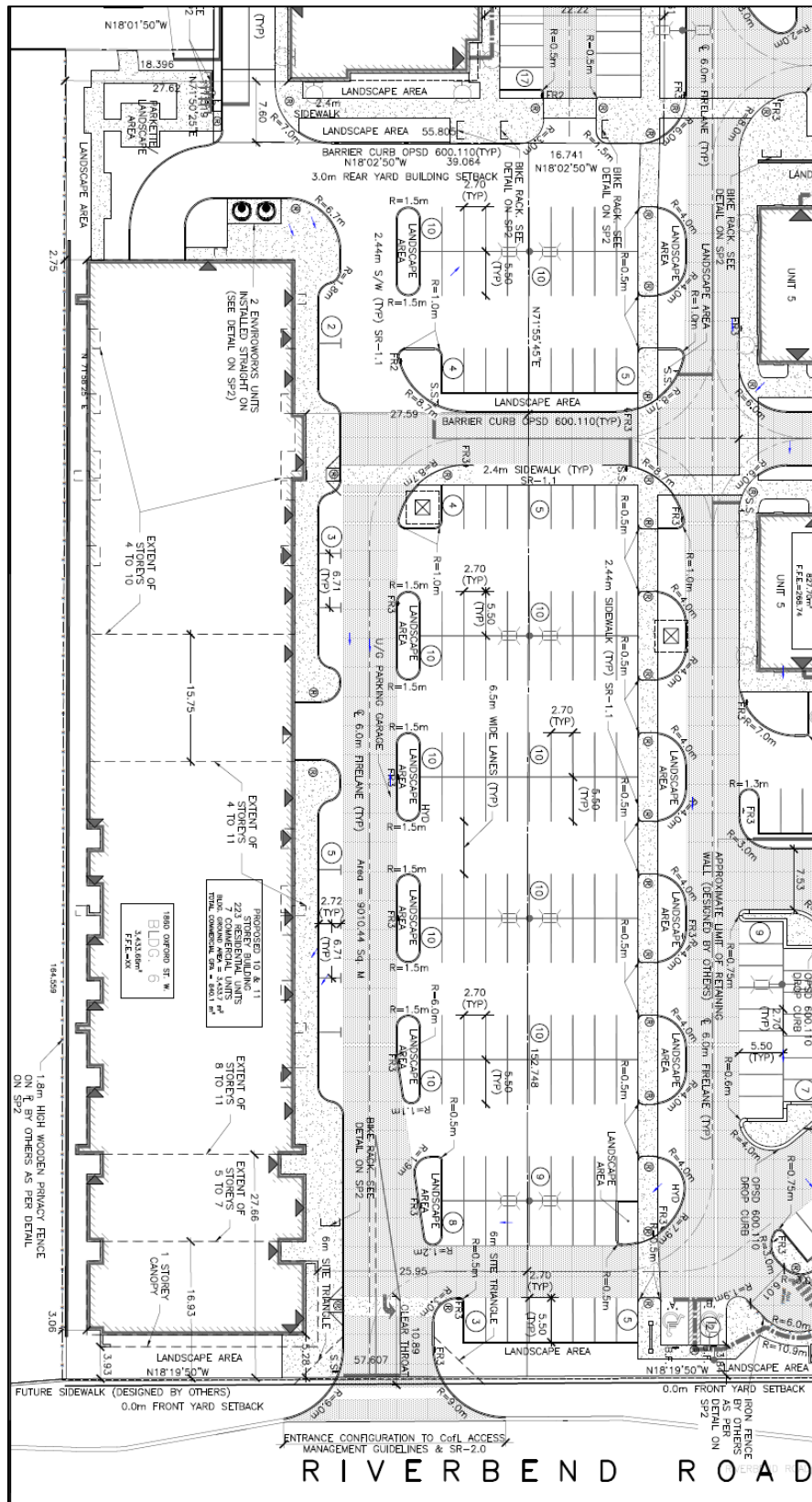


Figure 5. Excerpt of Proposed Site Plan

## Development Concept

The proposed development envisions a mixed use development consisting of a base podium consisting of approximately 840 m<sup>2</sup> of ground floor commercial and two 10 & 11 storey towers, containing 223 apartment units in total (**Figure 5**).

The building would be located to the southeast corner of the Subject Lands, aligned with the south property limit. Surface parking for visitor usage is shared amongst the commercial development and is located to the north of the building, central to the Subject Lands and screened from the public sidewalk with landscaping. Majority of required parking is internal to the building, within one level of underground parking and one level at-grade within the podium. Access to internal parking would be provided to the north and west sides of the building. Commercial uses have been oriented along the ground floor concealing internal parking and animating the pedestrian walkway and building entrances.

The building would be designed to address Riverbend Road and the more sensitive residential land uses across the street by using building stepbacks (of 16m and 27m) to create a more human-scale street edge. An angular plane of 45 degrees has been used along Riverbend Road, or 47 degrees from centreline of the road, to limit the building height and maximize sky view from this collector roadway. The façade along Riverbend Road would be designed using architectural elements to emphasize the building entrances, connected to the public sidewalk with walkways, and landscaped to provide a welcoming street interface.

Internal to the site and facing the internal parking area, seven ground floor commercial units provide an active facade for residents and visitors, animating the site, and encouraging a lively community node. Access to residential apartment units would be provided via principal building entrances located to the north and east side of the building.



Figure 6 Rendering of North Elevation – View from Riverbend Road



Figure 7. Rendering of South Elevation – View from Riverbend Road



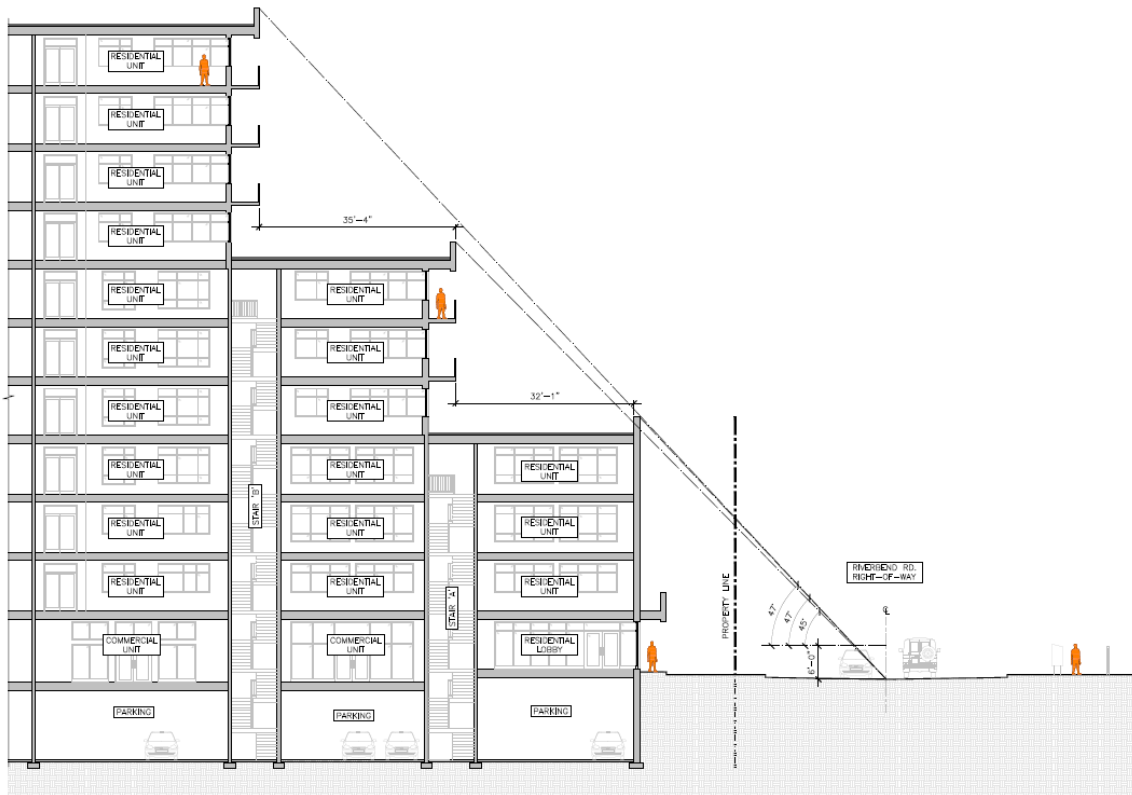
**Figure 8.** Rendering of North Elevation – View from within WestRock commercial development

## **6 DESIGN CONSIDERATIONS**

Several applicable documents within the City of London Planning framework provide guidelines and recommendations on urban design for the Subject Lands. The following outlines the urban design considerations that have been implemented with the proposed development and that are consistent with Section 20.6.5 of the Riverbend South Secondary Plan and Policies 221-305 of The London Plan.

Surrounding Context & Access to Sunlight: Lands to the east of Riverbend Road consist of low-rise cluster townhouses. The building would be designed with two significant step backs from Riverbend Road to provide a gradual height transition from the adjacent residential properties to a tower form using an angular plane of 45 degrees. The step backs will also provide increased privacy and opportunities for common amenity spaces above the ground floor, as well as present a more “human-scale” at street level, and maximize sky view.





**Figure 9.** Angular Plane measured from Centerline of Riverbend Road

**Relationship to the Street:** The proposed mixed use building would be brought forward to the street, reducing the “front” yard setback from Riverbend Road. This street edge would include a principal entrance to the residential building component connected via wide pedestrian walkway to the public sidewalk on Riverbend Road (**Figure 10**).

**Building Massing:** the proposed building would enhance the street edge as well as the pedestrian experience within the WestRock commercial development by using architectural features to break-up the massing of each facade. An emphasis is placed on the podium level, emphasizing the ground floor commercial units, with Variations in colour, building articulations and additional canopies have been added at each residential entrance to highlight and direct pedestrian flow around the building

**Podium and Pedestrian Realm:** The proposed building would have a podium that varies in height, delineated by using building articulation, to emphasize the interface on Riverbend Road and between residential and commercial units. Façade treatment at-grade along the commercial “storefronts”

includes a higher proportion of glazing to clearly delineate commercial unit entrances. This facade was designed to accent the ground floor commercial space with large glazing while keeping in mind the pedestrian scale.



**Figure 10.** Rendering of East Elevation – View from Riverbend Road.

**Tower:** The building would comprise of two residential towers on top of the podium, separated to adequately provide privacy between buildings and reduce sun shadow impacts on the commercial spaces to the north. Upper units would be provided with large wrap around balconies offering scenic views and private amenity space (**Figure 11**).

The east tower would be 11-storeys in height and designed with setbacks from Riverbend Road to provide gradual height transition from the adjacent street. Multiple fin walls would be incorporated to break up the façade and provide articulation to the built form. This architectural treatment has been utilized in a manner to break the north façade into more human-scale elements and provide visual interest from the street facing façade.

The west tower would be 10-storeys providing a varied tower height and designed to incorporate a mirrored image of the first tower to provide a cohesive rhythm between the two distinct towers. Horizontal and vertical architectural columns would also be utilized within the design to break up the façade and provide articulation to the building massing.



**Figure 11.** Rendering of North Elevation – View from Oxford Street West.

**Building Materials:** The material palette is composed of three primary elements. Brick masonry veneer is used to highlight the residential and commercial entrances/spaces as well as anchoring the base of the building. Multiple modern neutral colours on the towers above provide horizontal and vertical articulations to the building. Glass provides transparency, openness, and lightness throughout the building, while also creating additional horizontal & vertical articulations.

**Vegetation:** The site is largely developed and paved, thus there are limited opportunities for tree preservation or new planting. Landscaping areas would use appropriate planting materials along building walkways, within parking islands and along the street facing façade to soften the modern elements, provide an inviting space for pedestrian traffic, and provide a common link between the development and surrounding neighbourhood. An amenity area with hard and soft landscaping would be located to the west end of the building, providing a green connection to the stormwater management facility and trail network.

**Parking & Loading:** Vehicular access to the development is provided by the existing drive-aisles established throughout the WestRock commercial development. Visitor and commercial parking would be located within the surface parking area, central to the Subject Lands. The majority of residential parking would be located internal to the building with two building accesses to the north and west

facades of the building. Locations for waste facilities will be explored as part of the detailed design stage of Site Plan Approval but would be stored internally until removal is scheduled.

## **7 SUPPORTING STUDIES**

### **7.1 SANITARY SERVICING FEASIBILITY STUDY**

A Sanitary Servicing Feasibility Study (SFS) has been completed by SBM, dated December 2021, and submitted under separate cover. The study was completed to determine the adequacy and capacity of the existing sanitary services in support of the Zoning By-Law Amendment (ZBA) and proposed site plan development.

The Subject Lands are tributary to an existing 300 mm diameter sanitary stub at the southwest corner of the Subject Lands which connects to the existing sanitary manhole located within the Westdel Bourne ROW. Sufficient capacity in the receiving sewers downstream would be available for the proposed development.

Generally, the proposed development would be adequately serviced with existing municipal infrastructure available within the abutting rights-of-way. A more detailed design and servicing evaluation would be conducted through Site Plan Approval.

## **8 PLANNING POLICY FRAMEWORK**

### **8.1 PROVINCIAL POLICY STATEMENT (PPS)**

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient, cost-efficient development and the protection of resources. The proposed development is consistent with the PPS and more specifically supports the following policies:

- The Subject Lands are located within the urban growth boundary, along an arterial corridor (Sections 1.1.3.1 and 1.1.3.2) and, as such, the proposed development promotes cost-effective development to minimize land consumption and servicing by utilizing existing facilities (Sections 1.1.1.b-e, h and 1.6.6.2).
- The proposed development makes efficient use of land and municipal services, is located in proximity to trails and supports walkability and transit, and would not create adverse impacts on surrounding properties (Sections 1.1.3.2 and 1.1.3.3).

- The proposed development provides a compact development and supports the range of housing options in the form of apartment dwellings, contributing to meeting housing needs in a location that is well suited for increased density (Sections 1.4.1 and 1.4.3).
- The use of existing municipal infrastructure (i.e., sewage, water, and stormwater) is being optimized through the proposed development along Westdel Bourne, Oxford Street West and Riverbend Road corridors (Section 1.6.6).

**Based on the above, it is the opinion of the writer that the proposed Zoning By-Law Amendment is consistent with the policies of the 2020 Provincial Policy Statement.**

## 8.2 THE LONDON PLAN

The London Plan designates the Subject Lands as being within the “**Shopping Area**” place type and “**Neighbourhoods**” place type and fronting onto an “**Urban Thoroughfare**” (Oxford St W) and “**Neighbourhood Connector**” (Riverbend Rd) (Figure 12).

Under the London Plan’s Key Direction #5 “*Build a mixed-use compact city*” (Policy 59), the proposed development achieves the objectives under Direction #5, by contributing to “inward and upward” growth with a compact mixed use apartment building within a community commercial node, allowing residents to live, work, shop and recreate. The proposed zoning bylaw amendment conforms with the character of the existing commercial buildings, is proximal to recreational amenities, and will enhance walkability in the area.



Figure 12. The London Plan (Map 1) Place Types

The proposed zoning bylaw amendment conforms with the character of the existing commercial buildings, is proximal to recreational amenities, and will enhance walkability in the area.

The intent of the “Neighbourhoods” place type is to permit a range of residential land uses and intensities that are compatible in form and offer a variety of housing choice, particularly with higher intensity/density along higher-order streets. The intent and approach of this place type is:

*“to balance neighbourhood stability and predictability with the goals of creating neighbourhoods that allow for different housing types, an appropriate mix of uses, affordability, aging in place, and vibrant, interesting communities” (Policy 919.6)*

London Plan lists the permitted uses for sites within the “Neighbourhoods Place Type” with frontage onto an “Urban Thoroughfare”, to include Low Rise Apartments (Table 10) up to four storeys in height (Table 11).

Urban design considerations associated with the “Neighbourhoods” place type are outlined in Policies 189-306 of the City Design chapter of The London Plan. The overarching design objectives are listed in Policy 193:

1. *A well-designed built form throughout the city.*
2. *Development that is designed to be a good fit and compatible within its context.*
3. *A high-quality, distinctive and memorable city image.*
4. *Development that supports a positive pedestrian environment.*
5. *A built form that is supportive of all types of active mobility and universal accessibility.*
6. *High-quality public spaces that are safe, accessible, attractive and vibrant.*
7. *A mix of housing types to support ageing in place and affordability.*
8. *Sustainably designed development that is resilient to long-term change.*
9. *Healthy, diverse and vibrant neighbourhoods that promote a sense of place and character.*

**Response: The components of this proposal have been designed to achieve the applicable listed objectives in the following manner. The proposed development would be:**

- **architecturally designed to feature a high-quality building using high-quality materials, lighting and colour, and designed to minimize massing and promote a human-scale development that is reflective of the existing commercial development and provides visual interest to the London west skyline.**
- **compatible with existing residential land uses by stepping back from Riverbend Road to not overlook or cast shadow onto the adjacent properties.**
- **create a distinctive street edge along Riverbend Road, contributing to the creation of a consistent streetwall and activating the public realm.**
- **support walkability by linking the site via walkways to the sidewalk network as well as the proximal multi-use trails and providing short and long term bicycle facilities, thereby supporting active modes of transportation.**
- **designed in accordance with Ontario Building Code and Zoning Bylaw regulations that ensure the capability for universal accessibility.**
- **offering an attainable housing type within an establishing community that offers housing choice and affordability.**

The City Design policies of the London Plan are mainly addressed and further refined through the Site Plan Approval process, including design considerations for positive pedestrian environment, building materials, landscaping, and connectivity.

The intent of the Shopping Area Place Type is, “to allow for the more intense and efficient use of Shopping Area sites through redevelopment, expansion, and the introduction of residential development” (Policy 878.1).

**Response: The general intent of the Shopping Area place type seeks the intensification of existing sites. The proposed development would introduce residential apartment uses the commercial development, providing live-work opportunities.**

Policy 1556-1565 of The London Plan contains policies related to Secondary Plans, specifically 1558 which outlines the following:

*“Secondary plans will be adopted by City Council and form part of The London Plan. Where there is a conflict or inconsistency between the parent policies or maps of The London Plan and the policies or maps of a secondary plan, the secondary plan policies or maps will prevail.”*

The approved Riverbend South Secondary Plan provides more detailed policy direction in relation to land use, development intensity and building form. It is recognized that the proposed development is subject to the more detailed policies as set out in the Secondary Plan and the maps and policies of the Secondary Plan would prevail (see Section 8.2.1 of this Report).

**It is of the opinion of the writer that the proposed development supports the broad vision established for the “Neighbourhoods” Place Type. The existing WestRock commercial development with residential land uses conforms with the general urban design objectives of the London Plan.**

### **8.2.1 Riverbend South Secondary Plan (RSSP)**

The Riverbend South Secondary Plan (RSSP) was adopted by Council in 2015 to redesignate the subject lands for community growth. The policies of the RSSP are to be read and interpreted in conjunction with the 1989 City of London Official Plan, which refers to specific land use designations. With the RSSP, the Subject Lands are designated “**Community Commercial Node**”. Under Section 20.6.3.2 of the RSSP:

*“Permitted uses within this area will be consistent with Section 4.3.7.[3] of the Official Plan. In addition, residential units above commercial and office uses will also be permitted to foster live-work opportunities.”*

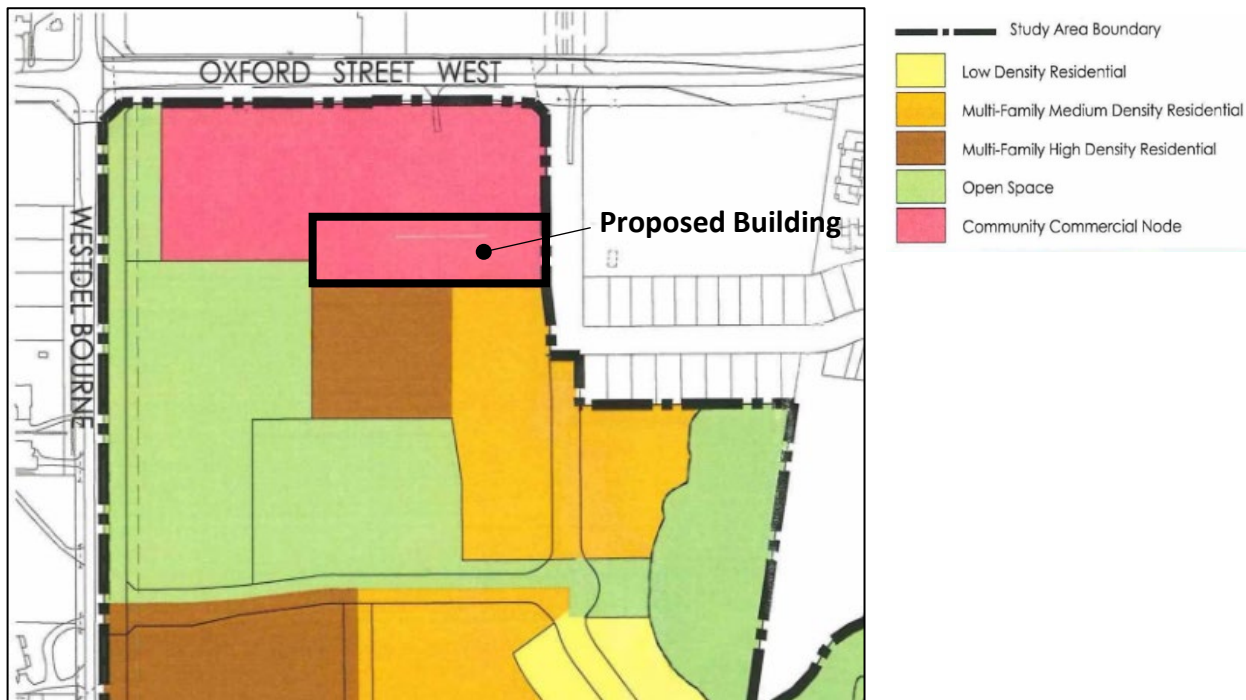


Figure 13. Riverbend South Secondary Plan – Schedule A: Land Use

Under Section 4.3.7.3 of the 1989 Official Plan, permitted uses include a variety of retail/commercial uses and “**Multi-Family, High Density Residential**”, which is described under section 3.4 of the former 1989 Official Plan as:

*“Multi-family, high density residential uses ... may also be permitted in the designation through a zoning by-law amendment application, site plan application and consideration of design features which provide for the proper integration of the two uses.”*

**RESPONSE:** The proposed Zoning Bylaw Amendment seeks approval to permit the High Density Residential use and considers the integration of the two uses, as well as the adjacent street network and existing uses (refer to Section 6).

Section 3.4.1. outlines the objectives of Multi-family, High Density Residential as:

- i) Support the development of multi-family, high density residential uses at locations which enhance the character and amenity of a residential area and where arterial streets, public transit, shopping facilities, public open space, and recreational facilities are easily accessible; and where there are adequate municipal services to accommodate the development.*
- ii) Provide opportunities for the development of multi-family, high density residential buildings at locations adjacent to major public open space areas where compatibility with adjacent land uses can be achieved.*



*iii) Promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to, the site.*

**RESPONSE:** The WestRock commercial development provides an ideal location for compact residential development by providing opportunities to live, work, shop and recreate within a short walking distance (refer to Section 4 Spatial Analysis). Commercial and employment opportunities continue to be attracted to the WestRock site as well as the West Five community to the north. Amenities and recreation opportunities for residents include the parks and trail network within the SWM facilities, West Five community (and Kains Wood), or Warbler Woods Park further east. The proposed development also recognizes the more sensitive land uses to the east, stepping back the east tower from the property limit along Riverbend Road. The proposed development meets these objectives.

Section 3.4.3 of the former 1989 Official Plan further describes the envisioned scale of development permitted for High Density Residential as:

- Net residential density of less than 150 units per hectare;

**RESPONSE:** Pursuant to Section 3.4 1) of the Zoning By-Law, the non-residential component of the development is assessed at one (1) dwelling unit per 100 m<sup>2</sup> of gfa. On the overall site plan, the proposed development meets this criteria (refer to Section 9).

- “Height and density limitations that are specified in the Zoning By-law...” and guided by criteria under 3.4.3.i.:

- *“a transition in scale ... to avoid extremes in building height and bulk between the new development and the existing built fabric of adjacent properties;*
- *a diversity of housing forms ... to minimize the overwhelming effect of large high-rise developments;*
- *high-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) ... with densities and building heights decreasing as the distance from an activity node increases;*
- *massive, at-grade or above-grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation; and*
- *conformity with this policy and the urban design principles in Section 11.1, shall be demonstrated through the preparation of a secondary plan or a concept plan of the site, and the final approval of zoning may be withheld pending a public participation meeting on the site plan, and the enactment of a satisfactory agreement with the City.”*

**RESPONSE:** The design considerations listed in Section 6 provide further detail to the above-listed criteria. The proposed residential building:

- is designed with building setbacks that alleviate the perception of building height from the adjacent street and reduces perceived shadow/privacy impacts on the existing residential uses to the east of Riverbend Road;
- contributes to the apartment unit housing supply in West London; and
- locates surface parking internal to the WestRock commercial development and connected with walkways. Internal and underground parking provides safe and convenient parking for residents of the building;

In the opinion of the writer, the proposed development conforms to the policies and objectives of the 1989 Official Plan and the Riverbend South Secondary Plan.

## **9 ZONING BYLAW AMENDMENT (ZBA) REQUEST & ANALYSIS**

### **9.1 EXISTING ZONING**

Presently, the Subject Lands are zoned Community Shopping Area (CSA5(6)) within the City of London Zoning By-Law. The CSA Zoning variations are generally intended to provide community-scale commercial lands with a wide variety of retails, personal service, office, recreation, and community facilities. High Density Residential uses are permitted under the CSA Zone by applying the Residential R8 or R9 Zones.

### **9.2 PROPOSED ZONING BYLAW AMENDMENT**

Per the General Purpose of the Section 22.1 of the Zoning Bylaw, a Zoning By-law Amendment is being requested to create a site specific zone for the Subject Lands to permit the proposed mixed use residential building.

**Table 1** provides a comparative analysis of the regulations of the existing CSA5(6) Zone as it relates to the proposed development.

**Table 1.** Zoning Data Table

Zoning Regulations	CSA5(6)	Provided	Conforms?
Permitted Uses	Varies (Non-Residential)	Apartment Building	✗
Lot Area (m <sup>2</sup> ) Minimum	n/a	32,816	✓
Lot Frontage (m) Minimum	100	127	✓
Front Yard Depth (m) Minimum	0.0	1.5	✓
Exterior Yard Depth (m) Minimum	0.0	0.0	✓
Interior Side Yard Depth (m) Minimum	4.5 † (Abutting Residential)	2	✗
Interior Side Yard Depth (m) Minimum	3 (Abutting Non-Residential)	10	✓
Landscaped Open Space (%) Minimum	10	25	✓
Lot Coverage (%) Maximum	30	24	✓
Height (m) Minimum	15 ††	40	✗
Gross Floor Area (m <sup>2</sup> )	30,000	29,379	✓
Density (UPH) Maximum	150	92	✓
Vehicle Parking	259	511	✓
Bicycle Parking (Short Term) Maximum	49	136	✓
Bicycle Parking (Long Term) Maximum	201 (0.9 / du)	98 (0.43 / du)	✗

† Approved by Minor Variance (A.062/18)

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**Table 2.** Overall Density Calculation

Existing Site	GFA (m <sup>2</sup> )
Bldg 1	280.90
Bldg 2	260.40
Bldg 3	827.15
Bldg 4	835.96
Bldg 5	410.12
Bldg 9	3615.00
Bldg 10	391.74
Bldg 11	119.01
<b>Total (m2)</b>	<b>6740.28</b>
<b>Unit Count</b>	<b>67.4</b>
<b>Subtotal - Units</b>	<b>68</b>

Proposed Building	GFA (m <sup>2</sup> )	Apt. (du)
Commercial	840.00	
Residential Units		223
<b>Total (m2)</b>	<b>840.00</b>	
<b>Unit Count</b>	<b>9</b>	<b>223</b>
<b>Subtotal - Units</b>		<b>232</b>

Total - Units	300
Gross Area (ha)	3.28
<b>Density (du/ha)</b>	<b>92</b>

Note: Non-residential land uses are calculated at one (1) unit per 100m of gross floor area.

## REQUESTED SPECIAL PROVISIONS

Based on the above zoning data comparison, the regulations of the existing CSA5(6) Zone would require additional special provisions to permit the proposed development, as follows:

### CSA5(\*\*) 1856-1870 Oxford Street West

#### a) Additional Permitted Uses

- i. Apartment buildings

#### b) Regulations

- i. Front and Exterior Yard Depth (Minimum) 0.0 metres
- ii. Internal Yard Depth - South (Minimum) 2.0 metres (new)
- iii. Height (Maximum) 40.0 metres (new)
- iv. Dwellings (Maximum) 223 units (new)
- v. Long Term Bicycle Parking Spaces (Minimum) 0.45 spaces per unit (new)
- vi. Permitted uses may be in stand-alone buildings that do not form part of a shopping centre.

### 9.2.1 Rationale:

#### Front and Exterior Yard Setback & Permitted Uses in Stand-Along Buildings:

There is no requested change to these two provisions, as they are already approved under CSA5(6) and would be carried forward with this new site specific zone. The front and exterior yards along Oxford Street West and Riverbend Road are intended to provide buildings and commercial frontages along the public realm to create a sense of place, per the Riverbend South Secondary Plan.

Internal Yard Depth: The proposed building is oriented east-west along the southern property limit. This would result in an internalized surface parking area between the commercial building fronting Oxford Street West and would adequately separate building height from the lower density residential uses east of Riverbend Road. To maximize the parking area for the commercial uses, the proposed building seeks permission to reduce the internal side yard depth from 4.5m to 2m. The purpose of the internal side yard is to protect for amenity space, reduce privacy and shadow impacts, and fire protection. With regard to these functions, the landowner has been in discussion with the landowner to the south to ensure that the planned development of those lands are capable to ensure that there is adequate separation space and functionality of both sites. With the experience of the applicant and developer, they are confident that the reduced internal setback would not create impediments to the future development of the southerly property.

Height: The requested increase to the building height from 12m to 40m to permit the 10 and 11 storey apartment towers. Comparable 8 – 9 storey residential buildings are located further north within the West Five neighbourhood on Riverbend Road. The proposed development would be 10 and 11 storeys in height and transitioned toward Riverbend Road to reduce the perception of the towers at street level. To the south of the site is planned for medium to high density residential and would anticipate a similar building height/intensity at a maximum of 18m and 48m, respectively. Therefore, the proposed building height would seem to fit with the existing and planned development. A sun shadow study has been completed by SBM and submitted under separate cover. The assessment found the impacts to be within acceptable limits.

Dwellings: The maximum number of dwellings would limit the amount of residential development permitted within the commercial development. Any planned expansion or infill of the commercial development for additional residential dwellings would be required to apply for planning approvals prior to site planning or building permit approvals.

**Long Term Bicycle Parking:** Recent Amendments to the Zoning Bylaw have required bicycle parking to be provided for apartment building at a rate of 1 bicycle space per dwelling unit, allocated as 0.1 spaces per dwelling for short-term parking and 0.9 spaces per dwelling for long term parking. The requested provision requests the rate for long-term bicycle parking to be reduced to 4.5 spaces per dwelling.

The Subject Lands are currently developed for commercial uses, including over 6,740 sq. m. of retail, restaurant and office uses. Substantial short-term bicycle parking has been already provided around the commercial development allowing various users to visit the site.

Per section 4.19.15 of the Zoning Bylaw, Long term bicycle parking is required to be located indoors in an accessible, secure, and weather protected area. Although not specified in the Bylaw, storing bicycles within the dwelling unit itself is not considered long-term bicycle parking. However, it is common for owners to prefer storing bicycles within the dwelling unit because it is convenient and easy to do so, and bicycles (or parts of) are perceived to be easily stolen or damaged in communal storage rooms. This could leave bicycle storage rooms to be often underutilized or eventually re-purposed.

### 9.3 REQUESTED ZONING BYLAW MAP AMENDMENT

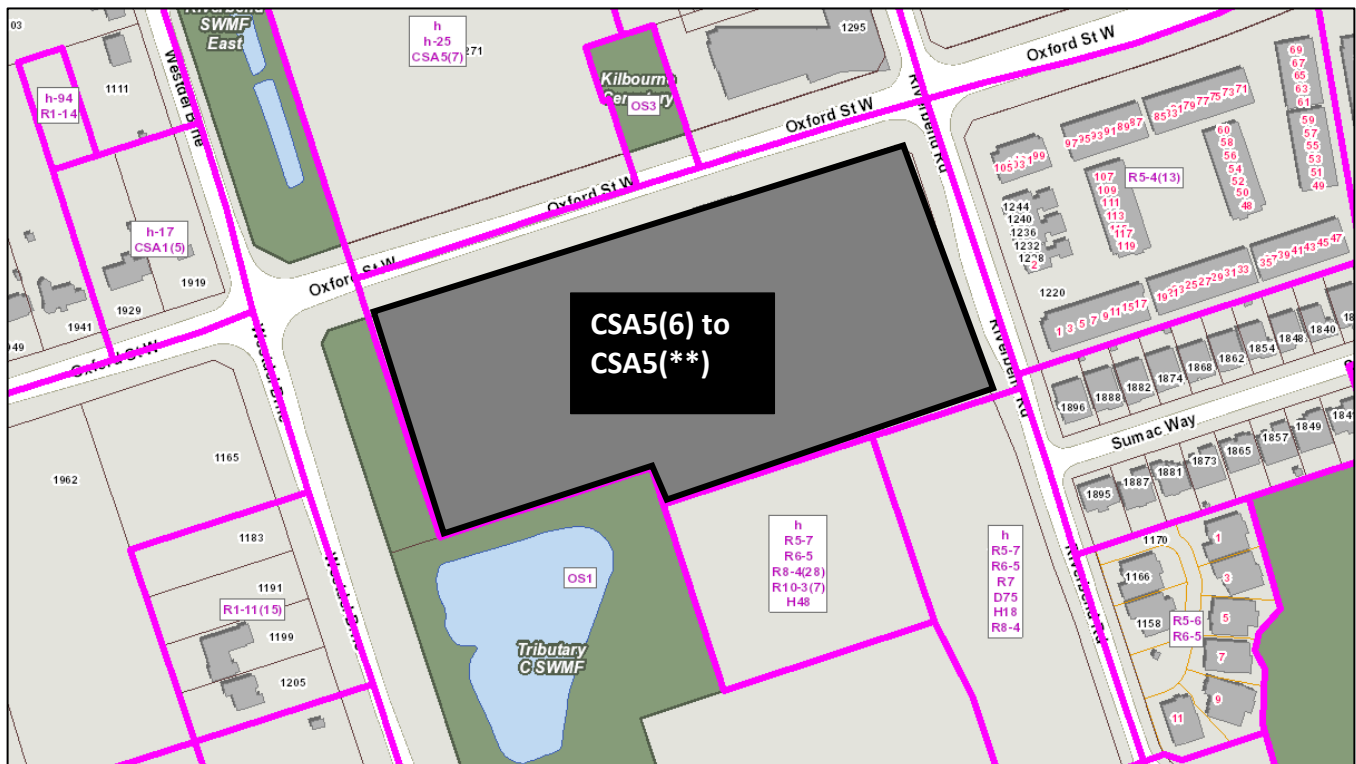


Figure 14. Proposed Zoning Bylaw Amendment

## 10 CLOSING

Given the above, the proposed Zoning By-Law Amendment to develop a mixed use building with two 10- and 11-storey towers, consisting of 223 apartment units and 840 m<sup>2</sup> of ground floor commercial, represents good planning for the following reasons:

- The proposal is consistent with the policies of the Provincial Policy Statement, 2020, which promotes healthy, liveable and safe communities by accommodating an appropriate intensification of uses within the urban growth boundary on full municipal services;
- The proposal conforms to the neighbourhood specific policies of the Riverbend South Secondary Plan under The London Plan, that recognizes the need for a variety of housing and more intensive forms of development in commercial shopping centres;
- The proposed Zoning By-Law Amendment application would permit a mixed use, high rise apartment building that would contribute to housing choice and supply to meet the housing demand in the Riverbend community.
- The proposed development is of a height, scale and intensity that will result in a use and built form that is compatible with the surrounding uses and well suited for increased density given the location along two arterial roads and proximity to commercial retail and services;
- The proposed development has been designed to be sensitive to the adjacent low density residential uses using significant building setbacks and limits building height using an angular plane of 45 degrees measured from the mutual property line; and
- The proposal promotes cost-effective development patterns by providing a compact, efficient form of development that will utilize existing and planned services along Oxford Street, Westdel Bourne and Riverbend Road.

For the reasons noted above and throughout this report, the proposed Zoning By-Law Amendment application represents sound land use planning practice.

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