TO:
CHAIR AND MEMBERS
BUILT AND NATURAL ENVIRONMENT COMMITTEE

FROM:
JOHN M. FLEMING
DIRECTOR OF LAND USE PLANNING AND CITY PLANNER

SUBJECT:
APPLICATION BY: THE HAMPTON GROUP INC.
307 FANSHAWE PARK ROAD EAST
PUBLIC PARTICIPATION MEETING ON APRIL 11, 2011 AT 7 P.M.

RECOMMENDATION

That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of The Hampton Group Inc. relating to the property located at 307 Fanshawe Park Road East:

a) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on April 18, 2011 to amend Zoning By-law No. Z-1 in conformity with the Official Plan, to change the zoning of lands located at 307 Fanshawe Park Road East FROM a Residential R1 (R1-B) Zone which permits a single detached dwelling TO a Holding Residential R1 Bonus (h-5*h-54*R1-8'B-_) Zone to permit the above listed use and, an apartment building with a 0.0 metre front yard setback, a lot coverage of 32% and a converted dwelling with two dwelling units, and a bonus density of 32 units/ha and a bonus height of 13m in exchange for constructing a building which is in accordance with the illustration attached as Appendix "B", and includes the following design features services and matters:

1. enhanced urban design features:
   - The proposed project provides an appropriate built form height given its location along Fanshawe Park Road and the width of the Public Right-of-Way;
   - Parking is located underground and/or behind the built form (not in the front setback), which provides a distinguishable built edge to the public realm;
   - The project provides for a residential infill opportunity that creates an active frontage along Fanshawe Park Road by orienting building access and including gathering space along the Public Right-of-Way;
   - Underground parking garage is to provide vehicle and bicycle parking along with garbage storage;
   - The development retains the original building and incorporates it into the overall design by using design features and materials found in the surrounding neighbourhood. These include: pitched roofs; brick masonry and decorative wood elements;
   - Maintaining the existing trees along the western boundary of the site;
   - The proposed built form and its massing transitions with the topography of the site;
   - Mitigation of the building mass through:
     - variation of height 2 storey and three storey sections;
     - includes a flat roof which decrease height associated with a pitched roof;
     - moderation of facades with vertical banding and stone piers;
     - variation of building material;
     - introduction of vegetation and screening on third storey;
     - terracing of end units (wedding cake form); and
2. a centralized courtyard which provides a common open space that is functional for passive recreational use;
3. 54% landscaped open space;
4. 42 underground parking spaces; and
5. 0.0m front yard setback to allow for a pedestrian accessibility ramp.

b) the request to amend Zoning By-law No. Z-1 to change the zoning of the lands located 307 Fanshawe Park Road East from a Residential R1 (R1-8) Zone which permits a single detached dwelling to a Residential R8 Special Provision (R8-1( )) Zone which permits apartments with a maximum height of 13 metres, a 0.0 metre front yard setback and a lot coverage of 32% BE REFUSED for the following reasons:
   1. a building of this size and intensity may not provide for a good fit, consistent with Official Plan infill policies in the absence of such measures as appropriate urban design measures, underground parking, enhanced landscaping and universal accessibility which cannot all be obtained through the “normal development approval process”.

   a public participation meeting of the Built and Natural Environment Committee be held for consideration of the site plan required for this development prior to the removal of the “h-5” symbol;

d) the site plan approval authority BE REQUESTED to consider the following items through the site plan approval process:
   - location of the garbage storage be located within the building;
   - garbage pick up to be at the curb if possible;
   - all lighting be oriented and its intensity controlled so as to prevent glare on adjacent residential properties and roadways;
   - enhanced fencing;
   - preservation of the existing vegetative buffer (cedar hedge) for the purpose of providing a privacy buffer to abutting properties;
   - required structures that clearly address concerns that have been raised regarding storm water management and the potential for flooding, standing water, and problems caused by snow storage melt;
   - if determined to be appropriate, the potential for an underground on-site stormwater management facility; and

e) to ensure there are no land use conflicts between the arterial road and the proposed residential use, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in a noise assessment acceptable to the City of London.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To permit a low density infill development consisting of a 3 storey apartment building with 16 dwelling units with maximum height of 13 metres and to convert the existing single detached dwelling to a two unit dwelling for a total of 18 dwelling units on the property.
Subject Site: 307 Fanshawe Park Rd E
Applicant: The Hampton Group Inc.
File Number: Z-7853
Planner: Craig Smith
Created By: Craig Smith
Date: 2011-01-04
Scale: 1:5000

Location Map

Legend

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers

Corporation of the City of London
Prepared By: Planning and Development
RATIONALE

The proposed Zoning By-law Amendment to permit an 18 unit Low Density Residential intensification development is appropriate and suitable for the development of the subject lands for the following reasons:

- The Provincial Policy Statement and the Official Plan both encourage infill and intensification as it promotes a range of housing types, compact urban form and uses existing infrastructure. The subject site is suited to infill and intensification given its substantial depth and lot frontage and its location on and orientation to the major arterial road, Fanshawe Park Road East;
- The proposed development will be "locked in" through the bonus zone, the proposed bonus zone will only allow for higher intensity residential development if the specific development proposal agreed to is constructed. Alternative low density infill development will not be permitted without a zoning by-law amendment which will allow for full review and consideration;
- The proposed development is compatible with the existing built form;
- The proposed development provides for underground parking, reducing impacts on the abutting properties;
- Existing trees will be retained where possible and significant landscaping is proposed around the perimeter of the subject lands;
- The site is located in close proximity to a major commercial node, transit, and public open space and recreational uses;
- The proposed development utilizes existing infrastructure to service the subject lands; and
- The proposed development, enshrined in the bonus zone, represents quality urban design, will enhance the design amenity of the Fanshawe Park Road East corridor, and incorporates many design features to mitigate impacts on surrounding lands.

BACKGROUND

Date Application Accepted: December 24, 2010
Agent: Zelinka Priamo Ltd.

REQUESTED ACTION: The purpose and effect of this zoning change is to permit a 3 storey apartment building with 20 dwelling units with maximum height of 13 metres and to convert the existing single detached dwelling to a two unit dwelling for a total of 22 dwelling units on the property.

Change Zoning By-law Z-1 from a Residential (R1-8) Zone which permits a single detached dwelling to a Residential R8 Special Provision (R8-1(1)) Zone which permits apartments with a maximum height of 13 metres, a 0.0 metre front yard setback and a lot coverage of 32%.

SITE CHARACTERISTICS:

- Current Land Use – single detached dwelling- detached accessory barn.
- Frontage – 53.3m
- Depth – 105.85m
- Area – 5,651 m2
- Shape – Rectangular
SURROUNDING LAND USES:
- North – Single detached dwellings
- South – Single detached dwellings
- East – Single detached dwellings
- West – Single detached dwellings

OFFICIAL PLAN DESIGNATION: (refer to map on page 5)
- Low Density Residential

EXISTING ZONING: (refer to map on page 6)
- Residential R1 (R1-8)

PLANNING HISTORY
Z-4218- July 23, 1990 –Municipal Council amended the zoning on the property from a Development (D) zone C.P. -952/87 By-law which permitted farms, institutional and sale of produce uses and one-family residential uses to a Special Residential (SR) Zone C.P.-952/87 to permit single detached dwellings with a minimum lot frontage of 24m and minimum lot area of 1,390m².

June 1, 1993, Municipal Council amended all former zoning by-laws in the City of London adopting one comprehensive Zoning By-law Z.-1. The zoning on this property was amended from the Special Residential (SR) Zone C.P.-952/87 to the current Residential R1 (R1-8) Zone which permits single detached dwellings with a minimum lot frontage of 15m and a minimum lot area of 600m².

In 1972 subdivision plan (1007) was registered to develop the lands around 307 Fanshawe Park Road East. On the original plan of subdivision 307 Fanshawe Park Road was a “through” lot as it had frontage on Camden Road and Fanshawe Park Road East. At this time easements were registered over 7 Camden Road, 1277 and 1281 Hastings Drive for stormwater servicing and over 33 and 35 Camden Place to provide for sanitary services. Municipal water is provided from Fanshawe Park Road East. A severance was granted in 1975 to allow for creation of the three lots along the Camden Road frontage, municipally known as 11, 15 and 17 Camden Road.
COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-8

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY, MEDIUM TO HIGH DENSITY APART.
- R9 - MEDIUM TO HIGH DENSITY APARTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTICULATED COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- A&A - ASSOCIATED SHOPPING AREA COMMERCIAL
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- OF - OFFICE
- ORF - OFFICE/RESIDENTIAL
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
- CS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RSC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
- "H" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "F" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON
DEPARTMENT OF PLANNING AND DEVELOPMENT

FILE NO: Z-7853
MAP PREPARED: 2011/02/11 CK

1:4,500
0 25 50 100 150 200 Meters
SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Environmental Engineering Services Department

The City of London's Environmental and Engineering Services Department (EESD) offers the following comment with respect to the Zoning By-Law amendment application:

Storm & Sanitary
- The applicant is advised that the sanitary outlet for the subject lands is a 150mm private drain connection (pdc) in an easement between 33 & 35 Camden Place which connects to the 200mm municipal sanitary sewer on Camden Place.
- The storm outlet for the subject lands is a 200mm pdc in an easement shared between 7 Camden Rd. and 1277/1281 Hastings Dr. which connects to the 1200mm municipal storm sewer on Hastings Dr.

Transportation
- Access to this site will be restricted to right in and right out only. This may require some minor reconstruction of the centre median island on Fanshawe Park Rd.
- The requested special provision of a zero setback from the property line is not supported by EESD. The reduced setback may cause sight line problems around the intersection of Hastings Dr. and driveways off of Fanshawe Park Rd. as well as hinder any future road widening. Zero setbacks do not allow for shared infrastructure or snow storage.

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

The City of London Urban Design Peer Review Panel

Thank you for taking the time to meet with the Urban Design Peer Review Panel to discuss the proposed redevelopment at 307 Fanshawe Road East. The proponent is to be commended for the quality of the Design Brief submitted. The information contained in the Design Brief responded directly to the submission requirements as noted in the Urban Design Brief Terms of Reference. This made for efficient use of time during the presentation to the Urban Design Panel. The panel has the following comments regarding the proposed development:
- The panel commended the proponent for the high quality of the design for the proposed development;
- The panel asked the proponent if any green roof areas had been considered for the areas adjacent to the third level penthouses – these are still under contemplation by the team;
- The panel asked if the driveway setback along the east property boundary could be reduced slightly to allow a wider sidewalk along the building edge and an opportunity for a landscaped bed along the east side of the existing house.

On behalf of the Panel, I again thank you for your submission and wish you the best of luck with this project.

PUBLIC LIAISON:

On January 4, 2011, Notice of Application was sent to 98 landowners in the area. On January 15, 2011, notice of application was published in the Living in the City section of the London Free Press.

127 letters have been received opposing the proposed development including a letter from the Old Stoneybrook Community Association (attached). Two letters did not oppose intensification but did oppose the height of 13m. 12 phone calls were received in opposition of the application.
Nature of Liaison: The purpose and effect of this zoning change is to permit a 3 storey apartment building with 20 dwelling units with maximum height of 13 metres and to convert the existing single detached dwelling to a two unit dwelling for a total of 22 dwelling units on the property.

Change Zoning By-law Z.-1 from a Residential (R1-8) Zone which permits a single detached dwelling to a Residential R8 Special Provision (R8-1( )) Zone which permits apartments with a maximum height of 13 metres, a 0.0 metre front yard setback and a lot coverage of 32%.

Responses: the following is a summary of the main issues raised through the circulation process:

Compatibility - not sensitive to surrounding consistent single detached dwelling built form; height, bulk placement not consistent with existing single detached dwellings; no other multi-family residential development in this area; too big; not a good fit in the neighbourhood.

Traffic - increased traffic load onto Fanshawe Park Road East; cannot turn left into or out of site, will create safety issues with illegal left turns or with increased traffic in the existing residential area; poor sight lines, safety is an issue with cars pulling out, pedestrian safety;

Parking - 48 parking spaces not enough - overflow parking on adjacent streets;

Decreased Property Values - will the City be decreasing property taxes when property values drop?

Security & Tenancy - low income residents and/or students; transient nature of renters - no sense of community

Official Plan, Zoning By-law, PPS - Does not conform with the Low Density Residential designation; should be located in an already designated higher density designation; does not conform with PPS, as it will create health and safety issues; Apartment zoning is not appropriate in single detached dwelling zoned neighbourhood.

Design Considerations - building design - poor choice in building materials, too high, not in keeping with the existing single detached dwellings.

Nuisance - increased lighting, noise from garbage trucks, additional people, cars, snow removal, snow storage, pollution from cars; increased trash around site; loss of sunlight, amenity space, privacy, potential for vermin/rodents;

Stormwater - ponding of stormwater on site will create health issues, can not contain large storm events on site; will cause flooding on abutting properties.

Sanitary - gravity feed is not an option, will require mechanical pumping; failure would cause potential pollution hazard on abutting properties.

Greenspace & Environmental - loss of greenspace and amenity, loss of existing mature trees, sunlight, privacy; loss of habitat for woodland creatures; removal of old mature trees and not replaced or replacing with smaller trees;

Density - too many units on the lot; not low density development, should be directed to high density designated areas.

Precedent - one of many applications to come?; may affect neighborhood stability; will allow for further multi-family developments in the neighbourhood?

ANALYSIS

Subject Site
The subject lands are located on the south side of Fanshawe Park Road East, east of Hastings Drive. The subject lands are a rectangular shaped parcel with an area of 5,651m², a frontage of 53.3m and a depth of 105.8m. The abutting properties are single detached dwellings. The subject lands currently contain an existing one storey single detached dwelling and barn.
Proposed Application

The applicant proposes to construct an apartment building with 16 residential units and to convert the existing single detached dwelling to two residential units. The proposed building will be located in the middle of the lot and sited towards the front lot line along Fanshawe Park Road East. The building will be setback from the front lot line along Fanshawe Park Road East 2.5 metres. The building will have an entrance feature between the front of the building and the lot line which includes an access ramp. The location of the access ramp and the entrance feature requires a 0.0m setback. The proposed apartment is predominantly two storeys in height. The third floor will consist of two penthouse units located on the north and south end of the building. A maximum height of 13m is required to allow for the third level penthouse units. The proposed building and the existing converted dwelling will have lot coverage 32%, 47 vehicle parking spaces will be provided with 42 parking spaces to be provided underground.
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File No: Z-7853
Planner: C. Smith

Proposed Site Plan

2.5m front yard setback

2.5m front yard setback to the building

9.9m side yard setback from the building

9.8m side yard setback to the building

9.7m side yard setback to the building

9.5m rear yard setback to the building

7.9m side yard setback to the existing dwelling

7.1m side yard setback from the stairwell section

Driveway entrance

City bike lane

City sidewalk

Converted Dwelling

Internal Courtyard

Entry to underground parking

Principal pedestrian entrance and access ramp
Proposed Elevations

Front Elevation/ Fanshawe Park Road East

East Elevation
Provincial Policy Statement (PPS)
The Provincial Policy Statement, 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

The PPS promotes and directs efficient land use and development patterns. The proposed development is consistent with Section 1.0 Building Strong Communities and Section 3.0 Protecting Public Health and Safety as it:
- provides for intensification
- provides for redevelopment
- efficiently utilizes existing infrastructure
- provides for a mix of residential uses
- efficiently uses land and resources in the City of London
- provides for the utilization of the existing public transit systems; and
- promotes a healthy community

Official Plan Policy
The Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

Section 2.3 Planning Principles
- The proposed development encourages a compact urban form which is conducive to the maintenance and efficient use of services and facilities and minimizes the loss of productive agricultural land.
- The proposed development directs the redevelopment and intensification activity to an underutilized site that is located on a major arterial corridor in the City of London not adversely affecting existing residential areas.
- The proposed development promotes attractive, functional and accessible site and building design which is sensitive to the scale and character of surrounding uses.

Section 2.4 City Structure Policies
- The site is located on an arterial road, and is appropriate for infill redevelopment to a higher density residential use.
- The proposed development promotes a compact urban form and efficient use of serviced land. The infill development maximizes the use of existing services and minimizes the need for and cost of new infrastructure.
- The proposed amendment will allow a development that provides for a residential use that infills and intensifies the lands at an appropriate scale.

Section 2.9 Energy Conservation Policies
- The proposed development encourages a denser development: contiguous with an existing built up area and promotes the efficient use of existing infrastructure.
- The proposed development provides secure bicycle parking facilities and is located in close proximity to the Fanshawe Park Road East public transit corridor providing transportation alternatives to the automobile.

Section 2.11 Transportation Planning
The proposed development provides for a low-scale form of residential infill development that utilizes existing transit infrastructure.
- Promotes and supports the existing public transit corridor.
- Provides a transit friendly compact development with pedestrian and bicycle linkages to the Masonville commercial node.
Section 2.14 Urban Design Strategies
- The proposed development is consistent with the Urban Design strategies and principles of this Plan
- The proposed development encourages community design that is conducive to the provision and use of transit services.

Section 3.2 Low Density Residential Designation
The subject lands are currently designated "Low Density Residential" in the City of London Official Plan. Permitted uses under the current designation are limited to single detached, semi-detached and duplex dwellings. The low density residential designation allows for a maximum 30 units per hectare except where infill or intensification is proposed in conformity with the Official Plan.

The infill policies define an underutilized site as one that can "reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood." The policies require a "Neighbourhood Character Statement", comprising an inventory of the urban design characteristics of the structures and the natural environment including an assessment of such characteristics as the lots, buildings, streetscapes, topography, street patterns and natural environment. It must be clearly demonstrated that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, massing and architectural treatments.

Infill residential development is encouraged in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities.

- Infill housing may be permitted subject to a set of specific criteria including:
  - permitted forms of infill housing including single detached dwellings, semi-detached dwellings and low rise apartment buildings;
  - infill housing may be allowed up to a density of 75 units per hectare, recognizing the scale of adjacent land uses and enhancing the character of the area;
  - infill housing should be sensitive to the height, scale and architectural design of buildings in the surrounding neighbourhood;
  - infill housing projects should be sensitive to the continuity of the existing residential streetscape;
  - existing municipal services and facilities are to be available and adequate to service the development;
  - adequate off street parking and outdoor amenity areas are to be provided. Parking is to be suitably buffered so as not to intrude visually on adjacent residential properties;
  - the preservation and upgrading of architecturally and/or historically significant buildings is encouraged.

The Neighbourhood Character Statement and The Compatibility reports prepared by architects Tillman Ruth Mocellin inc., dated December 3, 2010 conclude:

The proposed development respects the existing neighbourhood character as follows:

- Buff brick and pre-manufactured wood panels will be used, consistent with the existing dwelling on-site and the siding on neighbouring houses;
- The majority of the development is two-storeys which is similar to the surrounding one and two storey dwelling character of the area;
- "Front yards" for the units will face internally to the site, while the "back yards" of units will face the existing backyards of the surrounding residents; and
- Trees will be maintained where possible.
The proposed development design is compatible with the surrounding neighbourhood, given that it incorporates the following key items, among other things:

- It provides a direct street connection to the existing sidewalk and bike path;
- The proposed development is buffered by a row of trees;
- The proposed development is separated from the properties to the east by a new driveway and courtyard and by the existing residential building;
- The design provides a central courtyard for privacy of both existing residents and residents of the new development;
- The proposed development is on the northern side of the surrounding neighbourhood and maintains a low profile, thus minimizing shadow impacts on surrounding houses;
- The courtyard is on the east side of the development, being sheltered from prevailing westerly winds;
- The rhythm of the at-grade openings along Fanshawe Park Road is defined by vertical stone piers within a glass lane;
- The building massing mimics the one and two storey stepping of surrounding houses;
- The roof lines reflect the varying sloped roofs in the neighbourhood;
- The design of the proposed development is innovative and contemporary but influenced by the historical and contextual elements.

The applicant submitted an Urban Design Brief, included in the brief are the Neighbourhood Character Statement and The Compatibility reports. The project was reviewed by the City of London Urban Design Peer Review Panel on January 19, 2011. UDPRP concluded that:

- The panel commended the proponent for the high quality of the design for the proposed development;
- The panel asked the proponent if any green roof areas had been considered for the areas adjacent to the third level penthouses - these are still under contemplation by the team;
- The panel asked if the driveway setback along the east property boundary could be reduced slightly to allow a wider sidewalk along the building edge and an opportunity for a landscaped bed along the east side of the existing house.

For consideration of this proposal as an infill project, it must be in the form of single detached dwellings, semi-detached dwellings, attached dwellings or a low rise apartment building; not exceed a density of 75 units per hectare. The proposal meets these criteria and therefore an Official Plan amendment to change the designation of the land to Multi-family, Medium Density Residential is not required for consideration of this application.

The proposed development is a low rise apartment with a maximum height of 13m and a density of 32 units per hectare. The proposed development will include the retention of the existing single detached dwelling. The City of London Urban Design Peer Review Panel has reviewed the proposed development and commended the proposal as achieving a high quality urban design.

The proposed development provides for 42 underground vehicle parking spaces and 15 secure underground bicycle parking spaces. The applicant submitted a tree preservation study which intends to maintain the existing trees along the westerly boundary; the applicant submitted a revised tree preservation study that includes consideration of the existing mature City of London boulevard tree. The revised study indicates that it is the intent of the applicant to implement mitigation measures to ensure the City tree is retained. The proposed development will maintain 54% of the lot as open space landscaping.

**Bonus Zoning**

**Objectives of Bonus Zoning**

Bonus Zoning is provided to encourage development features which result in a public benefit which cannot be obtained through the normal development process. Bonus zoning will be used to support the City's urban design principles, as contained in Chapter 11 and other policies of the Plan, and may include one or more of the following objectives:

- a) to support the provision of the development of affordable housing as provided for by 12.2.2.
- b) to support the provision of common open space that is functional for active or passive
recreational use;
c) to support the provision of underground parking;
d) to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;
e) to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements;
f) to support the provision of employment-related day care facilities;
g) to support the preservation of structures and/or districts identified as being of cultural heritage value or interest by the City of London, in consideration for their designation under the Ontario Heritage Act;
h) to support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit;
i) to support the preservation of natural areas and/or features; and
j) to support the provision of design features that provide for universal accessibility in new construction and/or redevelopment.

Implementation of Bonus Zoning
Section 19.4.4 iv) states:
1. As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.

Under the provisions of the Planning Act, a municipality may include in its Zoning By-law, regulations that permit increases to the height and density limits applicable to a proposed development in return for the provision of such facilities, services, or matters, as are set out in the By-law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of the Official Plan.

The main principle for bonusing is that the facilities, services or matters that would be provided in consideration of a height or density bonus should be reasonable “and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted.” The policy further states that the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses or exceeds the capacity of available municipal services.

The proposed development will provide features that are for the public benefit by providing:
1. a centralized courtyard which provides a common open space that is functional for passive recreational use;
2. enhanced urban design features;
3. 54% landscaped open space;
4. 42 underground parking spaces; and
5. 0.0m front yard setback to allow for a pedestrian accessibility ramp.
6. mitigation of building mass.

Zoning
The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal.

Requested zoning
The applicant has requested a Residential R8 (R8-1) Zone. This base would permit apartment buildings at a maximum height of 13.0 metres and a maximum density of 40 units per hectare.
Proposed zoning
Although it is recognized that intensification is possible for this site, and that infill and intensification policies in the Low Density Residential designation can be introduced for this development at this location, it is recommended that the base zone of a Residential R1 (R1-8) Zone be maintained, with a bonusing provision to allow for the specific development proposal submitted with this application. The bonus zone will ensure that the development as shown today is entrenched within an agreement with the City so that all of the elements to be provided by the bonus zone are agreed upon. Any changes to this would require an amendment to the bonus zone and therefore would go through a public process (zoning by-law amendment) and re-evaluation of whether the changed proposal is appropriate.

By keeping the base zoning at R1-8 it ensures that any development proposed on the site beyond one single family detached structure is subject to, at minimum, a zoning by-law amendment which would again require public involvement, comment and ensure that issues such as urban design, site layout, retention of vegetation, etc. are worked through on a consultative basis. It is crucial that the linkage between intensification and good urban design is made, so that the “fit” of the proposed residential infill project as proposed is achieved.

This is an established neighbourhood and any application for intensification and infill needs to ensure that the development brings elements of the neighbourhood into the design, that the scale and form are appropriate in context within the neighbourhood, and that appropriate mitigation and buffering is incorporated into the overall design.

The bonusing provision will be specific to the development as proposed. The bonus zone will require that the maximum height of 13m apply only to allow the rear penthouse unit as proposed (shown below). The height of the front penthouse unit will be 11.4m and the bulk of the height of the two storey middle section of 10m. By comparison the Residential R1 (R1-8) Zone which exists on the property and on the abutting properties allows for a height of 10.5m for a single detached dwelling.

The intent of the bonusing provision is to ensure that the building be constructed as proposed to ensure that the underground parking and design features be provided in consideration of the height of 13m and density of 32 units per hectare. The bonus provision that is specific to this proposed development will not result in a scale of development that is incompatible with adjacent uses or will exceed the capacity of available municipal services.

As shown on the attached cross section below, the height of the building is not greater than 13 metres. Zoning By-law Z.-1 requires the height to be measured from the average grade to the roof line. The height from ground to the roof line in the front of the building is 11.46 metres and the height from the ground to the roof line at the rear is 12.6 metres.
Cross Sections Showing Heights in Relation to Abutting Uses

Rear Yard Cross Section

- 2 storey dwelling on Camden Road
- Location of 13 meter maximum height from average grade
- 12.65 meter height from ground to top of rear penthouse unit

SITE SECTION - NORTH SOUTH DIRECTION

Middle Portion - North South Site Section
Front Portion- North South Site Section

Location of 13 meter maximum height from average grade

11.64 meter height from ground to top of front penthouse unit

Fanshawe Park Road East

Full View- North South Site Section

Location of 13 meter maximum height from average grade
Second and Penthouse Floor Plans
Chapter 11 - Urban Design Principles

The proposed development is consistent with Official Plan policies that allow for bonusing in favour of quality urban design and also require development that is a good fit within infill situations:

- The proposed project provides an appropriate built form height given its location along Fanshawe Park Road and the width of the Public Right-of-Way;
- Parking is located underground and/or behind the built form (not in the front setback), which provides a distinguishable built edge to the public realm;
- The project provides for a residential infill opportunity that creates an active frontage along Fanshawe Park Road by orienting building access and including gathering space along the Public Right-of-Way;
- Underground parking garage is to provide vehicle and bicycle parking along with garbage storage;
- The project retains the original building and incorporates it into the overall design by using design features and materials from the surrounding neighbourhood. These include: pitched roofs; brick masonry and decorative wood elements;
- The proposal is organised around a central amenity space, with landscaping, that provides residents of the site opportunities to socialise;
- Maintaining the existing trees along the western boundary of the site;
- The proposed built form and its massing transitions with the topography of the site to ensure compatibility with the adjoining properties;

The proposed development is an appropriate form and intensity of use on this property. The proposed development was reviewed by the City of London Urban Design Peer Review Panel and was commended for the high quality of the design. The applicant is proposing to locate the vehicular parking underground and provide for landscaped open space of 54%. This removes the need of a large surface parking area from the site further buffeting the use from the existing residential properties. As recommended in the submitted tree preservation study, best practices will be utilized during the construction and post construction phase to maintain the vegetative border barrier (cedar hedging) and the existing trees along the western boundary and the existing City tree in front of lot located in the City's boulevard.

The proposed building will utilize an interior hallway along the interior of the western wall which will remove windows and openings from habitable space along the western side of the building. This will reduce the amount of visual connection from the building on the west side further enhancing the privacy of the properties that abut on the western boundary. The proposed building will mitigate the building mass through:

- variation of height 2 storey and three storey sections
- includes a flat roof which decrease height associated with a pitched roof
- moderation of facades with vertical banding and store piers
- variation of building material
- introduction of vegetation and screening on third storey
- terracing of end units (wedding cake form)

Further Issues Raised Through Circulation of the Application

Traffic and Noise Impacts

Area residents expressed the following concerns about potential traffic impacts, including:

- Fanshawe Park Road has too much traffic and the proposed development will increase the amount of traffic on Fanshawe Road East.
- Access to this site will create unsafe conditions resulting in increased vehicular accidents on Fanshawe Park Road East and Hastings Drive and will create unsafe conditions with the existing bike path.
- Will result in increased traffic in the neighborhood to accommodate turning maneuvers to access the site.
Environmental and Engineering Services Department staff have indicated that the development is not of a sufficient size to pose a concern for increased traffic volumes. A Traffic Impact Study was not required to be submitted as part of this application. A right in right out will be required as well as improvements to the centre median on Fanshawe Park Road East. The expected traffic flow is unlikely to contribute substantially to the existing traffic flow on Fanshawe Park Road East and should not impact existing pedestrian and vehicular safety. The City of London Environmental Services Department did express concerns regarding the requested special provision of a zero setback from the property line.

The proposed building will be set back 2.5m from the front lot line. Zoning By-law Z-1 Section 4.27 allows for all ramps and stairs to project into all required yards unlimited. The intent of the 0.0m setback is to ensure that the ramp and entrance feature be permitted to be located along the front lot line.

The concern regarding the 0.0 metre front yard setback and any other transportation requirements related to the development of this site will be identified and addressed at the public Site Plan Approval stage.

**Lighting**

Area residents expressed concerns that lighting will be directed onto the abutting residential uses.

Through the public Site Plan Approval process the applicant is required to enter into a development agreement which specifically requires: All lighting of the site shall be oriented and its intensity controlled so as to prevent glare on adjacent roadways and residential properties to the satisfaction of the Director of Building Controls.

**Fencing**

The abutting property owners raised questions including: what is the requirement for fencing; and can enhanced fencing be required.

Through the public Site Plan Approval process enhanced fencing can be required. The type of fencing will be reviewed during the public Site Plan Approval process and will be enforceable through the schedules/details shown on the site and landscape plans in the Development Agreement.

**Garbage**

Concerns were raised regarding the outdoor storage and the location of the pick up space at the rear of the property. Noise, odour and the attraction of pests were the main consideration regarding the outdoor location.

The location of the garbage storage inside the building and location of pickup area at the front of the property will be considered through the public Site Plan Approval process.

**Snow Storage**

Is there sufficient snow storage and are there specific requirements to have a dedicated snow storage space?

Section 1.4 of the Site Plan Design Manual requires that snow storage areas be provided. The location of the snow storage areas will be considered through the public Site Plan Approval process and snow melts is to be considered through the site plan review process as it relates to storm water management.

**Housing tenure and decreased property values**

Some members of the public expressed concerns that the use of the building, combined with the proposed built form, would reduce the saleability and price of the surrounding homes. Conclusive information regarding the impact on property values associated with higher density
forms of housing or tenure characteristics is difficult to determine. Very often the impact on property values is related to such matters as the design of the higher density development, property upkeep and maintenance, property management, and the quality of construction. These issues relate more to the design and management of the use rather than the actual use itself. Municipal planning is not based on property values, but rather on assessing issues such as planning impact, appropriate land use, scale, density, massing and design.

**Amount of parking**

Concern was raised that not enough parking is provided on site and will create parking issues in the neighbourhood.

Zoning By-law Z.-1 requires that all required parking is provided on the lot. The current proposal shows 42 underground and 6 surface parking spaces on the site. The Zoning By-law requires one parking space per unit for an apartment use. The by-law would require a minimum of 22 parking spaces be provided for an apartment use. The applicant is proposing 48 spaces be provided on the site.

**Servicing**

**Stormwater Management**

Neighbourhood residents expressed concerns that due to the existing slope of the land, water run-off and pooling onto surrounding yards is already an issue. A further concern was that proposed ponding to control peak runoff would result in health and safety hazards.

The applicant’s engineer, Whitney Engineering Inc, concluded that the existing municipal storm sewer between 7 Camden Rd. and 1277/1281 Hastings Drive is sufficient with the inclusion of a onsite catch basin and surface ponding to be utilized to control rainfall runoff.

The Engineering and Environmental Services Department did not express any concerns about the ability of the developer to achieve an acceptable stormwater management solution on this site. EESD referenced their December 2008 report to Council from the Director of Wastewater and Treatment titled Storm Drainage and Stormwater Management (SWM) Design Standards and Requirements for Permanent Private Systems which specifically recommends the proposed system as an acceptable engineering solution.

**Sanitary Waste Management**

Area residents expressed concerns about the age and adequacy of the existing sanitary sewer. They were also concerned about where the pump would be located, and whether there would be potential noise impacts.

The consulting engineer indicated that the 200m sanitary sewer easement between 33 and 35 Camden Place can be used to service the site. He further noted that a lift pump will likely be required to eject the lower floor storm water 2 to 3 feet before gravity flows can be achieved.

The Engineering and Environmental Services Department has indicated that lift pumps have been used as an acceptable engineering solution in similar situations at other locations within the City. The pumps are normally located within the building and would not create noise impacts for neighbouring properties.

**Precedent Setting**

The public raised issues with respect to the precedent that this type of development may set within the area if it is approved. Of particular concern is the possibility of the large estate lots east of the property that front Fanshawe Park Road East. Each application is considered on its merits and within the context of the applicable policy framework, good planning principles and with input from the applicant, members of the public and other stakeholders.

**Additional considerations**
Holding provisions and requirement for public site plan
Planning staff have recommended that a public site plan meeting be held. As well, with the specificity of the bonus zone, substantive changes to the design concept, even with such things as substantial changes in building material or window placement or roof line will require an amendment to the bonus zone. This sets an expectation both from the neighbourhood and from the developer and the City that the development will be built as designed. It is acknowledged, though that there needs to be some flexibility to the design to address more minor changes that emerge as necessary through the more detailed site plan process. Some neighbours indicted that an underground stormwater management facility should be constructed this should be addressed at the more detailed site plan process. The property is located along a major arterial road in the City of London. To mitigate any possible negative impacts on the residential amenities of the proposed development from the arterial road, a noise assessment and any attenuation measures will be implemented to the satisfaction of the City of London prior to the removal of holding provision.

CONCLUSION
The subject lands are considered to be an underutilized lot appropriate for residential infill and intensification. The proposed development of a low-rise apartment building and a converted dwelling is consistent with the Provincial Policy Statement and the City of London Official Plan policies for Residential Intensification.

Bonus zoning is implemented through a development agreement with the City that is registered on title to the lands. The development agreement is intended to "lock in" the development as proposed, such that the design features, services and matters will be delivered in favour of the bonus on height and density. Through the public site plan process Council will review the site plan to ensure that all benefits that have warranted bonusing have been incorporated into the development agreement.
Responses to Public Liaison Letter and Publication in "Living in the City"

**Telephone:**

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<tr>
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Bibliography of Information and Material – Z-7853

Request for Approval

Planning Justification Report prepared by Zelinka Priamo Ltd December 10, 2010;

Functional Servicing Report prepared by Whitney Engineering Inc. December 2, 2010;

Tree Preservation Report prepared by Ron Koudys December 2010; and

Urban Design Brief prepared by architects Tillman Ruth Mocellin (aTRM) December 3, 2010

Reference Documents

Ontario. Ministry of Municipal Affairs and Housing. Provincal Policy Statement, March 1, 2005

City of London. Official Plan, June 19, 1989, as amended

City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended

Agency Review and Public Responses: (located in City of London File No. Z-7583 unless otherwise stated)

City of London

WHEREAS the Hampton Group Inc. has applied to rezone an area of land located 307 Fanshawe Park Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 307 Fanshawe Park Road East, as shown on the attached map comprising part of Key Map No. 18, from a Residential R1 (R1-8) Zone to a Holding Residential R1 Bonus (h-5*h-54*R1-8*B-) Zone.

1) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

4.3

The subject site is being bonused for:

1. enhanced urban design features:
   - The proposed project provides an appropriate built form height given its location along Fanshawe Park Road and the width of the Public Right-of-Way;
   - Parking is located underground and/or behind the built form (not in the front setback), which provides a distinguishable built edge to the public realm;
   - The project provides for a residential infill opportunity that creates an active frontage along Fanshawe Park Road by orienting building access and including gathering space along the Public Right-of-Way;
   - Underground parking garage is to provide vehicle and bicycle parking along with garbage storage;
   - The development retains the original building and incorporates it into the overall design by using design features and materials found in the surrounding neighbourhood. These include: pitched roofs; brick masonry and decorative wood elements;
   - The proposal is organised around a common open space, with landscaping, that provides residents of the site opportunities to socialise;
   - Maintaining the existing trees along the western boundary of the site;
   - The proposed built form and its massing transitions with the topography of the site;
   - Mitigation of the building mass through:
     - variation of height 2 storey and three storey sections
     - includes a flat roof which decrease height associated with a pitched roof
     - moderation of facades with vertical banding and store piers
     - variation of building material
     - introduction of vegetation and screening on third storey
     - terracing of end units (wedding cake form)

and the following services and matters:

2. a centralized courtyard which provides a common open space that is functional for passive recreational use;
3. 54% landscaped open space;
4. 42 underground parking spaces; and
5. 0.0m front yard setback to allow for a pedestrian accessibility ramp.

The building design will be in accordance with the elevations sections, and site plan attached as Appendix "B" of this By-law, which includes one apartment building, 16 units, 3 storeys in height (maximum 13.0 metres), and a converted dwelling with two units.

The following regulations apply with the approved site plan:
Permitted Uses: Apartment and a converted two unit dwelling
Lot Area (minimum): 5,651 square metres
Lot Frontage (minimum): 53.3 metres
Front Yard Setback (minimum): 0.0 metres
Interior Side Yard - east (minimum): 7.2 metres to the converted dwelling
Interior Side Yard- east (minimum): 9.8 metres to the apartment building
Interior Side Yard - west (minimum): 7.1 metres to the stairwell
Interior Side Yard- west (minimum): 9.7m to the apartment building
Rear Yard Depth (minimum): 9.5 metres
Landscaped Open Space (%) (minimum): 54%
Lot Coverage (%) (maximum): 32%
Height (maximum): 13.0 metres
Density – units per hectare (maximum): 32
Parking: 42 underground spaces and 5 surface spaces
Secure Bicycle Parking: 15 Minimum

The cumulative impact of using this bonusing provision shall result in a density not greater than 32 units per hectare (79 units per acre) and a building height not greater than 13 metres (42.6 feet).

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with section 34 of the Planning Act, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on April 18, 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - April 18, 2011
Second Reading – April 18, 2011
Third Reading - April 18, 2011
Front Elevation/ Fanshawe Park Road East

East Elevation
South Elevation

West Elevation
February 10, 2011

The City of London Planning Division
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9
Attention: Craig Smith / John Flemming

Re: File Z-7853 307 Fanshawe Park Road (The Hampton Group)

Dear Sirs,

Before we begin our detailed objection to the above-noted proposal, allow us to introduce ourselves. We are The Old Stoneybrook Community Association. We represent a neighbourhood that has been physically established and grown together as a diverse and inclusive community over the course of many years.

Some of us are retired persons who have raised our families here and now welcome our visiting grandchildren. Some of us are recently arrived to Canada and have chosen this city and, in particular, this beautiful old neighbourhood in which to make a new life. Some of us lived here as children and have chosen to return and watch our children grow up here like we did. Some of us are young families who have fallen in love with this quiet and safe, “kid-friendly” neighbourhood. We are owners and renters, families and empty-nesters, single and married. We are a community.

As stated in Section 2.2.1. (Vision Statement) of the City of London Official Plan, “Londoners identify with their communities and place a high priority on the protection of community character.” This is especially true of the Stoneybrook neighbourhood. We have listed below our objections to the development proposed for 307 Fanshawe Park Road East, by the Hampton Group, and detailed how the proposal violates not only the vision that Council has set out for growth and change for the City of London, but also the Official Plan itself.

1) Height of Proposed Building

The drawings show a 3-storey, 42.5 foot (approx. 13 m) high building. However, the drawings are misleading. The fall from front to rear of this property is over 8.5 feet, north to south and there is also an indication that the grade is to be raised at the north end of the lot. From the vantage point of existing adjacent homes, which range in height from 6 to 10 metres, the proposed building will seem even taller. At the north end, the grade for existing homes will be so much lower than that of the proposed building that its 3 stories will seem much taller. At the south end, due to the slope of the land, the building will be almost twice the height of the 2 storey homes on adjacent properties. Single storey homes to the south of the property will look up at what will seem like a monstrosity. Not only will a building of this height have an
extremely adverse impact on the surrounding neighbourhood but it also contravenes numerous sections and subsections of the Official Plan, including:

- Vision Statement (2.2.1.), subsection vii) *Apply urban design objectives and guidelines to assist in the protection and enhancement of neighbourhood and streetscape character* ...[and] provide for the blending of infill and redevelopment projects with their surroundings ...
- Vision Statement (2.3.1.), subsection vi) *An Official Plan should enhance the character of residential areas and direct redevelopment and intensification activities to locations where existing land uses are not adversely affected.*
- subsection vii) *Land use planning should promote attractive ... building design which is sensitive to the scale and character of surrounding uses*
- subsection viii) *While it is recognized that there may be redevelopment, infill and intensification in some established residential neighbourhoods, higher intensity land uses will be directed to locations where the character of the residential area is enhanced and existing land uses are not adversely affected.*
- Vision Statement (2.13.2), subsection i) *Land use intensification within existing communities will be controlled ... maintaining compatibility with streetscapes and other aspects of neighbourhood character;*
- Vision Statement (2.14.2), *It is a goal of this Plan to promote, a high standard of architectural, landscape and community design that is sensitive to the character of the surrounding uses and streetscapes...*
- Official Plan (3.1.1.), subsection vi), Encourage infill residential development in residential areas where existing land uses are not adversely affected ...
- Official Plan (3.2.2.) *Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy.*
- Official Plan (3.2.3.) *Residential Intensification projects shall use innovative and creative urban design techniques to ensure that character and compatibility with the surrounding neighbourhood are maintained as outlined in policy 3.2.3.3 and 3.2.3.4.*
- Official Plan (3.2.3.1) Underutilized sites are defined as those sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood.
- Official Plan (3.2.3.2.) *Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area.*
- Official Plan (3.2.3.5.), subsection iii) (c) *New development should provide for a diversity of styles, continuity and harmony in architectural style with adjacent uses;*
- Official Plan (3.2.3.8.) *Zoning By-law provisions will ensure that new development recognize the scale of adjacent land uses and are compatible with the character of the area.*
- Official Plan (3.3.2.), subsection i) Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.
- Official Plan (3.3.3.), subsection ii) *Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre)... Where exceptions to the usual density limit ... are made, the height limitations prescribed in Section 3.3.3.(i) will remain in effect...*
2) **Loss of Privacy for Surrounding Residents**

We cannot stress enough the fact that this proposed development is unreasonably large for this lot, so much so that it does not allow for adequate set-back from the property lines of neighbouring homes. Residents on all 3 adjacent sides — Hastings Drive, Camden Road and Camden Place — will, if this plan is approved, suffer a significant loss of privacy made all the worse by the planned removal of most of the site's trees.

Again, this large building will loom over and peer into the back yards of existing adjacent homes, all of which are single, 1 ½ storey and 2 stories high. Three stories is already completely out of character with the surrounding neighbourhood but when the 8.5 foot drop at the south end of the property is considered, the building will be more like a 4 storey structure at that end.

For residents on the west side of Camden Place, this loss of privacy will be significantly worsened by the fact that, for all intents and purposes, they will have a road at the front of their homes and a road at the back with the resulting traffic noises, air and light pollution, noisy garbage and snow removal and a complete loss of backyard privacy.

One’s backyard and private home should be one’s oasis and a respite from the busy world around them. This proposed encroachment on our residents' private spaces would be a devastating loss to them and a blatant violation of several parts of The Official Plan. For example,

- Vision Statement (2.2.1.), subsection vii) *Apply urban design objectives and guidelines to assist in the protection and enhancement of neighbourhood and streetscape character ...[and] provide for the blending of infill and redevelopment projects with their surroundings ...*
- Vision Statement (2.3.1.), subsection vi) *An Official Plan should enhance the character of residential areas and direct redevelopment and intensification activities to locations where existing land uses are not adversely affected.*
- subsection vii) *Land use planning should promote attractive ... building design which is sensitive to the scale and character of surrounding uses*
- subsection viii) *While it is recognized that there may be redevelopment, infill and intensification in some established residential neighbourhoods, higher intensity land uses will be directed to locations where the character of the residential area is enhanced and existing land uses are not adversely affected.*
- Official Plan (3.2.2.) *Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy.*
- Official Plan (3.2.3.1.) *Underutilized sites are defined as those sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood.*
- Official Plan (3.2.3.2.) *Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses ...*
- Official Plan (3.2.3.8.) *Zoning By-law provisions will ensure that new development recognize the scale of adjacent land uses and are compatible with the character of the area.*
- Official Plan (3.3.2.), subsection i) *Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale and continued ...
setbacks and shall not adversely impact the amenities and character of the surrounding area.
- Official Plan (3.3.3.), subsection ii) Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre)...Where exceptions to the usual density limit ... are made, the height limitations prescribed in Section 3.3.3.(i) will remain in effect...

3) Density Increase and Inadequacies of Existing and/or Proposed Infrastructure

The land use designation for this property is currently low density residential (R-1). Based on the lot size of 1.4 acres, the current zoning allows for a maximum of 16.8 units. The applicant is proposing a density beyond the low density designation parameters (22 units) and has not applied for an official plan amendment to change the land use designation from low density to medium density. Surrounding properties on both the north and south side of Fanshawe Park Road East are all currently zoned Low Density Residential.

The proposed intensification of this site would cause numerous problems for surrounding residents the most serious of which are listed below:

a. Snow Removal
With such a tight arrangement presented on this small site, the availability to stockpile cleared snow from the access road, and sidewalks is not at all possible. This means moving of excess snow off-site will be required, most likely at odd hours of the night, which will be very disruptive to neighbours.

b. Garbage Storage/Removal
The proposal indicates that garbage will be stored in the underground parking garage and brought to a dedicated site, above-ground, for collection. We presume that garbage will not be collected immediately upon transfer from the underground parking but would sit for a period of time – perhaps days – in a metal dumpster. The above-ground garbage storage site is located directly behind existing residents’ backyards – many of them with swimming pools. The unsightly appearance of one or more large dumpsters directly behind the backyards of area residents is unimaginable. The smell of the rotting garbage alone will make it nearly impossible for residents to enjoy their backyards in warm weather. When pest problems, including rodents, insects, etc., are taken into consideration the situation passes from merely extremely unpleasant to a serious health concern as well.

Again, as with snow removal, we anticipate that garbage pick-up, with the loud banging of dumpsters and trucks “beeping”, would be a noisy and intrusive event for surrounding residents.

c. Water Run-off
Due to the existing slope of the land, water run-off and pooling onto surrounding yards is already an issue for residents who abut this property. These issues will likely get worse for reasons which include, the applicant’s plan to increase the slope of the land; the applicant’s plan to remove most of the 51 trees on the site; and the applicant’s plan to build on and/or pave over 66% of the lot, leaving only 33% of natural ground cover to absorb rainfall, snowmelt, etc.

One of the infrastructure deficiencies with existing utilities is the inability to successfully...
discharge storm water from the site without the implementation of a Storm Water Retention pond to accommodate flows. The proposed size for the Storm Water Retention Pond is 25 feet by 164 feet with a depth of approximately 4.5 feet. With the large development proposed for this relatively small lot there is absolutely no room on this site for any pond let alone one as large as the one proposed.

What is more, the plan shows no indication of any fencing around this pond. Having such a large, deep, unfenced body of water in the midst of a neighbourhood full of small children poses a serious safety hazard. In addition, heavy rains and the spring melt will provide the perfect breeding ground for mosquitoes and the West Nile virus.

d. High Water Table

Included with the applicant's proposal is a report by Trow Associates, dated Oct 12, 2010, indicating the site has a very high water table which will cause difficulty with new sewer installations and with the ability to maintain dry conditions for a proposed underground parking garage, the floor of which will be under water.

Due to the existing easement invert of the sanitary sewer, there is a requirement for a mechanical sewage pump to drain the lower parking garage, noted in the Whitney Engineering Inc. report dated Dec 02, 2010, causing a potential pollution hazard to all adjacent properties in the event of mechanical failure under siphon. Gravity drainage is simply not possible for this development.

Imposing a development of this size right in the middle of a Low Density neighbourhood not only strains existing infrastructure, it also contravenes the Official Plan as follows:

- Vision Statement (2.2.1.), section vii) Apply urban design objectives and guidelines to assist in the protection and enhancement of neighbourhood ... provide for the blending of infill and redevelopment projects with their surroundings ...
- Vision Plan (2.3.1.), subsection ii) Land use planning should promote compatibility among land uses in terms of scale, intensity of use and potentially related impacts.
- subsection iii) Land use planning should be conducive to the maintenance and enhancement of environmental quality...
- subsection viii) While it is recognized that there may be redevelopment, infill and intensification in some established residential neighbourhoods, higher intensity land uses will be directed to locations where the character of the residential area is enhanced and existing land uses are not adversely affected.
- Vision Plan (2.13.2.), subsection i) Land use intensification within existing communities will be controlled so that it contributes to the efficient use of existing services and infrastructure while maintaining compatibility with streetscapes and other aspects of neighbourhood character;
- Official Plan (3.1.1.), subsection v) Direct the expansion of residential development into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints, and in a form which can be integrated with established land use patterns.
- subsection vi), Encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities.

continued ...
- subsection vii), Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing; or residential and non-residential uses.
- Official Plan (3.1.2.), subsection i), Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected.
- Official Plan (3.2.1.) The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Infill housing and conversions may be permitted subject to the provisions of policies 3.2.3., 3.2.4., and 3.2.5. Zoning on individual sites would not normally allow for the full range of permitted uses.
- Official Plan (3.2.2.) Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy.
- Subsection i) The development of low density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-Law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses, and shall result in net densities that range to an approximate upper limit of 30 units per hectare (12 units per acre).
- Official Plan (3.2.3.1.) Underutilized sites are defined as those sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood.
- Official Plan (3.2.3.5.), subsection i) Sensitivity to existing private amenity spaces as they relate to the location of the proposed building entrances, garbage receptacles ... that may impact the use and privacy of such spaces
- subsection ii) The use of fencing, landscaping and planting buffers to mitigate impacts of the proposed development on existing properties ...
- subsection iv) For Residential Intensification projects proposed on lands designated Low Density Residential, or projects requiring an Official Plan amendment to more intensive residential land use designation, or projects requesting bonus zoning pursuant to policy 19.4.4. shall apply policy 3.2.3.3. neighbourhood character statement, 3.2.3.4. statement of compatibility and policy 3.7.2.1. respectively
- Official Plan (3.2.3.8.) Zoning By-law provisions will ensure that new development recognize the scale of adjacent land uses and are compatible with the character of the area.
- Official Plan (3.3.2.), subsection i) Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.
- subsection ii) Adequate municipal services can be provided to accommodate the needs of the development.
- subsection iv) The site or area is of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses.
- Official Plan (3.3.3.), subsection ii) Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre) ... Where exceptions to the

continued ...
usual density limit ... are made, the height limitations prescribed in Section 3.3.3.(i) will remain in effect...

4) Sun/Shade Study

The applicant's proposal shows the results of a sun/shade study, reported at 2:00 pm. Not surprisingly, the study did not show any significant results for easterly neighbours, as the sun is almost directly overhead at that time of day. This type of study should have been conducted throughout the entire day to adequately disclose the true loss that can be expected of sunshine and reasonable enjoyment of the surrounding backyards. Due to the extreme height of the proposed building, residents to the west, on Hastings Drive face losing all sunshine in their yards and houses prior to the noon hour and residents to the east, on Camden Place, face the same loss in the afternoon and evening. This is in violation of:

- Official Plan (3.2.2.), Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing...

5) Visitor parking

The applicant’s proposal shows a total of 4 dedicated visitor parking spaces. The proposal also shows an allowance of 2 parking spaces per dwelling unit in the 20-unit building (40 spaces in total) and 1 parking space per dwelling unit in the 2-unit (existing) farmhouse (2 spaces in total). There is no other on-site visitor parking available. The overflow parking will have to go somewhere and, without a doubt, it will end up on the streets of Stoneybrook. The increased traffic in Stoneybrook caused by visitors and service vehicles searching for parking will present a serious safety concern for pedestrians and children playing in neighbouring cul-de-sacs and yet another violation of The City’s Official Plan:

- Vision Plan (2.3.1.), subsection ii) Land use planning should promote compatibility among land uses in terms of scale, intensity of use and potentially related impacts.
- Official Plan (3.1.1.), subsection vi) Encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities.
- Official Plan (3.2.3.5.), subsection i) Sensitivity to existing private amenity spaces as they relate to the location of the propose d... parking areas and other features that may impact the use and privacy of such spaces
- subsection iii) (g) Parking ... should be located and designed to facilitate maneuverability on site and between adjacent sites
- Official Plan (3.3.2.), subsection i) Development of the site or area for medium density residential uses ... shall not adversely impact the amenities and character of the surrounding area.
- subsection iii) Traffic to and from the location should not have a significant impact on stable, low density residential areas.

6) Tree removal

The property at 307 Fanshawe Park Road displays over 51 assorted trees, some very large, and beautiful. However, if the applicant is to fit the planned 22 units onto this inadequately-sized lot, the majority of these trees must be cleared, according to the applicant’s proposal. In addition, Landscape Architect, Ron Koudys continued...
warns that "There is no guarantee however, that the trees retained will not be impacted." The developer has shown no apparent regard for any of the trees on this property. If the proposed development were more in keeping with the existing zoning by-law and the surrounding neighbourhood, a greater number of trees could be preserved which would, in turn, mitigate some of the other problems with this proposal such as loss of privacy, water run-off, garbage removal, snow removal and visitor parking.

The applicant's complete disregard for the preservation of the natural features of the site contravene The Official Plan as follows:

1. Vision Statement (2.2.1.), subsection i) Manage growth and change so that efforts ... protect and enhance nature within the City...
2. Vision Statement (2.3.1.), subsection iii) Land use planning should be conducive to the ... conservation of natural ... resources
3. Vision Statement (2.14.2.) It is a goal of this Plan to promote, a high standard of architectural, landscape and community ... that provides for the protection of significant natural features
4. Official Plan (3.2.3.5.), subsection iii) (b) The form and design of residential intensification projects should complement and/or enhance any significant natural features that forms part of the site or are located adjacent to the site;
5. Official Plan (3.3.2.) subsection iv) The site or area is of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses.

7) Traffic Safety

The proposed development shown on the site plan by Whitney Engineering does not allow for a large increase in vehicles entering/exiting the complex, since no right-turn (exit) lane for eastbound entry to the site is evident. There is an LTC bus bay immediately west of this property on Fanshawe Park Road, which makes it impossible, according to City of London Design Standards, to add such a lane to get slow moving vehicles off of Fanshawe Park Road. The posted speed limit on this stretch of Fanshawe Park Road is 60 km/hr with many vehicles exceeding the posted limit. With the combination of buses stopping just west of the entry point; cars slowing to turn into the site; plus a busy intersection just metres away, the result could very well be gridlock and many more accidents at this corner.

The proposal also leaves unanswered the question as to how vehicles travelling westbound on Fanshawe Park Road East will enter the site.

The busy intersection of Hastings Drive (west) and Fanshawe Park Road already realizes dozens of major accidents each year. Vehicles wishing to change direction on Fanshawe Park Road also turn south onto Hastings or north onto Jennifer and use near-by driveways and cul-de-sacs (Pinheurst to the south or Generoux to the north) to accomplish this task. With the driveway to 307 Fanshawe just metres from this intersection, and the cars of residents, visitors and service/delivery companies entering and exiting that driveway, existing traffic problems will only be exacerbated.

The Design Brief shows a zero lot line on the front (north) side of the building. This scenario will present bicycle lane, pedestrian, and traffic hazards, as vehicles enter and exit the development. The decreasing grade of the property and resulting sloping driveway, together with nearby sound barrier walls, will
significantly reduce the visibility of vehicles exiting the property and prove extremely dangerous for passing vehicles, cyclists, LTC customers and pedestrians and is in violation of The Plan as follows:

- Vision Statement (2.2.1.), subsection i) *Manage growth and change so that efforts to foster economic development ... provide for the efficient movement of people and goods...*
- Vision Statement (2.3.1.), subsection vii) *Land use planning should promote ... accessible site and building design which is sensitive to the scale and character of surrounding uses.*
- Vision Statement (2.14.2.) *It is a goal of this Plan to promote, a high standard of ... community design that is ... conducive to pedestrian accessibility, safety, circulation and use...*
- Official Plan (3.1.1.), subsection v) *Direct the expansion of residential development into appropriate areas according to availability of municipal services ... and in a form which can be integrated with established land use patterns.*
- Official Plan (3.2.3.5.), subsection iii) (g) *Parking and driveways should be located and designed to facilitate maneuverability on site and between adjacent sites, and to reduce traffic flow disruption to and from the property*  
  subsection iii) (h) *Projects should have regard for the neighbourhood organizing structure. Building and site designs should facilitate easy connections to and around the site to public transit.*
- Official Plan 3.3.2., subsection iii) *Traffic to and from the location should not have a significant impact on stable, low density residential areas.*

Finally, in applying to make a change such as the one the Hampton Group is proposing to make in the Stoneybrook neighbourhood, the applicant is obliged to provide a Neighbourhood Character Statement as laid out in Section 3.2.3.3. of the City of London Official Plan.

- An inventory of the urban design characteristics of the structures and the natural environment within a neighbourhood shall be undertaken by the applicant, as outlined in section 3.7.3.1. of the Plan. The physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment are some of the elements that collectively determine much of the character of a neighbourhood and its streetscape. A well organized and documented understanding of a neighbourhood’s character is an effective tool in assessing the appropriateness of a proposed change and the implications the change may have on the character of a neighbourhood.

In addition, the applicant is obliged to prove the Compatibility of Proposed Residential Intensification as laid out in Section 3.2.3.4. of the Official Plan.

- As part of an application for residential intensification, the applicant shall be required to provide an adequately detailed statement of the compatibility, where it is clearly demonstrated that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, massing and architectural treatments as outlined in section 3.7.3.1. of the Plan.

Upon studying the Hampton Group’s proposal it becomes apparent very quickly that they have complied with neither of the above. In addition, their proposal contravenes both the Vision Statement of the Official Plan and the Official Plan itself in many ways as we have outlined above.

Given the above, we trust that you will agree with the residents of the Stoneybrook Community and reject this application by the Hampton Group and recommend against amending the current zoning by-law as it
applies to 307 Fanshawe Park Road East.

Sincerely,

Old Stoneybrook Community Association

John Reehill
Chair

cc: James Yanchula, Manager Community Planning
    Mayor Joe Fontana
    Bud Polhill, City Councillor, Ward 1
    Bill Armstrong, City Councillor, Ward 2
    Joe Swan, City Councillor, Ward 3
    Stephen Orser, City Councillor, Ward 4
    Joni Baechler, City Councillor, Ward 5
    Nancy Branscombe, City Councillor, Ward 6
    Matt Brown, City Councillor, Ward 7
    Paul Hubert, City Councillor, Ward 8
    Dale G. Henderson, City Councillor, Ward 9
    Paul Van Meerbergen, City Councillor, Ward 10
    Denise T. Brown, City Councillor, Ward 11
    Harold Usher, City Councillor, Ward 12
    Judy Bryant, City Councillor, Ward 13
    Sandy White, City Councillor, Ward 14

continued ...