

PLANNING JUSTIFICATION REPORT

ZONING BY-LAW AMENDMENT and
CONSENT

32 Chesterfield Avenue
City of London

Date:

February 2024 (Revised August 2024)

Prepared for:

Pearl Investments Inc.

Prepared by:

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Our File: 1968A

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1.0 Introduction

1.1 Overview

MHBC has been retained by Pearl Investments Inc. to assist with applications to amend the City of London Zoning By-law No. Z.-1 and for Consent in support of an infill residential development proposal for 32 Chesterfield Avenue. This property, which measures approximately 0.9 ha in area, is located at the northeast corner of Chesterfield Avenue and Veronica Avenue, south of the Thames River and adjacent to Thompson Road Park. The subject lands are located at the northern edge of an established low density residential neighbourhood within the City of London's Glen Cairn Planning District.

A single-detached dwelling located on the northern portion of the property, oriented to the terminus of Chesterfield Avenue, currently occupies the subject lands.

Pearl Investments Inc. is proposing to amend the zoning permissions applying to 32 Chesterfield Avenue to allow for the creation of seven (7) residential lots on the portion of the lands designated for residential purposes. Three of the proposed lots will front Veronica Avenue, with the remainder fronting Chesterfield Avenue. The existing dwelling will be retained on a new residential lot and lands to the north designated and zoned for Open Space purposes will be conveyed to the municipality as an addition to Thompson Road Park. Proposed lots are to be created by a future Consent application.

1.2 Report Framework

This Planning Justification Report has been prepared for submission to the City of London in support of the aforementioned Zoning By-law Amendment (ZBA) application and future Consent application and includes the following primary components:

- An introduction and general description of the subject lands, surrounding uses and existing conditions to provide an understanding of the locational context;
- A summary of the proposed Concept Plan prepared for the subject lands, including an overview of the core design elements associated with the development proposal;
- A review of the planning permissions applicable to the property; and
- An assessment of the proposed ZBA and future Consent relative to the framework of planning policies and development regulations applicable to the subject lands. As part of this planning analysis, the following documents were reviewed:
 - Provincial Policy Statement (2020);
 - City of London Official Plan (The London Plan); and
 - City of London Zoning By-law Z.-1.

1.3 Pre-Application Consultation

A Pre-Application Consultation meeting was held on September 22, 2022 with City of London staff to review the submission requirements for the proposed development. A Record of Pre-Application Consultation was subsequently prepared by City staff identifying the requirements for a complete application. This Report has been prepared in support of the proposal and to help satisfy the application requirements itemized in the Record. Additional application requirements identified and submitted concurrently with this Report include the following:

- Zoning By-law Amendment Application and Fee
- Comprehensive Plan
- Zoning Review Data Sheet
- Scoped Environmental Impact Study (EIS)
- Slope Stability Study
- Archaeological Study
- Tree Preservation Plan

The Environmental Impact Study, Slope Stability Study, Archaeological Study and Tree Preservation Plan have been submitted concurrently with this Report and are summarized herein in Section 6. The concept plan and Zoning Review Data Sheet are enclosed as a figure and appendix to this Report, respectively.

A Record of Site Plan Consultation, as well as site concept plan, elevations, renderings and floor plans were also identified in the Record of Pre-Application Consultation for submission in conjunction with the above-noted materials. With the passing of Bill 23: *The More Homes Built Faster Act*, development containing less than 10 residential units are now exempt from the Site Plan Control process. As such, site plan pre-consultation was not held with City of London staff. Conceptual floor plans and elevations were prepared to ensure new dwellings could be accommodated on the proposed residential lots in accordance with the regulations of the proposed zone category. These concept plans have been included in this Report for illustrative purposes and can form the basis of applications for building permit at time of construction.

2.0

Site Location & Surrounding Land Uses

2.1 Site Description

The property addressed as 32 Chesterfield Avenue is located at the northeast corner of Chesterfield Avenue and Veronica Avenue, south of the Thames River and adjacent to Thompson Road Park. The subject lands are located within the City's Urban Growth Boundary and form part of the Glen Cairn Planning District.

The subject lands are rectangular in shape, measure 0.9 ha in area, and are comprised of two parcels separated by an old municipal right-of-way. The lands possess approximately 38 metres and 73 metres of frontage on Veronica Avenue and Chesterfield Avenue, respectively. A one storey, single detached dwelling is established on the property and is oriented to the terminus of Chesterfield Avenue. The dwelling is currently vacant and in poor repair. The portion of the property south of the existing dwelling is under lawn and bordered by deciduous hedgerows to the east and west. A slope leading to the floodplain of the Thames River exists to the north of the dwelling and is wooded. The northern portion of the property is regulated by the Upper Thames River Conservation Authority (UTRCA).

The northern portion of the property is characterized by forest and meadow on the lowland portion of the property adjacent to the Thames River. Natural Resource Solutions Inc. (NRSI) evaluated these features through an Environmental Impact Study (EIS), which determined that these features meet the criteria to be considered a Significant Woodland and as such will require a buffer of 30 metres. Hedgerows existing on either side of the existing dwelling on the subject lands were also evaluated through the EIS and determined not to constitute a portion of the Significant Woodland as a result of their composition, size, and given they do not perform a natural linkage function.

Figure 1 illustrates the location and uses surrounding the subject lands, which are further discussed in Section 2.2 of this Report below. **Figure 2** shows the UTRCA Regulation Limit as it applies to the subject lands.

2.2 Surrounding Land Uses

The Site forms part of an established low rise residential neighbourhood located south of the Thames River. Thompson Road Park borders the property to the west and north, whereas single detached residences and low-rise (two to three storey) apartment buildings abut the lands to the east and to the south across Veronica Avenue. A two-storey apartment building is located directly south of the property across Veronica Avenue. The Weable Adult and Continuing Education Centre and a children's centre are located further to the west and southwest of the subject lands.

Table 1.0 on the following page summarizes the mix of uses in the vicinity of the subject lands.



Figure 1
Location and
Context Map

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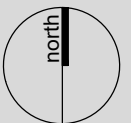
- Subject Lands
- Proposed Lots

Date: March, 2023

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32 Chesterfield Ave
City of London


Source: Google Satellite Imagery


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Figure 2
 UTRCA Regulation
 Mapping

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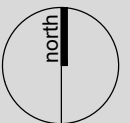
-  Subject Lands
-  Approximate Regulated Area
-  Parcels

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32 Chesterfield Ave
 City of London

Source: Upper Thames River Conservation Authority, Regulated Area Screening Map, Interactive Mapping. Contains Information made available under Upper Thames River Conservation Authority's Open Data. Licence v1.



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Table 1.0 - Surrounding Land Uses

Relative Location	Existing Land Uses
TO THE NORTH:	Thompson Road Park, Thames River and associated floodplain.
TO THE EAST:	Single detached dwellings and low-rise apartments, with medium density residential uses in the form of low and mid-rise apartment buildings located in the vicinity of Thompson Road and King Edward Avenue.
TO THE SOUTH:	Predominantly single detached dwellings, with a two and three-storey apartment building located directly across Veronica Avenue. A transit route runs along Thompson Road.
TO THE WEST:	Thompson Road Park and low-rise apartment buildings (2-3 storeys in height). Institutional uses, being a continuing adult education centre and a daycare centre, are located further to the west.

3.0 Description of Proposal

3.1 Development Concept

Pearl Investments Inc. is proposing to create six (6) additional single-detached residential lots on the vacant portion of the property south of the existing dwelling. The existing dwelling will be retained on an individual lot and the lands to the north currently zoned for open space purposes are proposed to be conveyed to the City of London. The current OS₄ Zone boundary as it applies to the subject lands was used to delineate the lot boundary for the open space lands to be conveyed to the municipality, and form the northern property boundary for the retained lot.

This project is intended to be compatible with the local development context and complementary to the mix of residential uses in the existing neighbourhood. Proposed lots have a typical frontage of 9.0 m and a typical area of 340m² consistent with the proposed R2-1 Zone category, with lots fronting either Veronica Avenue or Chesterfield Avenue. The Preliminary Consent Plan is included as **Figure 3** to this Report.

In support of the proposed lotting and site layout, MHBC has prepared a Preliminary Concept Plan (see **Figure 4**) illustrating the location of future dwellings when considering the proposed zoning for the subject lands. The proposed lots are of sufficient size to accommodate two-storey single-detached dwellings with single car garages. Conceptual floor plans and elevations for new dwellings prepared by Fryett Turner Architects are enclosed as **Appendix A** with Buildings 'A' and 'B' representing dwellings for lots fronting Chesterfield Avenue and Veronica Avenue respectively. Considering the terminus of Chesterfield Avenue with respect to the subject lands, the retained lands (Lot 7) with approximately 8.4 metres of frontage on the opened portion of the Chesterfield Avenue road allowance.

The existing driveway access to the subject lands will serve the retained lot. The driveway approach associated with this access will need to be reconfigured to accommodate the proposed lotting pattern, given its irregular shape and encroachment within the municipal right-of-way in front of proposed Lot 6. There is sufficient frontage associated with the retained lot to support a reconfiguration of the existing driveway approach.

A 'development setback' is also illustrated on the Preliminary Concept Plan. As noted in Section 6.2 of this Report, the EIS identifies a 30 metre setback from the surrounding significant woodland. In addition, as noted within Section 6.3, the Geotechnical Investigation identifies an erosion hazard limit associated with existing slopes on the subject lands. No new buildings or structures are permitted within each of the 30 metre significant woodland setback and erosion hazard limit based on the conclusions of both the EIS and Geotechnical Investigation. Generally, either the significant woodland setback or erosion hazard limit are more restrictive with respect to siting future additions to the existing dwelling or smaller structures associated with yard areas, such as sheds and pools as they apply to the retained lot. As such, the more restrictive portions of these two setbacks have been combined into one general 'development setback' for the retained lot, within which new development will not be permitted. As illustrated in the Preliminary Concept Plan, portions of the existing dwelling and swimming pool are located within the development setback. The area of Lot 7 within the development setback is approximately 1,136 m².

Figure 3: Preliminary Consent Plan

32 Chesterfield Ave
City of London

LEGEND

- Subject Lands (±9,015.02m² / 0.90 ha.)
- Lands to be Retained (±2,574.60m² / 0.26 ha.)
- Lands to be Conveyed to the Municipality (±4,336.13m² / 0.43 ha.)
- Lots to be Severed (±2,104.29m² / 0.21 ha.)
- Proposed Lots
- Development Setback

Lot	Area (m ²)	Use
Lot 1	±335.17	Residential
Lot 2	±335.12	Residential
Lot 3	±410.04	Residential
Lot 4	±341.30	Residential
Lot 5	±341.32	Residential
Lot 6	±341.34	Residential
Lot 7	±2,574.60 ±1,438.3 (within Development Setback)	Residential
Conveyed Lands	±4,336.13	Open Space



CATCH BASIN / MANHOLE / DITCH INLET SCHEDULE

POINT NO.	LID ELEV.	INVERT ELEV.	SIZE(mm)	TYPE	DIRECTION	FEATURE
5036	246.64					CB
5139	247.22					MH
5511	247.21					MH
		244.83	100	CPP	NORTHEAST	CVZ
		244.68	300	PVC	SOUTH	CVZ
5146	246.67					CB
5518	246.79					MH
		244.48	300	PVC	NORTH	CVZ
		244.46	300	PVC	WEST	CVZ
		244.31	300	PVC	EAST	CVZ
		244.32	300	PVC	SOUTH	CVZ

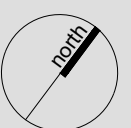
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








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Figure 4:
Preliminary Concept Plan

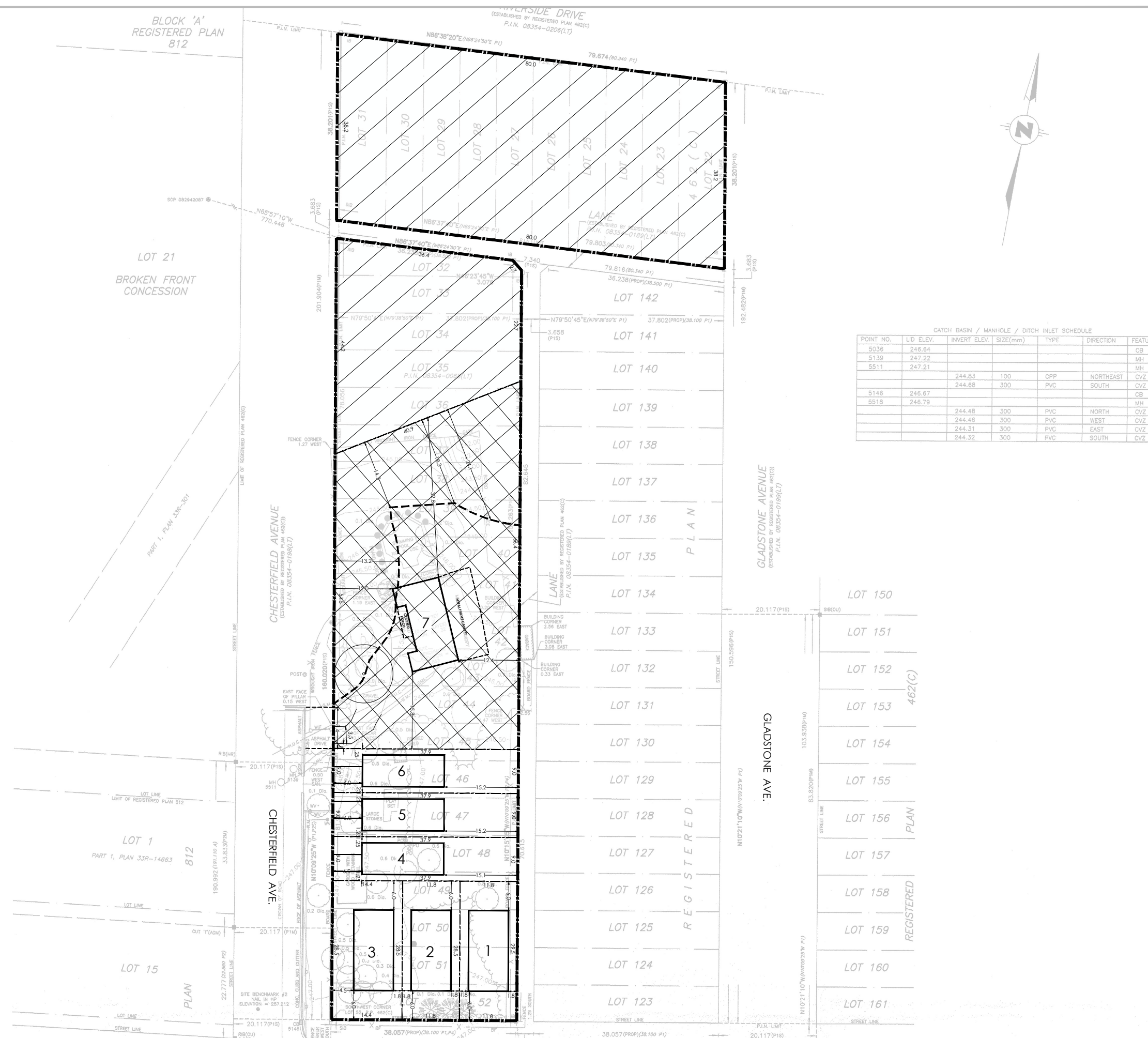
32 Chesterfield Ave
City of London

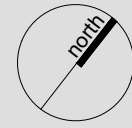
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-  Subject Lands
-  Lands to be Retained
-  Lands to be Conveyed to the Municipality
-  Proposed Building
-  Existing Building Footprint
-  Proposed Lots
-  Development Setback
(Area of Lot 7 within Development Setback: 1,136.2m²)

CATCH BASIN / MANHOLE / DITCH INLET SCHEDULE

POINT NO.	LID ELEV.	INVERT ELEV.	SIZE(mm)	TYPE	DIRECTION	FEATURE
5036	246.64					CB
5139	247.22					MH
5511	247.21					MH
		244.83	100	CPP	NORTHEAST	CVZ
		244.68	300	PVC	SOUTH	CVZ
5146	246.67					CB
5518	246.79					MH
		244.48	300	PVC	NORTH	CVZ
		244.46	300	PVC	WEST	CVZ
		244.31	300	PVC	EAST	CVZ
		244.32	300	PVC	SOUTH	CVZ



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The proposed development will result in the following:

- Addition of six single detached dwellings to the existing neighbourhood, providing additional housing for families;
- Renovation and rehabilitation of a vacant single detached dwelling;
- Completion of the Chesterfield Avenue streetscape through the addition of new dwellings fronting and facing the street across from established dwellings; and
- Conveyance of lands currently zoned for open space purposes along the Thames River to the City of London, providing opportunity for the expansion of Thomas Road Park and the transfer of significant woodlands to the municipality's ownership.

3.2 Project Implementation

Pearl Investments Inc. is proposing to amend the zoning permissions applying to the subject lands to establish the required regulations to guide the size and future development of the proposed lots and implement the development setback illustrated on the Preliminary Concept Plan. The proposed amendment involves rezoning the portion of the subject lands zoned Residential R₄ Zone (R₄-3) to the Residential R₂ Zone (R₂-1) as illustrated in **Figure 5**. The R₄-3 Zone permits street townhouses, whereas the R₂-1 Zone permits single detached dwellings. No changes to the Open Space (OS₄) Zone as it applies to the subject lands are proposed as part of the Amendment.

With respect to the development setback, the proposed Zoning By-law Amendment will establish site-specific regulations to the R₂-1 Zone category as it applies to Lot 7 to implement the development setback illustrated on the Preliminary Concept Plan by:

- Recognizing the yard setback from the western property line for existing buildings and structures; and
- Establish setbacks for new buildings and structures from the western and northern property lines consistent with the most restrictive depth of the development setback limit.

This approach will prevent the erection of new buildings and structures on Lot 7 within the development setback consistent with the recommendations of both the EIS and Geotechnical Investigation, while still allowing for the use of the residential yard space for amenity purposes, including gardening and recreation.

A future Consent Application will be required to create the proposed lots.

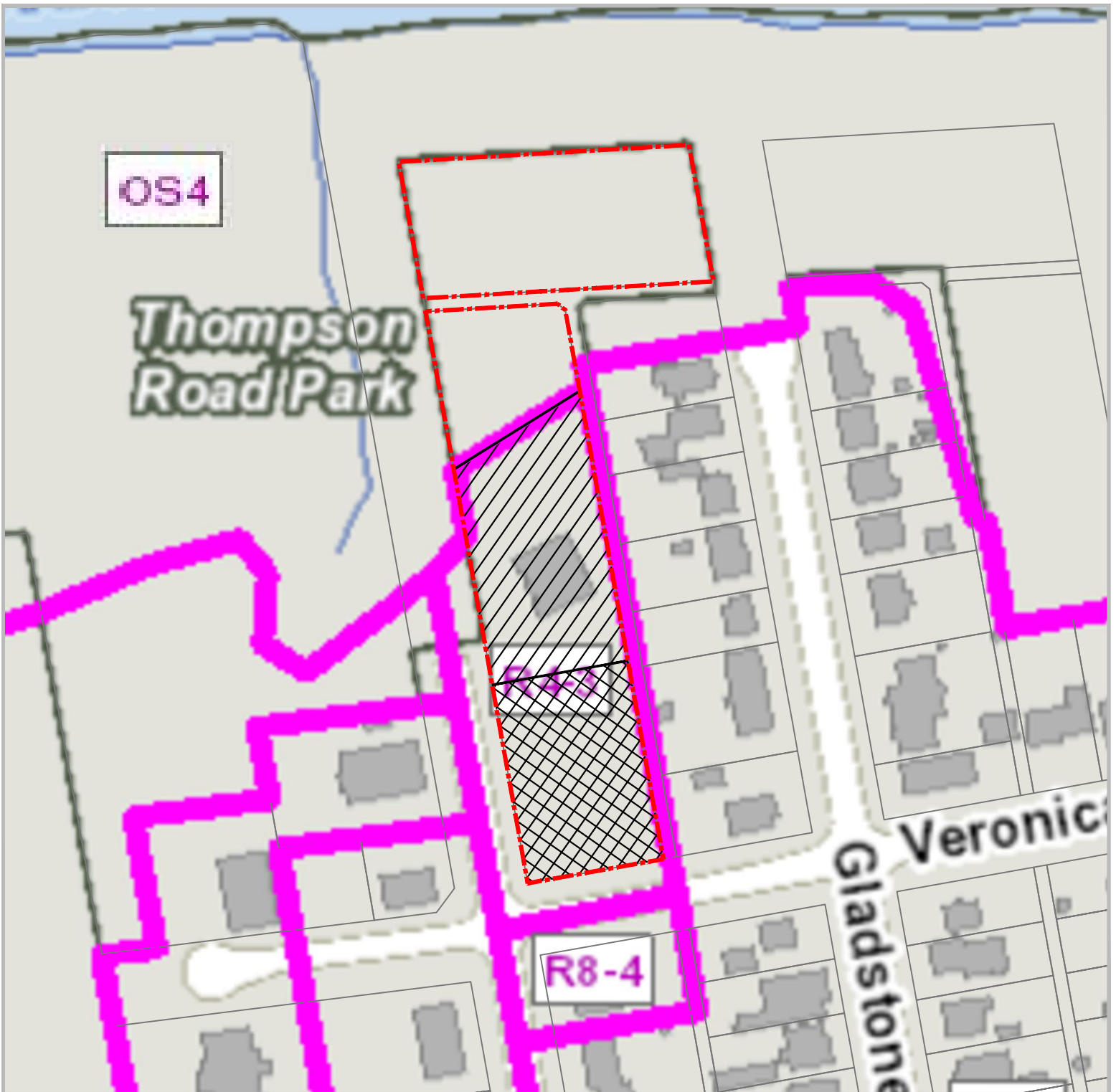






Figure 5:
Proposed Zoning
By-law Amendment

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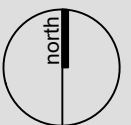
-  Subject Lands
-  Zoning Boundaries
-  Rezoned from R4-3 to R2-1
-  Rezoned from R4-3 to R2-1() to establish site-specific minimum lot frontage and minimum yard setbacks

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4.0 Planning Analysis

The proposed Zoning By-law Amendment application must be assessed in terms of applicable policies prescribed by the Province of Ontario and the City of London. The following discussion outlines how this proposal addresses relevant policies of the Provincial Policy Statement and the City of London Official Plan (The London Plan).

4.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) was issued under Section 3 of the Planning Act and came into effect on May 1, 2020. The PPS provides overall policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the development and use of land. Part IV of the PPS sets out that this policy instrument provides a vision for land use planning in Ontario that focuses growth within settlement areas, and encourages efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities.

The development concept has been evaluated with regard to the policy direction and provisions of the PPS. Based on this analysis, it is our opinion that specific policies within Section 1.0 (Building Strong Healthy Communities) and Section 2.0 (Wise Use and Management of Resources) of this policy document are particularly relevant to this proposal. **Table 2.0** demonstrates how the proposed development is consistent with the identified policies.

Table 2.0 – Consistency with Provincial Policy Statement

PPS Policy	Response
<p>1.1.1 Healthy, livable and safe communities are sustained by:</p> <ul style="list-style-type: none"> a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; b) accommodating 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), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; 	<p>The redevelopment proposal promotes an efficient land use pattern that would support the long-term financial well-being of the Province of Ontario and the City of London in the form of increased property tax assessment and the optimization of existing and planned infrastructure.</p> <p>The proposed development will contribute to the mix of housing established within the Chelsea Green neighbourhood. Economic benefits would also be derived from construction of the project.</p> <p>The subject lands are located within a development area containing a range of low-rise residential forms. Implementation of this proposal would help further diversify the range</p>

PPS Policy	Response
<p>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</p> <p>g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;</p> <p>h) promoting development and land use patterns that conserve biodiversity;</p>	<p>and mix of compatible, low-rise housing available in this area.</p> <p>The northern portion of the subject lands, which includes lands within the Regulatory Floodline of the Thames River are to be conveyed to the City of London, with proposed lots being situated outside of existing hazard lands.</p> <p>Preliminary servicing reviews indicate that municipal services are available within adjacent streets. Proposed lots will connect to existing municipal services.</p> <p>Lands containing natural heritage features, currently zoned for open space purposes, will be conveyed to the City of London for long-term maintenance and conservation in the interest of conserving biodiversity along the Thames River and within Thompson Road Park.</p>
<p>1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.</p> <p>Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.</p>	<p>This proposal would develop lands located within the City's Urban Growth Boundary (UGB) designated for low-rise residential uses pursuant to The London Plan. As discussed in Section 4.2 of this Report, the proposed development is consistent with the land use permissions of The London Plan.</p> <p>The proposed lotting pattern associated with this proposal is intended to be compatible with the local development context and complementary to the mix of residential types existing within the immediate neighbourhood. Implementation of this proposal would also broaden the range and supply of housing available within the neighbourhood to help meet market demands.</p>
<p>1.1.3.1 Settlement areas shall be the focus of growth and development.</p>	<p>The Site is located within the City's UGB and is therefore considered part of a settlement area, as defined by the PPS.</p>
<p>1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <p>a) efficiently use land and resources;</p> <p>b) are appropriate for, and efficiently use, the infrastructure and public service</p>	<p>This intensification project would help to promote the efficient use of land and existing services. Preliminary servicing reviews indicate municipal services are available within adjacent streets to service the proposed lots.</p>

PPS Policy	Response
<p>facilities which are planned or available, and avoid the need for their unjustified and / or uneconomical expansion;</p> <p>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</p> <p>d) prepare for the impacts of a changing climate;</p> <p>e) support active transportation;</p> <p>f) are transit-supportive, where transit is planned, exists, or may be developed;</p>	
<p>1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:</p> <p>b) permitting and facilitating:</p> <ol style="list-style-type: none"> 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; <p>c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;</p> <p>d) promoting densities for new housing which efficiently use land, resources, infrastructure, and public services facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.</p>	<p>Development of smaller residential lots would broaden the range and mix of housing available and promote attainable housing options within the neighbourhood. Servicing infrastructure is available to meet projected needs.</p> <p>Additionally, it is anticipated that existing public service facilities available in the vicinity of the property would accommodate the projected demands of this development.</p> <p>The development plan would utilize existing land and servicing resources in an efficient manner and would be supported by the road transportation system, the active transportation network and transit services.</p> <p>In our opinion, this intensification proposal represents a compact development pattern for single detached dwelling types that is compatible with, and complementary to, the local development context. Additionally, it is our opinion that the project would help to further diversify housing options within the community.</p>
<p>1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.</p>	<p>Preliminary servicing reviews have been carried out to confirm that municipal services are available to meet projected needs. As discussed, it is also anticipated that the development can be accommodated by existing public service facilities.</p>
<p>2.1.1 Natural features and areas shall be protected for the long-term.</p>	<p>The northern portion of the subject lands currently zoned for open space purposes contain significant valleylands and evaluated</p>

PPS Policy	Response
	significant woodlands. These lands are not proposed for development.
<p>2.1.5 Development and site alteration shall not be permitted in: b) significant woodlands in Ecoregions 6E and 7E; c) significant valleylands in Ecoregions 6E and 7E;</p>	Significant Valleylands are identified on the northern portion of the subject lands in the London Plan and Significant Woodlands have also been identified through the preparation of an EIS. These lands are currently zoned for open space purposes and are to be conveyed to the City of London; no development is proposed.
<p>2.1.8 Development and site alteration shall not be permitted in on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological functions of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.</p>	The retained lands, being Lot 7, are located adjacent to the portion of the site zoned for open space purposes. The existing dwelling on proposed Lot 7 is intended to be retained and renovated. An Environmental Impact Study (EIS) was completed by Natural Resource Solutions Inc. (NRSI) and recommends a variety of mitigation measures to ensure there are no negative impacts on existing natural features or their ecological functions. The 30 metre setback associated with Significant Woodlands as it applies to the site is located on proposed Lot 7, where no new development is proposed. This setback is further implemented through the proposed Zoning By-law Amendment.
<p>2.4.1 Minerals and petroleum resources shall be protected for long-term use.</p>	The subject lands do not contain any known mineral or petroleum resources.
<p>2.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.</p>	The subject lands do not contain any known mineral aggregate resources.
<p>2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.</p>	Golder and Associates Ltd. (Golder) completed a Stage 1-2 Archaeological Assessment for the portion of the subject lands zoned for residential uses. Golder concluded in the associated study report, dated August 2018, that the Stage 2 survey did not result in the identification of any archaeological sites within the portion of the subject lands that was assessed. The Ministry of Tourism, Culture and Sport issued an archaeological assessment compliance letter in September of 2018.
<p>3.1.1 Development shall generally be directed, in accordance with guidance</p>	Lands to be conveyed to the City of London contain floodplain lands and are not proposed

PPS Policy	Response
<p>developed by the Province (as amended from time to time), to areas outside of:</p> <p>b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards;</p>	<p>to be developed. The development setback associated with the erosion hazard limit, as identified in the Geotechnical Investigation Report, affects the retained lot. This hazard limit has been implemented through the proposed Zoning By-law Amendment.</p>

Based on our review of the Provincial Policy Statement, it is our opinion that the proposed development satisfies, and is consistent with, the policies of the PPS.

4.2 City of London Official Plan (The London Plan)

4.2.1 Current Designations

The subject lands are designated Neighbourhoods and Green Space on Map 1 (Place Types) of The London Plan (please refer to **Figure 6**). Portions of subject lands are also designated Woodland and Significant Valleylands on Map 5 (Natural Heritage) and within the Regulatory Flood Line and Conservation Authority Regulation Limit on Map 6 (Hazards and Natural Resources), as illustrated in **Figure 7** and **Figure 8**, respectively. The northern portion of the subject lands is along within the Riverine Erosion Hazard Limit (refer to **Figure 8**).

The following discussion (1) summarizes, in our opinion, the core policies of The London Plan relating to this proposal and (2) evaluates the merits of this project relative to this policy framework.

4.2.2 Neighbourhoods Place Type

4.2.2.1 Vision

The Neighbourhoods Place Type makes up the majority of the land area in the City Structure. Policy 916 defines an overall vision for Neighbourhoods as vibrant places to live, providing opportunities to connect and an overall sense of community well-being and quality of life. To realize this vision, Policy 918_2 further directs that Neighbourhoods be planned for diversity and mix with the broad segregation of different housing types, intensities and forms being avoided. Neighbourhoods are also to be designed to protect the Natural Heritage System, adding to neighbourhood health, identity and sense of place as per Policy 918_12. Lastly, intensification is to respect existing neighbourhood character and offer a level of certainty while providing for strategic ways to among other matters, improve the environment.

The proposed development facilitates residential intensification in a manner consistent with neighbourhood character by providing for smaller lot single detached dwellings in an area containing primarily low-rise, small scale residential apartments as well as single dwellings on larger-lots. Lands containing natural heritage features will be conveyed to the municipality and contribute to the public land base within Thompson Road Park.

The proposed development is consistent with the vision for the Neighbourhoods Place Type.

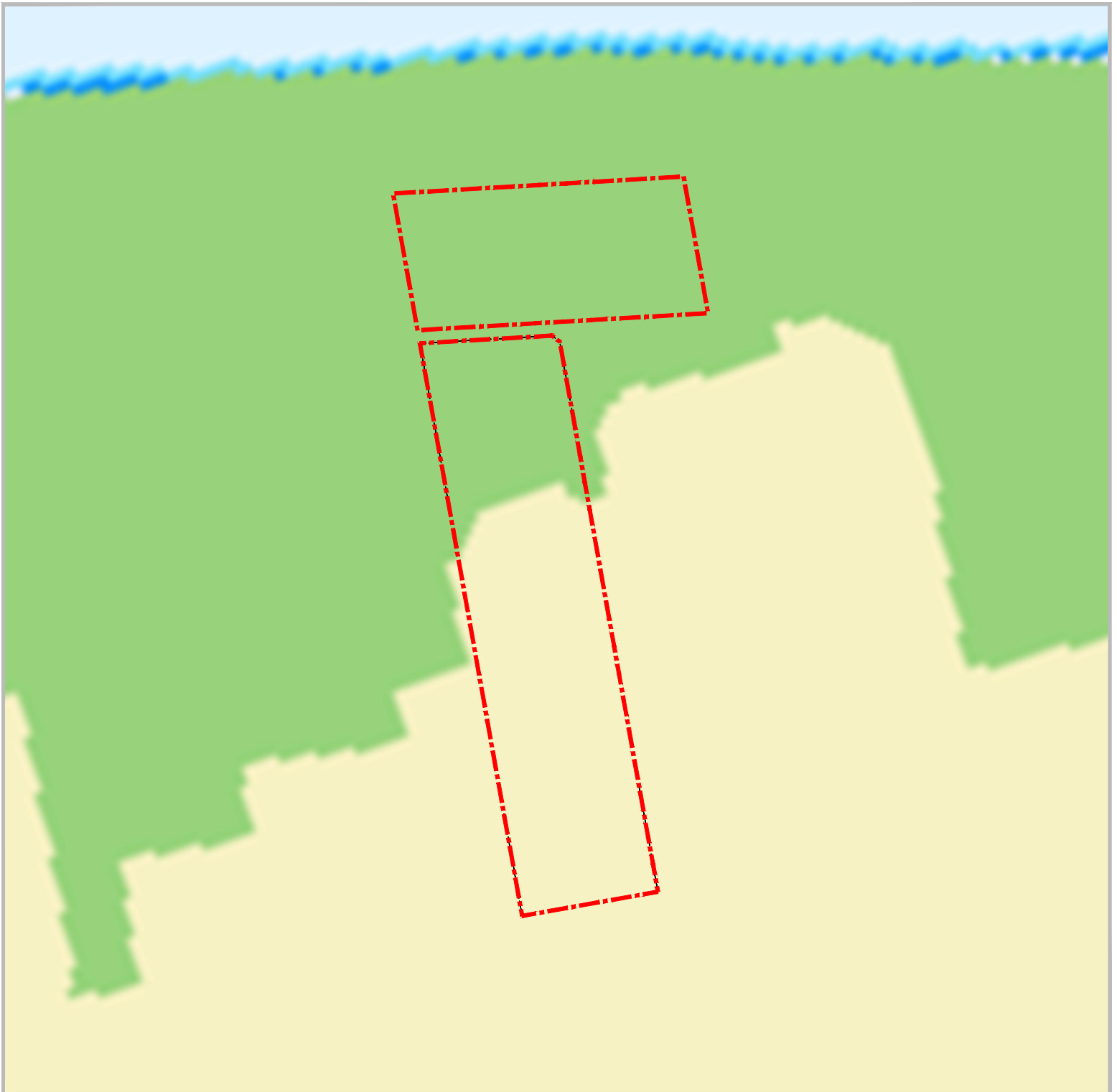








Figure 6
Current Land
Use Designation

LEGEND

-  Subject Lands
-  Neighbourhoods
-  Green Space
-  Watercourses/Ponds
-  Proposed Lots
-  Roads

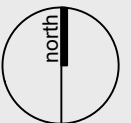
Source: City of London, Official Plan, Map 1 - Place Types, 2022

Date: December, 2023

Scale: 1:1,500

File: 1968A

Drawn: NDC/LC



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32 Chesterfield Ave
City of London

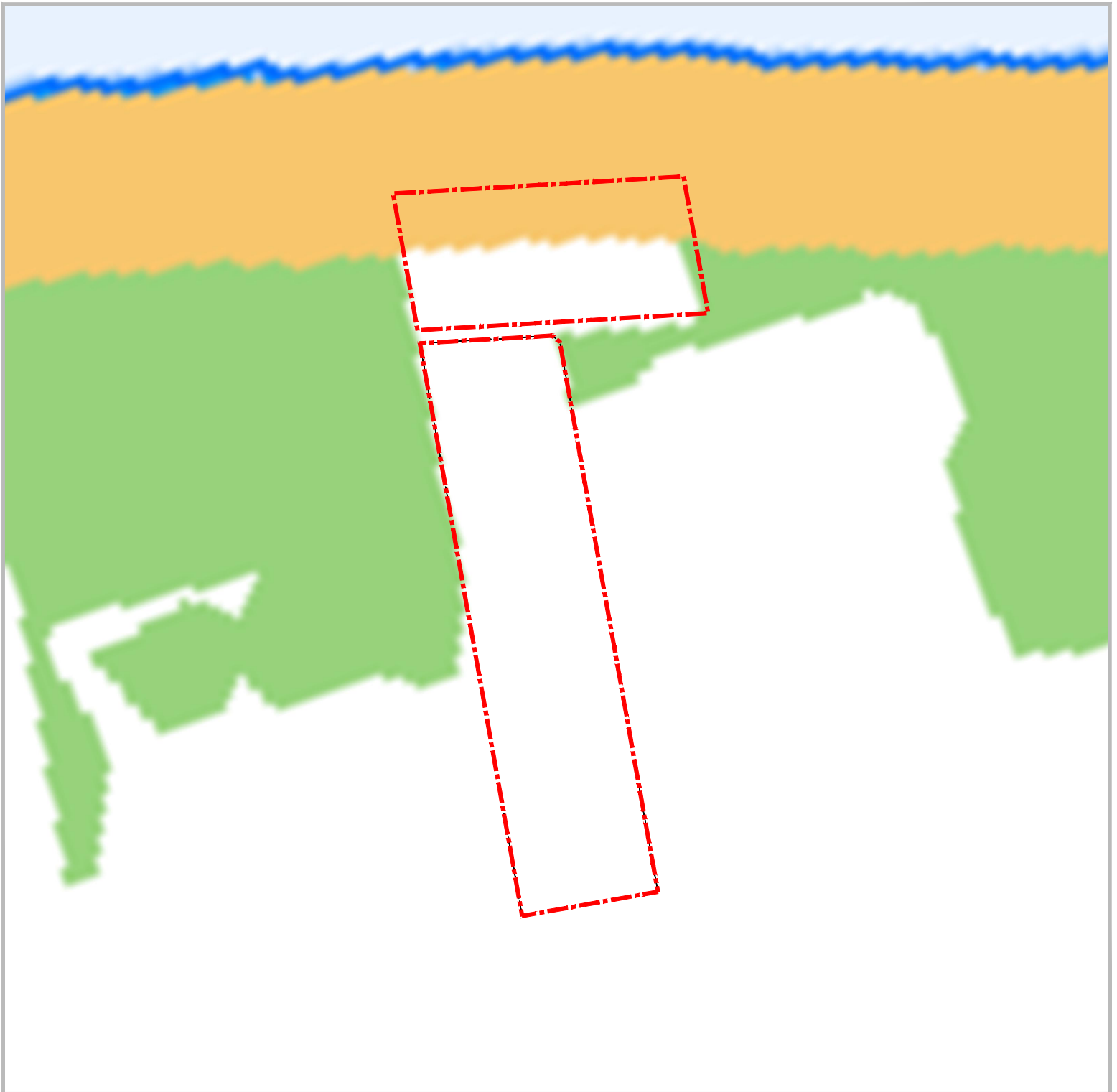








Figure 7
 Current Natural
 Heritage Features
 Designation

LEGEND

-  Subject Lands
-  Significant Valleylands
-  Woodlands
-  Water Bodies
-  Proposed Lots
-  Roads

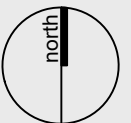
Source: City of London, Official Plan, Map 5 - Natural Heritage, 2022

Date: December, 2023

Scale: 1:1,500

File: 1968A

Drawn: NDC/LC



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32 Chesterfield Ave
 City of London



**PLANNING
 URBAN DESIGN
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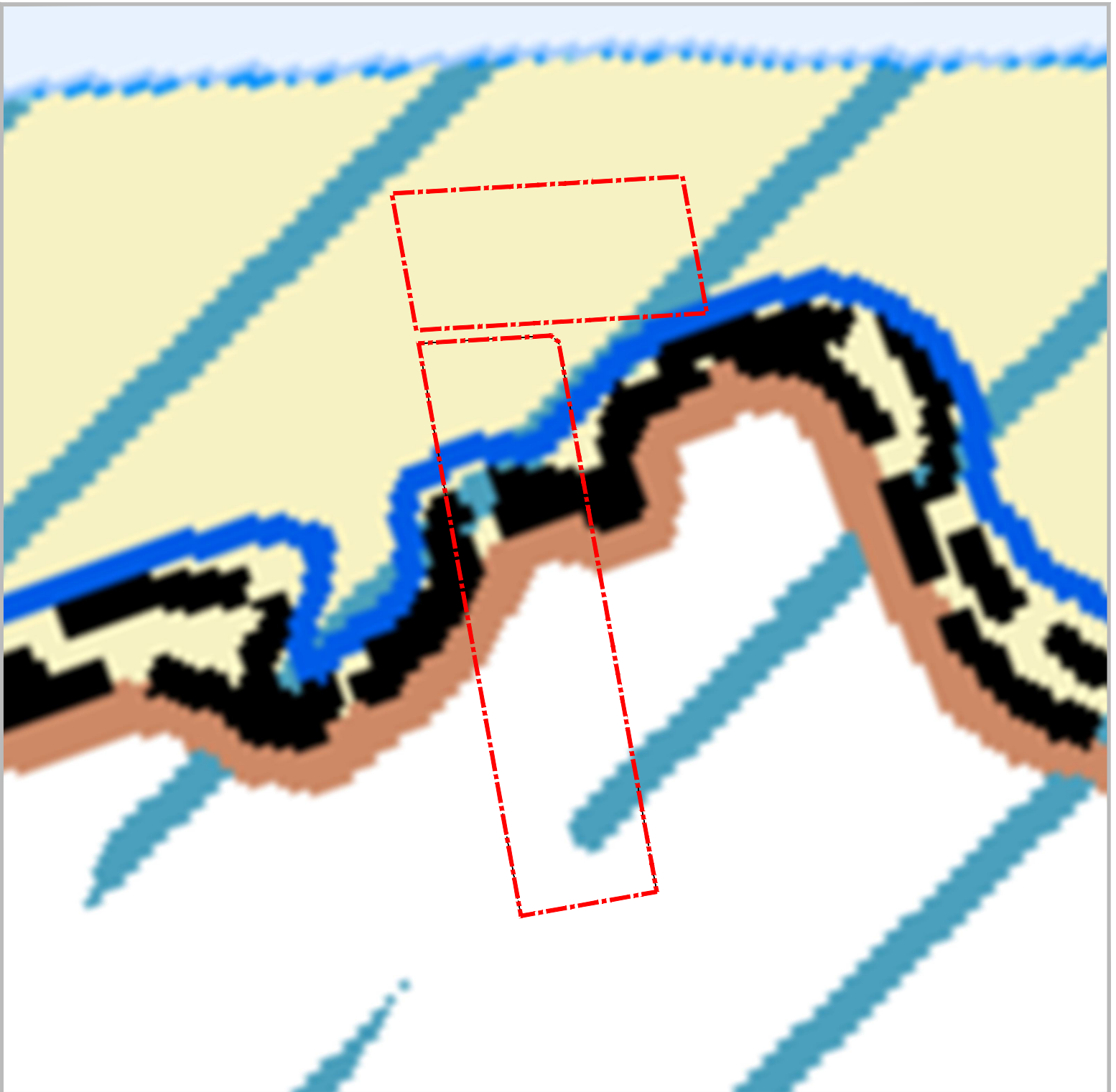


Figure 8
Current Natural
Hazards Designation

LEGEND

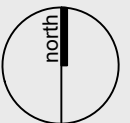
- Subject Lands
- Proposed Lots
- Conservation Authority Regulation Limit
- Highly Valuable Aquifers
- Water Bodies
- Riversine Erosion Hazard Limit for Confined Systems
- Regulatory Flood Line
- Roads

Date: December, 2023

Scale: 1:1,500

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Drawn: NDC/LC



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32 Chesterfield Ave
City of London

Source: City of London, Official Plan, Map 6 - Hazards and Natural Resources, 2022

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4.2.2.2 *Permitted Uses*

Several residential forms and secondary uses are permitted in the Neighbourhoods Place Type, contingent on the adjacent road network delineated on Map 3 (Street Classifications). In this regard, both Chesterfield Avenue and Veronica Avenue are classified as 'Neighbourhood Streets'.

Tables 10 and 11 specify the permitted land uses and building heights for the Neighbourhoods Place Type. Given the location of the subject lands at the intersection of two 'Neighbourhood Street(s)', single detached dwellings are a permitted land use at a maximum height of three storeys.

The proposed lots will accommodate single detached dwellings with proposed zoning limiting building height to 9 metres in conformity with uses and building heights permitted by the London Plan as they apply to the subject lands. Proposed dwellings are envisioned to be two storeys in height.

4.2.2.3 *Residential Intensification*

The development proposal represents a form of residential intensification recognized by Policy 939, being the severing of one lot into two or more lots ('lot creation'). Policy 940 highlights the importance of supporting all forms of intensification identified in the London Plan, while ensuring such forms are appropriately located and fit well within the neighbourhood. The surrounding neighbourhood is characterized by a mix and range of housing forms, ranging from single detached dwellings to low-rise apartments of two to three storeys. The proposed development will contribute to the mix of housing available through the addition of smaller lot single dwellings while maintaining the low-rise character of the neighbourhood.

Residential intensification through lot creation is to conform with the consent policies of the London Plan as per Policy 947. A future Consent to create new proposed lots is in conformity with these policies outlined in Section 4.2.5 of this Report.

4.2.2.4 *Urban Design*

Urban design considerations associated with the Neighbourhoods Place Type are principally addressed in the City Design component of the London Plan. Policies 189 to 306 define the urban design principles and policies that are intended to guide the character and form of development. The overarching objectives of these policies are outlined in Policy 193, which reads as follows:

193_ *In all of the planning and development we do and the initiatives we take as a municipality, we will design for and foster:*

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.*

Furthermore, Policy 953 provides additional urban design guidance for residential intensification proposals. The proposed development provides lots fronting both Chesterfield Avenue and Veronica Avenue, ensuring new dwellings front and face the street. As demonstrated in **Figure 4**, the lots are of sufficient width to accommodate new driveways and pedestrian accesses from the sidewalk and are of an adequate depth to provide backyards consistent with the requirements of the proposed zone category. Lots 1 to 3 are oriented to Victoria Avenue, contributing to “eyes on the street” surveillance and improvements to the pedestrian realm in the vicinity of the subject lands. Smaller single detached units will be accommodated on proposed lots and result in the addition of attainable housing stock within the neighbourhood. New dwellings will be subject to the yard setback regulations of Section 4.23 *Regulations for Low-Rise Residential Development in the Primary Transit Area* of the City’s Zoning By-law, which ensure streetline building setbacks are representative of those existing within the same residential block. New dwellings are proposed to be two storeys in height, consistent with adjacent residential buildings and dwellings that range in height from one to three storeys.

In our opinion, the lot pattern and low-rise building form intended for the subject lands align with the intent of the relevant urban design policies of the London Plan.

4.2.3 Green Space Place Type

The Green Space Place Type applies to the Natural Heritage System, the parks and open space system, hazard lands, and natural resources. Policy 759 articulates the vision for the Green Space Place Type, which includes creating new green linkages through the City and increased tree cover. Objectives related to this place type outlined in Policy 761 and relevant to the development proposal include:

2. Seek out new linkages that will create a more continuous and connected green space network.
6. Reduce the potential for loss of life and damage to property due to flooding by restricting the development of flood plain and hazards lands to an appropriate range of uses.
7. Provide for the protection of natural heritage features and areas which have been identified, studied and recognized by City Council has being of city-wide or regional significance, and/or by the Ministry of Natural Resources and Forestry as provincially significant.

The proposed development will involve the creation of six new lots (seven in total) on lands designated and zoned for residential uses. Lands designated Green Space Place Type and zoned OS₄, which contain both Significant Woodlands and Significant Valleylands and include lands within the floodplain, are proposed to be conveyed to the City of London as shown on the proposed Consent Sketch in **Figure 3**. The conveyance of these lands will address an existing void in Thompson Road Park and also place additional natural heritage features under municipal ownership for their long term maintenance and protection. Direction is included in the EIS with respect to the preparation of an

Environmental Management and Monitoring Plan, the objective of which is to enhance naturalized areas on the lands to be conveyed, provide compensation plantings for tree removals, and establish a monitoring plan for the protection of the natural heritage system during and post-construction.

Conveyance of the lands designated Green Space Place Type is consistent with Policy 768, as well as Policies 769 and 770 of the London Plan with respect to Parkland Dedication and Flood Plain Acquisition.

4.2.4 Natural Heritage and Natural Hazards

Policy 1308 directs that the city's Natural Heritage System be protected, conserved, enhanced and managed by the following, among other actions:

- Provide for the identification, protection, rehabilitation and management of natural heritage features and areas and their ecological functions
- Enhance, protect and conserve the Natural Heritage System through well planned built form and community design.

The Scoped EIS completed in support of the proposed development identified the following natural heritage features on the subject lands, which are also identified on Maps 5 and 6 of the London Plan as illustrated in **Figures 7 and 8**:

- Significant Valleylands, associated with the Thames River;
- Significant Woodlands, associated with the lowland area (northern portion) of the subject lands;
- Corridors and linkages for animal movement, associated with the lowland area (northern portion) of the subject lands;
- Candidate Significant Wildlife Habitat, being the existing woodlands within the lowland area; and
- Habitat of Endangered and Threatened Species, being a Kentucky Coffee Tree (Species at Risk)

The following subsections of this Report demonstrate how the proposed development conforms to the Natural Heritage and related policies of the London Plan as they apply to the above-noted natural features.

4.2.4.1 *Significant Valleylands*

The northern portion of the property, near the Thames River, is designated Significant Valleyland in accordance with Policy 1348 of the London Plan and also located within The Thames Valley Corridor as illustrated in Figure 12 of the London Plan. Given the important role of this Corridor as a natural, cultural, recreational and aesthetic resource, Policy 123_4 calls for the protection, enhancement and restoration of the natural and cultural heritage of the Thames Valley Corridor. Policy 123_9 further directs the municipality to acquire lands along the Corridor as appropriate to support the ecological, cultural, and recreational objectives of the London Plan.

These lands are currently zoned for open space purposes and are proposed to be conveyed to the City of London through the Consent process. The EIS provides direction for the future preparation of an Environmental Management and Monitoring Plan for these lands, which will include the creation of an Invasive Species Management Plan and a Planting Plan, which will specify appropriate and diverse native species that are consistent with site conditions, adjacent vegetation communities and ecological context. Development is not proposed within the Significant Valleyland. Both the

conveyance of lands within the Thames Valley Corridor and the restoration and enhancement of such lands are consistent with Policy 123.

4.2.4.2 *Significant Woodlands*

The field surveys undertaken as part of the EIS determined that the woodlands are restricted to the lowland area of the site with deciduous hedgerows extending along the western and eastern property boundaries in the tableland area. The woodlands were evaluated as Significant through the preparation of the EIS given the existing woodland met several criteria of the City of London's Environmental Management Guidelines (2021). The significant component of the woodland vegetation patch was further determined to be confined to the lowland areas of the site and adjacent properties. The deciduous hedgerows on the western and eastern portions of the site were also evaluated and determined to not be a component of the Significant Woodland as per the relevant guidelines of the City's Environmental Management Guidelines given they are both less than 30 metres wide, do not contain a ravine or valley, and provide no linkage function.

The limits of the Significant Woodland feature as described above and 30 metre setback as per Section 5 of the Environmental Management Guidelines, is mapped within the EIS. The 30 metre setback is limited to the retained lands, being Lot 7, where no new development is proposed as discussed in detail in the EIS document and summarized in Section 6 of this Report.

The 30 metre setback is to be further implemented through the proposed Zoning By-law Amendment.

Woodlands that are determined to be ecologically significant are to be included in the Green Space Place Type on Map 1 and identified as Significant Woodlands on Map 5 of the London Plan. The portion of the property containing Significant Woodlands is currently designated Green Space Place Type in the London Plan as illustrated in **Figure 6**, but the Significant Woodlands are not identified on Map 5 (refer to **Figure 7** of this Report). The Significant Woodland feature is located on the portion of the property to be conveyed to the City of London for long term maintenance and protection under municipal ownership. If desired by the City, the feature can be designated Significant Woodland in the future through an update to the London Plan.

4.2.4.3 *Significant Wildlife Habitat*

The EIS notes that *candidate* Significant Wildlife Habitat for Bat Maternity Colonies exists within the Significant Woodland due to the presence of one single cavity tree adjacent to the subject lands within the study area. The tree is located within the floodplain and as such was determined to not be subject to any impacts related to the proposed development.

4.2.4.4 *Habitat of Endangered and Threatened Species*

A Kentucky Coffee Tree, a Species at Risk under the *Endangered Species Act*, is located in the southeastern corner of the subject lands. The tree has been determined through the EIS to not be naturally occurring and appears to be planted along with others to the south of the subject lands. An Information Gathering Form was submitted to the Ministry of Environment, Conservation and Parks by NRSI, which confirmed that the tree represents a planted specimen and that suitable habitat for the species does not exist within the portion of the subject lands proposed for development, but may be present in the floodplain associated with the Thames River.

Development and site alteration is not permitted within the habitat of endangered and threatened species as per Policy 1328. As confirmed through correspondence with the Ministry, noted above and within the EIS, the existing location of the Kentucky Coffee Tree is not considered suitable habitat. As such, the EIS recommends the transplanting of the Kentucky Coffee Tree into the Significant Woodland or Valleyland area of the site, as the tree is still afforded protection under the *Endangered Species Act*. The proposed development is therefore consistent with Policy 1328.

4.2.4.5 *Adjacent Lands*

Adjacent Lands to Significant Woodlands and Significant Valleylands are defined as those lands within 120 metres of the feature as per Table 13 of the London Plan. All proposed lots are within 120 metres of the delineated limit of the Significant Woodland feature and proposed Lots 6 and 7 are within 120 metres of the Significant Valleyland. Development or site alteration on adjacent lands shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions as per Policy 1433. As mentioned throughout this Report and outlined in further detail in Section 6.2 to this Report, the EIS contains a number of recommended mitigation measures to ensure there are no negative impacts on these natural features or their ecological functions as a result of the proposed development. Furthermore, the 30 metre significant woodland setback as identified in the EIS will be implemented through the proposed Zoning By-law Amendment.

The EIS contains sufficient information and direction to inform the preparation of recommended plans and documents to implement the mitigation measures identified in the report. Considering the subject lands cannot be developed for single-detached dwellings until individual lots are created as proposed, it is requested that plans to support the implementation of mitigation measures – such as the Environmental Management and Monitoring Plan, grading plan and a Notice of Activity and mitigation plan for the Kentucky Tree as outlined in the EIS – be made as conditions of Consent approval, to be addressed to the satisfaction of City staff prior to the proposed lots being created.

4.2.4.6 *Floodplain Lands and Steep Slopes outside of the Riverine Erosion Hazard Limit*

The northern portion of the subject lands are located within the floodplain as illustrated in **Figure 8**. New development is prohibited in the floodplain as per Policy 1454. Development is not proposed in the floodplain, with floodplain lands proposed to be conveyed to the City of London.

Policy 1496 speaks to erosion hazard limits. With respect to the proposed development, a Geotechnical Investigation was undertaken to assess the existing slope on the subject lands and in part identify the erosion hazard limit. The determined erosion hazard limit applies to proposed lot 7 with the existing dwelling and does not impact any proposed new lots.

Policy 1416 of the London Plan states the following:

*Where different components of the Natural Heritage System overlap, the limit of the development shall be set at the limit of the maximum ecological buffer as determined through an approved environmental impact study. Where the limits of a natural hazard overlap with the limits of an ecological buffer determined for a natural heritage feature, **the development limit shall be set as the greater of the limit of the natural hazard corridor or the limit of the ecological buffer** (emphasis added).*

As discussed earlier in this Report, the development setback illustrated on the Preliminary Concept Plan represents the more restrictive of either the erosion hazard limit as determined by the

Geotechnical Investigation or the 30 metre significant woodland setback as delineated in the EIS. To implement this development setback, the proposed Zoning By-law Amendment establishes site-specific setbacks for new buildings and structures in order to implement the development setback. In this regard, the proposed Zoning By-law Amendment conforms to Policy 1416.

4.2.5 Consents

As stated previously, the proposed lots are to be created through Consent. Policy 1699 outlines the criteria used in reviewing applications for Consent. The following is a review of the proposal with respect to this criteria:

1. That any lot(s) to be created would conform to the policies of this Plan, the Zoning By-law, and any applicable area study or guideline document.
The proposed lots conform to the relevant policies of The London Plan as demonstrated throughout this Report. The proposed lots conform to the minimum requirements of the R2-1 Zone Category. The proposed Zoning By-law Amendment, submitted concurrently with the Consent Application, requests to rezone the subject lands to this zone category as discussed further in Section 5.0 of this Report, with special provisions related to the frontage of Lot 7, in consideration of its location along both opened and unopened portions of the Chesterfield Avenue road allowance.
2. That the matters which, according to the Planning Act, are to be regarded in the review of a draft plan of subdivision have been taken into account.
The proposal has regard for the matters outlined in Section 51(24) of the Planning Act with respect to draft plans of subdivision, as demonstrated in Section 4.2.5.1 of this Report below.
3. That the size and shape of any lot(s) to be created would be appropriate for the intended use, and would generally conform with the intent of the policies of this Plan and the Zoning By-law as they pertain to the subject area.
*The proposed lots are of an adequate size to accommodate 134 m² and 109 m² building envelopes that conform to the regulations of the proposed R2-1 Zone category and driveways as demonstrated in the Preliminary Concept Plan enclosed as **Figure 4** to this Report. The proposed shared driveway approach between Lots 7 and 8 can be implemented through the necessary access easements.*
4. That the size and shape of any lot(s) to be created is compatible with adjacent development and conforms to any development agreements registered against the title of the subject land.
The proposed lots will accommodate single-detached residential dwellings. Single-detached lots exist to the east and south. Generally, the area is characterized by low rise residential development and the proposed lots are therefore compatible with adjacent development.
5. That the creation of any lot(s) would have the effect of infilling an existing developed area where the pattern of land use has been established, and would not have the effect of extending a developed area.
New lots will be created from an existing lot that currently accommodates one single detached dwelling and therefore represents infilling within an established neighbourhood. New lots will be created on the subject lands south of the existing dwelling. Lands to the north of the retained parcel (existing dwelling) are proposed to be conveyed to the City of London as they are characterized by natural heritage features and floodplain lands.
6. That the proposed lot(s) would front on, or have access to, an existing public street and would not involve the opening or extension of a public street.

The proposed lots have frontage on public streets, being Chesterfield Avenue and Veronica Avenue. The retained lot has a proposed frontage of 8.4 metres along the opened road allowance of Chesterfield Avenue. The proposed Zoning By-law Amendment includes a site-specific provision to permit an 8.4 metre lot frontage for Lot 7, whereas a 9 metre lot frontage is required in the R2-1 Zone.

7. That the proposed lot(s) would not unduly reduce the accessibility of abutting lands suitable for development.
The portion of the property currently zoned for open space purposes is proposed to be severed and conveyed to the City of London. While not developable land, these lands are contiguous to and will address a gap within Thompson Road Park, which is accessed from Thompson Road to the east as well as an informal trail head west of the subject lands at the terminus of Chesterfield Avenue. Access to proposed Lot 8 from Chesterfield Avenue can be achieved as shown in the Preliminary Concept Plan and discussed throughout this Report.
8. That access to the proposed lot(s) would not create traffic problems or hazards and that policies of this Plan regarding street access would be complied with.
Access to each lot will be direct from a public (Neighbourhood) street and proposed driveways are not anticipated to conflict with existing driveways for residential properties to the west.
9. That adequate municipal services and utilities would be available.
Municipal services exist within Chesterfield Avenue and Veronica Avenue to service the new lots.
10. That any health and safety matters relating to the Building Code are adequately addressed.
These matters will be addressed at time of Building Permit.
11. For a consent application pertaining to lands within the Farmland or Future Growth Place Types, that the lot to be created would conform to the Farmland policies of this Plan.
The subject lands are located within the Neighbourhood and Green Space Place Types.
12. For a consent application pertaining to natural features located on lands within a Green Space or Environmental Review Place Type the potential impacts resulting from fragmentation of natural features corridors and linkages will be taken into consideration.
The portion of the subject lands containing natural heritage features and currently zoned Open Space are to be conveyed to the City of London through the proposed Consent. The proposal will not result in the fragmentation of open space/natural heritage lands and would instead result in privately-owned open space lands being transferred to the municipality for inclusion in Thompson Road Park and ultimately under City management.
13. That potential impacts on components of the Natural Heritage System will be addressed in conformity with the policies of this Plan.
The development proposal was evaluated through an EIS, which concluded that with the implementation of recommended mitigation measures, the proposed residential development will not have a negative impact on adjacent natural heritage features. These mitigation measures, to be considered for inclusion as conditions of Consent approval, include but are not limited to the further naturalization and enhancement of existing features within the Thames River Corridor.

4.2.5.1 *Planning Act 51(24)*

Section 51(24) of the *Planning Act* outlines the criteria when considering a draft plan of subdivision. The following is an evaluation of the Consent proposal with respect these criteria as per Policy 1699_2 of The London Plan.

(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed development will result in additional single detached lots being established on lands designated for residential purposes. The portion of the property containing natural heritage features and hazard lands are not contemplated for development and instead are proposed to be conveyed to the municipality for their long term protection and management. Existing natural features and the proposed development were evaluated through an EIS. With the implementation of recommended mitigation measures, the EIS concludes the proposed development will not have a negative impact on adjacent natural heritage features.

b) whether the proposed subdivision is premature or in the public interest;

The proposed development represents infilling within the urban boundary on lands that have access to municipal services.

c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The development proposal conforms to the relevant policies of The London Plan as demonstrated throughout this Report.

d) the suitability of the land for the purposes for which it is to be subdivided;

The lands are designated for residential uses, with single-detached dwellings being a permitted use. Lands containing natural heritage features and hazard lands are not included in the proposed lots or contemplated for development and are instead proposed to be conveyed to the City of London.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The proposed lots represent smaller single detached lots and will broaden housing choice with respect to existing detached housing within the neighbourhood and promote attainable housing opportunities.

e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The proposed lots will be accessed by existing public streets.

f) the dimensions and shapes of the proposed lots;

New lots meet the minimum frontage and lot area requirements of the proposed zone category, as demonstrated in Section 5.2 of this Report. The retained lands will have a reduced frontage of 8.4 metres given the constructed limit of the Chesterfield Avenue road allowance. The proposed Zoning By-law Amendment includes a site-specific provisions for the retained lands to recognize this condition.

- g) *the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*
Lands to the north currently zoned for Open Space purposes are proposed to be dedicated to the City of London for their long term protection and management.
- h) *conservation of natural resources and flood control;*
The portion of the lands zoned for Open Space purposes and containing natural heritage features and within the Thames Valley Corridor and floodplain are proposed to be dedicated to the City of London for their long term protection and management. The proposed development provides for the conservation of natural resources and flood control.
- i) *the adequacy of utilities and municipal services;*
Municipal services are available to the proposed development within Chesterfield and/or Veronica Avenue.
- j) *the adequacy of school sites;*
Given the small scale of the proposed development, being seven additional single detached dwelling units, school sites in the neighbourhood are anticipated to be adequate.
- k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*
Lands currently zoned for Open Space purposes, 0.43 ha in area, are proposed to be dedicated to the City of London for their long-term protection and management and as an addition to Thompson Road Park.
- l) *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*
The proposed development allows for the incorporation of green building technologies and considerations for new dwellings at time of building permit.
- m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.*
Site Plan Control for developments with fewer than 10 residential units has been removed from the *Planning Act* through Bill 23. As such, the proposed development will not be subject to Site Plan Control.

4.2.6 **Parkland Dedication**

As a condition of development, a conveyance of 5% of the land proposed for development to the municipality will be required for park or other public recreational purposes as per Policy 1756. Furthermore, Policy 1406 states that City Council may accept natural heritage areas for parkland or conservation use in conformity with the policies of The London Plan with respect to parkland dedication.

City Staff provided the following comment regarding parkland dedication during pre-consultation, as noted in the Record of Pre-Application Consultation for the proposed development:

"Parkland dedication would be required for the creation of 8 lots. To satisfy the required parkland dedication Parks Planning requests the dedication of the OS4 Zoned lands at 32 Chesterfield and the unnumbered lot located to the north in Thompson Road Park (PLAN

462 LOTS 22 TO 31 Roll Number 050300001000000) owned by the applicant at the Open Space rate of 16 to 1.”

0.43 ha, or approximately 48% of the total area of the subject lands, currently zoned for Open Space purposes and containing natural heritage features is proposed to be conveyed to the City of London as per the Preliminary Consent Plan enclosed as **Figure 3**.

4.2.7 **Summary**

In our opinion, the proposed development is consistent with the principles, policy direction and permissions of The London Plan. In this respect, it is our opinion that the project would support the broad vision and guiding objectives of the Neighbourhoods place type, as well as the policy direction and objectives of the City Design components of the Official Plan. Further, this proposal supports appropriate residential intensification of land designated for low-rise residential purposes; is compatible with the surrounding development context; and promotes a compact, efficient development form that broadens housing choice in the Glen Cairn planning district.

5.0

City of London Zoning By-law Z.-1

5.1 Existing Zoning

Figure 9 of this Report illustrates that the subject lands are zoned 'Residential R₄ (R₄-3)' and 'Open Space OS (OS₄) pursuant to Schedule A of the City of London Zoning By-law Z.-1 (Zoning By-law).

Section 8.1 of the Zoning By-law identifies that the R₄ Zone provides for and regulates medium density residential development in the form of street townhouses, with different intensities of development being permitted through the use of zone variations. The only permitted use in the R₄ Zone are street townhouse dwellings.

Section 36.1 of the Zoning By-law identifies that the OS₄ Zone is one of the most restrictive open space zone variations and is applied to lands which have physical and/or environmental constraints to development. Specifically, the OS₄ Zone is applied to hazard lands, specifically the floodway, steep slopes and lands that may be subject to erosion, among others.

5.2 Proposed Zoning

Following an analysis of the Zoning By-law, it was concluded that the existing R₄-3 zoning structure does not permit the intended single detached dwelling lots. It was also concluded through this review that given the intended layout of the proposed lots, the project closely aligns with the permissions of the Residential 2 (R₂-1) Zone regime.

Section 9.1 of the Zoning By-law identifies that the R₂ zone provides for and regulates low density residential development in the form of single detached dwellings, semi-detached dwellings, duplex dwellings and two unit converted dwellings. The R₂-1 Zone can be applied throughout the City as per Section 9.91. Single detached dwellings are a permitted use in the R₂-1 Zone.

Table 3.0 below provides an analysis of the proposed residential lots and layout of new dwellings as per the Preliminary Concept Plan with respect to the requirements of the R₂-1 Zone, based on the municipality's 'Zoning Referral Record' template. This zoning review illustrates that the proposed lots and dwelling layout as illustrated in **Figure 4** generally meet the R₂-1 Zone regulations, with the exception of the minimum lot frontage for Lot 7.

The completed City of London Zoning Data Sheet is also enclosed as **Appendix B**.

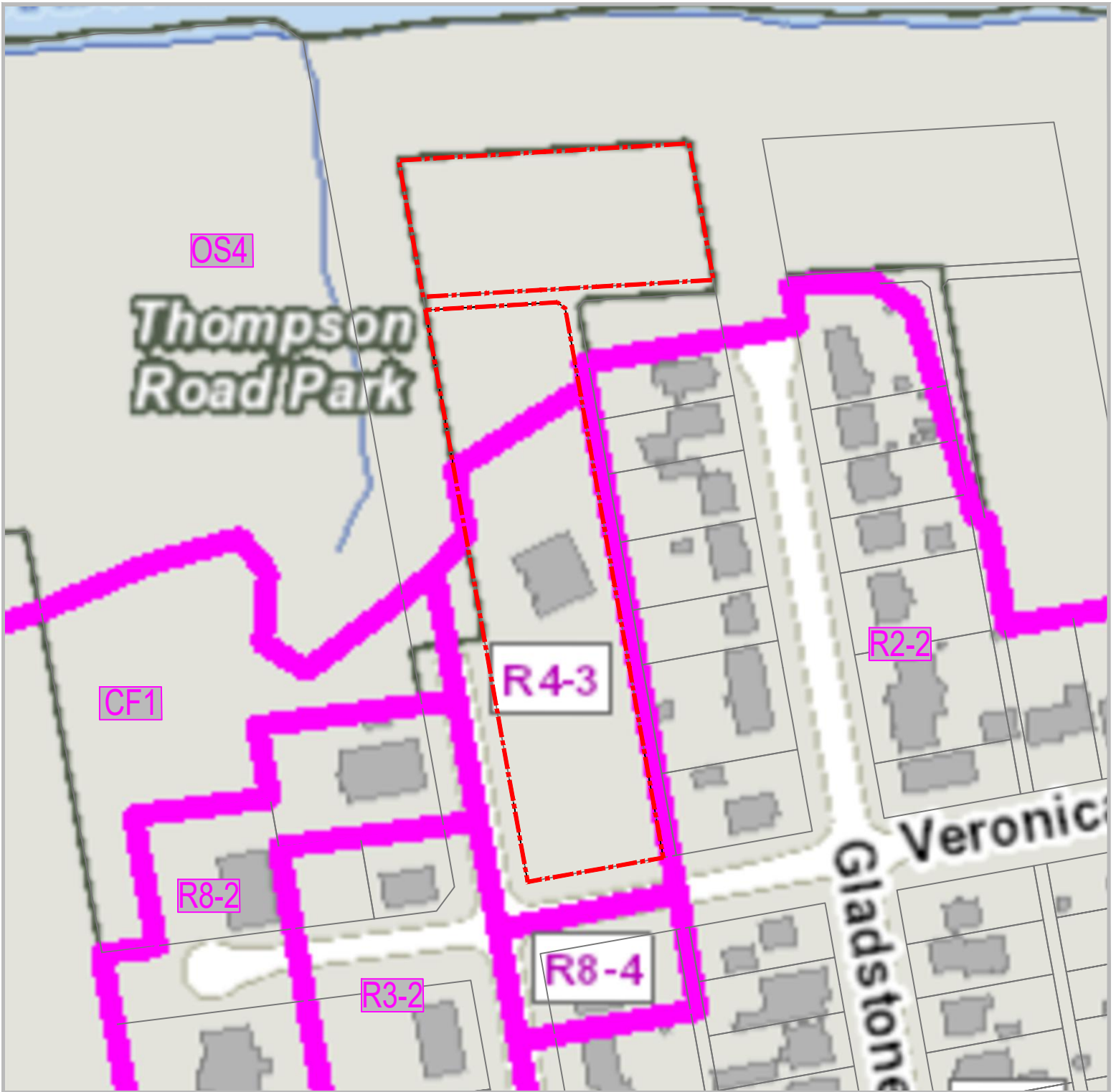


Figure 9
Existing Zoning

LEGEND

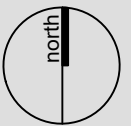
- Subject Lands
- Zoning Boundaries
- Proposed Lots

Date: December, 2023

Scale: 1:1,500

File: 1968A

Drawn: NDC/LC



Q:\1968A - 32 Chesterfield Ave - Suppliah\Graphics\RPT\ZONING_MAP_Dec2023.dwg

Table 3.0 Analysis of Proposed Zoning

By-Law Restrictions	Required (R2-1)	As Shown on Concept Plan
Residential Type	Single-Detached	Single-Detached
Zone Variation	R2-1	R2-1
Use	Single Detached Dwellings Semi-Detached Dwellings Duplex Dwellings Converted Dwellings (max 2 units)	Single-Detached Dwelling
Lot Area (m ²) (min)	250	335
Lot Frontage (m) (min)	9	Lots 1 to 7 (to be created): 9 Lot 8 (retained): 8.4
Front Yard and Exterior Side Yards (m) (min) ¹	Local Street Main Building: 4.5 Local Street Garage: 6	Local Street Main Building: 4.5 Local Street Garage: 6
Interior Side Yard (m) (min) ¹	For two storey dwelling: 1.2 For three storey dwelling: 1.8	1.25
Rear Yard (m) (min)	6	6
Landscaped Open Space (%) (min)	30	45
Lot Coverage (%) (max)	45	41
Parking Area Coverage (%) (max)	25	±6
Height (m) (max)	9	7
Number of Units per Lot (max)	1	1
Building Depth (% of lot depth) (max) ²	60	58
Garage Width (% of building façade width) (max) ²	50	49

¹ Section 4.23.1 deemed not to apply given no other dwellings exist oriented to either Chesterfield Avenue or Veronica Avenue, within the same block, on the same side of the street.

² Requirements of Section 4.23 Regulations for Low-Rise Residential Development in the Primary Transit Area.

As illustrated on the Preliminary Concept Plan, the proposed retained lands will have a frontage of 8.4 metres along the opened portion of the Chesterfield Avenue road allowance. As further illustrated on the Preliminary Concept Plan, while the intent is to renovate the existing dwelling on Lot 7, any future buildings (i.e., additions) or structures must be sited outside of the development setback included on the Concept to provide appropriate separation from the adjacent significant woodland and implement the erosion hazard limit established through the Geotechnical Investigation.

As such, Lot 7 is proposed to be rezoned to the R2-1 zone category, with the following site-specific provisions:

- Minimum lot frontage: 8.0 metres

- Minimum interior side yard setback (north): 24.1 metres;
- Minimum interior side yard setback (south): 1.2 metres;
- Minimum interior side yard setback, existing structures (west): as existing;
- Minimum interior side yard setback, new structures or additions (west): 13.2 metres; and
- Prohibit the erection of any new building, structure or swimming pool within the minimum westerly and northerly yard setback.

Minimum Lot Frontage

Interpretation of the relevant definitions in the Zoning By-law, being *lot frontage*, *front lot line*, and *street line*, indicates that lot frontage can be calculated along an unopened road allowance. Despite this interpretation, and to ensure that the configuration of Lot 7 is appropriately recognized in the Zoning By-law, a special provision to permit a minimum lot frontage of 8 metres for Lot 7 is proposed as part of the Zoning By-law Amendment.

As discussed throughout this Report and shown in the Preliminary Concept Plan, the existing driveway access to the subject lands can be maintained for Lot 7 provided the driveway approach within the road allowance is reconfigured to avoid encroachment with respect to proposed Lot 6. While an 8.4 metre lot frontage is provided for Lot 7 in the Preliminary Concept Plan, a minimum lot frontage of 8.0 metres is requested through the Zoning By-law Amendment to provide flexibility at the Consent stage in siting new lot lines while ensuring the existing driveway access for the subject lands is maintained for Lot 7. An 8.0 metre minimum lot frontage for Lot 7 is considered appropriate to facilitate the development as proposed.

Setbacks for Existing and New Buildings and Structures

To implement the development setback on Lot 7 as illustrated in the Preliminary Concept Plan, additional site-specific special provisions are required to:

1. Recognize setbacks of existing buildings and structures, given the northwestern corner of the existing dwelling the existing swimming pool currently encroach in the development setback; and
2. Establish more restrictive setbacks for the siting of new buildings, such as additions to the existing dwelling, and structures, such as a garden shed.

As previously discussed, the development setback illustrated on the Preliminary Concept represents the most restrictive of both the 30 metre woodland setback and erosion hazard limit identified in the supporting EIS and Geotechnical Investigation. Portions of the existing dwelling and swimming pool are located within this setback. As such, site-specific provisions are required and subsequently requested to recognize these existing structures.

The proposed site-specific provisions regarding setbacks to the north and west property lines for new buildings and structures are based on the greatest width of the development setback in relation to these property lines. As illustrated in the Preliminary Concept Plan, the width of the development setback is greatest at 13.2 metres and 24.1 metres from the western and northern property lines, respectively. Given the irregularity of the development setback as it relates to existing property lines, proposed setbacks for new buildings and structures are based on the most restrictive portions of the development setback to ensure any future built improvements to Lot 7 do not encroach into that area. **Image 1** below illustrates the developable area of Lot 7 with the implementation of the proposed north and westerly site-specific setback provisions in conjunction with the rear and interior side yard setbacks of the R2-1 Zone category. The developable area under the proposed regulations is generally well outside of the development setback and as such the recommendations of the EIS and

Geotechnical Investigation with respect to development adjacent to natural features and hazards are met. Accordingly, in our opinion, the 13.2 metre and 24.1 metre yard setbacks from the west and north property lines are appropriate given the conclusions of supporting technical studies.

Image 1. Developable Area of Lot 7 Under Proposed R2-1 () Zoning Provisions

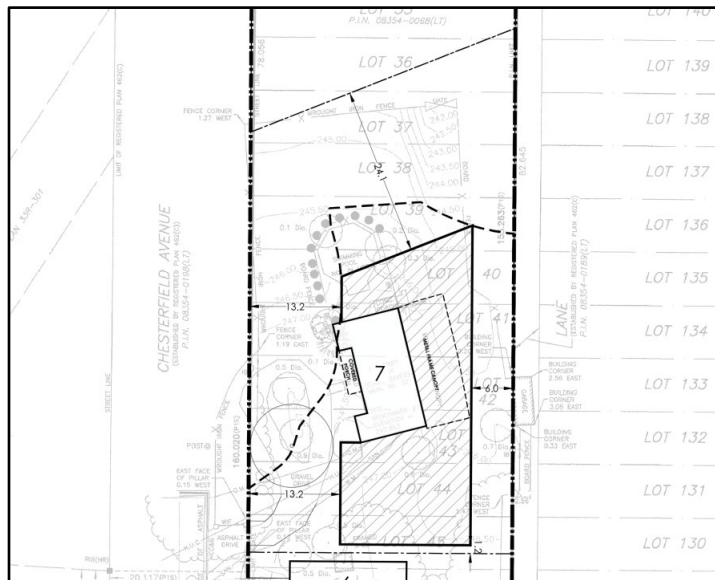


Figure 5 of this Report illustrates the Residential R2-1 Special Provision (R2-1()) Zone proposed for the Site to accommodate the intended development.

6.0

Supporting Technical Studies

Technical studies as outlined in the Pre-consultation Record were undertaken to support the development proposal. The following provides an overview of the findings and recommendations of these technical studies.

6.1 Tree Protection Plan

Natural Resource Solutions Inc. (NRSI) was retained by Pearl Investments to complete a tree inventory and Tree Protection Plan. Individual trees with a $\geq 10\text{cm}$ Diameter at Breast Height (DBH) were inventoried. Overall, 113 trees were inventoried, and the following was determined:

- None of the tree species are regionally significant or protected under the *Species at Risk Act* or *Endangered Species Act*. A single Kentucky Inventoried species was observed on site but not inventoried as it was less than 10cm DBH. This species is listed as threatened in its native range in Ontario under both the *Species at Risk Act* and *Endangered Species Act* and is further discussed in the Environmental Impact Study prepared by NRSI;
- 74 inventoried trees are proposed for retention, the majority of which are anticipated not to be impacted by the proposed development;
- Three trees to be retained may be impacted and are located off the subject lands;
- 39 inventoried trees are anticipated for removal based on the proposed development or as a result of their health and potential for structural failure;
- Temporary tree protection fencing will be required for trees adjacent to the proposed development, to be maintained throughout the construction period and removed post-construction activities; and
- Tree removals to occur outside of nesting window for migratory birds, being April 1 – August 31 and bat roosting periods, being April 1 – September 30.

6.2 Environmental Impact Study

Natural Resource Solutions Inc. (NRSI) was retained to identify and review key natural heritage features, habitats, and species and determine whether the proposed development will have any significant impacts on identified natural heritage features within the site. The following natural heritage features were identified on and adjacent to the subject lands:

- Forests on and adjacent to the subject lands meet the qualifications to be considered Significant Woodland. The Significant Woodland does not overlap the proposed lots/development limit;
- Candidate Significant Wildlife Habitat and Species at Risk Habitat was assumed present within the Significant Woodland adjacent to the subject lands; and

- A Kentucky Coffee Tree, determined to be a planted specimen, is located in the southeast corner of the site and is afforded protection under the Endangered Species Act.

The EIS delineates the extent of a 30 metre setback from the identified Significant Woodland, with the setback partially overlapping the proposed retained residential lot (Lot 7). Enhancement and naturalization of the Significant Woodland through invasive species management and native vegetation plantings is recommended, with measures to include the following, limited to the naturalized area of the subject lands currently zoned for open space purposes:

- Naturalization and conveyance of the lands in compensation and to improve the overall quality of the Significant Woodland following the completion of construction activities;
- Development of an Invasive Species Management Plan to control the presence of any non-native, invasive vegetation that may interfere with naturalization efforts;
- Development of a Planting Plan that specifies appropriate and diverse native species that are in line with the site conditions, adjacent vegetation communities and ecological context; and
- Incorporation of tree removal compensation plantings, including the transplanting of the Kentucky Coffee Tree.

The above-noted measures are not proposed for the Significant Woodland setback where it overlaps with Lot 7 given the existing dwelling will be retained and use of the lot generally for residential amenity purposes.

Potential direct impacts of the proposed development on natural features were identified in the EIS, are anticipated to be minimal, and include site grading, vegetation removal, and Species at Risk. The following mitigation measures were identified to address these potential direct impacts:

- Development of a detailed grading plan with Tree Protection Zones afforded to retained trees on the subject lands and the limit of grading demarcated in the field through the use of Tree Protection Fencing which can also function as Erosion and Sediment Control fencing;
- Compensation for the removal of trees from the subject lands as per the Tree Protection Plan will be required, with vegetation removals to occur outside of the core nesting period for migratory birds, being April 1 to August 31. For any tree or vegetation removal which occurs during a core nesting period, nest surveys may be conducted less than 48 hours before removals to ensure that nesting birds are not present. Trees must also be removed outside of the bat active roosting period, which extends from March 31 to September 30 to avoid impacts to bats and their habitat; and
- Relocation of the Kentucky Coffee Tree to the northern portion of the subject lands within the floodplain and where enhancement and naturalization activities are proposed. Submission of a Notice of Activity and mitigation plan to the Ministry of Environment, Conservation and Parks is required prior to relocation.

Potential indirect impacts of the proposed development on natural features were identified in the EIS, and include hydrological changes, erosion and sedimentation, and impacts to wildlife and vegetation communities are anticipated to be minimal, and include site grading, vegetation removal, and

Species at Risk. The following mitigation measures were identified to address these potential direct impacts:

- Development of a detailed grading plan that promotes infiltration and directs overland flows to the municipal stormwater management system, with consideration given to – where feasible – the use of permeable pavers and pervious pipes to increase infiltration across the subject lands;
- Development and implementation of an Erosion and Sediment Control plan, which includes the installation and maintenance of a heavy-duty combined sediment and erosion control fence and Tree Protection Fencing, supervised by a Certified Arborist, including immediate removal once construction activities have concluded, as well as stabilization and re-vegetation of bare soils is completed as soon as possible after construction; and
- Restriction of construction activities to between 7:00 am and 7:00 pm, with artificial lighting turned away from natural features and dust suppression measures implemented; and
- Development of an environmental guide to be handed out to all new homeowners to avoid/minimize residual impacts.

The EIS also contains a framework for the preparation of a future Environmental Management and Monitoring Plan, the objective of which is to enhance naturalization areas on site, provide compensation plantings for tree removals, and establish a monitoring plan for the protection of the natural heritage system during and post-construction. The Environmental Management and Monitoring Plan, along with the preparation of the required plans and documents to implement the mitigation measures listed above, are recommended to be included as conditions of Consent approval as noted throughout the EIS Report.

6.3 Geotechnical Study

EXP Services Inc. was retained to undertake a geotechnical investigation and slope stability assessment for the subject lands. At the time of writing of the 2021 Report, the proposed development included a four-storey seniors apartment building of 60 units. The following is a summary of the Slope Stability Assessment portion of the Geotechnical Report:

- The slope that runs through the site is approximately 8 to 9 metres in height and vegetated with mature trees and shrubs, with an open drain at the base of the slope on the western side of the site;
- An erosion hazard limit (development setback) ranging from 10.8 metres to 11.1 metres from the top of the existing slope, depending on the location along the top of slope, is required for any new development; and
- Site grading should ensure surface water is directed away from the slope, and now water from the table land should be out-letted down the slope.

The erosion hazard limit as delineated in the Geotechnical Report is located entirely on the retained lands, where the existing dwelling is intended to remain.

6.4 Archaeological Assessment

Golder Associates Ltd. was retained to prepare a Stage 1 and 2 Archaeological Assessment for the subject lands. The Assessment concluded that while the entire property was determined to have archaeological potential as a result of the Stage 1 Assessment, no archaeological material or sites were identified on the portion of the lands zoned for residential purposes through the Stage 2 Assessment. Given the northern portion of the subject lands is zoned for open space purposes and located within the regulation limit of the Upper Thames River Conservation Authority, a Stage 2 Assessment was not conducted as per consultation with London municipal staff.

The Ministry of Tourism, Culture and Sport issued an archaeological assessment compliance letter in September of 2018 for the subject lands.

7.0 Conclusions

In conclusion, it is our opinion that the proposed Zoning By-law Amendment and Consent applications are appropriate for the Site, compatible with the existing development context and in keeping with the framework of applicable planning policy. This assessment is based, in part, on consideration of the following project merits:

1. The subject lands are designated for low-rise residential types pursuant to the City of London's Official Plan (The London Plan), and the proposed lot layout is in keeping with the use, form and intensity policies of the applicable Neighbourhoods place type;
2. The proposed development represents an intensification of urban land in a manner that is compatible and complementary to the low-rise residential nature of the surrounding neighbourhood;
3. Implementation of the proposed development through the submitted Consent applications will result in existing open space lands being transferred to the ownership of the City of London for their long term protection and maintenance, and contribute to the rounding out of Thompson Road Park;
4. With the implementation of recommended mitigation measures through future Consent Conditions, the proposed development will have no negative impact on adjacent natural heritage features;
5. In our opinion, this development proposal is consistent with the Provincial Policy Statement and conforms with the policy direction and permissions of The London Plan; and
6. The proposed site-specific amendment to the City's Zoning By-law would appropriately recognize the relationship of the retained lands (Lot 8) to the unopened road allowance of Chesterfield Avenue, in consideration of an adequate approach to establishing driveway access to these lands.

Given the noted considerations and the commentary presented in this Report, it is recommended that the City of London approve the Zoning By-law Amendment and Consent applications, as proposed.

Respectfully submitted,
MHBC



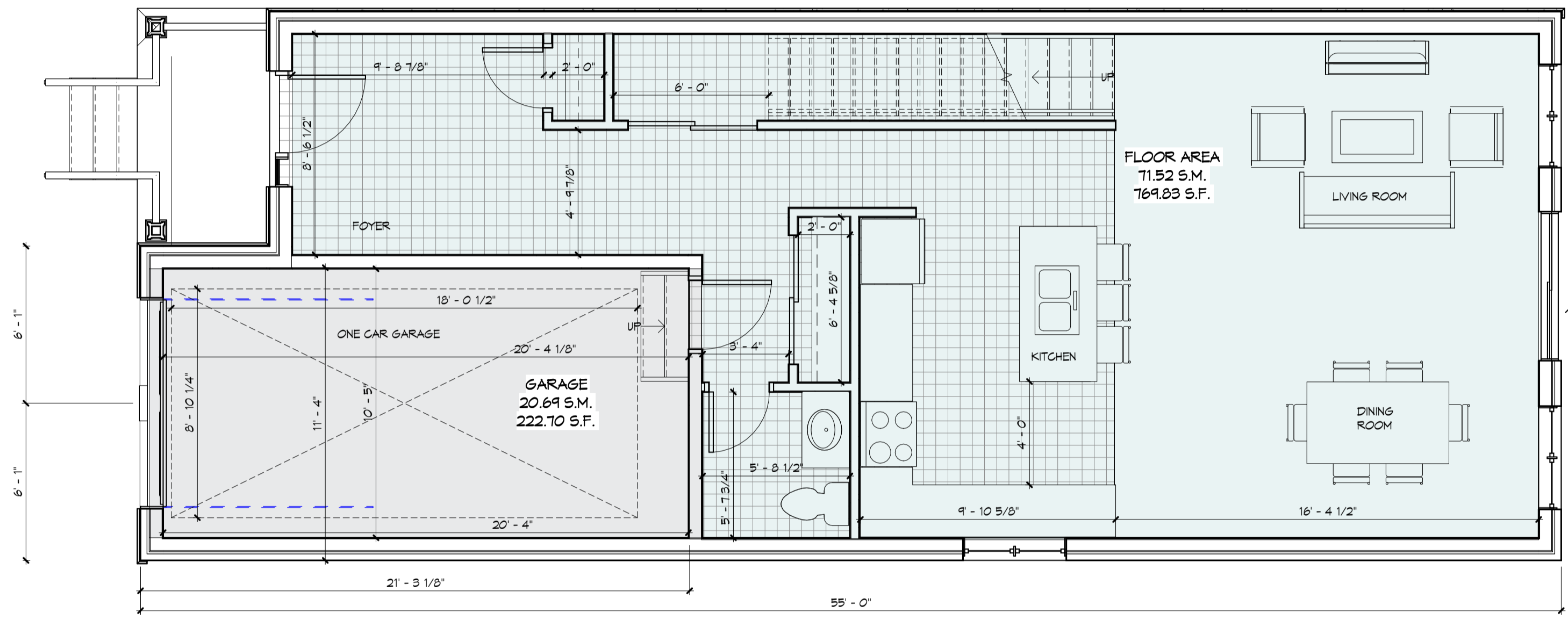
Scott Allen, MA, RPP
Partner



Meghan Lippert, BA, MAES
Planner

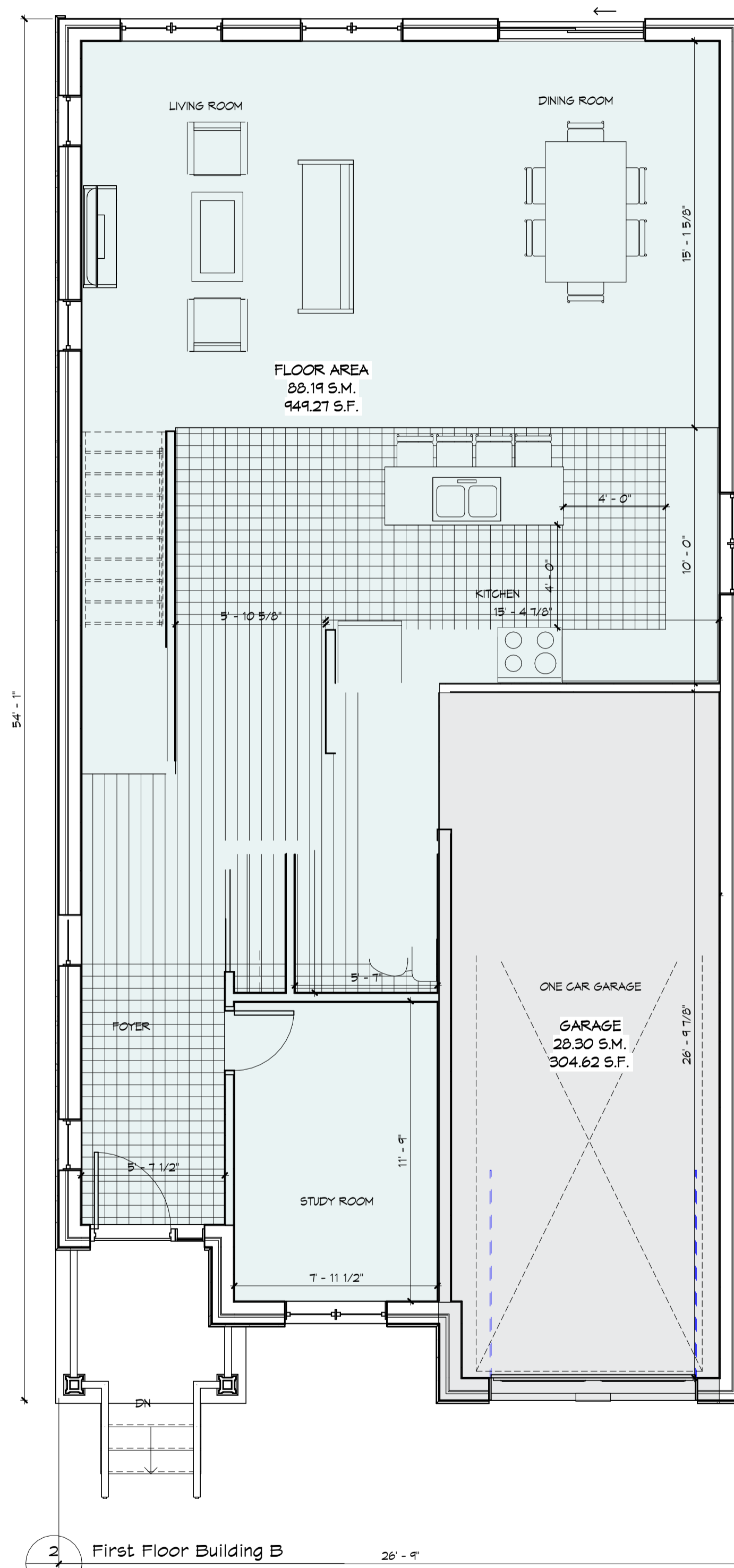
APPENDIX A

Conceptual Floor Plans and Elevations



1 First Floor Building A
A2.1 1/4" = 1'-0"

A4.1 2

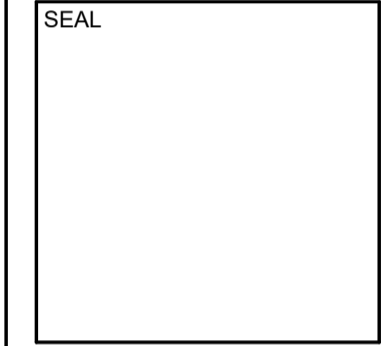
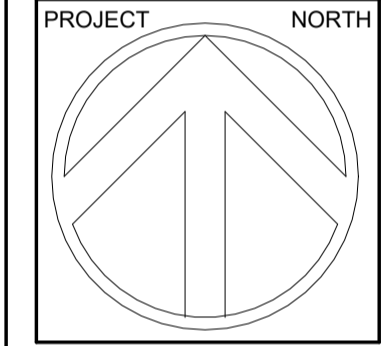


2 First Floor Building B
A2.1 1/4" = 1'-0"

REVISIONS	DATE

STATUS	REVIEW
PROJECT #	22034
CHKD	RTT
DRAWN	AMT
SCALE	1/4" = 1'-0"
DATE DWN	2023 05 20
ISSUED	20230706

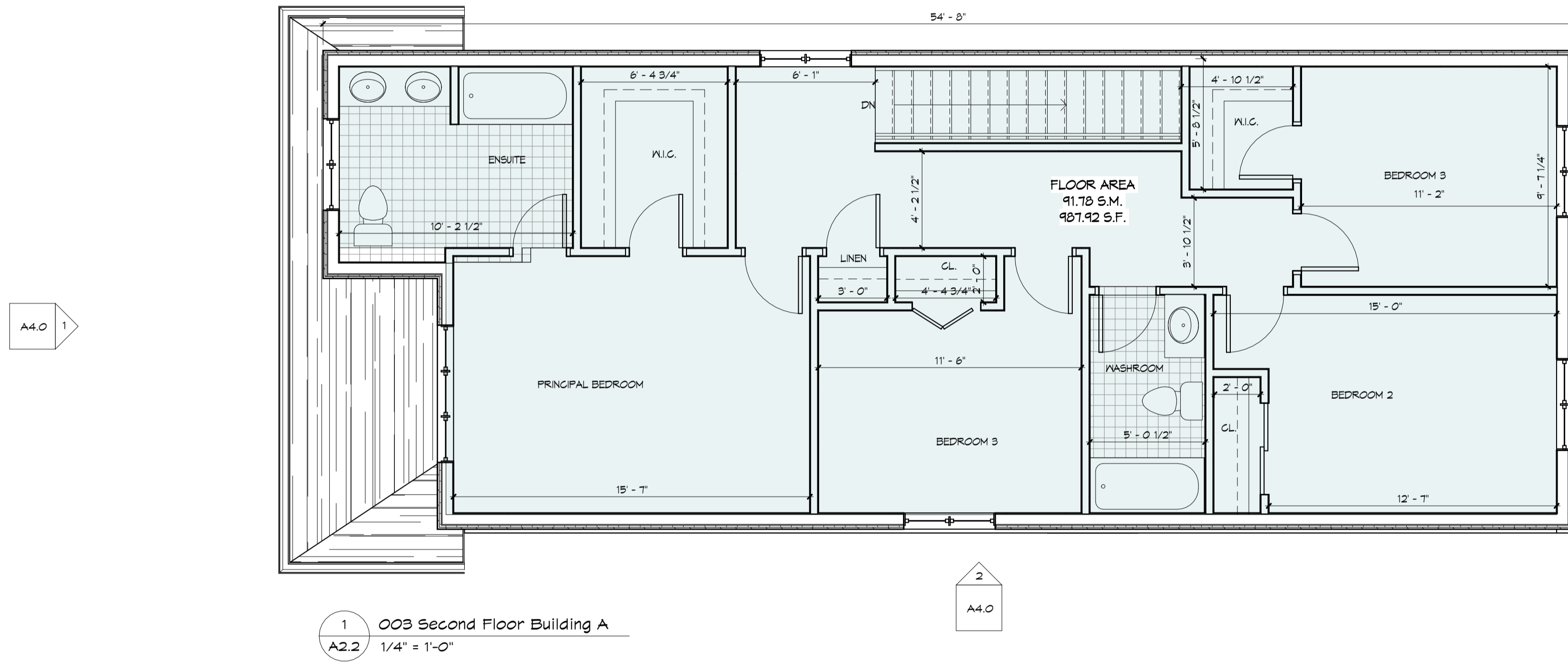
32 Chesterfield
32 Chesterfield Avenue, London
1st Floor Plan



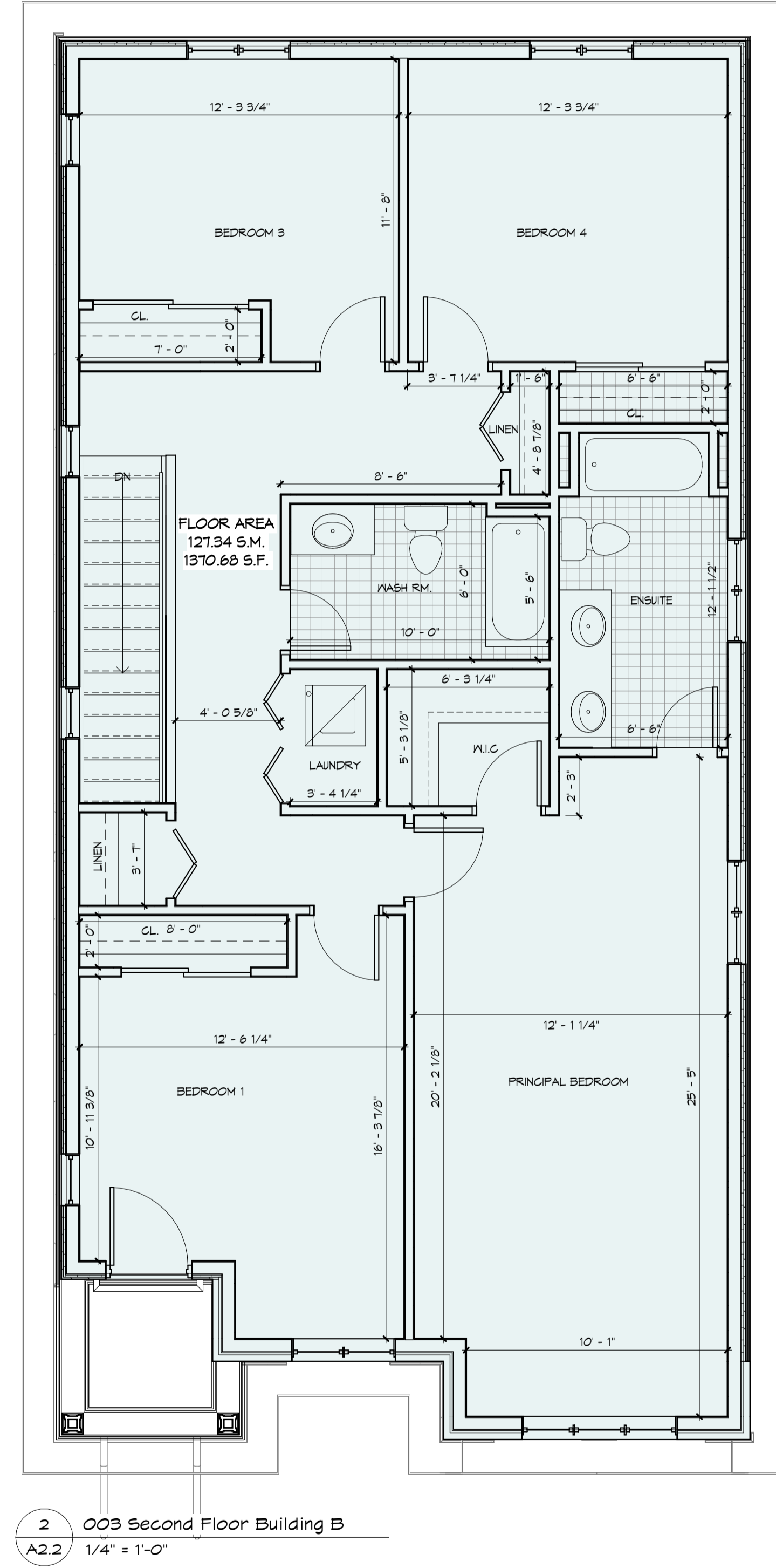
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ALL DRAWINGS AND SPECIFICATIONS PREPARED BY THE ARCHITECT ARE HEREBY AS REPRESENTED BY HIS SERVICE AND ARE TO BE USED BY THE CONTRACTOR AS REQUESTED.

DO NOT SCALE DRAWINGS.



1 003 Second Floor Building A
A2.2 1/4" = 1'-0"



2 003 Second Floor Building B
A2.2 1/4" = 1'-0"

A4.0 1

A4.1 2

A4.1 4

A4.1 3

STATUS	Review
PROJECT #	22034
CHKD	RIT
DRAWN	AMT
SCALE	1/4" = 1'-0"
DATE DWN	2023 05 20
ISSUED	20230706

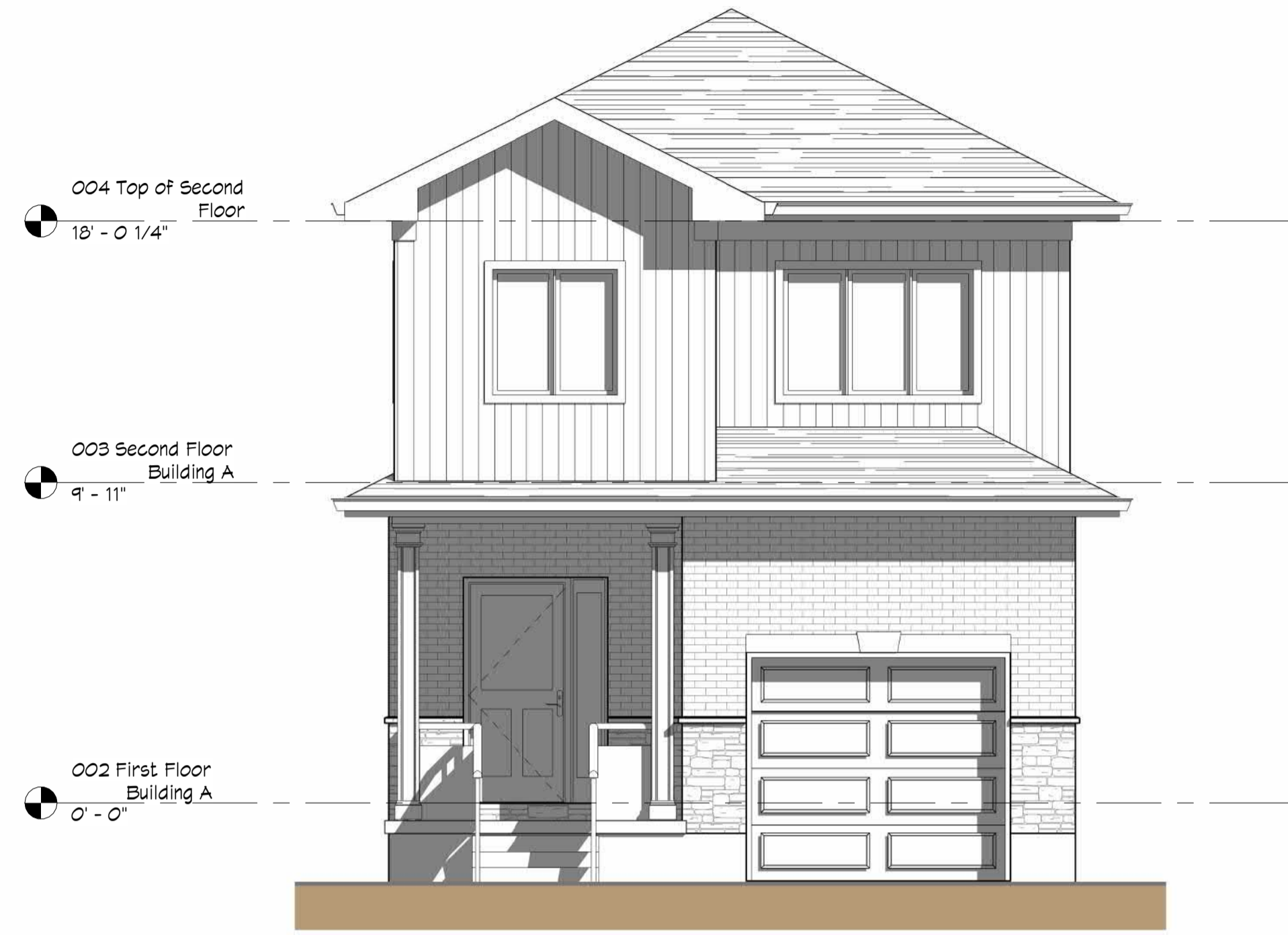
32 Chesterfield
32 Chesterfield Avenue, London
2nd Floor Plan

PROJECT NORTH

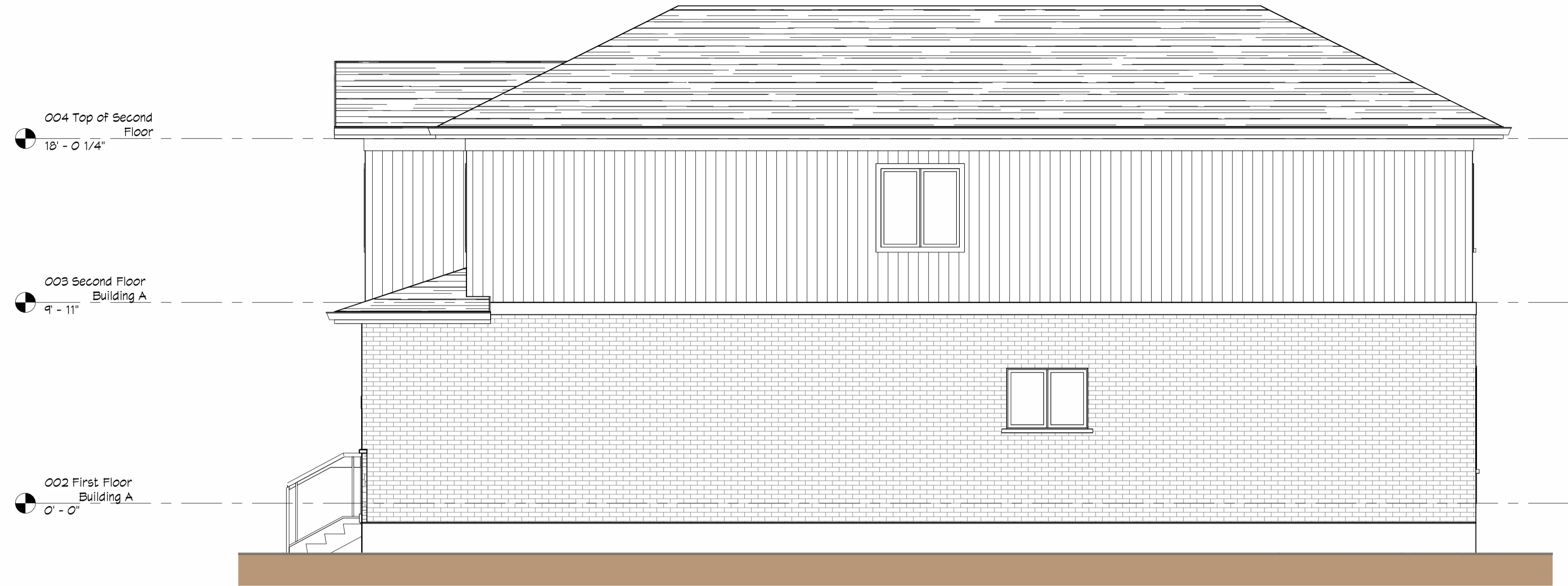
SEAL

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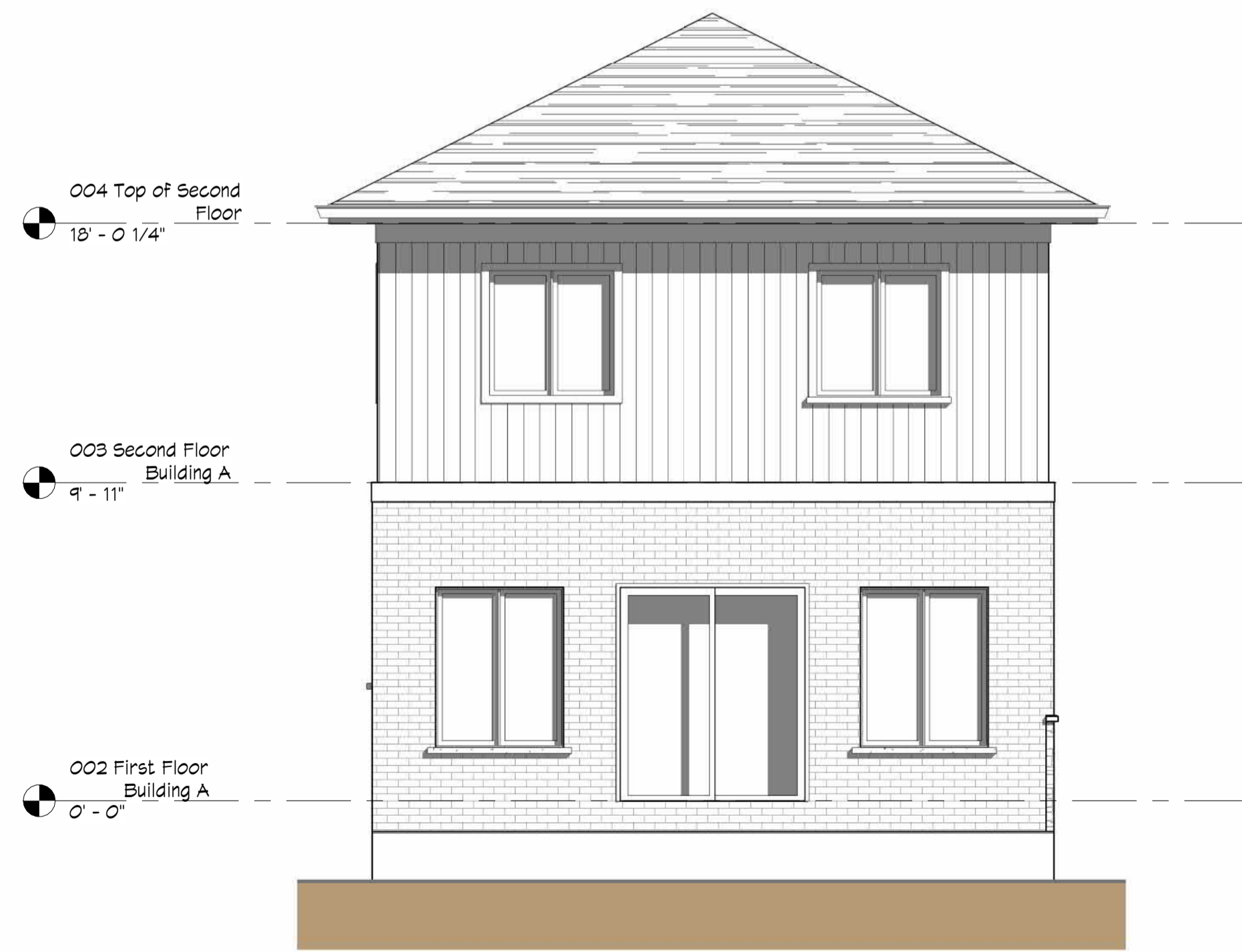
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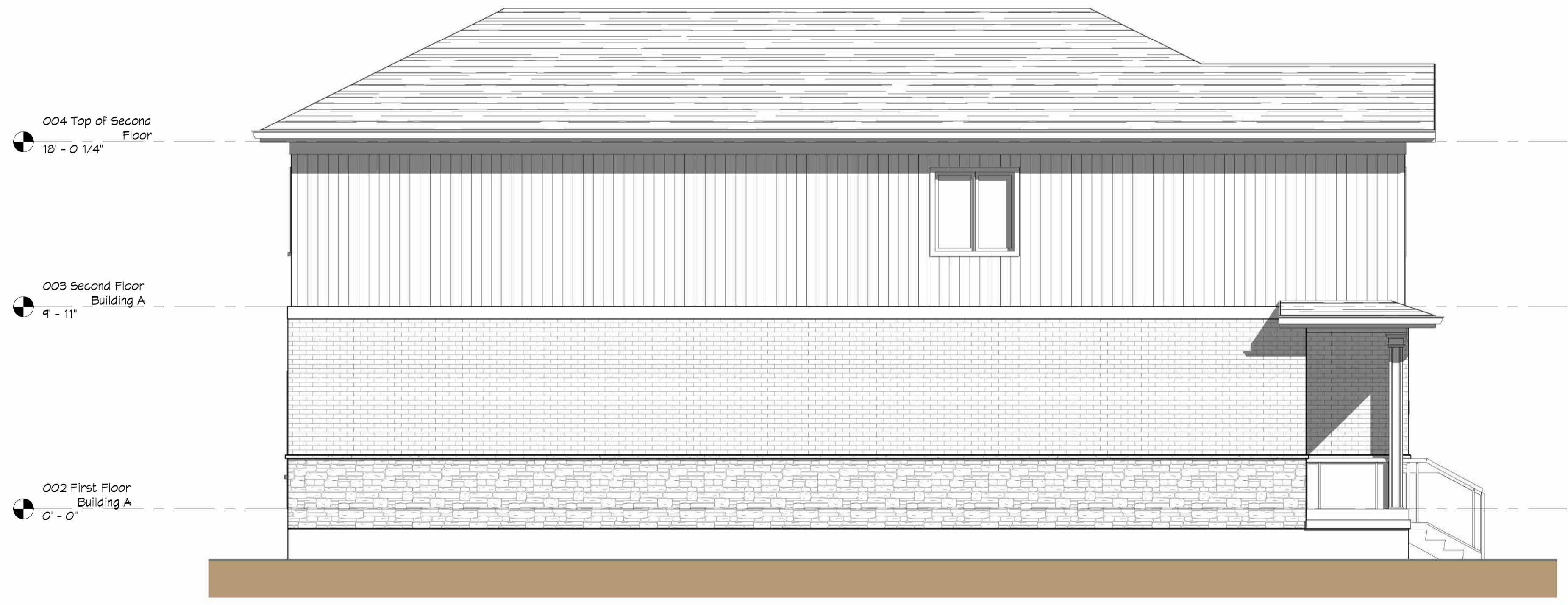
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A4.0 1/4" = 1'-0"



2 Building 'A' South Elevation
A4.0 1/4" = 1'-0"



3 Building 'A' East Elevation
A4.0 1/4" = 1'-0"



4 Building 'A' North Elevation
A4.0 1/4" = 1'-0"

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE COURSE OF THE WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR PROCEED IN UNCERTAINTY.
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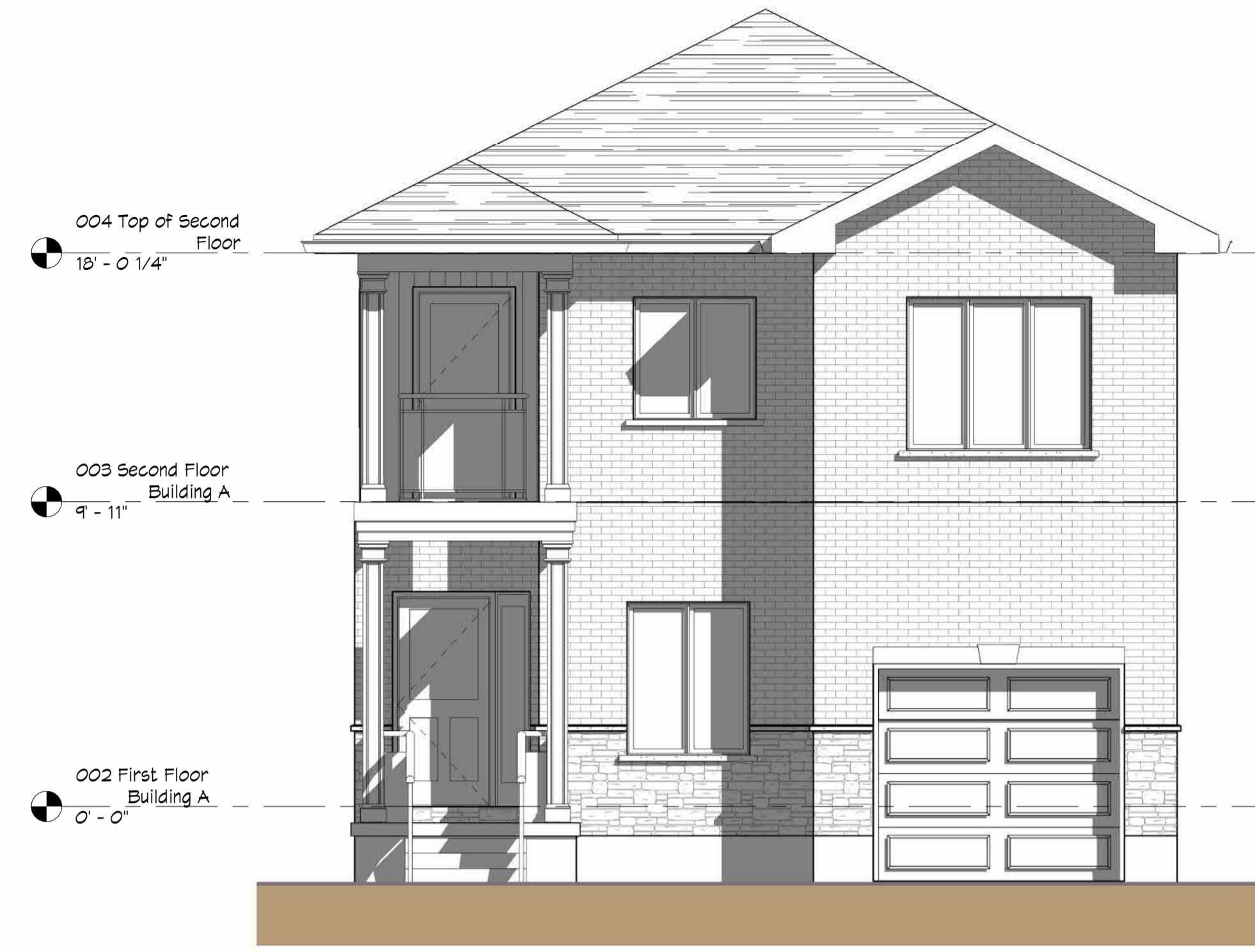
SEAL

PROJECT NORTH

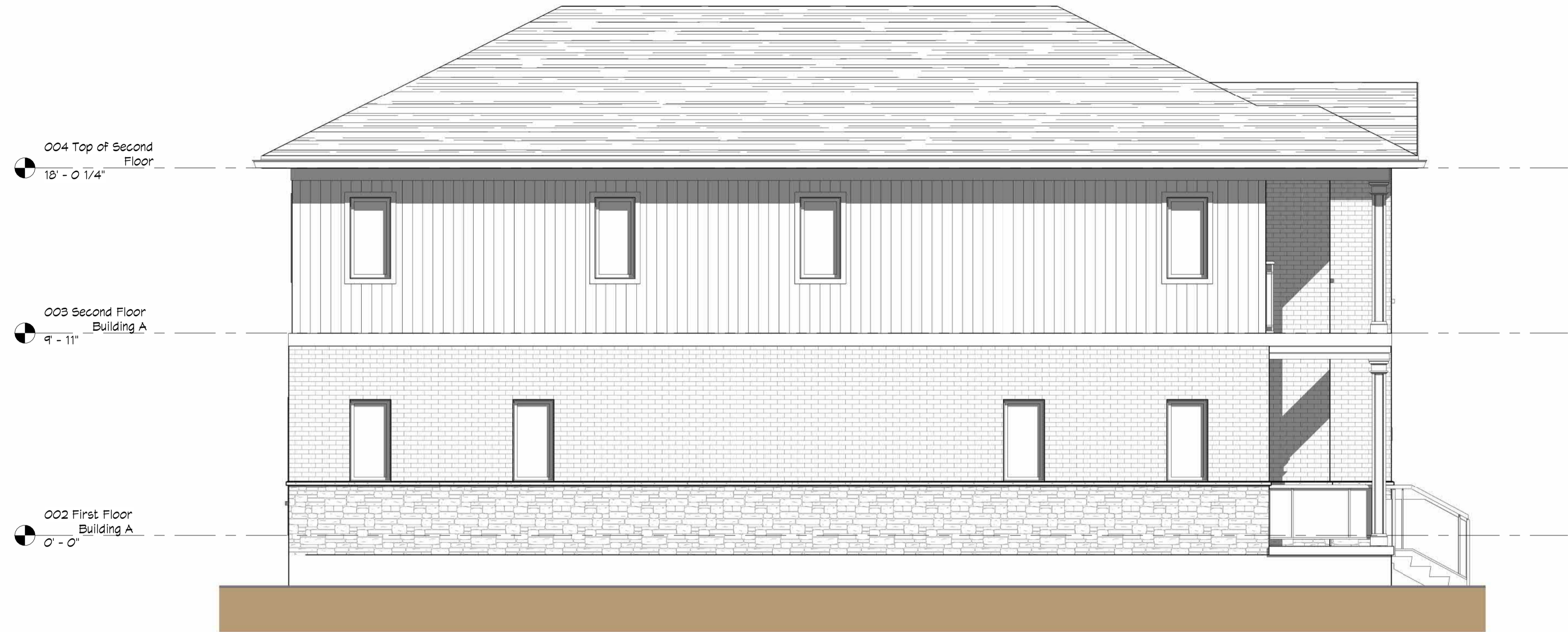
32 Chesterfield
32 Chesterfield Avenue, London
Building 'A' Elevations

STATUS	Review
OBJECT #	22034
KD	RIT
AWN	MPVFR
A/E	1/4" = 1'-0"
T/E	DWN
DATE	20230706

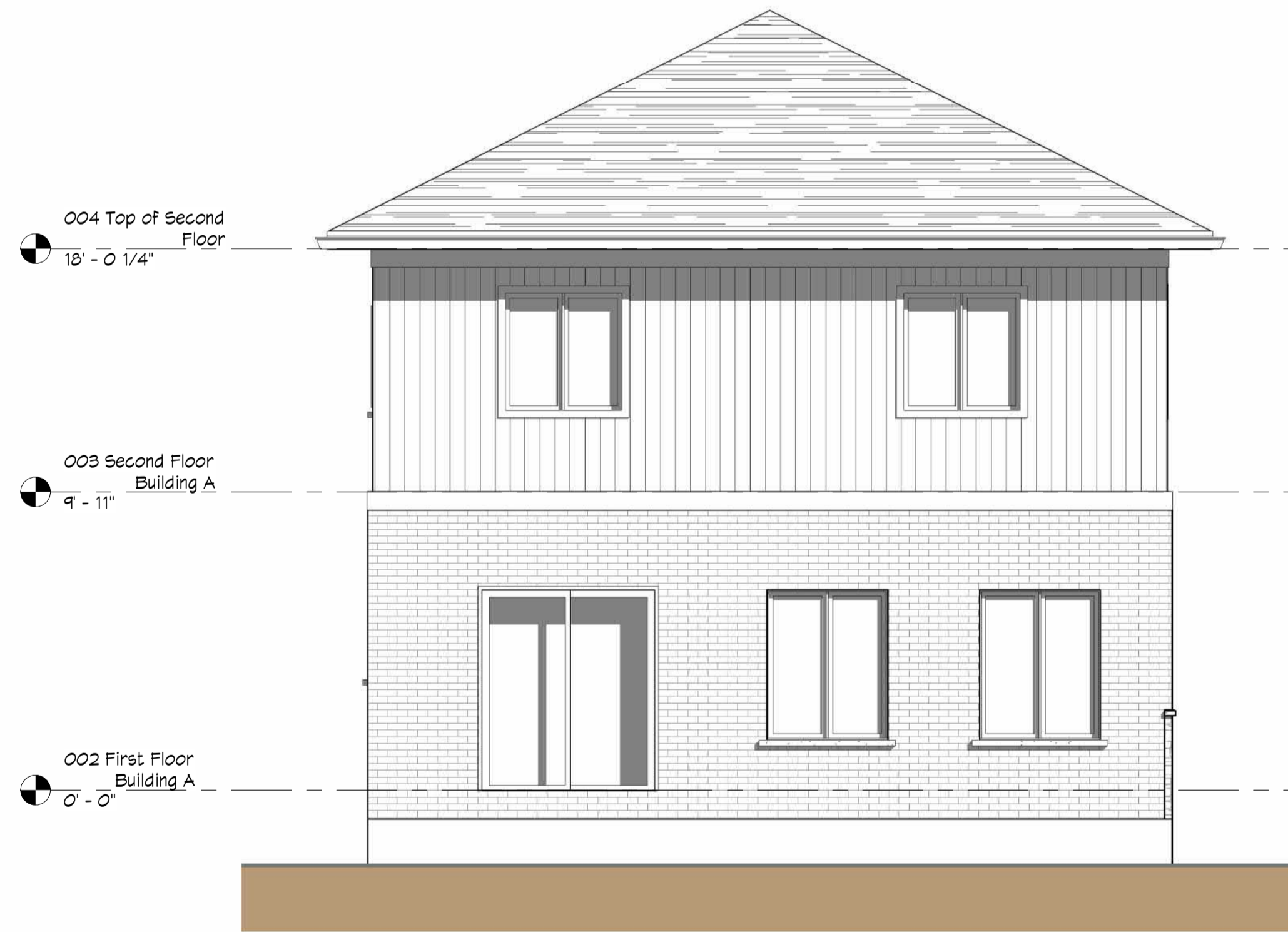
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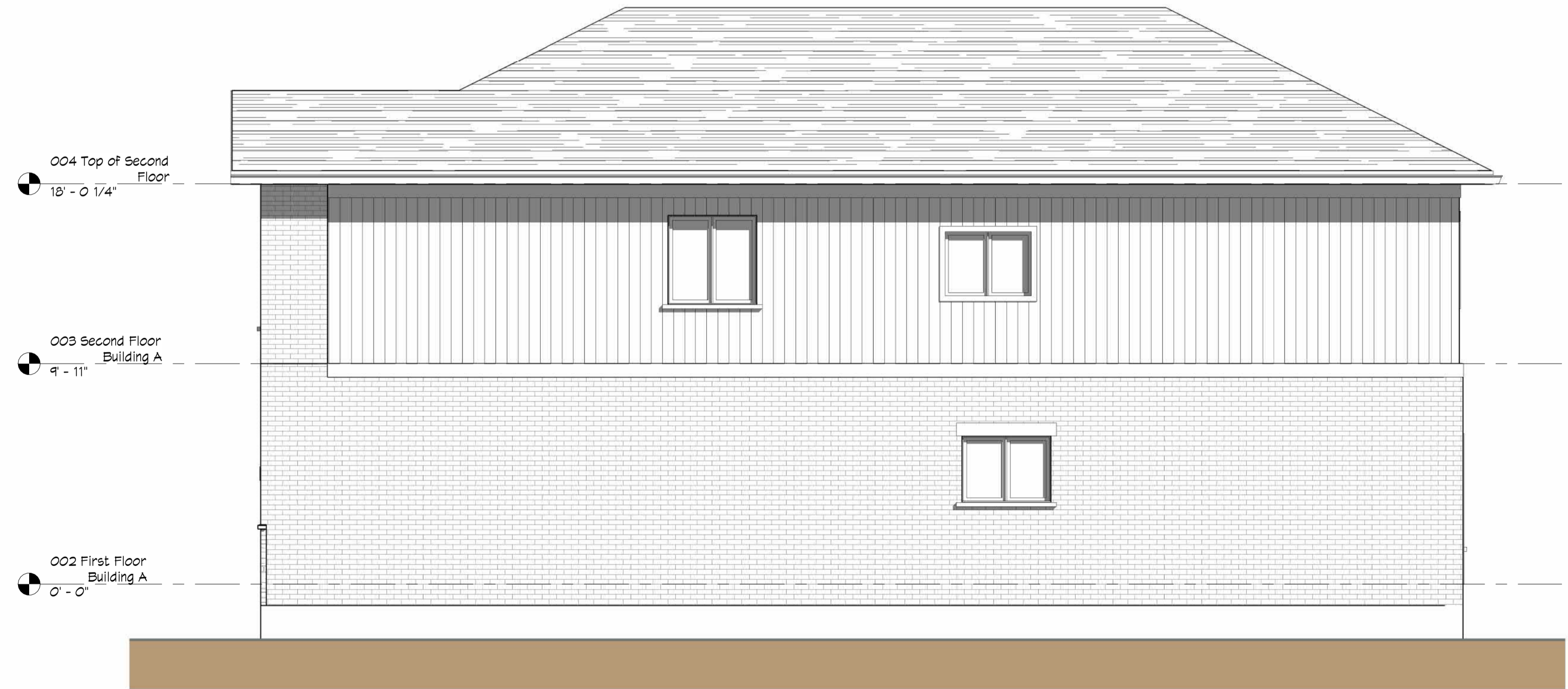
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A4.1 1/4" = 1'-0"



2 Building 'B' West Elevation
A4.1 1/4" = 1'-0"



3 Building 'B' North Elevation
A4.1 1/4" = 1'-0"



4 Building 'B' East Elevation
A4.1 1/4" = 1'-0"

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE COURSE OF THE WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR PROCEED IN UNCERTAINTY.
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SEAL

PROJECT NORTH

32 Chesterfield
32 Chesterfield Avenue, London
Building 'B' Elevations

STATUS	Review
OBJECT #	22034
KD	RIT
AWN	MPVR
ALE	1/4" = 1'-0"
TE DWN	-
PLUED	20230706

APPENDIX B

Zoning Data Sheet

ZONING DATA SHEET – ZONING BY-LAW AMENDMENT

To be completed by Applicant as part of Complete Application

File No.

Description of Land	
Municipal street address: 32 Chesterfield Avenue, London	
Legal Description: PLAN 462 LOTS 32 to 52 N/S	
Street Frontage / Street Flankage (name): Chesterfield Avenue & Veronica Avenue	
Existing Zone(s) in Z.-1 Zoning By-law: R4-3	Proposed Zone(s) in Zoning By-law: R2-1, R2-1(□)

BY-LAW RESTRICTIONS	REQUIRED (PROPOSED ZONE)	AS SHOWN ON PLAN
(a) Use	Single Detached, Semi-Detached, Duplex and Converted Dwellings (max 2 units)	Single-Detached Dwelling
(b) Lot Area (m ²) Min	250	335
(c) Lot Frontage (m) Min	9	Lots 1 to 6: 9; Lot 7: 8.4
(d) Front Yard Depth (m) Main Building/ Garage (m) Min	Local Street Main Building: 4.5 - Local Street Garage: 6	6
(e) Rear Yard Depth (m) Min	6	6
(f) Interior Yard Depth (m) Min	2-storey dwelling: 1.2 3-storey dwelling: 1.8	2-storey dwelling: 1.25
(g) Interior Yard Depth (m) Min	"	"
(h) Exterior Yard Depth (m) Min	Local Street Main Building: 4.5 - Local Street Garage: 6	4.5
(i) Lot Coverage (%) Max	45	41
(j) Landscaped Open Space (% Min)	30	45
(k) Height (m) Max	9	8
(l) Off-street Parking Min (rate/number)	1 parking space per unit	1 parking space per unit
(m) Bicycle Parking Min (rate/number)	N/A	N/A
(n) Parking Area Coverage (%) Max	25	+/- 6
(o) Parking Set Back Min	N/A	N/A
(p) Gross Floor Area (m ²) Max	N/A	N/A
(q) Gross Floor Area For Specific Uses (m ²) Max	N/A	N/A
(r) Yard Encroachments (if applicable)	N/A	N/A
(s) Density Max (rate/number) (see Section 3.4 1) for mixed-use)	1 unit per lot	1 unit per lot
(t) Special Provisions	N/A	8.0 m frontage, 13.2 m yard setback (west), 24.1 m yard setback (north) for Lot 7
(u) Other By-law Regulations		

COMMENTS**NOTE:**

- Please be sure to carefully review and include data / details related to:
 - General Provisions (Section 4) of the Zoning By-law
 - Zones and Zone Symbols (Section 3) of the Zoning By-law
 - Regulations Section and Table for Proposed Zone
 - Zoning By-law Definitions
- The Applicant is responsible for submitting complete & accurate information on the Zoning Data Sheet and associated plans.
- Failure to provide complete & accurate information on the Zoning Data Sheet and associated plans will result in processing delays, and may require the submission of a revised Zoning By-law amendment application.

