

PLANNING JUSTIFICATION REPORT ZONING BYLAW AMENDMENT

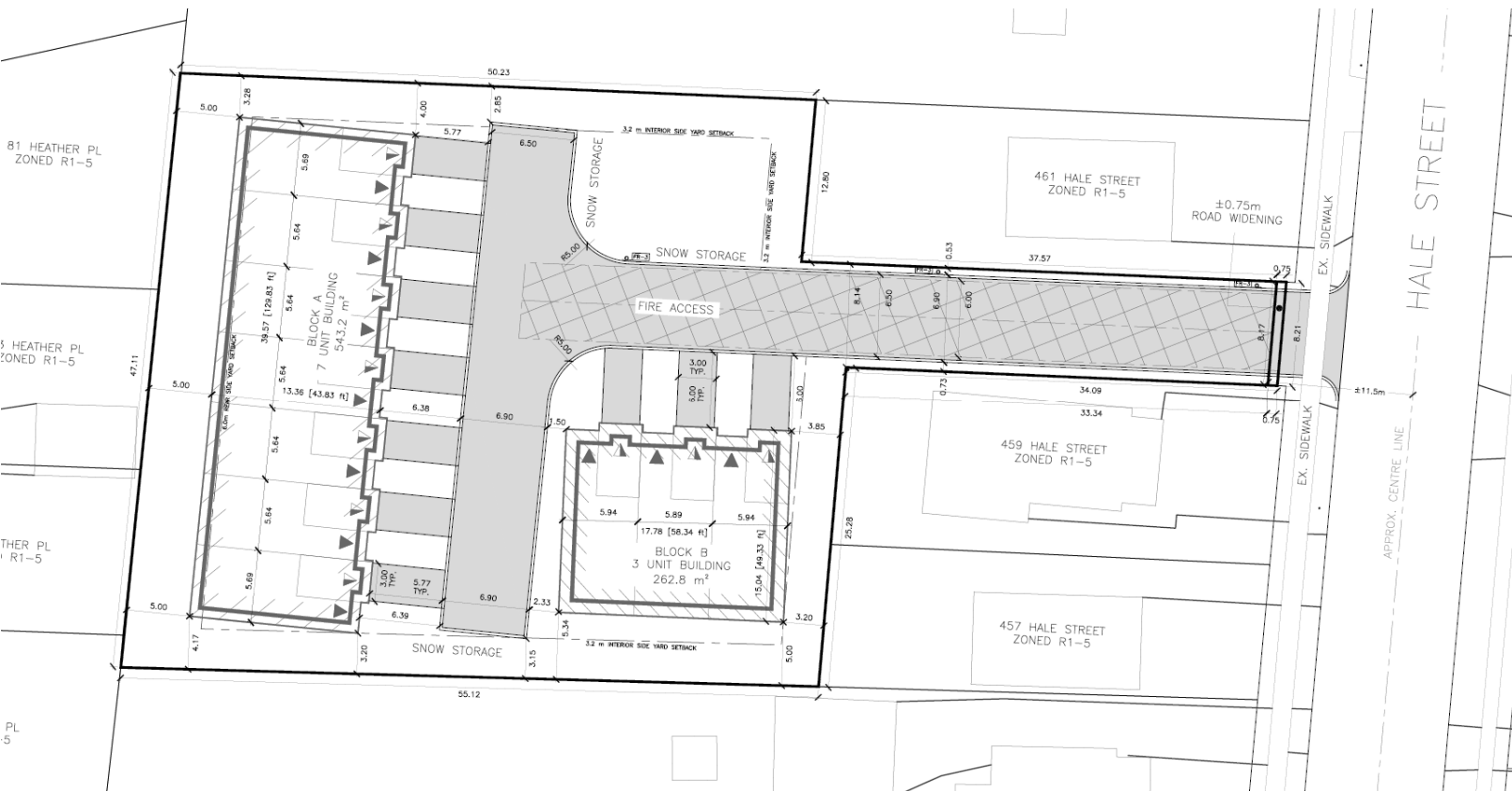
459 HALE STREET, LONDON

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1 INTRODUCTION

Strik Baldinelli Moniz Ltd. (“SBM”) has been retained by Grand Oak Homes to prepare a Planning Justification report with respect to the Zoning Bylaw Amendment application in support of the development of the vacant lands, legally described as Plan 50, Part Lot 24, RP 33R20457, Part 2 (the “Subject Site”) – see **Figure 1**.

The purpose of this Planning Justification Report is to evaluate the proposed Zoning Bylaw Amendment (ZBA) application and present a land use planning analysis to demonstrate the application is appropriate and is in keeping with Provincial and Municipal land use planning policies.



Figure 1: Aerial view of Subject Site (City of London, 2023)

2 SITE DESCRIPTION AND LOCATION

The Subject Site was formerly part of a larger parcel of land that contained one single detached home, and under-utilized vacant lands located to the rear and side of the existing house. A consent application (B.021/21) was previously approved in 2021 to create the vacant lands in its present form (the “Subject Site”). The existing residential dwelling (459 Hale Street) is not part of this application.

The Subject Site is an irregular, “pork-chop” shaped lot with a total site area of 0.28ha and 8.21m frontage along Hale Street, consisting of mowed lawn and mature trees around the perimeter (**Figure 2**). The Subject Site has one established site access from Hale Street (**Figure 3**).

Hale Street is classified as a Neighbourhood Connector (Map 3, London Plan) and traffic volumes of approximately 8,000 vehicles per day (per CityMap online). The Subject Site is not subject to any special policies or contain any natural or heritage designations.

A Draft Plan of Vacant Land Condominium (VLC) (**Appendix A - 39CD-18503**) was previously approved to create six single detached vacant land condominium units on this site. The approved Draft Plan of VLC has not been registered on title and currently has an active application for extension till December 2025. It is intended that once the ZBA has been approved that the Draft Plan will be amended to implement the proposed development.



Figure 2. Subject Site - Hale Street
Source: City of London City Map, 2023



Figure 3. Frontage and established site access
Source: Google Streetview, 2022

3 SURROUNDING LAND USES

The Subject Site is predominately surrounding by single detached residential homes as follows:

- North: 461 & 465 Hale Street – 1 & 2- storey, single-detached residential homes
- East: 372 Hale Street – 1.5 storey, single-detached residential home
- South: 455, 457, 459 Hale Street – 1 & 2- storey, single-detached residential homes
- West: 81, 83, 85 Heather Place – 1 & 1.5 storey, single-detached residential homes

While the immediate surrounding land uses are single detached residential, located within $\pm 400\text{m}$, or a 5 minute walk, of the site there are also industrial and commercial land uses located along Highbury Avenue. There is a rail corridor located to the south of the site and Pottersburg Creek located to the east (**Figure 4**).

Residents of this East London neighbourhood live in proximity to employment opportunities, Schools, recreational facilities and access to the 401 via Highbury Avenue. Within $\pm 1,500\text{m}$, or a 15 minute walk, of the site the following amenities are available.

- Transit services (Route 2A with stops $\pm 100\text{m}$ north or south along Hale Street)
- East Lions Park Complex – Indoor Swimming Pool, Gym, Hall, Ball Diamonds, Soccer Pitch, Tennis & More
- Kiwanis Park – Walking Trails, Skate Park, Play Equipment, Baseball Diamonds, Splash Pad

- Greenspace and Trails along Pottersburg Creek & Neighbourhood Parks
- Prince Charles Elementary School
- St. Pius X Catholic Elementary School
- Princess Anne French Immersion Elementary School
- Churches



Figure 4: Context Map illustrating subject site and surrounding land uses.

4 SITE SPECIFIC SPATIAL ANALYSIS

Edge Conditions: The subject site interfaces with the public realm through 8.2m of street frontage, providing enough width for a private roadway between the two properties addressed 459 and 461 Hale Street.

Hale Street is a two lane Neighbourhood Connector with traffic volumes of roughly 8000 vehicles per day. There are sidewalks on both sides of the roadway allowing pedestrians to safely walk $\pm 100\text{m}$ north or south of the site to one of the Route 2A bus stops along Hale Street.

The Subject Site primarily interfaces with the surrounding low density residential lots and would consider appropriate setbacks and permitter planting to develop an appropriate transition.

Vehicle Access: At present, there is one driveway from Hale Street offering access to the Subject Site. A newly constructed 6.5m private road allowing two-way traffic access to the units located to the rear of the site.



Figure 5: Site Specific Analysis

Source: City of London, 2023 Aerial Image

5 DEVELOPMENT PROPOSAL

It is the intention of the applicant to construct a new cluster housing development on the vacant parcel containing 10 townhouse dwelling units, two-storeys in height. Each unit will have access to a private driveways and garage parking space access, with site access to Hale Street via the private internal roadway. Amenity space will also be

provided for private use to the rear of each unit. A site plan (**Figure 6**) illustrating the proposed configuration of the development has been enclosed for review (**Appendix ‘B’**).

The proposed cluster housing development (townhomes) plans to create a 10 unit development focusing on a more contemporary architectural design. Facades will include a mix of building materials and contrasting colours to provide visual interest. Accent features will accentuate the second level and be embellished with matching trim and lower pitched roofs (**Figure 7**). Each of the 10 cluster housing units will be oriented to the internal private road, creating a close-knit community environment. Each unit will also feature front doors, modest front porches, private rear yard amenity space, with two parking spaces per unit.

The Subject Site is bound by several individual properties. The perimeter of each of the neighbouring properties possess varying fencing types and styles with varying heights. It is the intent of the applicant to unify the property boundary through the installation of new 1.8m board fencing around the perimeter of the site. The replacement of the varying fencing types will be enhanced with the placement of new landscaping (e.g. trees/shrubs) around the site to enhance and maintain the privacy to abutting landowners and future residents of the proposed development.

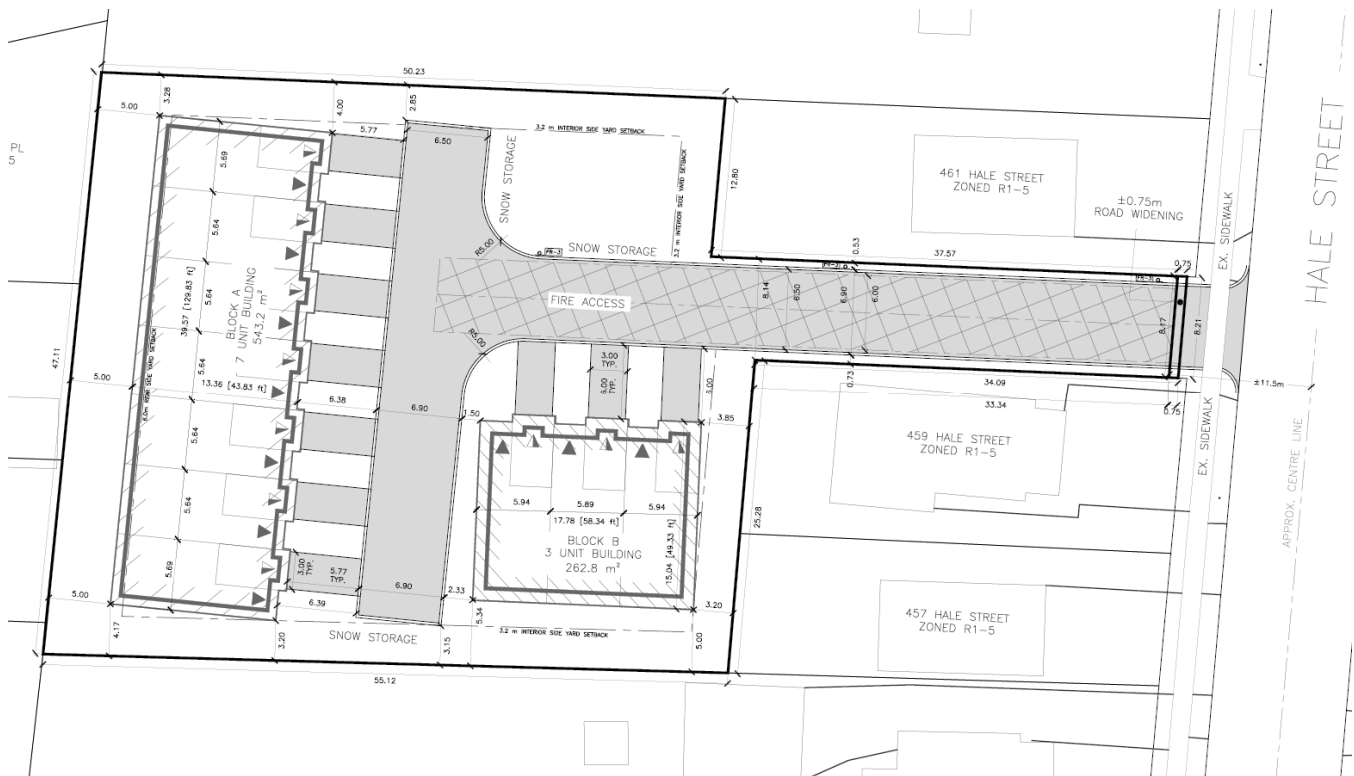


Figure 6: Proposed Site Plan – Townhouse Units



Figure 7: Rendering of proposed residential infill building design looking south



Figure 8: Massing model illustrating proposed development looking southwest

5.1 Design Goals & Objectives

The design goals and objectives for the development of the subject lands would strive to:

- Provide an infill development that is functional, aesthetic and compatible within the neighbouring context. The height, density, and setbacks of the proposed townhouse buildings would be considered compatible with these sensitive land uses and would exist together in harmony.
- Efficiently utilize available land to increase the housing supply. The proposed development would utilize capacity existing within municipal infrastructure and create intensification of a vacant parcel of land

- Create a compact development while ensuring that the storm water management needs are appropriately dealt with on site and ensuring no adverse impacts are created on adjacent properties.

6 TECHNICAL STUDIES

6.1 Tree Assessment Report

Ron Koudys Landscape Architects Inc. (RKLA) was retained to complete a tree assessment report for the Subject Site. A site evaluation was completed on March 4, 2024, examining the health and status of existing trees on-site and within 3.0m of the property boundary. The report outlines the potential trees to be preserved or removed and includes pre-and post-construction recommendations.

There were 17 individual trees, and one vegetative cluster identified within the scoped area of assessment. All trees observed within the study area can be classified as common species based on this geographic area. None of the vegetation on site was identified or classified as endangered or threatened under the endangered species Act.

In total, eight trees are recommended for removal, and nine trees are recommended for preservation. Of the eight trees recommended for removal, five are boundary trees and will require written permission from corresponding landowner prior to removal. The full tree assessment report has been included as part of a complete submission package.

6.2 Servicing

6.2.1 Water and Wastewater

MTE Consultants Inc. (MTE) was retained to complete an evaluation of water, sanitary and storm servicing for the proposed development. Presently, there is a 150mm diameter watermain and a 250mm sanitary sewer line within the Hale Street right-of-way (ROW). New private connections would be made to the existing services within the Hale Street ROW with sufficient capacity support the proposed 10 unit development.

6.2.2 Stormwater Management

Within the Hale Street ROW, there is an existing 300mm diameter storm sewer. Storm drains presently provide service to the front portion of the subject site while most of the developable area currently drains via overland flow through the rear yards of adjacent properties. Given existing site conditions and flow limitations to Hale Street, it is proposed the site require a water detention pond to infiltrate stormwater during minor storm events.

6.2.3 Fire Protection

As per OBC requirements, onsite buildings are located no more that 90m from an existing fire hydrant; therefore, a new fire hydrant will be required for the proposed development. A new hydrant is proposed to be centrally

located within the Townhouse development. A fire route has been demonstrated on site to allow for a fire truck to access the site using the private road.

7 PLANNING POLICY AND ZONING REGULATIONS

7.1 Provincial Planning Statement, 2024

The Provincial Planning Statement (the “PPS”) provides direction on matters of provincial interest related to land use planning and development. The Planning Act requires “decisions affecting planning matters shall be consistent with” the PPS. The PPS is issued under the authority of Section 3 of the Planning Act and “provides policy direction on matters of provincial interest related to land use planning and development” to ensure efficient, cost-efficient development and the protection of resources.

The subject Site is located within the urban growth boundary of an established municipal centre with the capabilities of provide both water and sanitary services. It is the intent of the plan to promotes development within the built-up area, which will help to minimizes land consumption while providing cost-effective servicing through the utilization existing service facilities (Sections 2.2(c), 2.4.1.2). Municipal infrastructure and services (sewage, water, and stormwater) are being optimized through the appropriate development, as there is no extension of municipal infrastructure necessary to facilitate the proposed development. The Subject Site is also located within 100m of bus transit stops and cycling infrastructure, offering residents the option of multi-modal and active transportation choices (Section 2.2(d)).

Based on the above, the proposed development is consistent with general intent of the 2024 Provincial Planning Statement.

7.2 The London Plan

The Subject Site is located within the ‘Neighbourhood’ Place Type (**Figure 9**) and has frontage onto a Neighbourhood Connector (Hale Street). The Neighbourhood Place Type is the most predominant place type in the city of London

Within the Neighbourhood Place Type a variety of uses, building types and heights are permitted, with each parameter generally governed by the street classification onto which the development fronts (Table 10, The London Plan). As this relates to the Subject Site, permitted uses on a neighbourhood connector would include single detached, semi-detached, duplexes, converted dwellings, and townhouses. Each of these uses are permitted to a maximum of three storeys in height (Table 11, The London Plan).

The intent is that neighbourhoods are well planned and incorporate a range of housing types and densities (939.10). Opportunities for residential intensification, such as the proposed development, should be encouraged as a strategic way to accommodate development (Policy 940) and aid in attaining the desired 45% residential development within the built area boundary of the city (Policy 81). Residential intensification can help to rejuvenate established neighbourhood by utilizing available resources while building upon the established character of the neighbourhood (Policy 937).

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

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

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

- be compatible with existing land uses surrounding the subject site and would not impose on or impede the surrounding residential community.
- Provide a unique infill opportunity that will help to satisfy the cities desire to have 45% of new development occur within the built area boundary of the City of London and help to meet intensification targets in a manner that fosters a positive relationship between elements of the built environment.
- be designed in accordance with Ontario Building Code and Zoning Bylaw regulations that ensure the capability for universal accessibility.
- be designed with 360 architecture, using high-quality materials, lighting and colour, and designed to minimize massing.

- contribute to housing options within an established community that is presently dominated by single detached dwellings.

Based on the above, the proposed development can be considered consistent with policies of the London Plan and an appropriate form of development within the established residential neighbourhood.

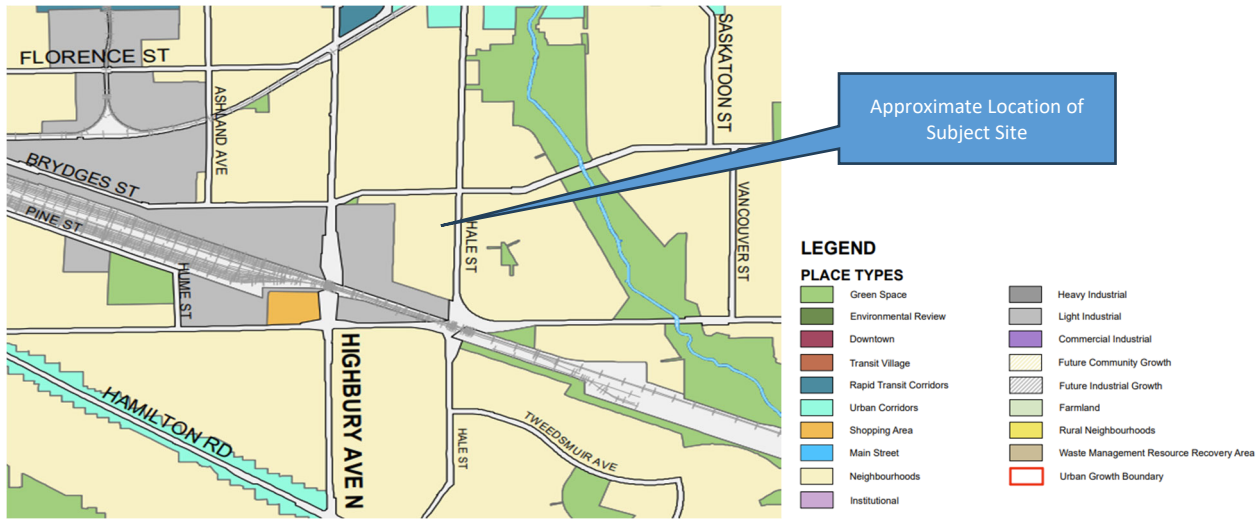


Figure 9: The London Plan, Map 1 – Place Types

7.3 City of London Zoning Bylaw

The Subject Site is currently zoned ‘Residential’ (R6-2(15)) with site-specific conditions allowing for a reduced lot frontage (8m) and increased density (22 UPH) (Figure 10). The existing R6-2(15) zone was established through a zoning by-law amendment (Z-1-182691) to facilitate Draft Plan of Vacant Land Condominium (39CD-18503). The R6 zone regulates mediums density development in the various forms of cluster housing. Under the R6-2 zone variation, only the single detached dwelling built form is permitted.

The applicant is requesting a zoning by-law amendment to rezone the Subject Site from R6-2(15) to the R6-5 zone with site specific conditions. The rezoning is primarily being requested to permit the desired townhouse dwelling built form of cluster housing. Site specific conditions (Table 1) are also being requested which will allow for optimal infill development on the Subject Site.

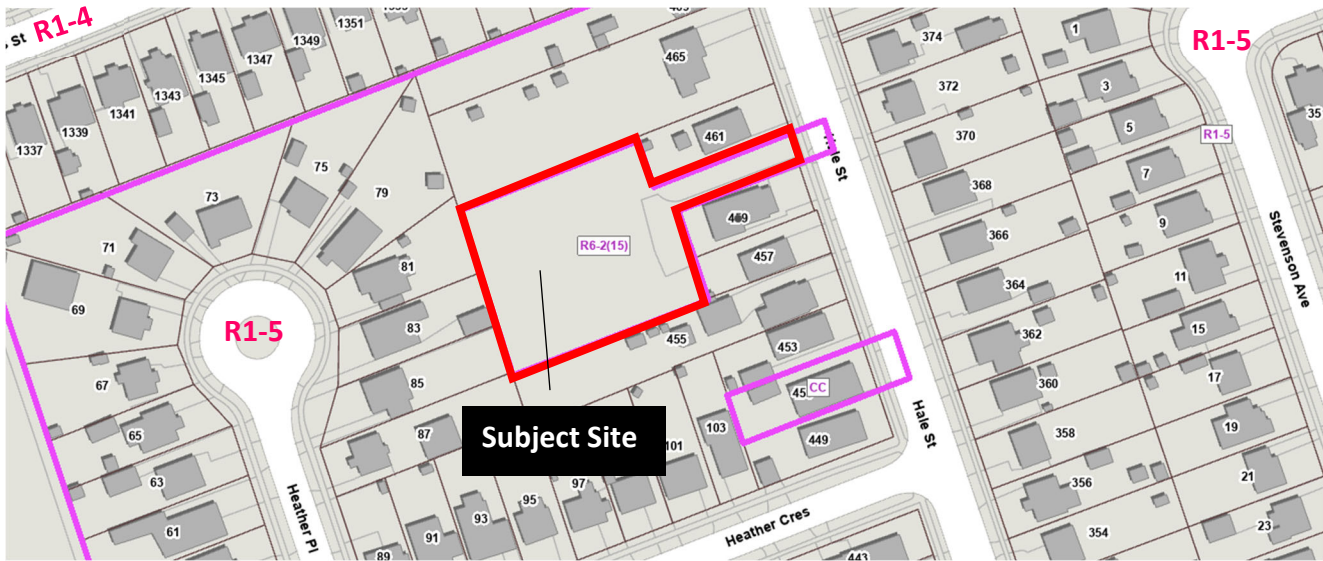


Figure 10: City of London Zoning Map

Table 1. Zoning Bylaw Comparison Chart

| Item | Regulations | Current R6-2(15) Zone | Proposed R6-5 Zone | Proposed Development | Compliance |
|------|--|-----------------------|--------------------|----------------------|------------|
| 1 | Lot Area | 2,000 | 850 | 2,778.9 | Yes |
| 2 | Lot Frontage (m) Min. | 8.0* | 10.0 | 8.21*** | No |
| 3 | Front Yard Setback (m) Min. | 6.0 | 6.0 | 6.0 | Yes |
| 4 | Exterior Yard Setback (m) Min. | 6.0 | 6.0 | n/a | n/a |
| 5 | Interior Yard Depth (m) Min. No habitable windows | 3.0 | **3.2 | 3.2 | Yes |
| 6 | Interior Yard Depth (m) Min. Habitable windows | 6.0 | 6.0 | 5.0*** | No |
| 7 | Rear Yard Depth (m) Min. | 6.0 | **6.0 | 5.0*** | No |
| 8 | Landscaped Open Space (%) Min. | 45.0 | 30.0 | 41.6 | Yes |
| 9 | Lot Coverage (%) Max. | 30.0 | 45.0 | 29.0 | Yes |
| 10 | Height (m) Max. | 10.5 | 12.0 | 7.2 | Yes |
| 11 | Number of Residential Units | -- | -- | 10 | -- |
| 12 | Density (u.p.h.) Max. | 22* | 35 | 36*** | No |
| 13 | Parking Spaces | 1 per unit | 1 per unit | 2 per unit | Yes |

*As per R6-2(15) Site Specific Provision. ** Calculated As per Section 10.3(1) ***Zoning Deficiencies

7.4 Proposed Zoning By-Law Amendment Applications

Based on the desired built form and above zoning data comparison (**Table 1**) as illustrated through the proposed concept site plan (**Appendix B**), the following R6-5 site-specific provisions are being requested:

R6-5 (**) Hale Street

a. Regulations:

| | | |
|------|--|----------------------------------|
| i) | Lot Frontage (Minimum) | 8.0m (Existing R6-2 (15) Zoning) |
| ii) | Interior Side Yard Depth (Minimum) <i>when the wall of a unit contains windows to habitable rooms</i> | 5.0m |
| iii) | Rear Yard Depth (Minimum) | 5.0m |
| iv) | Density (Maximum) | 36.0 u.p.h. |

8 CLOSING

Based on a review of the relevant policies and regulatory framework for the Subject Site, the proposed Zoning Bylaw Amendment is justified given:

- The proposal revitalises the vacant portion of a lot within an established neighbourhood. Utilizing available infrastructure and services, which represents the efficient use of land, infrastructure, and resources while invigorating the neighbourhood with new residents.
- The proposal is consistent with the policies of the Provincial Policy Statement, 2024, which promotes healthy, liveable, and safe communities by accommodating an appropriate level of intensification within established neighbourhoods. The proposed development will also help the City of London meet residential intensification targets of 45% within the built-up areas of the city; and
- The requested ZBA application maintains intent of the R6 zone, which is the current medium density designation, while allowing for an alternative built form to within the traditional single detached neighbourhood.

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

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