Report to Planning and Environment Committee

To: Chair and Members

Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.

Deputy City Manager, Planning and Economic Development

Subject: RAND Developments

415 Oxford Street West

File Number: Z-9789, Ward 6

Public Participation Meeting

Date: December 3, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of RAND Developments (c/o Zelinka Priamo Ltd.) relating to the property located at 415 Oxford Street West:

- (a) the request to amend the Official Plan, The London Plan, by **AMENDING** an existing policy in the Specific Policies for the Neighbourhoods Place Type of the Official Plan, **BE REFUSED** for the following reasons:
 - The requested amendment does not satisfy the criteria for adoption of Specific Area Policies;
 - ii) The requested amendment does not facilitate an appropriate form of residential intensification that is sensitive to existing (and future) neighbourhoods and does not represent a good fit, as required by the intensity and residential intensification policies for the Neighbourhoods Place Type; and
 - iii) The requested amendment does not conform to Policy 86_ of The London Plan that directs the most intense forms of development to the Downtown, Transit Villages and along the Rapid Transit Corridors in which the requested height permissions better align.
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Commercial Recreational (CR) Zone and Open Space (OS4) Zone **TO** a Residential R10 Special Provision/Community Shopping Area Special Provision (R10-3(_)/CSA1(_)) Zone and Open Space (OS4) Zone, **BE REFUSED** for the following reasons:
 - The requested amendment is not consistent with the Provincial Planning Statement, 2024, which directs municipalities to support the achievement of complete communities by improving social equity and overall quality of life for people of all ages, abilities, and incomes;
 - ii) The requested amendment is not in conformity with The London Plan, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies;
 - iii) The requested amendment is not appropriate within the existing and planned context; and
 - iv) The requested amendment is considered premature as it is contingent upon the outcome of the ultimate floodplain limits following the Mud Creek Realignment, and development is dependent on servicing and access from the adjacent Draft Plan of Subdivision.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Official Plan, The London Plan, to amend the existing Specific Policy in the Neighbourhood Place Type to permit two (2), 22-storey mixed-use apartment buildings containing a total of 704 residential units.

Further, the applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject lands from a Commercial Recreational (CR) Zone and Open Space (OS4) Zone to a Residential R10 Special Provision/Community Shopping Area Special Provision (R10-3(_)/CSA1(_)) Zone, with special provisions to implement the proposed development, and an Open Space (OS4) Zone.

Purpose and the Effect of Recommended Action

Staff are recommending refusal of the requested amendments to the Official Plan, The London Plan, and Zoning By-law as the proposal represents over-intensification of the site and is not considered compatible with the surrounding neighbourhood. The purpose and effect of the recommended action thereby would not permit the proposed 22-storey mixed-use development.

Path to Approval

Staff are supportive, in principle, of residential intensification of the subject lands and acknowledge that the site is suitable to support intensification and/or redevelopment. On this basis, a Zoning By-law Amendment to implement the existing Specific Policy permitting building heights up to 12-storeys within 150 metres of Oxford Street West and buildings up to 4 storeys beyond 150 metres from Oxford Street West, could be supported.

Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council's 2023-2027 Strategic Plan in the following ways:

- Strategic Plan Area of Focus: Wellbeing and Safety, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- Strategic Plan Area of Focus: Housing and Homelessness, by supporting faster/ streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
- Housing and Homelessness, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

1.1 Previous Report Related to this Matter

PEC Report – 415 Oxford Street West (O-9335) – 2021

1.2 Planning History

In October 2021, Council approved an amendment to The London Plan by adding a new policy to the Specific Policies of the Neighbourhoods Place Type to permit building heights up to 8 storeys (12 with bonus) within 150 metres of Oxford Street West and buildings up to 4 storeys beyond 150 metres from Oxford Street West. Since the adoption of this policy, bonusing was removed from the *Planning Act* and staff undertook a review of The London Plan to remove references to bonusing. Through this review, the language of the policy was revised to remove the reference to bonusing and instead permit an upper maximum height of 12-storeys.

1.3 Property Description and Location

The subject lands municipally known as 415 Oxford Street West are located on the north side of Oxford Street West, east of Proudfoot Lane, in the West London Planning District. The subject lands are comprised of a single lot with an area of 3.8 hectares, a frontage of 189.9 metres along Oxford Street West, and a lot depth of 202.5 metres.

Most of the subject lands are within the Upper Thames River Conservation Area (UTRCA) regulated area and the regulatory flood line, as a segment of Mud Creek runs along the entire frontage along Oxford Street West. Mud Creek is planned to be realigned, as set out in the Mud Creek Environmental Assessment.

The subject lands are currently vacant, formerly occupied by the Forest Glen Golf Centre. Vehicular access is provided via a concrete culvert bridge from Oxford Street West. Municipal sidewalks are located on both sides of Oxford Street West and public transportation is available, including a future Rapid Transit Station planned for the intersection of Oxford Street West and Beaverbrook Avenue.

The surrounding neighborhood consists of a mix of current and future medium-to-high density residential uses with commercial and recreational uses to the west, and surrounding open spaces (e.g., Mud Creek and Proudfoot Park). The abutting property to the northeast is subject to a Plan of Subdivision (39T-21505) to facilitate future residential development, as well as the extension of Westfield Drive and Beaverbrook Avenue and two (2) new local streets.

Site Statistics:

Current Land Use: Vacant

Frontage: 189.9 metres (Oxford Street West)

Depth: 202.5 metresArea: 3.8 hectaresShape: Square

Located within the Built Area Boundary: YesLocated within the Primary Transit Area: Yes

Surrounding Land Uses:

North: Future Residential

• East: Future Residential/Open Space

South: Open Space/Residential

West: Open Space/Community Facility/Office Uses/Residential

Existing Planning Information:

- The London Plan Place Type: Neighbourhoods and Green Space Place Types
- Specific Policy Areas: 415 Oxford Street West and Mud Creek Area
- Existing Zoning: Commercial Recreational (CR) Zone and Open Space (OS4)
 Zones



Figure 1 - Streetview of the subject lands.



Figure 2 - Aerial photo of the subject lands and surrounding area.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to redevelop the subject lands with two (2) mixed-use apartment buildings with heights up to 22 storeys. The proposed development consists of 704 residential units and approximately 750 square metres of retail area, equating to a density of 280 units per hectare following dedication of land associated with the Mud Creek realignment. Each building consists of a 5-storey podium, increasing to 8-storeys above the podium, and a 22-storey tower along the southerly portion. Vehicular access to the subject lands will be provided by two different access points: the existing bridge to Oxford Street West, converted to be a right-in, right-out (RIRO) only; and from a future local street to be developed as part of the adjacent Plan of Subdivision. A total of 724 vehicular parking spaces are proposed, with the majority contained within the 5-storey podium. Bicycle parking is also provided in the form of 630 long-term spaces and 80 short-term spaces. The conceptual site plan is shown below as Figure 3.

The proposed development includes the following features:

Land use: Residential

Form: Mixed-use apartment building

Height: 22-storeys

New Residential Units: 704 unitsDensity: 280 units per hectare

Lot Coverage: 48%

Landscape Open Space: 34%

Parking Spaces: 724 parking spaces (1.03 spaces/unit)

• Bicycle Parking Spaces: 630 long-term & 80 short-term spaces (1.0 spaces/unit)

Additional information on the development proposal is provided in Appendix A.

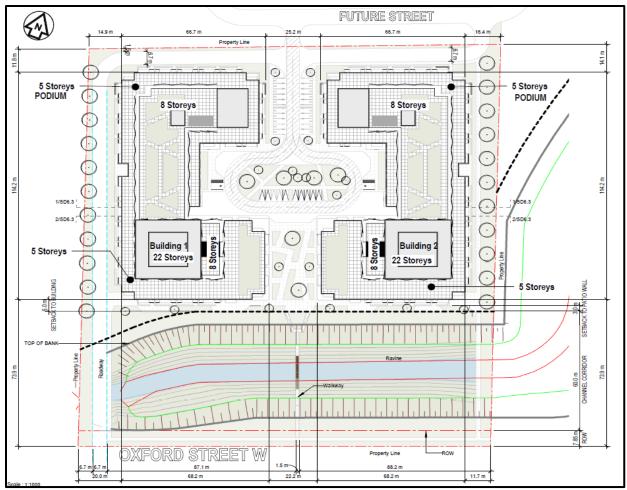


Figure 3 - Conceptual Site Plan

Additional plans and drawings of the development proposal are provided in Appendix B.

2.2 Requested Amendments

The applicant has requested an amendment to the Official Plan, The London Plan, to amend the existing Specific Policy in the Neighbourhood Place Type to permit a 22-storey mixed-use development containing 704 residential units and 750 square metres of retail area. The requested amendment is a following:

<u>Current Policy</u>: "A broad range of residential dwelling types including townhouses, stacked townhouses, back-to-back stacked townhouses, and apartment buildings are permitted. Residential buildings with a maximum height of 8-storeys may be permitted within 150 metres of the Oxford Street West right-of-way. Buildings within 150 metres of the Oxford Street right-of-way shall have their primary entrances and orientation toward Oxford Street West. Bonus zoning up to a maximum of 12-storeys may be permitted within 150 metres of the Oxford Street West right-of-way where the site plan and building design mitigate the impacts of the additional height. Beyond 150 metres from the Oxford Street West right-of-way in the Neighbourhoods Place Type, townhouses, stacked townhouses, and back-to-back stacked townhouses with a maximum height of 4-storeys are permitted."

Proposed Policy: "A broad range of residential dwelling types are permitted, including townhouses, stacked townhouses, back-to-back stacked townhouses, and apartment buildings. Residential buildings up to a maximum height of 22-storeys may be permitted along the portion of the property fronting Oxford Street West, with primary entrances and building orientation facing Oxford Street West. Beyond this frontage, building heights will transition downward from the Oxford Street West right-of-way. Townhouses, stacked townhouses, back-to-back stacked townhouses, and apartment buildings are permitted with a maximum height of 8-storeys towards the northerly portion of the lands. Small-scale commercial and retail uses are permitted on the ground floor throughout the subject lands."

The applicant has also requested an amendment to Zoning By-law Z.-1 to rezone the subject lands from a Commercial Recreational (CR) Zone and Open Space (OS4) Zone to a Residential R10 Special Provision/Community Shopping Area Special Provision (R10-3(_)/CSA1(_)) Zone and Open Space (OS4) Zone. The following table summarizes the special provisions that have been proposed by the applicant.

Regulation (R10-3) Zone	Required	Proposed
Lot Frontage on an Arterial Street (minimum)	30.0m	0.0m
Front Yard Depth (minimum)	16.0m	11.0m
Interior Side Yard Depth (minimum)	31.2	11.0m
Rear Yard Depth (minimum)	31.2	5.0m
Lot Coverage (maximum)	40%	50%
Density (maximum)	250uph	280uph

2.3 Internal and Agency Comments

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

Key issues identified by staff and agencies included:

- The application is premature given most of the site is in the flood plain and Phase 3 Mud Creek channel and stormwater works have yet to be completed, and that key supporting technical information for the Two-Zone Flood Plain Concept which applies to this area has yet to be accepted by the Conservation Authority.
- A 60-metre-wide corridor width from Oxford Street West after ultimate road widening will be required as a part of the Mud Creek channel conveyance to the City of London. As previously mentioned, however, any design concepts for this site presented to the City prior to finalizing the floodplain are subject to revision based on the outcome of the ultimate floodplain limits. The proposed mixed-use development shall also not encroach into the Open Space (OS4) zone.
- The proposed private pedestrian pathways and the proposed private bridge connections over the future Mud Creek complete corridor is not supported. A pathway corridor is required to be extended along the easterly lot line and continuing west along the north side of the realigned Mud creek complete corridor to connect to Oxford Street West.
- Transportation Staff, as previously mentioned, are not supportive of vehicular access to Oxford Street West. This access point needs to be removed, and all vehicular access should be directed to future subdivision streets. A pedestrian and cycling connection to Oxford Street West will only be supported.
- The proposed development is dependent on servicing and access from the adjacent Draft Plan of Subdivision. As previously communicated, the Owner is advised to coordinate servicing requirements for the subject lands with the adjacent subdivider.

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

2.4 Public Engagement

On September 16, 2024, Notice of Application was sent to 279 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 26, 2024. A "Planning Application" sign was also placed on the site.

There were **no** responses received during the public consultation period.

2.5 Policy Context

The Planning Act and the Provincial Planning Statement, 2024

The Provincial Planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Planning Statement, 2024 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement, 2024, applies to all decisions that effects a planning matter made on or after October 20, 2024.

Section 1 of the PPS outlines the vision to build more homes for all Ontarians, with the goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. The PPS sets out that every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come (PPS, Section 1). Section 2.1.4 of the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet the projected requirements of current and future residents by maintaining at all times the ability to accommodate residential growth for a minimum of 15 years, through lands which are designated and available for residential development (PPS 2.1.4.a). Further, the PPS directs planning authorities to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities, as well as all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units (PPS 2.2.1.b).

Planning authorities are encouraged to identify and focus growth and development in strategic growth areas to support the achievement of complete communities (PPS 2.4.1.1). Further, the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Specifically, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents that addresses the full range of housing options including affordable housing needs while promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and requiring transit-supportive development and prioritizing identification (PPS 2.2.1.a,c,d).

Based on the above, while staff agrees that the subject lands are an appropriate location to support further residential intensification, the proposed redevelopment represents over-intensification of the subject lands.

In addition, the proposed redevelopment is further constrained by the presence of Mud Creek which runs along the entire frontage of the subject lands, reducing the amount of developable land and prohibiting vehicular access to Oxford Street West. The PPS states that natural features and areas shall be protected for the long term (PPS 2.1.1). Development and site alterations shall not be permitted on lands adjacent to natural heritage features and areas 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 on their ecological functions. In this case, the application is premature given that most of the site is in the flood plain and the Phase 3 Mud Creek channel and stormwater works have yet to be completed, and that key supporting technical information for the Two-Zone Flood Plain Concept which applies to this area has yet to be accepted by the Conservation Authority. Section 3.6 of the PPS further outlines that planning for stormwater management shall minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads, maximize

the extent and function of vegetative and pervious surfaces, and align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale (PPS 3.6.8).

To support the achievement of complete communities, planning authorities should identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas, and permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form (PPS 2.4.1.3.b,c). Planning authorities are equally encouraged to promote development and intensification within major transit station areas, where appropriate, by planning for land uses and built form that supports the achievement of minimum density targets (PPS 2.4.2.3.c). While staff agrees that the subject lands are an appropriate location to support residential intensification that would benefit from proximity to existing services, transit, and commercial uses, staff are of the opinion that the development as proposed represents an intense built form and site layout that does not achieve a complete community with transitions in heights from the Neighbhourhoods Place Type to areas where the most intense forms of development are to be directed such as the Downtown, Transit Villages and along the Rapid Transit Corridors (TLP 86).

As such, staff are of the opinion that the proposed intensification of the subject lands does not facilitate a complete community with transitional heights and the proposed development should be directed to lands where the most intense forms of development (e.g. the Downtown, Transit Villages, and along Rapid Transit Corridors) better align (TLP 86_). The proposed development is also considered premature given that most of the site is in the flood plain and the Phase 3 Mud Creek channel and stormwater works have yet to be completed and given that the proposed development is dependent on servicing and vehicular access from the adjacent Draft Plan of Subdivision.

Nevertheless, staff are supportive, in principle, of future residential intensification of the subject lands and acknowledge that the site is suitable to support intensification and/or redevelopment. Staff agrees that the subject lands are an appropriate location to support further residential intensification, in which it is staff's opinion that a Zoning Bylaw amendment to implement the existing Specific Policy to facilitate building heights up to 12-storeys within 150 metres of Oxford Street West and buildings up to 4 storeys beyond 150 metres from Oxford Street West, could be supported. Staff's opinion in support of residential intensification for this property is expanded on under section 4.9 Path to Approval of this report.

The London Plan, 2016

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

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

Staff are of the opinion that not all the above criteria have been satisfied. Specifically, criteria 1, 2, 3, 5, 6 and 7. An analysis of the deficiencies is addressed in Section 4.0 of this report.

The London Plan includes conditions for evaluating the appropriateness of Specific Area Policies where the applicable place type policies would not accurately reflect the intent of City Council with respect to a specific site or area (TLP 1729-1734).

The following conditions apply when considering a new Specific Area Policy:

- 1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.
- 2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.
- 3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.
- 4. The proposed use cannot be reasonably altered to conform to the policies of the place type.
- 5. The proposed policy is in the public interest and represents good planning.

Staff are of the opinion that not all the above conditions have been satisfied. Specifically, criteria 2, 3, 4, and 5. An analysis of the deficiencies is addressed in Section 4.0 of this report.

The subject lands are currently subject to two Specific Area policies as identified on Map 7 of The London Plan. Policy 1067B_ relating to the property located at 415 Oxford Street West in the Neighbourhoods Place Type permits a broad range of residential dwelling types including townhouses, stacked townhouses, back-to-back stacked townhouses, and apartment buildings up to 12-storeys within 150 metres of Oxford Street West and buildings up to 4-storeys beyond 150 metres from Oxford Street West. Policy 961A_ relates to lands within the Mud Creek Area in which no development shall occur within the lands regulated by the Conservation Authority prior to the completion of creek channel and stormwater works. Any Zoning By-law approved prior to the works being completed shall contain a holding provision which requires the creek channel and stormwater works to be completed prior to any development occurring.

The London Plan includes a framework of heights that includes standard maximum and upper maximum heights (TLP Table 8). Our Tools includes policies for zoning to the upper maximum height (TLP 1638-1641). An analysis of the deficiencies is addressed in Section 4.0 of this report, including the alternative staff recommendation.

3.0 Financial Impact/Considerations

3.1 Financial Impact

None.

4.0 Key Issues and Considerations

4.1 Land Use

The subject lands are in the Neighbourhoods and Green Space Place Types, as identified on Map 1 of The London Plan. In the Neighbourhoods Place Type, where development is being considered on a lot that has frontage on two or more streets of different classifications but is not located at an intersection, the lower-order street will generally be used to establish the permitted uses (TLP 920_). In this case, the Green Space Place Type fronts onto Oxford Street West, classified as a Rapid Transit Boulevard, whereas the Neighbourhoods Place Type fronts onto a future Neighbourhood Street classification, as identified on Map 3. The proposed mixed use apartment building is not a contemplated use in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type where a property fronts onto a Neighbourhood Street. Rather, more intense forms of development are directed to intersections and higher order streets. On this basis, permitted uses for sites fronting on a Neighbourhood Street include single detached, semi-detached, duplex, converted dwellings, townhouse, additional residential units, home occupations and group homes.

Where more specific policies exist relating to permitted uses and intensity of development for an area or specific site, those more specific policies shall prevail (TLP 920 3). While the 415 Oxford Street West Specific Policy permits a broad range of

residential dwelling types including townhouses, stacked townhouses, back-to-back stacked townhouses, and apartment buildings, there is no reference to permissions for the proposed small-scale commercial and retail uses on the ground floor throughout the subject lands (TLP 1067B_). As mixed-used apartment buildings are not permitted, the applicant has requested an amendment to the Official Plan, The London Plan, to amend the existing Specific Policy to permit small-scale commercial and retail uses on the ground floor throughout the subject lands.

It is a goal of The London Plan to achieve an appropriate range of retail, service and office uses within the Neighbourhoods Place Type (TLP 924_). Mixed-use buildings, however, are to be directed toward the intersection of Neighbourhood Connectors, Civic Boulevards and/or Urban Thoroughfares. This is further supported by key directions to implement a city structure plan that focuses high-intensity, mixed-use development to strategic locations – along rapid transit corridors and with the Primary Transit Area (TLP 59_). In this case, access to the subject lands is to be provided from the future Neighbourhood Street which are planned to prioritize pedestrians and move low to medium volumes of cycle, transit and vehicle movements (TLP 371_8). Further, a special provision to recognize that the subject lands do not have frontage on an arterial road, as is required in the Community Shopping Area (CSA) Zone, has also been requested.

Given this, Planning and Development staff are of the opinion that proposed commercial uses are not an appropriate use for the subject lands, as the intent of the Neighbourhoods Place Type is to permit mixed-use buildings in a nodal configuration at the intersection of higher order streets, rather than midblock along a Neighbourhood Street. Further, the developable portion of the site is far removed from the Rapid Transit Corridor as it is separated from Oxford Street West by the Green Space Place Type. As such, staff are concerned that the proposed commercial uses would adversely impact the integrity of the place type policies and may result in adverse impacts to the future subdivision due to increased traffic along the future Neighbourhood Street. Therefore, staff are not satisfied that the uses are appropriate for the subject lands, align with the vision of the Neighbourhoods Place Type, nor does the requested amendment satisfy the evaluation criteria for Specific Policy Areas as identified above.

4.2 Intensity

In the Neighbourhoods Place Type, a minimum height of 1-storey to a maximum height of 3-storeys may be permitted where a property has frontage on a Neighbourhood Street in accordance with Table 11 – Range of Permitted Heights. Where more specific policies exist relating to permitted uses and intensity of development for an area or specific site, those more specific policies shall prevail (TLP 920_3). The existing Specific Policy permits an upper maximum height of 12-storeys within 150 metres of the Oxford Street West right-of-way and a maximum height of 4-storeys beyond 150 metres from the Oxford Street West right-of-way in the Neighbourhoods Place Type (TLP 1067B_). Given the applicant has requested a maximum height of 22-storeys on the southerly portion of the Neighbourhoods Place Type on site and a maximum height of 8-storeys on the northerly portion, the proposed residential intensity does not conform to The London Plan. As the residential intensity is not permitted, the applicant has requested an amendment to the Official Plan, The London Plan, to amend the existing Specific Policy in the to permit the additional height.

Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (TLP 935_3). When zoning to the upper maximum height (or in this case beyond the upper maximum height permitted), development should include features required to mitigate the impacts of the additional height and densities whereby the increase in building height may be permitted where the resulting intensity and form of the proposed development represents good planning within its context (TLP 1640_, 1641_).

Although it is acknowledged that the site is suitable to support intensification, staff have concerns with the level of intensity proposed. As identified in section 2.5 of this report, staff are of the opinion that not all of the criteria of policy 1578_ of The London Plan have been satisfied, specifically the following:

_3. Conformity with the Place Type policies.

The Neighbourhoods Place Type contemplates a maximum height of 3-storeys for sites fronting on a Neighbourhood Street and while Municipal Council recently approved amendments to The London Plan to allow for great heights and densities in the Neighbourhoods Place Type, no new height permissions for properties fronting on a Neighbourhood Street were contemplated. Given the context and uniqueness of the subject lands, a maximum height of 12-storeys within 150 metres of the Oxford Street West right-of-way and a maximum height of 4-storeys beyond 150 metres from the Oxford Street West right-of-way in the Neighbourhoods Place Type was determined to be appropriate through the review of the previous Official Plan Amendment to establish the existing Specific Policy (TLP 1067B_). Planning and Development staff are of the opinion that the intensities permitted in the existing Specific Policy are still appropriate for the site, and that the proposed height of 22-storeys is more appropriately directed to the Downtown, Transit Villages, and along the Rapid Transit Corridors (TLP 86). Further, given the location of the subject lands in the Neighbourhoods Place Type abutting the Rapid Transit Corridor Place Type, an appropriate transition in height is required to provide a transition into the lower density residential neighbourhood contemplated through the subdivision to the north.

_5. The availability of municipal services.

Given the site constraints posed by Mud Creek, the subject lands are dependent on servicing and access from the adjacent Draft Plan of Subdivision (39T-21505), in which the Owner is to coordinate with the adjacent subdivider. As the subject lands are currently permitted a maximum of 12-storeys, an intensity beyond this was not contemplated through the Draft Plan of Subdivision, which would need to be reevaluated. Specifically, Wastewater Engineering noted that the subject lands are allocated 480 units as per the latest submission of drawing from the subdivision, whereas this application proposing 704 units.

_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.

Design policies provide considerations for residential intensification and guidelines to ensure compatibility and fit, from a form perspective, including an evaluation of the site layout within the context of the surrounding neighbourhood, building location, and building line and setback from the street (TLP 953 2). The intensity of the proposed development will also be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas (TLP 953_3). Given the location of the subject lands in the Neighbourhoods Place Type abutting the Rapid Transit Corridor Place Type to the south and a maximum height of 13.0 metres (4 storeys) to the north, forming part of Draft Plan of Subdivision (39T-21505), an appropriate transition in height is required. Further, the subject lands are dependent on servicing and access from the adjacent Draft Plan of Subdivision (39T-21505), in which the proposed density and intensity exceeds the contemplated capacity of the abutting subdivision. Planning and Development staff are of the opinion that the proposed the form and site layout do not adequately mitigate the proposed intensity and may negatively impact existing and future adjacent properties. These concerns are discussed in greater detail in section 4.3 of this report.

_7. The degree to which the proposal fits within its existing and planned context.

The Neighbourhoods Place Type is planned to accommodate heights ranging from 1-storey to 8-storeys based on street classification and locational criteria. The intent is to

ensure the intensity of development is appropriate within the neighbourhood context, and that properties fronting onto major streets allow for a broader range of uses and more intense forms of development than those fronting onto minor streets (TLP 919_3). In general terms, the intent of this approach is to balance neighbourhood stability and predictability with the goals of creating neighbourhoods that allow for different housing types, an appropriate mix of uses, affordability, aging in place, and vibrant, interesting communities (TLP 919_6).

In the Neighbourhoods Place Type on a Neighbourhood Street, a maximum height of 3 storeys is normally contemplated in accordance with Table 11 of The London Plan. However, given the context and uniqueness of the subject lands, additional height permissions up to a maximum height of 12-storeys within 150 metres of the Oxford Street West right-of-way was permitted through the Specific Policy approved in 2021. Planning and Development staff are of the opinion that an additional 10-storeys beyond what is contemplated in the existing Specific Policy does not facilitate an appropriate transition in height on a Neighbourhood Street as the site immediately to the north, forming part of Draft Plan of Subdivision (39T-21505), is zoned for a maximum height of 13.0 metres (4 storeys). Further, the greatest intensities approved through the zoning of the adjacent Plan of Subdivision is a maximum height of 18-storeys and only applies to lands with direct frontage onto Oxford Street West, with heights then transitioning down towards the interior of the subdivision and lower order streets. On this basis, staff is satisfied the existing permissions allowing a maximum height of 12-storeys within 150 metres of the Oxford Street West right-of-way is appropriate.

Further, design measures relating to building height, scale and massing should be used to provide a transition between development of significant different intensities, considering the existing and planned context (TLP 298_). Planning and Development staff are of the opinion that the requested amendments do not satisfy the conditions of policy 1730_, which apply when considering a new (or amendment to an existing) Specific Area Policy:

_2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.

The Downtown and Transit Villages allow for the broadest range of uses and the most intense forms of development in the City, within highly urban, transit-oriented environments. The Downtown will be the highest-order centre in our city, allowing for greater height than the Transit Villages; it will be unique as the centre of commerce, culture, and entertainment in London (TLP 789_1). The Rapid Transit Corridors connect the Downtown and Transit Villages with highly urban forms of development, allowing for a broad range of uses and moderate intensity arranged in a linear configuration along rapid transit routes. The range of uses and the intensity and form of development varies by segment (TLP 789 2). Currently, buildings within the Rapid Transit Corridors will be a minimum of 2-storeys in height and will not exceed 16-storeys where properties are located on a Rapid Transit Corridor within 100 metres of a rapid transit station, or properties at the intersection of a Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare (TLP Table 9). However, on September 24, 2024, Municipal Council approved an amendment to The London Plan which would allow for greater heights, including an increased maximum height of 25-storeys for all segments of the Rapid Transit Corridor Place Type. This amendment is not currently in force and effect, as final approval from the Ministry of Municipal Affairs and Housing is required.

The proposed development at 22-storeys is not only 19-storeys greater than the maximum height of 3-storeys in the Neighbourhoods Place Type on a Neighbourhood Street, but is also 10-storeys greater than the maximum height of 12-storeys permitted by the 415 Oxford Street West Specific Policy. The proposed development also exceeds the existing maximum height of 16-storeys for the Rapid Corridor Place Type and approaches the future maximum height of the Rapid Transit Corridors Place Type. As such, Planning and Development staff have concerns that the requested amendment to permit a maximum height of 22-storeys in the Neighbourhoods Place Type has an adverse impact on the integrity of both the Neighbourhoods and Rapid Transit Corridor Place Types.

_4. The proposed use cannot be reasonably altered to conform to the policies of the place type.

Planning and Development staff are of the opinion that the proposed residential apartment building with heights ranging from 8-storeys to 22-storeys cannot be reasonably altered to conform to the 415 Oxford Street West Specific Policy. Through the review of site-specific Official Plan Amendment in 2021, staff were of the opinion that the subject lands are sufficiently unique and distinctive to support greater intensities which facilitate a more appropriate transition in height and acknowledged Oxford Street West as a Rapid Transit Corridor. However, staff are of the opinion that additional height beyond those permitted through the Specific Policy approved in 2021 would not facilitate appropriate transitional heights and does not align with the planning context of the subject lands in the Neighbourhood Place Type.

_5. The proposed policy is in the public interest and represents good planning.

Given the concerns surrounding the intensity, form, and absence of mitigation measures to reduce impacts to adjacent properties and the public realm, Planning and Development staff are of the opinion that the requested amendment to the existing Specific Policy is not in the public interest and does not represent good planning. Further, the requested amendment and proposed development are premature given that the proposed development is reliant on servicing and access from the adjacent plan of subdivision as well as that most of the site is in the flood plain and Phase 3 Mud Creek channel and stormwater works have yet to be completed, and that key supporting technical information for the Two-Zone Flood Plain Concept which applies to this area has yet to be accepted by the Conservation Authority.

Based on the foregoing, it is recommended the requested Official Plan amendment be refused and the applicant pursue a development concept and zoning that implements the existing Specific Policy.

4.3 Form

Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification should add value to neighbourhoods by adding to their planned and existing character, quality and sustainability (TLP 937_). Specifically, in accordance with Policy 953_, the following urban design considerations for residential intensification apply within the Neighborhoods Place Type and are relevant to the proposed development. Compatibility and fit, from a form perspective, will be evaluated based on such matters as:

- Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking.
- Building and main entrance orientation.
- Building line and setback from the street.
- Character and features of the neighbourhood.
- Height transitions with adjacent development.
- Massing appropriate to the scale of the surrounding neighbourhood.

The built form consists of two mixed-use apartment buildings. Each building consists of a 5-storey podium, increasing to 8-storeys, and a 22-storey tower along the southerly portion of the building. The following site layout and building design features are supported by Planning and Development staff and should be carried forward in a future development of the subject lands:

 Proposing a variety of common outdoor amenity spaces both at grade and on roof tops.

- Incorporating maximum parking within the design of the building and wrapping the podium parking in active uses.
- Integrating garbage storage within the building and locating pick-up area away from the public realm.
- Ensuring there is a continuous pedestrian network throughout the site connecting the principal lobby entrances, amenity spaces and the public sidewalks.
- Orientating primary entrances towards Oxford Street West.
- Providing a step-back and podium above the 5th storey reducing the apparent height of the built form.

In addition to the form and residential intensification policies of the Neighborhoods Place Type, all planning and development applications will conform with the City Design policies of The London Plan (TLP 841_1). These policies encourage compact forms of development for planning new growth, including "inward and upward" compact forms of development (TLP 7_, 59_2, 66_, 79_). The London Plan directs all planning and development to foster a well-designed building form, and ensure development is designed to be a good fit and compatible within its context (TLP 193_1 and 193_2). The site layout of new development should be designed to respond to its context, the existing and planned character of the surrounding area, and to minimize and mitigate impacts on adjacent properties (TLP 252_ and 253_).

A medium to high density-built form (e.g., apartment building) can facilitate efficient use of land and promote affordable housing options to ensure housing for all Londoners (TLP 55_13). As proposed, however, the footprints of the apartment buildings do not facilitate an appropriate form and scale of residential intensification that is designed to mitigate the impact of new development on the adjacent neighbourhood or the environmental features present on site (TLP, 839_4). The subject lands are also not considered to be of a sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses (TLP 841_13).

A 60-metre-wide corridor width from Oxford Street West, measured from the ultimate road allowance, will be required as a part of the Mud Creek channel conveyance to the City of London. However, given that most of the site is in the flood plain and Phase 3 Mud Creek channel and stormwater works have yet to be completed, any design concepts (including that submitted) for this site prior to finalizing the floodplain may be subject to revision based on the outcome of the ultimate floodplain limits. As such, the requested special provisions for reduced interior side and rear yard depths, as well as an increased lot coverage, may be insufficient following the finalizing of the ultimate floodplain limits. Furthermore, while The London Plan establishes a policy framework that supports appropriate residential intensification of a property at a higher residential intensity than what currently exists, the proposed special provisions, including an increased lot coverage are not considered an appropriate form of residential intensification as these are a further indicator that the proposed development represents over-intensification of the subject lands (TLP 953).

In accordance with Policy 289_, high and mid-rise buildings should be designed to express three defined components: a base, middle, and top. Alternative design solutions that address the following intentions may be permitted:

- 1. The base should establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, forecourts, patios, awnings, lighting, and the use of materials that reinforce a human-scale.
- 2. The middle should be visually cohesive with, but distinct from, the base and top.
- 3. The top should provide a finishing treatment, such as roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design.

Base

As mentioned above, the proposed 5-storey podium is considered a positive building design feature that facilitates a human-scale environment (TLP 292_). Future development of the subject lands should carry this design element forward, while also

ensuring that the podium continues to be wrapped in active uses, a minimum step-back of 5.0 metres from the edge of the podium, and a ground floor height of 4.0 metres is provided (TLP 292_, 276_ and 289_1). The orientation of the principal unit entrances shall also be oriented towards Oxford Street West and the future Neighbourhood Street. A reduced building footprint in conformity with the maximum lot coverage, and appropriate setbacks, should also be incorporated into the design of any future development.

Middle

Planning and Development staff are generally satisfied that the middle of the proposed towers have been designed to be visually cohesive with, but distinct from, the base and top. A future development of the subject lands should ensure slender point towers to minimize massing, shadowing, visual impact and the obstruction of views from the streets, particularly as the subject lands are located in the Neighbourhoods Place Type (TLP 293_). Minimum separation distance (for proportions above 8-storeys) between the towers on site and abutting properties should also be achieved.

Top

As was outlined in Section 4.2, the proposed height is not considered appropriate for the subject lands and place type. Design measures relating to building height, scale and massing should be used to provide a transition between development of significant different intensities, considering the existing and planned context (TLP 298_). Nevertheless, any proposed future development of the subject lands should carry forward the step-backs and covered terraces at the upper storeys providing visual interest at the top of each tower and ensures the top is differentiated from the middle. Buildings should also continue to be designed with flat roofs, screened mechanical equipment, and internalized structural elements to support efficiency and a modern appearance.

4.4 Access to Oxford Street West

As part of a complete application, the applicant submitted a Transportation Impact Assessment for the proposed development. Transportation Engineering reviewed the report and reiterated previously identified concerns with the vehicular access to Oxford Street West. Specifically, this access point is required to be removed, and all vehicular access should be directed through the future subdivision. At present Oxford Street West has several existing points of access; however, it is a goal of The London Plan that access management guidelines will be applied with the objective of limiting future driveways onto major streets (TLP 336). This is especially important as Oxford Street West is designated a Rapid Transit Boulevard, which are to be designed to move high volumes of traffic, prioritize the movement and connection to/of transit vehicles, will have a high-quality pedestrian realm and a high standard of urban design (TLP 371).

The Council-adopted Access Management Guidelines provide further detail. Section 1.3 states that direct access to an arterial road must be minimized, and therefore, all proposed driveways must be justified. Additional driveway access to the arterial road network will be subject to special considerations such as traffic analysis justifying the need for additional access to improve safety, flow and/or circulation and shall meet the spacing requirements. In this case, the proposal includes two different access points, the existing bridge to Oxford Street West, converted to be a right-in, right-out (RIRO) only, and from a future Neighbourhood Street on the lands to the north. As proposed, the access to Oxford Street West does not mitigate potential adverse impacts with regards to traffic, safety and access management (TLP 1578 6). Additionally, albeit a RIRO access, the access does not promote a high-quality pedestrian realm in accordance with the intent of Rapid Transit Boulevards (TLP 371_). Rather, the access compromises pedestrian safety as well as contributing to transit concerns. On this basis, staff are not supportive of the proposed vehicular access but would be supportive of a pedestrian access to provide residents of the site direct pedestrian access to the Rapid Transit Boulevard and future BRT station.

4.5 Servicing

As part of a complete application, the applicant submitted a preliminary Servicing Report for the proposed development. Engineering reviewed the report and reiterated previously identified concerns regarding servicing capacity and the prematurity of the proposed application. Specifically, the subject lands are dependent on servicing from the adjacent Draft Plan of Subdivision (39T-21505). Wastewater Engineering noted that the subject lands require coordination with the adjacent subdivision as the future sanitary sewer in an easement to the west of 415 Oxford Street West must be designed to accommodate the upstream population and areas from the subdivisions, drawings that are not accepted or finalized. Further, the subject lands are contemplated for 480 units as per the latest submission of drawing from the subdivision, whereas this application proposes 704 units. Stormwater Engineering further confirmed that the proposed development is serviced via the abutting subdivision and that the servicing of the proposed is contingent on and should be coordinated with the engineering design of the subdivision. As such, the proposed density and intensity exceeds the contemplated capacity of the abutting subdivision, and as such the application is premature as it should be coordinated with the abutting subdivision.

4.6 Mud Creek

The subject lands are almost entirely within the Upper Thames River Conservation Area (UTRCA) regulated area and the regulatory flood line, as a segment of Mud Creek runs along the entire frontage of the subject lands. Mud Creek is planned to be realigned, as set out in the Mud Creek Environmental Assessment. The application is considered premature given that most of the site is in the floodplain and the Phase 3 Mud Creek channel and stormwater works have yet to be completed, and that key supporting technical information for the Two-Zone Flood Plain Concept which applies to this area has yet to be accepted by the Conservation Authority. Specifically, a 60metre-wide corridor width from Oxford Street West, measured from the ultimate road allowance, will be required as a part of the Mud Creek channel conveyance to the City of London. Any design concepts (including that submitted) for this site prior to finalizing the floodplain may be subject to revision based on the outcome of the ultimate floodplain limits. Further Stormwater Engineering has advised that subject to the proposed stormwater strategy, further applicable studies and approvals may be required to ascertain the developable area. The applicant is encouraged to coordinate with the abutting subdivision engineer as studies pertaining to the subdivision may be able to increase scope to include a comprehensive strategy involving the subject lands. Given the above, the application is considered premature.

4.7 Pedestrian Pathways

As mentioned, realignment and restoration of Mud Creek is required in the future. Subject to and consistent with an approved Environmental Impact Assessment for these lands, all lands located within the proposed Mud Creek complete corridor realignment will be acquired through Stormwater acquisition. Parks Planning noted that a pathway corridor is required to be extended along the easterly lot line abutting 323 Oxford Street and continuing west along the north side of the realigned Mud creek complete corridor to connect to Oxford Street West. As part of a complete application, the applicant submitted a Conceptual Path Design for the proposed development. Parking Planning reviewed the design and reiterated previously identified concerns regarding the proposed private pedestrian pathways and the proposed private bridge connections over the future Mud Creek complete corridor. As such, revisions to the proposed pathway corridor are required in accordance with directions from Stormwater Engineering and Parks Planning staff.

4.8 Holding Provisions

As previously stated, staff are of the opinion that this application and proposed development are premature. However, should Council approve the requested Official Plan and Zoning By-law amendments, a general h holding provision should be applied to ensure the creek channel and stormwater works are completed prior to development, per policy 774A of The London Plan, and to ensure that servicing and access from the

adjacent Draft Plan of Subdivision have been accepted, to the satisfaction of the City Engineer.

4.9 Path to Approval

Planning and Development staff are of the opinion that the proposed subject lands are suitable for residential intensification and/or redevelopment provided the above concerns and constraints are adequately addressed. The size and configuration of the subject lands has been reviewed through this application as well as the previous Official Plan amendment from 2021, and staff are satisfied development can occur with appropriate buffers to the future Mud Creek complete corridor. Even with buffers applied, there remains a substantial area north of Mud Creek which can accommodate development. At this time, however, the requested amendment is considered premature as it is contingent on the outcome of the ultimate floodplain limits following the Mud Creek Realignment, and development is dependent on servicing and access from the adjacent Draft Plan of Subdivision.

Given the context and uniqueness of the subject lands, a maximum height of 12-storeys within 150 metres of the Oxford Street West right-of-way and a maximum height of 4-storesy beyond 150 metres from the Oxford Street West right-of-way in the Neighbourhoods Place Type was determined appropriate for the purpose of establishing the 415 Oxford Street West Specific Area Policy (TLP 1067B_). Staff continue to agree with this policy direction from 2021 and are of the opinion that an alternative development in conformity with this policy could be supported. Further, given the location of the subject lands within the Neighbourhoods Place Type abutting the Rapid Transit Corridors, an appropriate transitional height of 12-storeys would maintain the integrity of both Place Types while encouraging a complete community design. This aligns with the residential intensification policies, by ensuring development that is appropriate for the size of the lot while being sensitive to, compatible with, and a good fit within the existing and planned neighbourhood context could be accommodated while developing additional affordable housing that attracts a diverse population to the city (TLP 953 1 and 3).

As mentioned above, there are several site layout and building design features that should be carried forward in a future development of the subject lands. To implement the commended design features in accordance with the policies of The London Plan, and to provide additional certainty that potential impacts of future development of the subject lands will be mitigated, the following special provisions should be applied:

- Front Yard Setback (minimum) Staff are recommending a minimum setback of 3.0 metres from the "future street" to encourage street-orientation while avoiding encroachment of footings and canopies.
- Rear Yard Setback (minimum) A minimum rear yard setback from the Mud Creek channel realignment buffer line shall be determined and implemented following the outcome of the ultimate floodplain limits. The setback should be implemented to create a positive interface with the multi-use pathway while avoiding encroachment of footings and canopies onto the public realm.
- Interior Side Yard Setback (minimum) A minimum east interior yard setback from the Mud Creek channel realignment buffer line shall be determined and implemented following the outcome of the ultimate floodplain limits. Both an east and west interior side yard setback shall be implemented to accommodate the shared internal walkways and not hinder development / redevelopment of the adjacent properties.
- Setback Above the Podium (minimum) Staff are recommending a minimum setback of 5.0 metres above the podium. The special provision will ensure that the proposed podium-rooftop amenity spaces are functional. Staff are also recommending a special provision to ensure the podium(s) shall be wrapped in active uses, residential units/lobbies/indoor amenity spaces etc.
- Tower Setback (minimum) Staff are recommending special provisions to ensure sufficient separation between the tower-portion of the development and

- the property lines. A 12.5 metre setback from the easterly and westerly property lines are being recommended by staff.
- Tower Floorplate (maximum) Staff are recommending a maximum floorplate for the tower to ensure an appropriately scaled development that minimizes the mass of the building to reduce shadow impact, minimum the obstruction of views, and are less massive to neighboring properties. Staff recommended a maximum tower floorplate of 1,000m².
- Building Orientation Staff are recommending a special provision to ensure the principal unit entrances and/or principal residential lobby entrance shall be oriented to face Oxford Street West and/or the "future street".
- Parking Location Parking between the buildings and the "future street" shall be prohibited. Incorporating maximum parking within the design of the building and wrapping the podium parking in active uses is recommended to be brought forward in a future development of the subject lands.

Staff are satisfied that through implementation of the zoning considerations described above, the subject lands could support an appropriate form and intensity of development that is consistent with the PPS and in conformity with The London Plan.

Conclusion

The applicant has requested an amendment to the Official Plan, The London Plan, to amend the existing Specific Policy in the Neighbourhood Place Type to permit two (2), 22-storey mixed-use apartment buildings containing a total of 704 residential units. The applicant has also requested an amendment to Zoning By-law Z.-1 to rezone the subject lands from a Commercial Recreational (CR) Zone and Open Space (OS4) Zone to a Residential R10 Special Provision/Community Shopping Area Special Provision (R10-3(_)/CSA1(_)) Zone and Open Space (OS4) Zone with special provisions to implement the proposed development.

Staff are recommending refusal of the requested amendments as they are not consistent with the PPS 2024, are not in conformity with The London Plan, and are not appropriate within the existing and planned context. Further, the requested amendments are considered premature as the proposed development is contingent upon the outcome of the ultimate floodplain limits following the Mud Creek Realignment, and development is dependent on servicing and access from the adjacent Draft Plan of Subdivision.

Prepared by: Michaella Hynes

Planner, Planning Implementation

Reviewed by: Catherine Maton, MCIP, RPP

Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP

Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.

Deputy City Manager, Planning and Economic

Development

Copy:

Britt O'Hagan, Manager, Current Development Mike Corby, Manager, Site Plans

Brent Lambert, Manager, Development Engineering

Appendix A - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant
Frontage	189.9 metres (Oxford Street West)
Depth	202.5 metres
Area	3.8 hectares
Shape	Rectangular
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Future Residential	
East	Future Residential/Open Space	
South	Open Space/Residential	
West	Open Space/Community Facility/Office Uses/Residential	

Proximity to Nearest Amenities

Major Intersection	Oxford Street West and Beaverbrook Avenue
	(75 metres)
Dedicated cycling infrastructure	Oxford Street West (on site)
London Transit stop	Route 17 (on site)
Public open space	Proudfoot Park - East (124 metres)
Commercial area/use	Fleetway (abutting property)
Food store	Costco Wholesale (500 metres)
Community/recreation amenity	Medway Community Centre (2,000 metres)

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods and Green Space Place Types	
Current Special Policies	Specific Policy Areas: 415 Oxford St W	
	Specific Policy Areas: Mud Creek Area	
Current Zoning	Commercial Recreational (CR) Zone and Open Space (OS4) Zone	

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	Specific Policy Areas: 415 Oxford St W (Amendment)
Requested Zoning	Residential R10 Special Provision/Community Shopping Area Special Provision (R10- 3(_)/CSA1(_)) Zone and Open Space (OS4) Zone

Requested Special Provisions

Regulation (R10-3) Zone	Required	Proposed
Lot Frontage on an Arterial Street (minimum)	30.0m	0.0m
Front Yard Depth (minimum)	16.0m	11.0m
Interior Side Yard Depth	31.2	11.0m

Regulation (R10-3) Zone	Required	Proposed
(minimum)		
Rear Yard Depth (minimum)	31.2	5.0m
Lot Coverage (maximum)	40%	50%
Density (maximum)	250uph	280uph

C. Development Proposal Summary

Development Overview

The applicant is proposing to permit two (2) 22-storey mixed-use apartment buildings containing a total of 704 residential units and 750 square metres of retail area.

Proposal Statistics

Land use	Residential
Form	Mixed-use apartment building
Height	22-storey
New Residential units	704 units
Density	280 units per hectare
Building coverage	48%
Landscape open space	34%
New use being added to the local	Yes
community	

Mobility

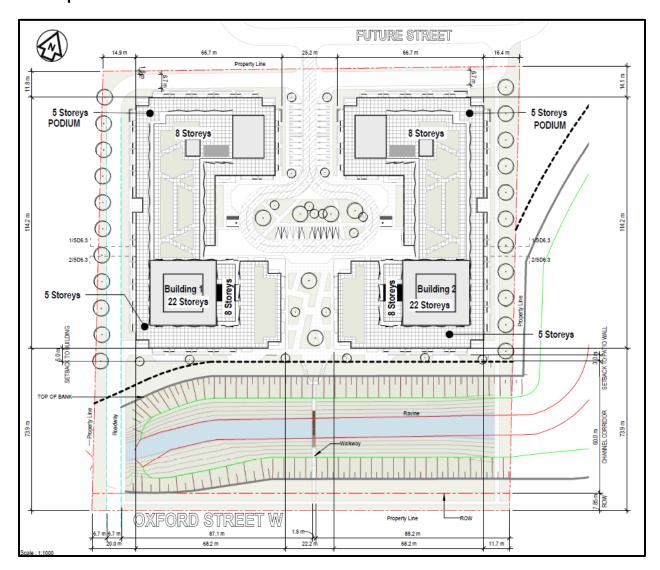
Parking spaces	724 parking spaces
Vehicle parking ratio	1.03 spaces/unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	630 long-term & 80 short-term spaces
Secured bike parking ratio	1.0 spaces/unit
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

Environment

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

Appendix B – Additional Plans and Drawings

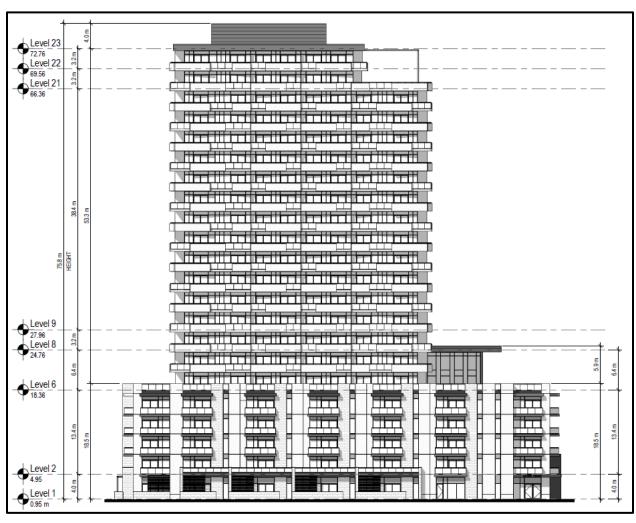
Conceptual Site Plan

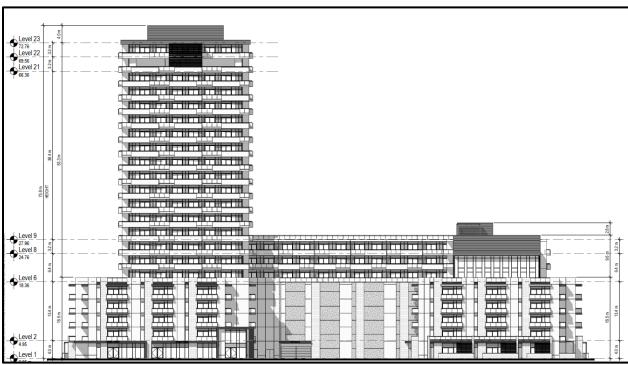


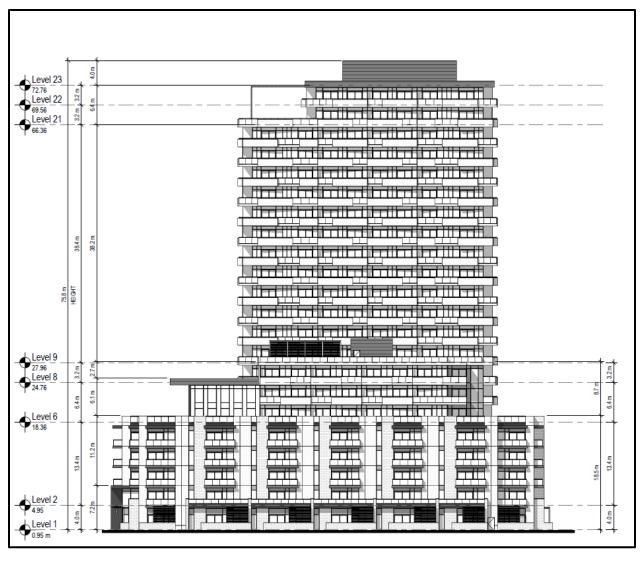
Perspective View

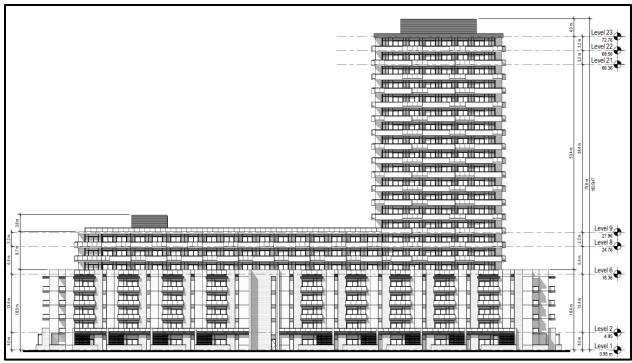


Elevations

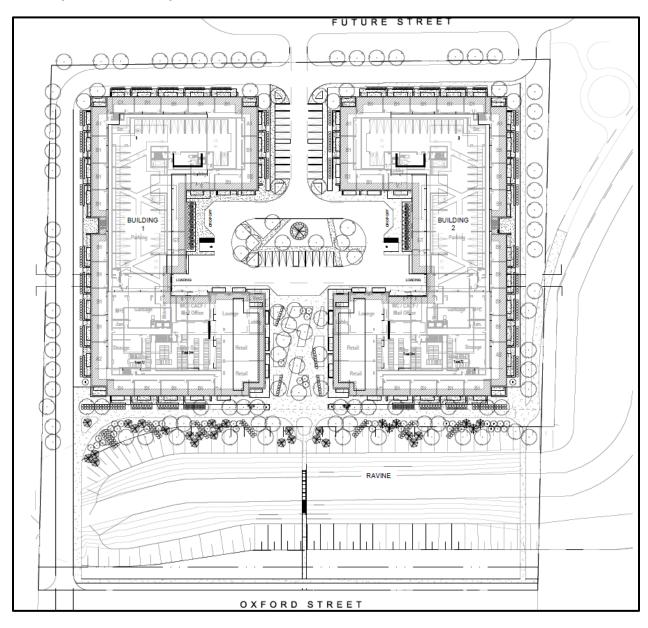








Conceptual Landscape Plan



Appendix C – Internal and Agency Comments

Heritage

• There are no cultural heritage or archaeological concerns with this application.

London Hydro

 London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Parks Planning

Major Issues

- Mud creek is located on the front portion of the property. Realignment and restoration of Mud creek is required in the future. Subject to and consistent with an approved EIS for these lands, all lands located within the proposed Mud Creek complete corridor realignment will be acquired through Stormwater acquisition. Any required vegetative buffer blocks outside the limits of the complete corridor may be considered as constrained lands for a portion of the required parkland dedication based on the Council approved rate of 30:1.
- A pathway corridor is required to be extended along the easterly lot line abutting 323 Oxford Street and continuing west along the north side of the realigned Mud creek complete corridor to connect to Oxford Street West.
- Parks does not support the proposed private pedestrian pathways and the proposed private bridge connections over the future Mud Creek complete corridor as shown on the plan.

Matters for Site Plan

- Parkland dedication has not been taken for this site. It is to be noted that the
 applicant, as a condition of site plan approval, will be required to provide
 parkland dedication in the form of land, cash-in-lieu or a combination of both land
 and cash, pursuant to By-law CP-25.
- The Owner is required to provide a pathway corridor design that may include the proposed buffer blocks of the realigned Mud creek complete corridor that can accommodate the proposed pathway in conformity with the City of London Design Specifications and Requirements Manual and the Contract Documents Manuals.
- All proposed pathway corridors and walkway blocks are to be constructed as per City of London Design Specifications and Requirements Manual and the Contract Documents Manuals (including a 5m setback form the residential development limit).
- The City will require fencing as per SPO 4.8 abutting the Mud creek complete corridor and pathway.

Urban Design

 As per The London Plan, the proposed intensity exceeds the planned vision for this site. If the proposed development is deemed appropriate, site-specific zoning provisions will be required to ensure compatibility with the surrounding context. Refer to The London Plan (TLP) 1067B_.

Matters Zoning

- Provide a minimum front yard setback of 3m from the "Future Street" to encourage street-orientation while avoiding encroachment of footings and canopies. TLP 259, 286, 288
- Provide a minimum rear yard setback from the Mud Creek realignment buffer line to create a positive interface with the multi-use pathway

- while avoiding encroachment of footings and canopies onto the public realm. TLP 259, 286, 288
- Provide a minimum interior side yard setback to accommodate the shared internal walkways and not hinder development / redevelopment of the adjacent properties. TLP 252, 253
- Prohibit parking between the buildings and the "Future Street." TLP 272

Ground Floor Design

- Provide a minimum ground floor height of 4m along Oxford Street West to accommodate the commercial uses and create an active frontage. TLP 289 1
- Orient principal commercial unit entrances to face Oxford Street West and the principal residential lobby entrances to face Oxford Street West and/or the "Future Street". TLP 291

Podium Design

- Provide a minimum step-back of 5m from the edge of the podium above the 5th storey to reduce the apparent height of the built form and to create a humanscale environment. TLP 292
- Wrap the podiums in active uses, residential units/lobbies/indoor amenity spaces etc. TLP 276

Tower Design

- Provide a maximum tower floor plate size of 1000 sq.m. TLP 293
- Provide a minimum separation distance of 25m between the tower portions (i.e., portions above 8 storeys).
- Provide a minimum setback of 12.5m for the tower portions of the building from the east property line and west property line. TLP 298

Matters for Site Plan

- The following site layout and building design features are supported and should be carried forward:
 - Proposing a variety of common outdoor amenity spaces both at grade and on roof tops.
 - Incorporating maximum parking within the design of the building and wrapping the podium parking in active uses like residential and retail uses.
 - Integrating garbage storage within the building and locating pick-up area away from the public realm.
- Ensure there is a continuous pedestrian network throughout the site connecting the principal lobby entrances, amenity spaces and the public sidewalks. TLP 255, 268
 - Use contrasting materials (e.g., concrete, or painted strips) to highlight all crosswalks to create a continuous and safe pedestrian network throughout the site.
 - Extend direct walkway connections from individual units at grade to the shared sidewalks.
- Provide an enhanced all-season buffer to screen the parking visible from the future Street to the north. TLP 278
- Locate primary entrances for the residential lobbies of Building 1 & Building 2 to face Oxford Street West to promote walkability, accessibility, wayfinding, and transit usage. TLP 291
 - Ensure the primary entrances are well-defined, clearly visible, and universally accessible to provide a comfortable pedestrian experience for the users leaving and arriving from Oxford Street West.
 - Consider a through-lobby or a direct and shorter connection to the lobby from Oxford Street West.

Landscape Architecture

Major Issues

 Boundary trees were identified on the tree preservation plan, consent to injure or remove will be required at time of Site Plan Application. If consent cannot be obtained from co-owner, then a non-disturbance setback will need to be established at each tree's critical root zone limits as determined by dbh. DBH of trees were not included in report to calculated setbacks if consent cannot be obtained; trees #1-#7 appear to be boundary trees as well as Trees #31- #88 and #107.

Matters for Site Plan

- Boundary trees were identified on the tree preservation plan, consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for approval will be forwarded for Site Plan Review.
- Replacement trees to be recommendation to Site Plan Review based on total dbh removed. Submitted Tree report was incomplete as it did not include a tree inventory that itemizes dbh of trees proposed for removal. The report must be completed in accordance with the City's Design Specifications and Requirements Manual Chapter 12 and resubmitted with SPA documentations.

UTRCA

Conservation Authorities Act

- As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 41/24, made pursuant to Section 28 of the Conservation Authorities Act. In cases where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the Conservation Authority. The regulation limit is comprised of -
 - A riverine flooding hazard.
- The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

Comments & Requirements

- Given that the majority of the site is located in the flood plain and the Phase 3
 Mud Creek channel and stormwater works have yet to be completed, and given
 that key supporting technical information for the Two-Zone Flood Plain Concept
 which applies to this area has yet to be accepted by the Conservation Authority,
 and there is no dry access for the lands ("future road" is located within the
 adjacent subdivision and has not yet been constructed), the UTRCA considers
 this application to be premature.
- The London Plan special policies for the Mud Creek Area and these lands include - 774A – Green Space Place Type and 961A – Neighbourhoods Place Type stipulate that –
- ... for the lands within the Mud Creek Area generally bounded by Oxford Street West to the south, Proudfoot Lane to the west, the CP rail line to the north and Cherryhill Boulevard to the east, no development shall occur within the lands regulated by the Conservation Authority prior to the completion of creek channel and stormwater works until such time as the creek channel and stormwater works have been completed in accordance with the recommendations of the accepted environmental assessment for the lands, and the as-built drawings have been accepted by the Conservation Authority having jurisdiction. For greater certainty, any Zoning By-law amendment approved prior to the works being completed shall contain a Holding Provision which requires the creek channel and stormwater works to be

- completed prior to any development occurring.
- If the City should decide to approve the Official Plan and Zoning By-Law
 Amendment for 415 Oxford Street West in advance of the completion of the Mud
 Creek channel and stormwater works, then consistent with the London Plan, the
 UTRCA recommends that the zoning for the subject lands include Holding
 Provision h-118 -
- h-118 Purpose: To ensure successful completion of the channel project (and with receipt of as-built drawings) a letter from the Upper Thames River Conservation Authority must be submitted to the satisfaction of the City of London prior to the removal of the "h-118" symbol.
- In correspondence dated May 14, 2024 (enclosed), the UTRCA, in keeping with the London Plan had recommended that the h-118 holding provision be applied to the zoning for the subdivision proposed at 323 Oxford Street West, but it was not included. The Conservation Authority recommends that the h-118 be applied to the zoning for 415 Oxford Street West.
- Section 28 approvals are required for the proposed development as well as for the Mud Creek channel and stormwater works.

Site Plan

Major Issues

- City of London Transportation Staff are not supportive of vehicular access to Oxford Street West. A pedestrian and cycling connection to Oxford Street West will only be supported by Transportation Staff.
 - An access encroachment agreement would be required for any connection to Oxford Street West once the City of London assumes the Mud Creek channel conveyance.
- The proposed mixed-use development shall not encroach into the Open Space (OS4) zone. Zoning boundaries act as property lines. Refer to the Zoning By-Law Section 3.9(2).
 - Identify the OS4 zone on the provided plans. A reduction in the OS4 zone shall be required to accommodate the proposed development.
- The proposed bridge between Oxford Street West & the proposed built form is not supported by City Staff.

Matters for Zoning

- Consider adding retail as a permitted use to the R10-3 zone instead of pursuing a compound zone R10-3/CSA1.
- A special provision shall be required to deem Street B as the front-yard of the subject site.
- A special provision shall be required to permit a maximum height of 76.0m (22-storeys).
- Provide a special provision to reduce the required long-term bicycle parking spaces. 630 long-term bicycle parking spaces are proposed, whereas 634 longterm bicycle parking spaces are required.

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Engineering

Planning and Development

- The Owner shall note that servicing and access through Mud Creek will not be supported as this is considered future land to be owned by the City. As indicated in previous communication, the proposed development is dependent on servicing and access from the adjacent draft plan of subdivision and all site servicing requirements shall be coordinated with the adjacent subdivider.
- Further to the above, the OS4 boundary is dependent on the Mud Creek regulatory flood limits being established which is currently under review. Based on this, zoning application approval should be considered premature at this time.
- Prior to future a siteplan application, the Owner will be required to dedicate the 60m corridor for identified for the proposed Mud Creek realignment. Further, siteplan approval shall not occur until construction of the Mud Creek realignment has been completed and confirmation that conditional subdivision servicing is in place.
- Transportation cannot accept the current access arrangement. In line with the site plan comments, there must be no vehicular access from Oxford St W. This access point needs to be removed, and all vehicular access should be directed to future subdivision streets.

Matter for Site Plan

Wastewater

- The subject lands require coordination with the adjacent subdivision (39T-21505) as the future sanitary sewer in an easement to the west of 415 Oxford Street W must be designed to accommodate the upstream population and area from the subdivision, which has not been accepted or approved to date. Based on the subdivision drawings that are not accepted or finalized, there is an external area of 8.05ha and 1124ppl required to be accommodated via gravity with standard cover to the future sewer from 39T-21505.
- The subject lands are contemplated as 480units as per the latest submission of drawings from 39T-21505, with this application proposing 704units (assuming 1.6ppl/unit this is +360ppl increase above the contemplated density) and ensure the appropriate population is reflect on the engineering record drawings.

Water

- In the future, water servicing will be available via the subdivision to the Northeast of this site which has not been constructed at this time.
- Watermain looping is required because the number of apartment units identified in the proposal is greater than 300.
- A holding provision will be required until such time as future water servicing is available.
- Confirm the overall ownership of each apartment building on the site (i.e., if each building is a separate condominium corporation, it will require its own water service to avoid creating a regulated drinking water system).
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- The site is in the City's low-level service area, which has a hydraulic grade line of 301.8m.
- Water servicing to the site shall be to City Standard 7.9.4 As the proposal includes the demolition of the existing structures, any active water services to the sites should be decommissioned to City Standards (cut and capped at the main).
- A report will be required addressing water servicing, including but not limited to; domestic water demands, fire flows, municipal watermain looping and water quality.

Stormwater

- SWED would note that the proposed development is accessed and serviced via
 of a future Subdivision (Beaverbrook Lands, 39T-21505) which is currently under
 City review. Therefore, servicing for the proposed is contingent, and should be
 coordinated through the engineering design of the proposed subdivision,
 including items as listed below. The Applicant should coordinate with the
 subdivision engineer for servicing constraints of the proposed site.
- The storm sewer to service this site has not been built yet, and Site plan approval will not be issued unless
 - o the storm sewer is installed, or
 - an interim measure is proposed to and accepted by storm water engineering division.
- Note: The future stormwater outlet (Mud Creek, Reach 4) for the site will not be in place until the subdivision construction has occurred.
- The site is located within the UTRCA regulated area and therefore the applicant is to engage as early as possible with UTRCA to confirm any requirements, including, but not limited to, approvals, permits, or setbacks required for this site.
- The Regulatory Floodplain for Mud Creek remains under review and we do not have sign off from the UTRCA regarding the conceptual post-construction Regulatory Floodplain limits. Then, floodplain limits would not be formally updated through an Official Plan Amendment until the mitigation works are constructed.
- A 60m wide corridor width is consistent with the Mud Creek EA. However, as previously discussed, any design concepts for this site presented to the City prior to finalizing the floodplain are subject to revision based on the outcome of the ultimate floodplain limits. You may wish to discuss further with UTRCA.
- The Owner will dedicate the lands to the City associated with the proposed realigned creek channel and corridor within the subject lands.
- The Owner shall enter into an agreement with the external landowner(s) to allow them to secure the land and construct the channel corridor across 415 Oxford Street prior to commencing the construction of the proposed realigned channel.
- Site applications shall detail how SWM targets established in the Functional SWM Design Report will be achieved. Details (as applicable) regarding LID design, location, type for soil conditions, local groundwater conditions, water balance analysis etc., will be included.
- Subject to the proposed stormwater strategy, applicable studies and approvals may be required (geotechnical study, water balance, hydrogeological study, etc.) to ascertain the developable area. Studies related to soils (i.e. Significant Ground Water Recharge Area and Highly Vulnerable Aquafer onsite) may also be required. The applicant or their consulting engineer is to contact the City's Hydrologist for scoped hydrogeological assessment and water balance assessment requirements. The applicant is encouraged to coordinate with the subdivision engineer as studies pertaining to the subdivision may be able to increase scope to include a comprehensive strategy involving the subject lands.
- This site is tributary to a Significant Valleyland. As per section 6.3.2 of the Design Specifications & Requirements manual, a water balance assessment is required to examine the site's water balance conditions and propose opportunities to mitigate water balance deficits. The approach for stormwater control hierarchy, and LID design, is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual. The water balance analysis may be completed as part of a Hydrogeological Assessment, a stormwater management report, or as a standalone document.
- As part of a complete development application, the owner will be required to have a professional engineer submit to and have approved by the City Engineer the design of a PPS system, including a Storm/Drainage Servicing report and drawings which should include calculations, recommendations, and details to demonstrate compliance with the future subdivision design.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan to the satisfaction of the City Engineer,

including, but not limited to, decreasing impervious areas, Low Impact Development (LID) when possible, and water balance mitigation. Additionally, as part of climate change resiliency objectives the consultant is to use best efforts to maximize the provided site storage, and is encouraged to consider options, such as but not limited to, optimized grading for ponding areas, roof flow control drains, and orifice controls.

- Grading and Disposal of Storm, Surface and Wastewater shall be in accordance with Section 12 of the Site Plan Control By-Law (SPCB).
- Storm sewers on private property are regulated by the Ontario Building Code (OBC). Where there are no specific regulations in the OBC, applicable design guidance from Chapter 5 & 6 of the City of London, 2024 Design Specifications and Requirements Manual (DSRM) shall apply.

Transportation

- Ensure 1.5m clearance between proposed access and any hydro pole/signal poles/light standards and/or fire hydrant, and 2m clearance for communication pedestals is maintained;
- As per Site Plan Control By-law and City's Access Management Guideline (AMG) provide minimum 6.7m wide access with 6.0m curb radii and 15.0m clear throat from property line in to the site;
- As per Site Plan Control By-law, Section 6.8.1., an internal lay-by is required for the paratransit. It needs to be hard surfaced loading pad for use by paratransit and other service vehicles with minimum dimensions of 3.5 metres wide by 12.0 metres;
- Accesses off of Oxford St are not supported. All vehicular and pedestrian access will need to come from future subdivision streets.
- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate
 the impact the development will have on the transportation infrastructure in the
 area and provide recommendations for any mitigation measures. Provide vehicle
 turning analysis for garbage and loading;
- Currently, the widening from the centreline of Oxford St at the above location by Expropriation Plan 224366 Misc. is 16.154m. A 8.846m widening is required to meet 25.0m from C/L as per the London Plan.
- Please register Draft Reference Plan with City's Geomatic department for requested widening.
- After reviewing the TIA, Transportation cannot accept the current access arrangement. In line with the site plan comments, there must be no vehicular access from Oxford St W. This access point needs to be removed, and all vehicular access should be directed to future subdivision streets.

Rapid Transit

- Oxford Street West is a proposed Rapid Transit Corridor and the councilapproved Environmental Project Report (EPR) engineering drawing is attached for reference. There is no time table for implementation;
- With the implementation of center-running transit lanes on Oxford Street West, a raised median will be constructed. Therefore, turning movements will be restricted to right in/ right out at the driveway entrance to 415 Oxford Street West; and
- There is a RT station proposed at the intersection of Beaverbrook Avenue and Oxford Street West.

Ecology

Major Issues

 Natural heritage concerns and constraints associated with this property have been addressed through the Mud Creek EA and associated realignment.
 Outstanding requirements are limited to limiting disturbance and protecting the future alignment/newly constructed Mud Creek Corridor. • Beyond the EMP there are no outstanding Ecology concerns provided that the 60m complete corridor associated with the watercourse is dedicated to the City and Zoned OS4.

Matters for Site Plan

An Environmental Management Plan (EMP) shall be developed where the
mitigation measures are tailored to site and in accordance with the
Environmental Management Guidelines to have regard for the realigned and
naturalized Mud Creek corridor. Spills Contingency Plan, Invasive Species
Management Plan, Erosion and Sediment Control Plan, Species at Risk/Wildlife
Observation and Handling Protocol (if required) shall be included as part of an
Environmental Management Plan.

Appendix D – Relevant Background

