



PLANNING & DESIGN REPORT

1494 COMMISSIONERS ROAD WEST, LONDON

PROPOSED ZONING BY-LAW AMENDMENT TO PERMIT A 4-STOREY, 10-UNIT RESIDENTIAL BUILDING

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SBM-20-3641

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1 INTRODUCTION

Strik, Baldinelli, Moniz Ltd has been retained by David Moubarak (the “Applicant”) to prepare a Planning and Design Report in support of a Zoning By-law Amendment (ZBA) application for the property municipally identified as 1494 Commissioners Road West in west London (the “Subject Site”). The purpose of the following land use Planning and Design Report is to evaluate the proposed ZBA application within the context of existing land use policies and regulations, including the Provincial Policy Statement, *The London Plan*, and the City of London Zoning By-law.

The Applicant is seeking to amend the Zoning By-law to permit a four-storey apartment building with 10 dwelling units, 10 vehicle parking spaces, 10 long-term and two (2) short-term bicycle parking spaces, a lot coverage of 46.2%, and a gross floor area of 1,746 square metres.

The intent of the development proposal is to provide a high quality and contextually sensitive low-rise contemporary residential building that would be compatible with the surrounding residential area and the existing Warbler Woods Environmentally Significant Area (ESA) to the south.

2 SITE DESCRIPTION

The Subject Site is a mid-block site located in the southwest London neighbourhood of Byron, on the south side of Commissioners Road West between Chestnut Hill and Grand View Avenue (see **Figure 1** below). Although municipally identified as 1494 Commissioners Road West with one assessment number (i.e., 070300055000000), it is legally comprised of the following two parcels:

Parcel 1: Pt Lt 47, Con Broken Front, Part 5, 33R-9515; London/Westminster; PIN 08419-0264 (LT)

Parcel 2: Part Lots 1 & 2, Plan 33M-228 Designated as Parts 3 & 4, Plan 33R-9519; S/T 191501A
London/Westminster; 08419-0389 (LT)

It is an irregularly shaped lot with an area of 2,056.27 square metres (0.2 hectares), a lot width of approximately 30.5 metres, a lot depth of approximately 74 metres, and vehicle access from Commissioners Road West via a mixed gravel and asphalt driveway. The Subject Site is composed of an existing single detached dwelling with a significant setback from the street, an accessory structure (i.e., wood frame shed), driveway, and parking area (see **Figure 2** below). Mature trees, naturalized vegetation and sloping terrain, especially on the south and east sides of the lot, are characteristic features.

Site visits were conducted on August 17 and 30, 2022 and the photos in Appendix A were taken.

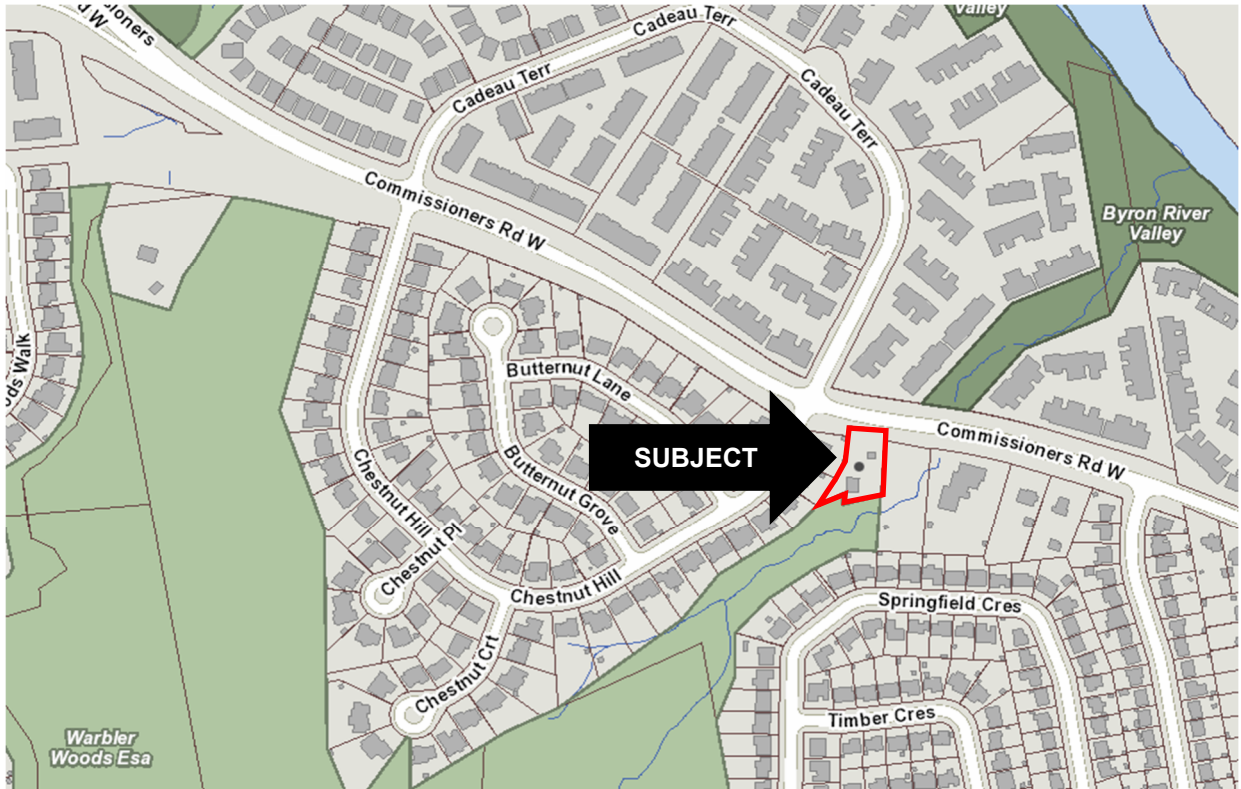


Figure 1. Subject Site and surrounding context (Source: City of London)

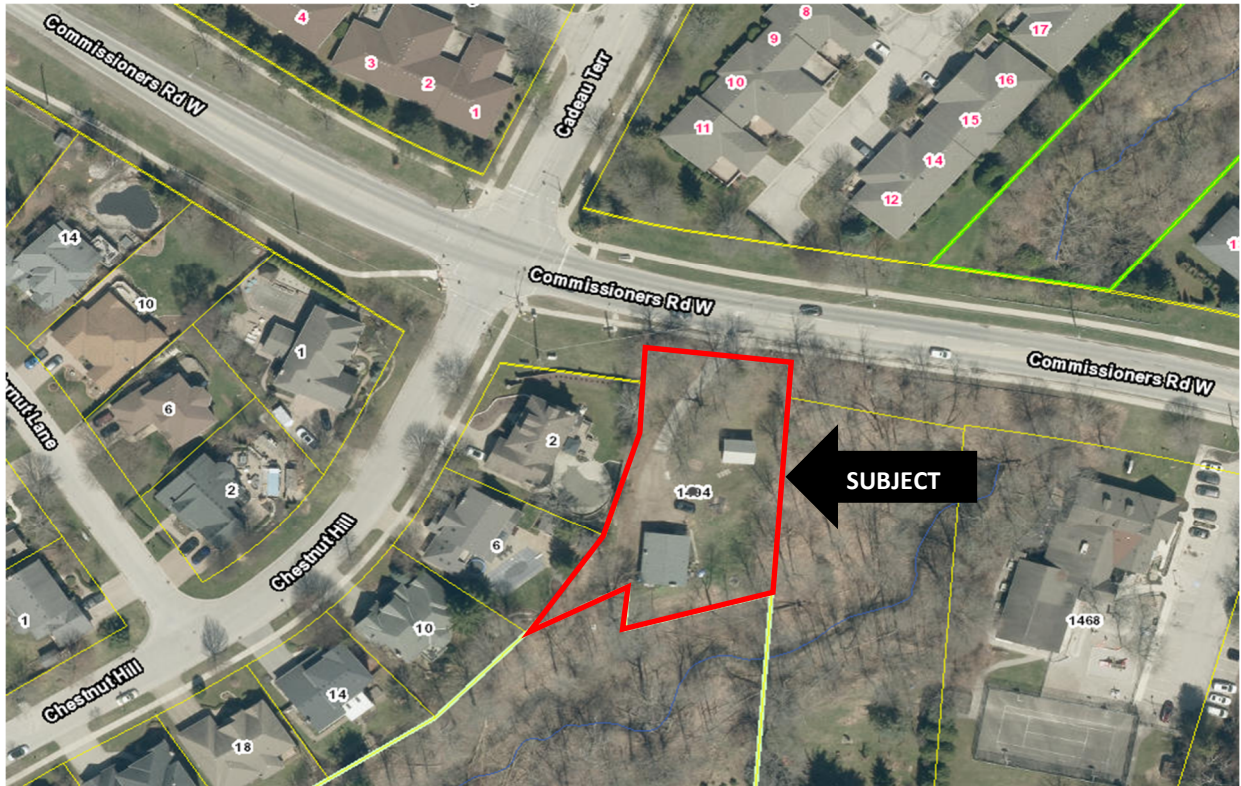


Figure 2. Aerial view of Subject Site (Source: City of London)

Due to the presence of a deep ravine to the south and east, a portion of the Subject Site is regulated by the Upper Thames River Conservation Authority (UTRCA) (see **Figure 3** below). A smaller portion is identified as a Tree Protection Area on City of London mapping (see **Figure 4** below).

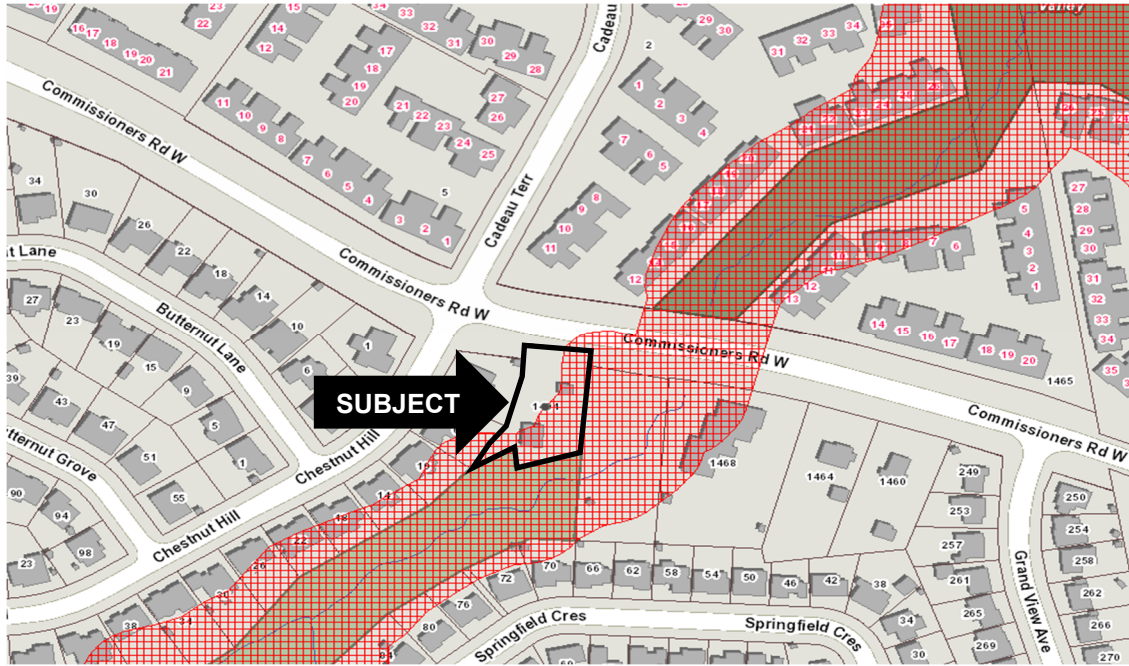


Figure 3. Subject Site and UTRCA Regulated Area (Source: City of London)

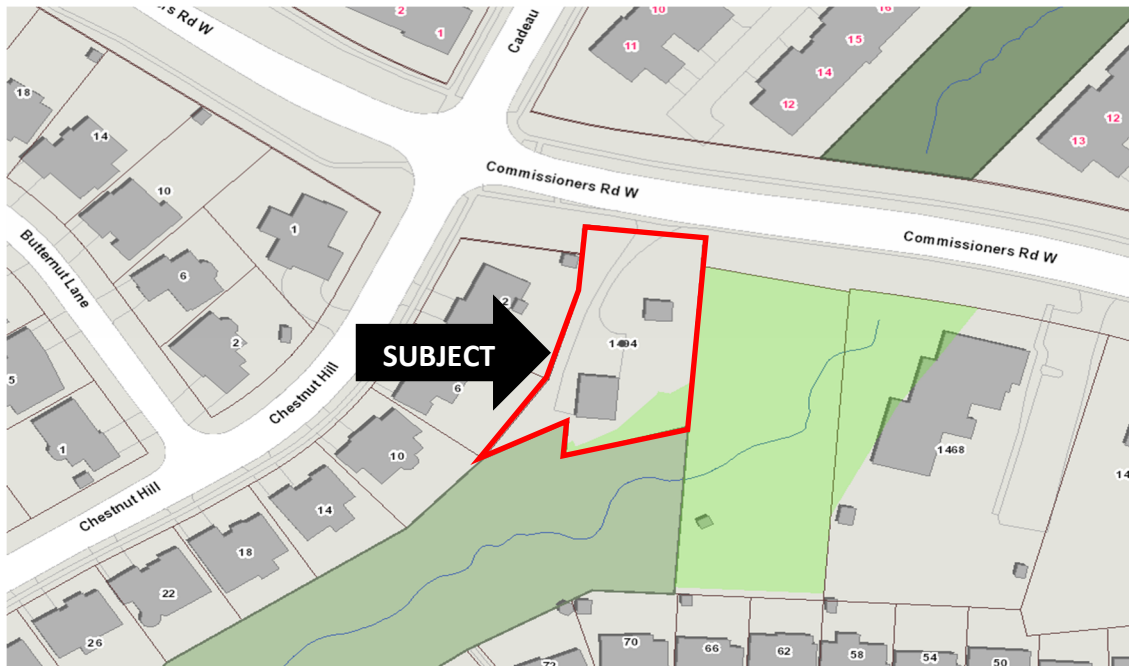


Figure 4. Subject Site and Tree Protection Area (Source: City of London)

2.1 Access and Servicing

The Subject Site fronts the Commissioners Road West right-of-way (ROW), which is a two-lane collector roadway with a central turning lane at this location approaching Chestnut Hill. Public sidewalks are located on the north and south sides of Commissioners Road West. Municipal water servicing is available via an existing 400mm diameter watermain located on the north side of Commissioners Road West. Although there is no existing municipal sanitary sewer fronting the Subject Site, there is an existing 375mm diameter sanitary sewer located on the north side of Commissioners Road West approximately 30 metres east of the Subject Site. There is no existing storm sewer or municipal storm outlet available.

3 SPATIAL ANALYSIS

3.1 Surrounding Land Uses

- North: across Commissioners Road West, condominium townhouses to the northwest, drainage channel tributary to the Thames River to the east
- South: green open space identified as the Warbler Woods ESA; further south are single detached houses
- East: abutting to the east is a naturalized vacant lot; further east is a daycare/private school (Byron Woods Montessori School) at 1468 Commissioners Road West and single detached dwellings
- West: single detached houses

3.2 Regional Spatial Analysis

The Subject Site is in the north part of the Byron neighbourhood/planning district, an established residential neighbourhood in west London characterized by extensive green spaces. **Figure 5** below illustrates the community context within 400 and 800 metre radii, representing walking distances of approximately 5 and 10 minutes, respectively. Within 400 metres, residential development south of Commissioners Road West is mostly low-density in the form of single-detached houses, while medium density residential in the form of townhouse developments are more common along and to the north of Commissioners Road West. Byron Woods Montessori School at 1468 Commissioners Road West is located to the east less than 50 metres away. The publicly owned Warbler Woods ESA, one of 21 ESAs in the City of London, is in west London between Commissioners Road and Byron Baseline Road and forms part of a natural corridor extending north to Kains Woods ESA. The eastern section of the Warbler Woods ESA abuts the rear of the Subject Site in its entirety.

The Thames River and its valley lands, as well as the southwest portion of the privately-owned London Hunt & Country Club, are within 800 metres of the Subject Site. An elementary school - Byron Northview Public School at 1370 Commissioners Road West – is located east of the Subject Site within a 10-minute walking distance. The major streets are Commissioners Road West, which abuts the Subject Site, and Oxford Street West to the northwest. Both streets run in an east-west direction with average daily traffic volumes of 8,500-12,500 within 800 metres of the Subject Site. Transit services are provided along Commissioners Road West with transit stops within 50 metres of the Subject Site providing access to the downtown and Argyle Mall via Route 17.

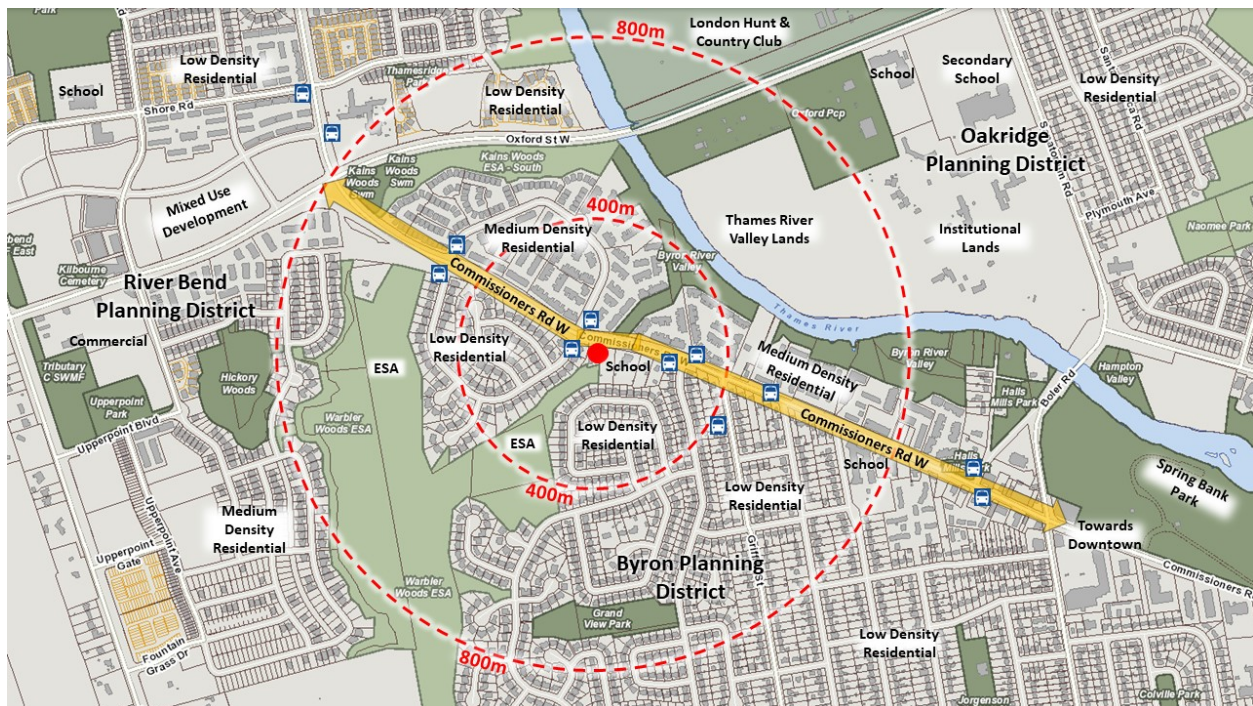


Figure 5. Existing Context Regional Space Analysis (400 m and 800 m) (Source: City of London)

3.3 Site Specific Spatial Analysis

The Subject Site has frontage onto Commissioners Road West, which is a two-lane public road classified as a Civic Boulevard on Map 3 of *The London Plan* with traffic volumes of 12,500 vehicles per day along the abutting portion of the road. This frontage acts as the public street interface identified in **Figure 6** below. The Commissioners Road West ROW also includes public sidewalks on both sides. The nearest signalized intersection is less than 40 metres to the west at the intersection of Commissioners Road West at Chestnut Hill to the south and Cadeau Terrace to the north. The Subject Site and surrounding neighbourhood are well served by public transit - as indicated on **Figure 6** below, eight bus stops are located within an 800-metre radius, with the closest stop being less than 10 metres away.

The west side of the Subject Site abuts the rear of two single-detached residential properties fronting Chestnut Hill (i.e., 2 and 6 Chestnut Hill) and acts as its residential interface, while the east side abuts a vacant naturalized property municipally identified as 1482 Commissioners Road West and zoned OS5. As previously mentioned, the Warbler Woods ESA, which is also zoned OS5, abuts the Subject Site to the south and defines its rear. The south and east property limits interface with the natural heritage features (i.e., woodlands) and ravines associated with the Warbler Woods ESA. Section 4.3 of this report will outline how the proposed development relates to its context (i.e., composition and built form, edge conditions and connectivity).



Figure 6. Development Site Specific Spatial Analysis (Source: City of London)

4 DEVELOPMENT PROPOSAL

4.1 Pre-Application Consultation

An initial Proposal Summary identifying a substantially similar version of the proposed development was submitted on September 26, 2019, and staff comments were provided via a Record of Pre-Application Consultation dated October 28, 2019. Due to the passage of time and, as requested by municipal staff, a second Proposal Summary was submitted on January 26, 2022, and staff comments were provided via a

Record of Pre-Application Consultation dated February 23, 2022 (the “ZBA Record”). The ZBA Record is used as a reference document for the proposed ZBA application along with the required Record of Site Plan Consultation dated May 13, 2022 (File SPC22-071). In accordance with Bill 23 and recent *Planning Act* amendments, a site plan control application is no longer required for the proposed development, as residential developments with 10 units or less are exempt from site plan control.

4.2 Development Concept

As illustrated on the architectural drawings prepared by Zedd Architecture Inc., the existing buildings on the Subject Site are proposed to be demolished and replaced with a four-storey apartment building with a maximum height of 13.5 metres - the 10 proposed dwelling units are comprised of two- and three-bedroom units.

The building would be nestled in the interior of the Subject Site with a generous minimum front yard depth of 9.4 metres measured from the new property line after the required 8.3 metre width road dedication/widening. A two-way driveway connected to Commissioners Road West would provide access to the interior parking garage and one surface barrier-free parking space. As illustrated on the first floor plan (drawing SK-06), the majority of the parking (i.e., 9 parking spaces) would be located at the rear of the building behind the elevator, lobby and storage areas – the barrier-free parking space would be located just north of the building entrance for convenient access. The proposed minimum side yard depths are 1.5 metres on the west side and 0.3 metres on the east side abutting the existing naturalized vacant lot.

The rear of the Subject Site, south of the erosion hazard limit line, which is illustrated on the site plan (drawing SK-04), is not proposed to be developed and would be zoned appropriately, as outlined in further detail in section 6.3 of this report. The erosion hazard limit line was identified by the geotechnical investigation finalized in early 2023 following the latest round of pre-application consultation with City of London staff in early 2022. Some of the architectural drawings also show the “original development limit”, which represents the tree dripline previously identified onsite in consultation with municipal staff and is referenced in the ZBA Record. Since the erosion hazard limit is generally the most restrictive of the two lines, it functions as the new overall development limit for the proposed development. There is a small portion at the eastern end of the Subject Site where the original development limit is more restrictive (i.e., closer to the proposed building) than the erosion hazard limit line. This was reviewed with the environmental consultant who completed the Environmental Impact Study, and he did not identify any concerns as there is no conflict between the existing trees and the proposed building, which is also confirmed by the Tree Preservation Plan.

The development portion of the Subject Site is proposed to be rezoned R8-4 while the rear would be rezoned OS5 to reflect the existing zoning of the Warbler Woods ESA. It is envisioned that the proposed

OS5 lands would be transferred to the City of London, who owns the abutting ESA lands, to be added to these existing lands. A land transfer can also satisfy the Applicant's parkland dedication requirements. Section 6.3 of this report will provide further information about the proposed zoning and the special provisions required to facilitate the proposed development.

Each of the proposed dwelling units would have private amenity space in the form of either balconies or terraces. A common amenity terrace with a proposed area of 53 square metres would be located on the fourth floor of the building. Outdoor amenity space includes a seating area and/or pergola to provide shading is also proposed west of the barrier free parking space, as illustrated on the site plan.

A private solid waste management company would be retained to pick up garbage from the designated area shown on the site plan, which is proposed to be screened appropriately to ensure the collection containers are not visible from the public realm. Finally, the snow storage area is proposed to be located west of the building entrance and away from the Warbler Woods ESA, as recommended by the Environmental Impact Study. The proposed development will be referred to as the "Development Proposal" hereafter.

4.3 Design Considerations

Design Goals and Objectives

The overall design goal of the Development Proposal is to create a high-quality contemporary low-rise residential building that respects and responds to the different interfaces outlined in section 3.3 of this report. The building, including its principal building entrance, is oriented towards Commissioners Street West. Vehicular, cycling and pedestrian connectivity is promoted by having direct driveway and walkway connections between the building and garage entrance and the public street. The low-profile building is nestled into the landscape and has a staggered shape which reduces its apparent mass and allows it to blend seamlessly into the existing residential and natural context. It is articulated to respect the neighbours' privacy by directing window views towards the street or to the south and east, and away from the residential properties to the west. This orientation and comfortable setback from the street respects the residential and natural heritage interfaces. The juxtaposition of modern and natural building materials also serve to evoke the natural landscape while highlighting the unique architecture the building brings to the Commissioners Road West streetscape.

Conceptual Design Elements

Site Design

- The Subject Site, with its proximity to transit stops, institutional uses and ample recreational opportunities in an established residential area within the urban growth boundary, is an appropriate location for the residential portion of the Development Proposal.
- The Development Proposal efficiently uses the Subject Site and maximizes the developable area by positioning the proposed building in the central part of the lot oriented towards Commissioners Road West, which is the only available public street interface. It strives to maintain the existing streetscape on the south side of the street, where houses generally maintain a comfortable distance from the street. In contrast, the north side of the street features townhouses which have a rear or side yard relationship to it and are generally located to the street edge.
- The building respects the adjacent natural heritage features (i.e., ravine and woodland associated with the Warbler Woods ESA) located to the south and east of the Subject Site by being positioned in the interior of the lot. Appropriate zoning would ensure the southern part of the Subject Site is protected from development.
- The building overlooks Warbler Woods and takes advantage of the natural views created by the adjacent ravines and undulating topography. Glazed openings are directed away from residential properties with terraces wrapped using wood privacy screens.
- Both the principal building entrance and the integrated garage entrance face Commissioners Road West. The building would connect to Commissioners Road West and its existing public sidewalk via a new walkway and driveway.
- A variety of private and common amenity spaces are provided inside and outside the building.
- Site vehicular and pedestrian circulation is limited to the north/front portion of the Subject Site. Vehicular and long-term bicycle parking is integrated into the building to reduce the negative visual and environmental impacts of surface parking lots.

Built Form

- The proposed building strives to maintain the existing streetscape on the south side of Commissioners Road West, where houses generally maintain a comfortable distance from the street. In contrast, the north side of the street features townhouses which have a rear or side yard relationship to the street and are generally located to the street edge.

- The proposed residential building would appear as a custom-built house instead of a monolithic 4-storey apartment building due to its articulation and juxtaposition of its various architectural elements in relation to the topography of the Subject Site. The building is an example of “human scale architecture” that strives to create a comfortable experience for people interacting with the building.
- The front (north) building façade includes the garage door and primary residential door, which together serve as the principal building entrances, as well as two secondary doors on the west side of the building to provide access to the first-floor storage, building service rooms and bicycle parking areas. An overhead canopy, along with glazing and stone veneer materials, draw attention to the principal building entrance.
- Building amenity areas include a shared fourth storey rooftop area that appears to be located on the second/third storey and is screened to protect the privacy of existing residents to the west.
- Glazed openings provide abundant natural light and offer large areas of private outdoor amenity space.

Massing and Articulation

- The maximum building height is 13.5 metres while the Commissioners Road West ROW has a width of almost 28 metres. This represents a building height to street width ratio greater than 1:2.
- The stylish building is nestled into a wooded hill site which reduces its apparent mass, allowing it to blend into the existing neighbourhood context.
- The massing would be divided into smaller components in height between two and three storey blocks and via stepped planes in the walls with step-backs and roof terraces. The stepped and staggered massing is emphasized with contrasting material changes that include modern smooth panels and textured stone surfaces.
- There is a transition in scale and height moving from east to west to be sensitive to the existing residential neighbourhood to the west.
- A shadow study is included in the submission package, which indicates that except for a temporary morning shadow being cast on the residential property at the southeast corner of Commissioners Road West and Chestnut Hill, there are no adverse shadow impacts resulting from the Development Proposal.

Character and Image

- The Development Proposal is a well-designed, contemporary addition to the surrounding Byron neighbourhood, which can be characterized as a “garden suburb” with an emphasis on residential uses and an extensive green open space network, including the Thames River to the north and the Warbler Woods ESA to the south.
- As previously mentioned, the proposed building would respect and enhance the existing Commissioners Road West streetscape by locating the building away from the street at a minimum distance of 9.4 metres, emphasizing the natural setting along the streetscape.

Architectural Treatment

- The proposed building materials are labelled on the elevation drawings. The blend of glazing, contemporary smooth panels, wood slat screens, vertical metal panels and textured stone surfaces are meant to achieve the design objective of creating a contemporary building nestled in a wooded area that respects the surrounding ravine lands and residential buildings.
- The proposed building colours are warm and earthy while large windows allow abundant natural light to penetrate the building through the provision of “bird-friendly” glazing.

Lighting

- All site and building lighting would be indirect and highlight primarily the east side of the building at entrance level and landscaping to eliminate any glare. Interior common lighting would also be indirect to soften any impact facing the street.

Servicing

- Parking and long-term bicycle parking is provided in the interior of the building.
- Two short-term bicycle parking spaces and one accessible parking space are provided near the building entrance, as shown on drawing SK-06.
- Direct vehicular and a pedestrian connection (i.e., walkway) are proposed between the interior of the Subject Site and Commissioners Road West, as shown on drawing SK-06.
- The proposed waste management system would involve deep earth waste bins located east of the proposed driveway to be picked up by a private waste management company.

5 SUPPORTING STUDIES

The conclusions of the studies/reports requested by City of London staff and identified in the ZBA Record are summarized below – please refer to the original reports included in the ZBA submission package for complete details.

5.1 Geotechnical Investigation

EXP Services Inc. prepared a Geotechnical Investigation report dated October 12, 2022 that included a slope stability analysis. This report is an update to the 2015 Slope Stability Assessment report prepared by the same company. The purpose of these investigations was to examine subsoil and groundwater conditions by drilling a series of boreholes. Based on this data, the report provides engineering guidelines for the site preparation, excavations, dewatering, foundations, slab-on-grade, basement construction, bedding and backfill, earthquake design considerations, pavement recommendations, preliminary LID comments, curbs and sidewalks, and erosion hazard limits.

It is important to note that the original report has already been reviewed by UTRCA staff, who provided comments and requested some changes in a letter dated November 24, 2022. UTRCA comments and consultant responses provided in a letter dated January 11, 2023 are included in the submission package. The revised erosion hazard limit was used as the development limit for the Development Proposal and is identified on the site plan.

5.2 Preliminary Servicing Brief

MTE Consultants Ltd. was retained to provide a Preliminary Servicing Brief dated June 27, 2023 to outline the proposed water, sanitary and storm servicing for the Development Proposal. A water service connection would be required to connect the Subject Site to the existing 400mm diameter watermain located on the north side of Commissioners Road. Sanitary servicing would be provided via a 30m sanitary sewer extension and a sanitary private drain connection to the existing 375mm diameter sanitary sewer located on the north side of Commissioners Road West. Two options were provided for stormwater servicing, with option one being preferred – please see the report for details. Under both options, stormwater quantity controls would be provided and post-development outflows would not exceed pre-development rates. Stormwater storage would be provided in the parking area, roof and/or underground storage during larger storm events. Quality control is not proposed, as the proposed paved areas are limited. Detailed engineering drawings in support of the proposed servicing strategies will be provided at a later stage in the development review process.

5.3 Scoped Environmental Impact Study

MTE Consultants Ltd. prepared a memorandum/addendum dated September 21, 2023 summarizing the results of historical (i.e., 2013) site visits and agreements between the project team, municipal and UTRCA

staff associated with previous proposals for the Subject Site. The memo outlines how the subject proposal addresses previous recommendations resulting from the previously agreed-upon terms of reference. The memo also recommends that a sediment and erosion control plan be prepared as part of the building permit review process and provides post-construction mitigation recommendations to ensure the protection of adjacent natural heritage features.

5.4 Tree Preservation Report

MTE Consultants Ltd. was also retained to provide a Tree Preservation Report dated August 28, 2023 that included an inventory of 26 trees, of which 21 privately-owned trees are proposed to be removed to accommodate the Development Proposal. One City-owned tree (i.e., tree 25) in the Commissioners Road West ROW would require removal pending approval from the municipality. Removal of any boundary or offsite trees would require the approval of abutting property owners. Please review the Tree Preservation Plan (TPP) identified as drawing TP1.2. It is important to note, however, that trees to be retained and removed cannot be finalized until such time as detailed site grading and relevant engineering drawings are completed. Therefore the TPP should be treated as preliminary and potentially subject to change.

6 PLANNING FRAMEWORK

6.1 Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement (PPS), issued under section 3 of the *Planning Act*, provides policy direction on matters of Provincial interest related to land use planning and development to ensure efficient and cost-effective development patterns, healthy communities, and the protection of resources. Any land use planning decision shall be consistent with the (PPS). The Development Proposal is consistent with the PPS and more specifically supports the following policies:

- The Subject Site is located in an established residential neighbourhood within the City of London urban growth boundary. It makes efficient use of land and the available municipal services in accordance with policies 1.1.3.1, 1.1.3.2 and 1.1.3.3.
- The Development Proposal would redevelop and appropriately intensify the Subject Site by adding 10 apartment dwelling units to the local housing supply while taking advantage of existing municipal infrastructure, in accordance with policies 1.1.1 a), b), c), d), e), 1.6.6.2.
- The proposed dwelling units would also assist the City of London in its role as a planning authority in conforming with Section 1.4 of the PPS, especially policies 1.4.1 and 1.4.3.

In my opinion, the proposed ZBA is consistent with the policies of the PPS.

6.2 Official Plan

The Subject Site is designated as a Neighbourhoods Place Type on a Civic Boulevard on Map 1 of *The London Plan* (the “Official Plan”) (see **Figure 7** below). It is not identified as being located within a Special Policy Area as per Map 7 of the Official Plan.

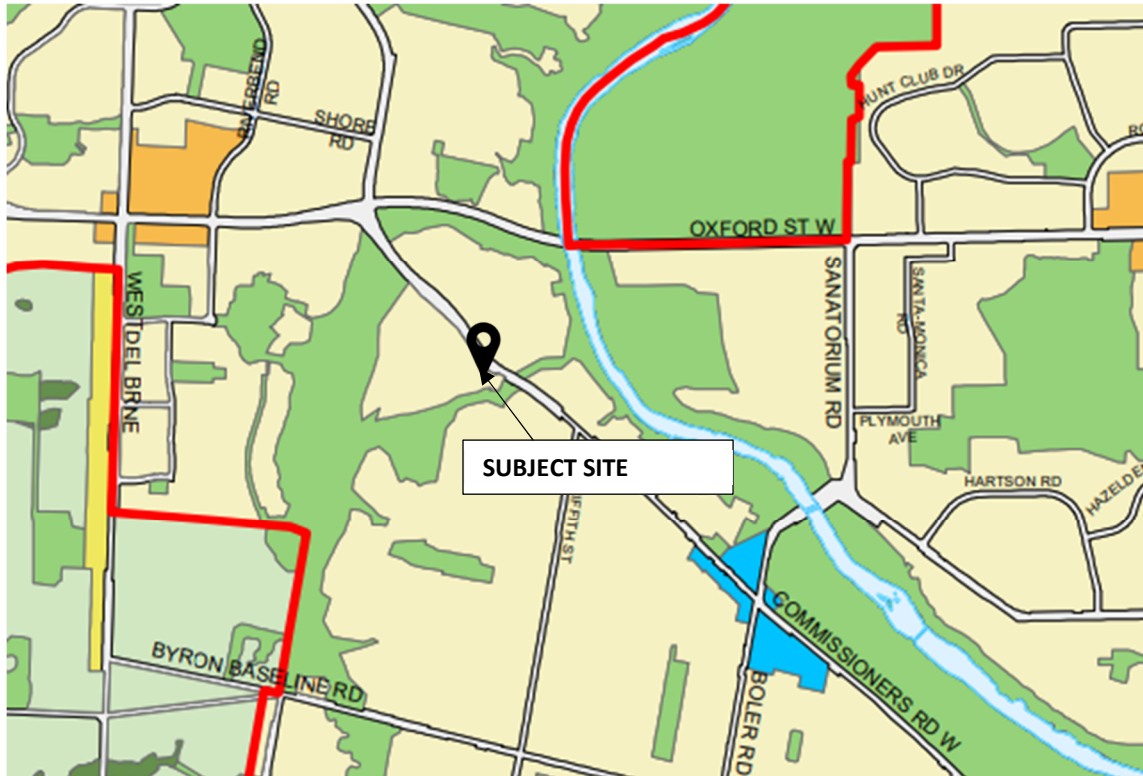


Figure 7. Subject Site Place Type – Neighbourhoods on a Civic Boulevard (Source: Map 1, Official Plan)

Neighbourhoods Place Type Policies

The Neighbourhoods Place Type has policies with respect to use, intensity, and form. As per Tables 10 and 11, the Development Proposal is permitted as low-rise apartments up to four storeys in height (i.e., the “standard maximum”) are permitted on a Civic Boulevard, subject to conformity with policy 922. The form policies are outlined in policy 936. The only relevant policy in this section is 936_1, which requests conformity with the City Design or urban design policies of the Official Plan. Further to the design analysis already provided in section 4.3, the section below summarizes how the Development Proposal addresses the City Design policies embedded within the following categories.

Character

The surrounding Byron neighbourhood can be characterized as a “garden suburb” with an emphasis on residential uses and an extensive green open space network, including the Thames River to the north and the Warbler Woods ESA to the south, which abuts the Subject Site. In the immediate context west of Stephen Street, single detached houses characterize the south side of Commissioners Road West while

townhouses dominate the north side of this street in a variety of multi-unit clusters. The townhouses have a rear or side lot relationship to Commissioners Road West while most of the single detached houses front the street. Buildings are set back from Commissioners Road West without forming a consistent street wall on either side of the street. There is a diversity of lot sizes - lots fronting Commissioners Road West on the south side are deeper on average than lots in the interior of the neighbourhood. The sidewalks and public transit stops promote pedestrian connectivity to the surrounding area and to the rest of the city.

In conformity with policy 204, the Development Proposal is an example of infill residential development or redevelopment fronting Commissioners Road West that has been designed to be sensitive to the character of the existing neighbourhood by presenting as a custom-built house integrated with the surrounding natural environment, as opposed to a monolithic apartment building dominating a site. Large, suburban style houses are characteristic of the existing residential subdivision to the west.

The proposed residential building is nestled in the interior part of the existing estate-sized lot surrounded by ravines and woodlands to the south and east. The building height would be a maximum of 13.5 metres and the staggered profile ranges in height from two/three storeys on the west side, which abuts an existing residential subdivision with houses fronting Chestnut Hill, to three/four storeys along the east, north and south. This transition in height and massing respects the residential character to the west. Except for one accessible surface parking spot, parking is proposed to be located inside the building, which has both environmental and urban design benefits.

Street Network

The Development Proposal would have no impact on the existing street network and would not create any new streets. As per the Record of Site Plan Consultation, an 8.3 metre widening would be provided, as illustrated on the site plan.

Streetscapes

Commissioners Road West is classified as a Civic Boulevard on Map 3 of The London Plan, which prioritizes multi-modal pedestrian, cycle and transit movement, as well as medium to high volumes of vehicular traffic. There are no physical changes proposed to the existing Commissioners Road West ROW with this application.

Changes are proposed to the Subject Site to facilitate the Development Proposal. A new internal driveway connecting to Commissioners Road West with a minimum width of 6.7 metres is proposed, as shown on drawing SK-06. An internal walkway is also proposed to connect the proposed building entrance to the existing Commissioners Road West sidewalk to promote pedestrian connectivity within and beyond the Subject Site. By providing a front yard depth of 9.4 metres and integrating parking into the building, the

Development Proposal enhances the natural heritage character of the neighbourhood and maintains the established streetscape.

Public Space

The Development Proposal is an example of infill residential development. If the southern portion of the Subject Site is transferred to the City of London through the parkland dedication process, it would enlarge and enhance the Warbler Woods ESA thereby creating new public space. Building residents will be able to enjoy the views and tranquillity of the surrounding natural environment through private spaces in the form of balconies/terraces, as well as shared amenity spaces. As indicated on drawing SK-08, a rooftop terrace accessible from the fourth floor with a privacy screen on the west side and an at-grade outdoor landscaped seating/open space area northwest of the building entrance are proposed.

Site Layout

The proposed site layout, building location and orientation consider the existing topography of the Subject Site, the ravine lands to the south and east, the Commissioners Road West streetscape and the residential subdivision to the west. To protect the ravines associated with the Warbler Woods ESA, the erosion hazard limit line identified by the Geotechnical Investigation report has been deemed to be the development limit for the Development Proposal. Lands to the south of the erosion hazard limit on the site plan would be protected from development through appropriate zoning, as outlined in the EIS memo and its associated landscape plan.

As previously mentioned, the building is oriented towards Commissioners Road West with a front yard depth that is consistent with the existing streetscape. Parking is proposed to be integrated into the building to reduce its visual impact and minimize surface paving. Parking access is through a garage door south of the principal building entrance. Garbage and recycling are proposed to be stored outside east of the driveway and screened from view of the public realm – the proposed waste bins would be picked up by a private company. Long-term and short-term bicycle parking is also proposed to encourage cycling as a viable alternative form of transportation. As per drawing SK-03, 10 long-term bicycle parking spaces are proposed inside the first floor of the building and two short-term spaces are proposed near the principal building entrance, as illustrated on drawing SK-06.

Buildings

The design of the proposed low-rise residential building is inspired by the surrounding natural environment and its balconies/terraces would provide panoramic views of the surrounding natural landscape and allow residents to enjoy the serene location while ensuring a reasonable amount of privacy for the existing residential neighbours to the west. The building has been designed to be visually appealing

from all sides and allow residents to enjoy the beautiful landscape with an appropriate amount of glazing. There are no blank walls. The proposed height – a maximum of 13.5 metres - and staggered massing of the building help to reduce its visual impact and avoid any adverse impacts. The overall design provides a sense of the building being nestled on the lot and not dominating the site or the Commissioners Road West streetscape.

As illustrated on the elevation drawings, the proposed building materials evoke the surrounding natural character and are used to visually break up the massing of the building. The stylish combination of glazing, contemporary smooth panels, wood slat screens, vertical metal panels and textured stone surfaces are meant to achieve the design objective of creating a contemporary building nestled in a wooded area that respects the surrounding ravine lands and residential buildings.

In conclusion, it is my opinion that the Development Proposal conforms with the relevant City Design policies of the Official Plan.

As the Development Proposal is an example of residential intensification in neighbourhoods (i.e., the Neighbourhoods Place Type), policies 937-940 apply. In particular, policy 939_5 and 6 both apply. The Development Proposal can be characterized as an example of “infill development”, since the Subject Site, given its lot size, is “underutilized” and the existing single detached house with one dwelling unit is proposed to be demolished and replaced with 10 apartment dwelling units. As per policy 940, it is the intent of the Official Plan “support all of these forms of intensification, while ensuring that they are appropriately located and fit well within their neighbourhood.” The Development Proposal is an example of contextually sensitive redevelopment that is designed to fit harmoniously within its existing and planned context. Notwithstanding policy 949, site plan approval is no longer required for the Development Proposal due to Bill 23 changes, as confirmed by City of London staff via email dated December 13, 2022.

In addition to the City Design policies referenced above, policy 953 references “additional urban design considerations for residential intensification”. This report addresses the requirement in policy 953_1 for a “Planning and Design Report” for all intensification proposals. As the compatibility and fit of the Developed Proposal with the surrounding neighbourhood has already been addressed in both sections 4.3 and 6.2 above, an additional analysis is not necessary. Please review the description and analysis in this report in conjunction with the architectural drawings being submitted. To summarize, it is my opinion that the Development Proposal has adequately addressed the criteria in policy 953_2 and that its proposed intensity is appropriate for the size of the lot such that it can accommodate the requirements in policy 953_3.

Environmental Policies

There are no natural heritage features within the interior of the Subject Site. However, due to the adjacent Warbler Woods ESA located to the south and east (see **Figure 8** below), as well as the UTRCA regulation limits illustrated in **Figure 3**, the Development Proposal is subject to the environmental/natural heritage policies of the Official Plan, including policies 1367-1377 respecting ESAs. In addition to these policies, the results and recommendations of the above-noted site-specific reports (i.e., the Geotechnical Investigation report and the EIS) have informed the Development Proposal. The Geotechnical Investigation report identifies the erosion hazard limit while the EIS report identifies the existing tree dripline. Both lines are shown on the conceptual site plan. Since the erosion hazard limit was identified as generally being the more conservative of the two limits, it was deemed to be the development limit line for the Development Proposal.

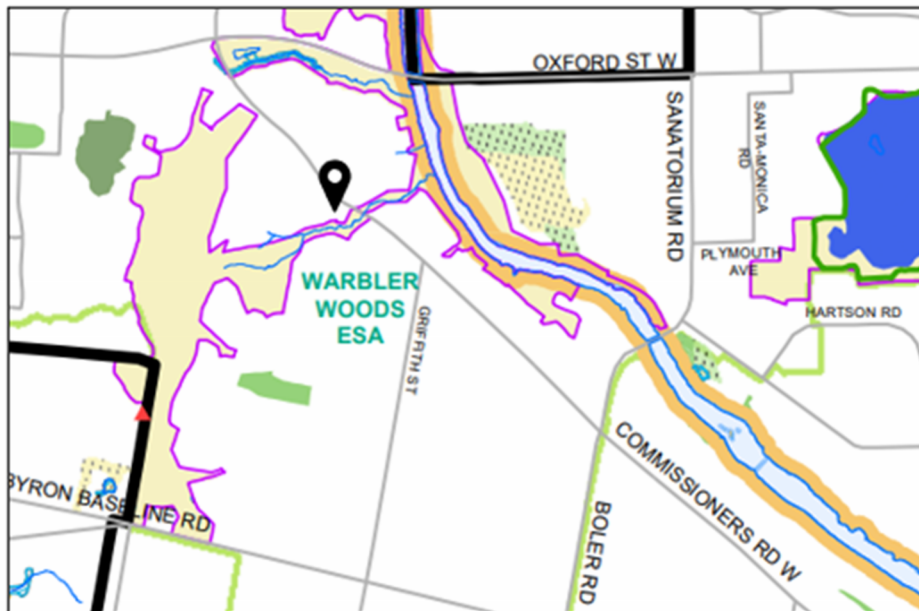


Figure 8. Subject Site - Natural Heritage Features (Source: Map 5, Official Plan)

6.3 Zoning Analysis and Proposed Zoning By-law Amendment

The existing zoning for the Subject Site is the Residential (R1-8) zone, which only permits single detached dwellings, and therefore is required to be amended to permit the Development Proposal. The proposed zone to facilitate the Development Proposal is the R8-4 zone, which permits the apartment building use. The area of the proposed R8-4 zone, after the proposed road widening, is 1,181.29 square metres. The rear portion of the Subject Site with an area of 669.5 square metres is proposed to be rezoned Open Space (OS5) zone to protect the ravine lands associated with the Warbler Woods ESA in perpetuity and to recognize that this area cannot be developed. The OS5 zone is the most prohibitive OS zone and would

be consistent with the abutting Warbler Woods ESA lands south of the Subject Site. As previously mentioned, it is intended that the lands proposed to be zoned OS5 would be transferred to the City of London as part of the parkland dedication process to be consolidated with the existing Warbler Woods ESA lands. Should this transfer occur, the Subject Site would no longer be subject to dual zoning and would simply be zoned R8-4.

Drawing SK-03 provides site developments statistics, including a zoning chart comparing the required standards for the proposed R8-4 zone relative to what is being proposed. The required special provisions for the proposed R8-4 zone, keeping in mind the proposed OS5 zone to the south, are summarized in the table below:

Zoning Standard	Required	Proposed	Comments
Rear Yard Depth (minimum)	4.5 m	0.3 m	The rear yard depth is the separation distance between the proposed building and the proposed R8-4 zone limits, not to the existing property limits. The proposed building is north of the existing building and respects the erosion hazard limit recommendation outlined in the Geotechnical Investigation report, which has placed additional constraints on the developable area than originally envisioned by the project architect. Notwithstanding the numerical differences between the required and proposed, there would be a separation distance of over 14 metres between the south building façade and the existing property limits, as identified on drawing SK-04. The fact that there would be no buildings (i.e., no development) south of the proposed building should also be taken into consideration. A reduced rear yard would have no impact on neighbours due to the rear open space that would remain undeveloped.
Interior side yard depth (minimum) 4.5 m		0.3 m (east side)	Again, this deficiency could be characterized as “technical” as the depth is taken from the building to the OS5 zone, not to the existing property line, and the analysis above applies here as well. The separation distance between the east building façade and the

		<p>existing property limits are 5.3 metres, which would comply with the zoning standard. It is also important to note that the abutting property to the east is currently vacant open space land and zoned OS5. Although future development of the abutting OS5 zoned lands is not expected, the proposed OS5 zone would act as a buffer between the proposed development and any future development to the east.</p>	
	<p>1.5 m (west side)</p>	<p>This depth is a pinch point triggered by a corner of the proposed building, as illustrated on the site plan drawing. The rear yard of the abutting property to the west features a large existing pool and deck area with the existing house appearing to be at least 10 metres away from the mutual property line. There would be a sufficient separation distance between the proposed building and the existing house. Mitigation measures have also been included by the architect to minimize overlook into the rear yard of the existing development to the west. For example, screening for the proposed private balcony on the third floor would be provided and the common amenity space (common terrace) shows a privacy screen on drawing SK-08. A window for a third floor unit has been directed towards the northwest so it doesn't face directly west.</p>	
<p>Lot Coverage (maximum)</p>	<p>40%</p>	<p>46.2%</p>	<p>The lot coverage deficiency results from the proposed zoning to protect the southern portion of the Subject Site from development and implement the recommendations of the geotechnical and environmental impact studies conducted. The proposed building has been designed to be sensitive to its natural context and the proposed OS5 lands would be <i>perceived</i> as acting as the rear and side yards for the</p>

			proposed development, notwithstanding their proposed zoning and legal status.
Height (maximum)	13 m	13.5 m	This represents a very minor deviation from the required standard both quantitatively and qualitatively.

In summary, the Development Proposal meets the intent and purpose of the Zoning By-law and the proposed special provisions are appropriate for the reasons outlined above.

7 CLOSING

Given the above, the proposed ZBA to develop the Subject Site should be supported for the following reasons:

- The Development Proposal is an example of a compact and high-quality residential development fronting Commissioners Road West that has been designed to be sensitive to the natural and built character of the existing neighbourhood. Although technically a 10-unit apartment building that would add generously sized dwelling units to the local housing supply, the building presents as a custom-built house integrated with the surrounding natural environment.
- The Development Proposal is consistent with the PPS and conforms to the relevant Official Plan policies.
- The special provisions being requested to implement the proposed site-specific zoning are appropriate given the zoning scheme being proposed to protect the natural and hazard lands at the rear of the Subject Site from development.

For the reasons noted above and throughout this report, the proposed ZBA application represents sound land use planning practice.

Strik, Baldinelli, Moniz Ltd.

Planning • Civil • Structural • Mechanical • Electrical



Simona Rasanu, RPP, MCIP
Planner

Appendix A – Photos #1-10



Photo No. 1. View of Subject Site looking south from across Commissioners Road West



Photo No. 2. View of Subject Site driveway, accessory structure (barn) and single detached house.



Photo No. 3. View of wood frame shed looking northeast.



Photo No. 4. View of driveway, parking area and detached house looking south.



Photo No. 5. View of driveway and shed looking north.



Photo No. 6. View of rear of Subject Site looking east.



Photo No. 7. Southeast portion of Subject Site showing east side of house.



Photo No. 8. View of house and parking area looking southwest.



Photo No. 9. View of northeast portion of Subject Site and east side of barn.



Photo No. 10. Northwest view of Subject Site.