

BNEC.04

--	--

File No: Z-7976
Planner: C. Smith

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: LONDON PROPERTY GROUP 311-319 WHARNCLIFFE ROAD NORTH AND 46-50 BEAUFORT STREET PUBLIC PARTICIPATION MEETING ON FEBRUARY 6, 2012.

RECOMMENDATION

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of London Property Group relating to the properties located at 311-319 Wharncliffe Road North and 46-50 Beaufort Street;

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 21, 2012 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of the subject property **FROM** a Residential R2 Special Provision (R2-3 (2)) Zone which permits single detached, semi detached and converted dwellings to a maximum of two units with a maximum floor area ratio of 40% and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone which permits multi unit residential uses including apartments with a maximum height of 13 metres and a maximum floor area ratio of 80% **TO** a Holding Residential R8 Special Provision (h*h-5*R8-4 (_)) Zone to permit the above listed uses and apartment buildings with a density of 75 units/ha (37units), a 3.1 metre front yard setback, interior and rear yard setbacks of 2.9 m, a maximum floor area ratio of 142%, a maximum height of 14m to a depth of 40m from the Wharncliffe Road North road allowance, a maximum height of 11m on the balance of the property, 0 secure bicycle parking spaces and 50 vehicle parking spaces minimum. Holding provisions require that a development agreement be entered into and a public site plan meeting be held.

- b) Subject to Policy 19.1.1. of the Official Plan, the subject lands, 311-319 Wharncliffe Road North, **BE INTERPRETED** to be located within the "Multi Family Medium Density Residential" designation.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to permit a 21 unit, three storey (14 metre), tall apartment building at the front of the property and to allow for a 16 unit, three storey (11 metre) tall apartment building to be constructed in the rear of the property.

--	--

File No: Z-7976
 Planner: C. Smith



<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 311-319 Whamcliffe Rd N and 46-50 Beaufort St Applicant: London Property Group File Number: Z-7976 Planner: Craig Smith Created By: Craig Smith Date: 2011-12-14 Scale: 1:2500</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

--	--

File No: Z-7976
Planner: C. Smith

RATIONALE

The proposed zoning amendment to permit apartment buildings with a density of 75 units/ha (37units), a 3.1 metre front yard setback, interior and rear yard setbacks of 2.9 m, a floor area ratio of 142%, a maximum height of 14m, 0 indoor secure bicycle parking spaces and 50 vehicle parking spaces minimum is appropriate as:

1. The recommended amendment is consistent with the polices of the Provincial Policy Statement (2005);
2. The proposed amendment is consistent with the Multi Family Medium Density Residential policies of the City of London Official Plan;
3. The recommended amendment is consistent and compatible with the existing and proposed uses in the area; and
4. The holding provisions have been added to ensure that a public site plan meeting is held and a development agreement is entered into with the City of London to ensure compatibility with abutting residential uses.

The Multi Family Medium Density Residential designation for this property meets the intent of Section 19.1.1 (interpretation of designation boundaries) of the City of London Official Plan as:

1. The property is oriented to the Wharncliffe Road North corridor;
2. The depth of the designation is consistent with the depth of the existing multi- family zoning on the property and the property that abuts to the south; and
3. There are no natural features that delineate the designation boundary.

BACKGROUND

<p>Date Application Accepted: September 29, 2011, revised application accepted December 14, 2011</p>	<p>Agent: Zelinka Priamo Ltd. c/o Harry Froussios</p>
<p>REQUESTED ACTION: Change Zoning By-law Z.-1, FROM a Residential R2 Special Provision (R2-3 (2)) Zone which permits single detached, semi detached and converted dwellings to a maximum of two units with a maximum floor area ratio of 40% and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone which permits multi unit residential uses including apartments with a maximum height of 13 metres and a maximum floor area ratio of 80% TO a Holding Residential R8 Special Provision (h*h-5*/R8-4 (_)) Zone to permit the above listed uses and apartment buildings with a density of 75 units/ha (37units), a 3.1 metre front yard setback, interior and rear yard setbacks of 2.9 m, a floor area ratio of 142%, a maximum height of 14m, and 50 parking spaces minimum. Holding provision require that a development agreement be entered into and a public site plan meeting be held</p>	

--	--

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Multi family dwelling units • Frontage – 55m • Depth – irregular • Area – 0.49 ha • Shape – irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Apartments and converted dwellings • South – single detached dwelling • East – single detached dwelling • West - apartments and converted dwellings

OFFICIAL PLAN DESIGNATION: (refer to map on page 5)
<ul style="list-style-type: none"> • Multi Family Medium Density Residential
EXISTING ZONING: (refer to map on page 6)
Residential R2 Special Provision (R2-3 (2)) Zone and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone

PLANNING HISTORY

March 28, 2011 The City of London Committee of Adjustment granted- Minor Variance A.23/11 to construct an apartment building with a front yard setback of 3.1m(10.1') whereas 8.0m(26.2') is required; a south interior side yard setback of 2.9m (9.5') whereas 4.5m (14.7') is required; a north interior side yard setback of 2.9 (9.5') whereas 4.5m (14.7') is required; a height of 14.0m (45.9') whereas 13.0m(42.6') maximum is permitted, a floor area ratio of 99% whereas 80% maximum is permitted and a zero long term indoor bicycle parking spaces whereas 16 long term indoor bicycle spaces are required.

On April 26, 2011 the applicant applied for Site Plan Approval (SP11-012068) to construct the front apartment "A" on the plan.

On November 9, 2011 the City of London issued conditional building permit (RA11-029383) for the foundation construction.

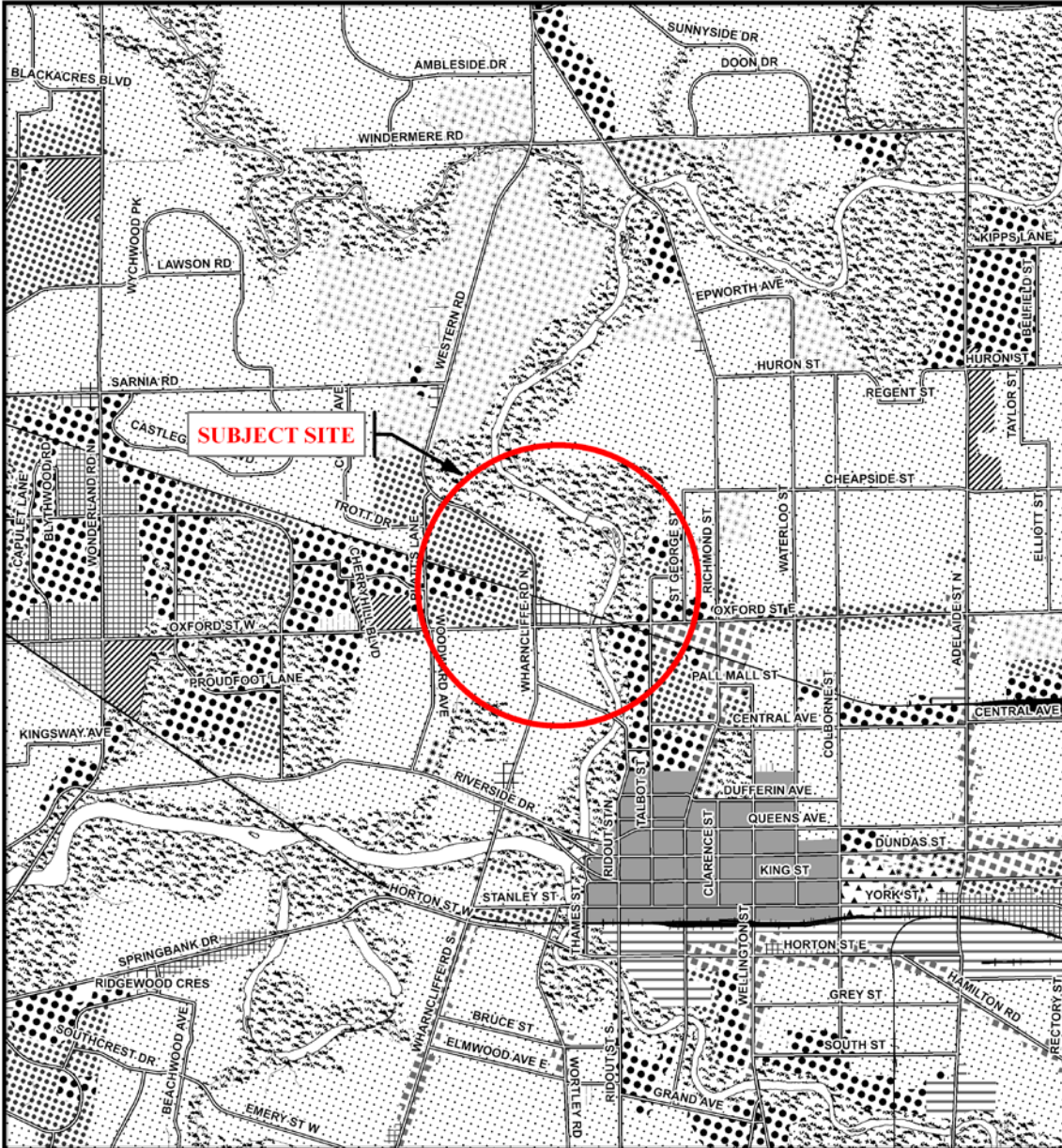
SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Environmental Engineering Service Department
The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Zoning By-Law amendment application:

- *The applicant will be required to confirm that there is adequate capacity in the 450 mm municipal storm sewer along Wharncliffe Road North to service the subject lands. Further, the applicant will be required to address/satisfy all comments/requirements regarding storm water management as per Site Plan Application SP 11 012068 (Engineering Review Division - SP 11027), associated with the above-noted subject lands.*

--	--

File No: Z-7976
 Planner: C. Smith



Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 0 100 200 400 600 800 1,000 Meters	<p>FILE NUMBER: Z-7976</p> <p>PLANNER: CS</p> <p>TECHNICIAN: CK</p> <p>DATE: 2012/01/11</p>
---	---	---

--	--

File No: Z-7976
Planner: C. Smith

- *The applicant is advised that the water servicing for the subject lands shall have regard for water quality and that the City may require premise isolation.*
- *It is assumed the proposed new 16 Unit apartment building will tie into the private 200mm sanitary sewer located in an internal driveway to the rear of 311-327 Beaufort St. This outlets to Beaufort Street and then Wharncliffe Road and ultimately ends up at Greenway PCP. Please note the sanitary sewer on Beaufort St. is vitrified clay circa 1921 and additional flows contemplated over and above the buildings at 311-319 Beaufort may necessitate downstream upgrades to the Beaufort sanitary sewer in the near future due to its age and condition.*
- *In order to connect to this sewer we will require a video inspection and condition assessment of the Beaufort sewer to Wharncliffe Road.*

The above comments, among other engineering and transportation issues (i.e. road widening dedications), will be addressed in greater detail through the site plan approval process as per the above-noted Site Plan Application.

PUBLIC LIAISON:	On December 16, 2011 a revised notice of application was sent to 99 property owners within 120m of the property and on December 17, 2011 the revised notice of application was advertised in the Living in the City section of the London Free Press	3 letters 2 opposed to the application including 1 letter from the BIGS Community Association (attached) with an attached 37 signatures petition signed June 13, 2011. 1 letter seeking clarification.
<p>Nature of Revised Liaison: Change Zoning By-law Z.-1, FROM a Residential R2 Special Provision (R2-3 (2)) Zone which permits single detached, semi detached and converted dwellings to a maximum of two units with a maximum floor area ratio of 40% and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone which permits multi unit residential uses including apartments with a maximum height of 13 metres and a maximum floor area ratio of 80% TO a Holding Residential R8 Special Provision (h-h-5*/R8-4 (_)) Zone to permit the above listed uses and apartment buildings with a density of 75 units/ha (37units), a 3.1 metre front yard setback, interior and rear yard setbacks of 2.9 m, a floor area ratio of 142%, a maximum height of 14m, 0 secure bicycle parking spaces and 50 vehicular parking spaces minimum. Holding provision require that a development agreement be entered into and a public site plan meeting be held.</p>		
<p>Responses: the following is a summary of the main issues raised through the circulation process:</p> <ul style="list-style-type: none"> • The proposed development does not conform with the Official Plan policies or the Essex Street Area Study • The proposed access onto Beaufort will negatively impact traffic on Beaufort and Wharncliffe Road North • the neighbourhood is negatively affected by “cut through” traffic that is avoiding the Oxford Street West and Wharncliffe Road North intersection. The proposed development will exacerbate the negative effects of the “cut through” traffic. 		

ANALYSIS

Subject Site

Nature of the Application

The proposed amendment would permit apartment buildings with a density of 75 units/ha (37units), a 3.1 metre front yard setback, interior and rear yard setbacks of 2.9 m, a floor area ratio of 142%, a maximum height of 14m, 0 indoor secure bicycle parking spaces and 50 vehicular parking spaces minimum.

--	--

File No: Z-7976
Planner: C. Smith

Proposed Site Plan

The site plan shows two proposed apartment buildings, A and B, situated on a street frontage. Building A is a 21-unit structure, and Building B is a 16-unit structure. A red line indicates a proposed severance line between the two buildings. The plan also shows existing structures, including a 3-story apartment building and various utility lines. Callout boxes provide specific details for each proposed building.

Apartment "A" with 21 dwelling units Minor Variance A. 23/11 to construct with:

- front yard setback of 3.1m(10.1')
- south interior side yard setback of 2.9m
- north interior side yard setback of 2.9
- height of 14.0m (45.9') whereas,
- floor area ratio of 99%
- zero long term indoor bicycle parking spaces

Subject to Site Plan application SP-11012068

Location of severance line and property boundary between proposed multi family development and existing low density residential uses

Apartment "B" with 16 dwelling units Proposed

- Rear and interior side yard setback 2.9m
- 11m Height

Proposed Elevation Wharnccliffe Road North

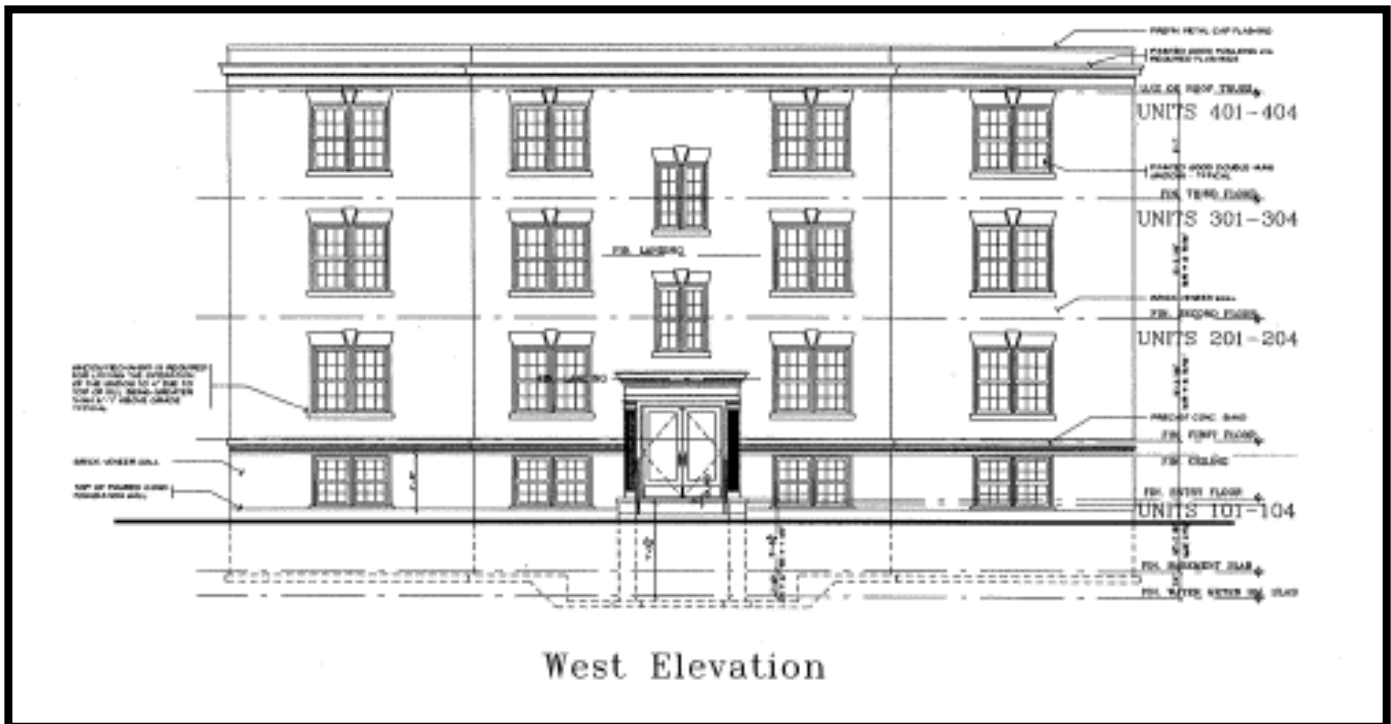


Front Elevation

--	--

File No: Z-7976
Planner: C. Smith

Proposed Elevation 11m 16 unit “rear” Apartment



Official Plan Policies Designation Boundaries

According to Section 19.1 of the City of London Official Plan, the land use designation boundaries shown on Schedule “A” are not intended to be rigid and Council may permit minor departures where it is of the opinion that the general intent of the Official Plan is maintained and the designation does not coincide with any natural features. There are no natural features on the property that define the designation boundaries. Therefore, for the purpose of this proposed zoning amendment, the designation shall be determined to be Multi Family Medium Density Residential (MFMDR) which is consistent with the Essex Street Area study and the MFMDR policies of the Official Plan.

The Essex Street Area study states that multiple dwelling units be directed to the arterial corridor along Wharncliffe Road North. Consistent with the Multi Family Medium Density Residential (MFMDR) Official Plan designation the properties that front onto Wharncliffe Road North are zoned to allow for multiple dwelling units including low rise apartments. 305 Wharncliffe Road North, the property located to the south, and 311-319 Wharncliffe Road North are currently zoned to allow for medium density development. 311-319 Wharncliffe Road fronts onto Wharncliffe Road and is proposing a Multi Family Medium Density development that is contiguous with the character of the existing streetscape of the properties to the north and south of the property along Wharncliffe Road North.

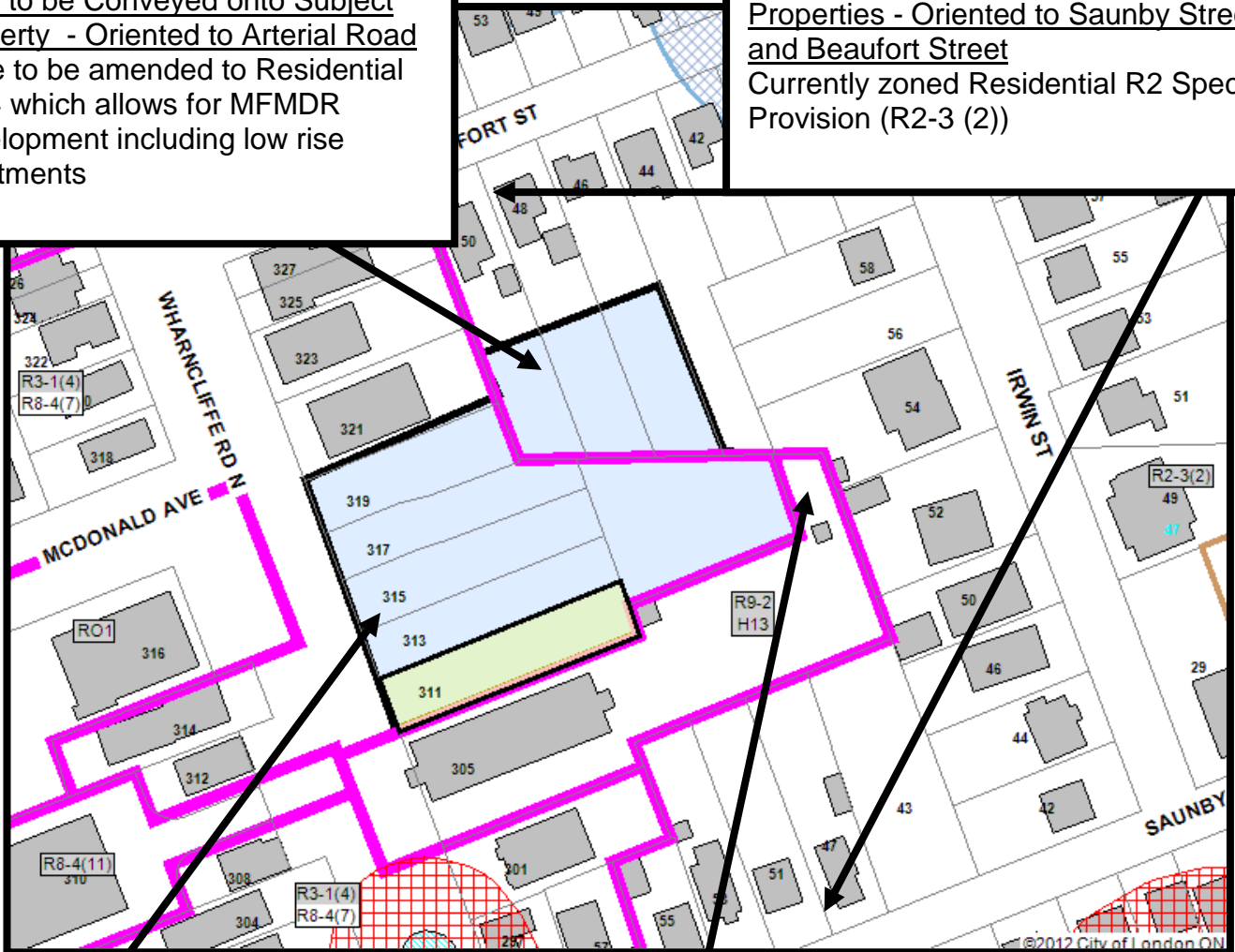
46, 48 and 50 Beaufort Street are zoned Residential R2 Special Provision (R2-3 (2)) with lot depths and lot areas that meet the minimum requirements to maintain the existing low density residential uses. 46, 48 and 50 Beaufort Street are oriented to the local street and are located in the interior of the neighbourhood, consistent with the Low Density Residential designation and the Essex Street Area Study.

--	--

File No: Z-7976
Planner: C. Smith

Area to be Conveyed onto Subject Property - Oriented to Arterial Road
Zone to be amended to Residential R8-4 which allows for MFMDR development including low rise apartments

Properties - Oriented to Saunby Street and Beaufort Street
Currently zoned Residential R2 Special Provision (R2-3 (2))



Subject property- Oriented to Arterial Road
Currently zoned Residential R8-4 which allows for MFMDR development including low rise apartments

305 Wharnccliffe Road North – Oriented to Arterial Road
Area zoned to allow for low rise apartments continues further east than depth of lands subject to the proposed ZBA.

Provincial Policy Statement

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 infill redevelopment;
- 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.

Essex Street Study

--	--

**File No: Z-7976
Planner: C. Smith**

The Essex Street Area Study was adopted by Council in July, 1996. The study was undertaken as the result of numerous development applications to intensify the residential uses in the Area. The study was also initiated because of citizen concern with development that was occurring in the area. Given the proximity to the University of Western Ontario, there is a demand for low rent, short-term rental housing in this neighbourhood.

In this study for the Western Road/ Wharncliffe Road corridor it states that: *this corridor has clearly been transitioning towards more intensive residential uses over the past several years. The Official Plan recognizes this direction and encourages this change. The main issue along this corridor is the perceived impact of development on the surrounding neighbourhood. And further states: issues such as buffering from the adjacent low density neighbourhood can be adequately addressed at the site plan stage of development. The intent of the proposed regulations is to permit higher intensities along the arterial corridor and lower intensity uses in the interior of the neighbourhood. Different areas within the Multi-Family Medium Density Residential designations have different characteristics which warrant different levels of intensification.*

The intent of the zoning amendments adopted by Council through the Area Study was to permit higher intensity uses along the arterial corridor and lower intensity uses in the interior of the neighbourhood. The proposed amendment will allow for an appropriate form of multifamily medium density development (two low rise apartments) to be constructed on this site and be oriented to Wharncliffe Road North. Through site plan approvals adequate buffering and agreements will be provided to maintain the different level of intensification between the proposed multifamily medium density form of development and the existing low density form of development that fronts onto Beaufort Street and Saunby Street in the interior of the neighbourhood.

Official Plan Policy

The proposed amendment will allow a development that is consistent with Official Plan Policies:

Section 2.4 City Structure Policies

- The proposed development promotes a compact urban form and efficient use of serviced land. The proposed development maximizes the use of existing services, is conducive to the provision of the existing Wharncliffe Road public transit corridor and minimizes the need for and cost of new infrastructure.
-

Section 2.9 Energy Conservation Policies

- The proposed development promotes the efficient use of existing infrastructure.
- The proposed development is located in close proximity to the Wharncliffe Road public transit corridor providing transportation alternatives to the automobile.

Section 2.11.3 Transportation Planning

The proposed development provides for a form of residential development that utilizes existing transit infrastructure.

- Promotes and supports the existing public transit corridor.
- Provides a transit friendly compact development with pedestrian linkages along the corridor.

Section 3 Multi-Family, Medium Density Residential objectives states:

- i) *Support the development of multi-family, medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.*
- ii) *Encourage the development of well-designed and visually attractive forms of multi-family, medium density housing.*
- iii) *Adequate municipal services can be provided to accommodate the needs of the development.*

--	--

- iv) *Traffic to and from the location should not have a significant impact on stable, low density residential areas.*
- v) *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.*

The proposed amendment will permit a development that is consistent with the Multi Family Medium Density Residential objectives as it:

- i) Enhances the character and amenity of the abutting residential area by providing:
 - A building with a strong pedestrian base (podium), with front doors along Wharncliffe Road South with many windows which creates an active streetscape;
 - A building with roof height elements to break up the massing of the building;
 - Building materials which are sensitive to the neighbourhood;
 - Eyes on the street, enhancing the feeling of safety in the area; and
- ii) Has safe and convenient access to London Transit route on Wharncliffe Road North;
- iii) Is in close proximity to commercial/shopping uses on the corner of Oxford Street West and Wharncliffe Road North located 200m to the south;
- iv) Is in close proximity to the University of Western Ontario and the Thames River Corridor;
- v) Reduces vehicular interaction with pedestrians, by locating the vehicular access corridor on Beaufort Street; and
- vi) Is sited on a property having a site size and shape that can accommodate the proposed development and will through the site plan process provide adequate buffering from the abutting residential uses.

Public Site Plan Review and Urban Design

Section 3.2.3.5 of the Official Plan lists site planning and urban design issues that are required to be evaluated. The section states that residential intensification site plan proposals will be evaluated to ensure:

- i) *Sensitivity to existing private amenity spaces as they relate to the location of proposed building entrances, garbage receptacles, parking areas and other features that may impact the use and privacy of such spaces;*
- ii) *The use of fencing, landscaping and planting buffers to mitigate impacts of the proposed development on existing properties;*

The Official Plan requires that a public site plan meeting. The proposed amendment will include an h-5 holding provision which requires that the public site plan meeting be held and the measures to insure mitigation and buffering from the abutting residential uses are provided prior to the removal of the holding provision.

- iii) *Consideration of the following Urban Design Principles:*
 - a. *Residential Intensification projects shall use innovative and creative standards of design for buildings to be constructed or redeveloped;*
 - b. *New development should provide for a diversity of styles, continuity and harmony in architectural style with adjacent uses;*
 - c. *New development should include active frontages to the street that provide for the enhancement of the pedestrian environment;*
 - d. *The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets;*
 - e. *Buildings should be positioned to define usable and secure open space areas on the site and to afford a reasonable measure of privacy to individual dwelling units;*

--	--

File No: Z-7976
Planner: C. Smith

- f. *Parking and driveways should be located and designed to facilitate manoeuvrability on site and between adjacent sites, and to reduce traffic flow disruption to and from the property; and,*
- g. *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 and destinations.*

Description of Design

The proposed development meets the intent of Section 3.2.3.5 as it will provide:

- i.) A building with a strong pedestrian base (podium), with front doors along Wharncliffe Road South with many windows which creates an active streetscape;
- ii.) A building with roof height elements to break up the massing of the building;
- iii.) Building materials which are sensitive to the neighbourhood;
- iv.) Eyes on the street, enhancing the feeling of safety in the area;
- v.) Strong pedestrian corridors to Wharncliffe Road North;
- vi.) Strong pedestrian access to utilize the existing transit corridor along Wharncliffe Road South;
- vii.) Reduced vehicular interaction with pedestrians, by locating the vehicular access corridor on Beaufort Street;
- viii.) Enhanced landscaping; and
- ix.) The proposed building will be located at the streetline and provides for a positive infill development along Wharncliffe Road providing a contiguous pedestrian commercial streetscape.

The City of London Urban Design Peer Review Panel (UDPRP) evaluated the proposed development on December 21, 2011. The UDPRP has submitted some concerns regarding pedestrian connectivity from the rear apartment building to the Wharncliffe Road North corridor. Through the site plan approval process pedestrian connection will be enhanced from the rear apartment building to Wharncliffe Road North.

Zoning

What are the Current Zoning Regulations?

The properties located at 311- 319 Wharncliffe Road North are currently zoned Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4(7) which permits multifamily residential development, which includes low rise apartments buildings with a maximum height of 13m and with a floor area ratio of 80%. This compound zone allows for an appropriate level of intensification along the Wharncliffe Road North corridor and is consistent with the Official Plan and the Essex Street Area study.

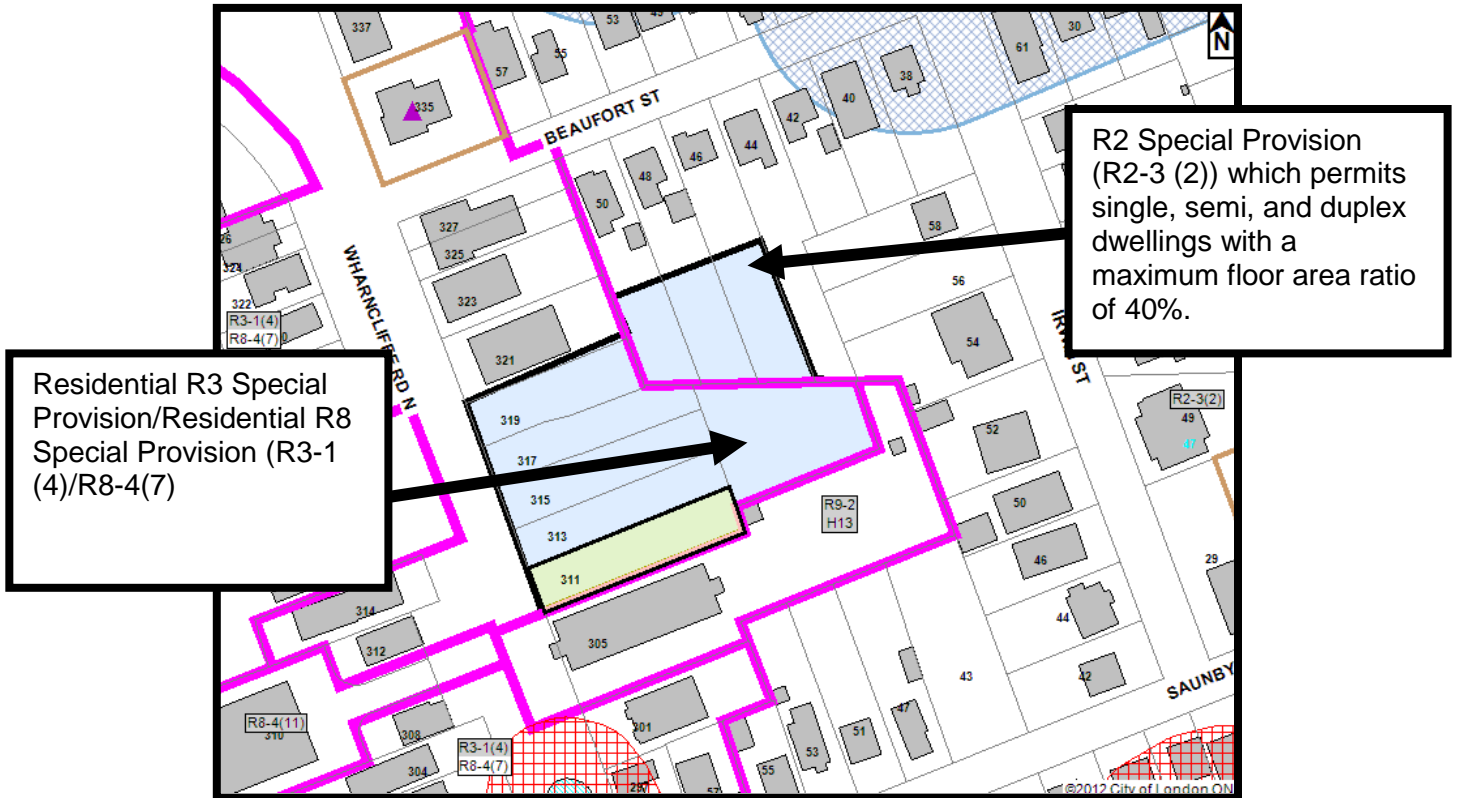
The properties at 46-50 Beaufort Street are zoned Residential R2 Special Provision (R2-3 (2)) which permits single, semi, and duplex dwellings with a maximum floor area ratio of 40%. This zone allows for an appropriate level of low density residential development in the established neighbourhood and is consistent with the Official Plan and the Essex Street Area study.

The applicant has started the process to obtain site plan approval and building permits to construct the apartment located along Wharncliffe Road North, building "A", on the attached site plan. The property is currently zoned Residential R8 Special Provision (R8-4 (7)) which permits low rise apartment buildings. To obtain site plan approval and building permits to construct Building "A" variances to the existing zone were required. On March 28, 2011, the City of London Committee of Adjustment granted, minor variance A.23/11 to construct an apartment building with a front yard setback of 3.1m(10.1') whereas 8.0m(26.2') is required; a south interior side yard setback of 2.9m (9.5') whereas 4.5m (14.7') is required; a north interior side yard setback of 2.9 (9.5') whereas 4.5m (14.7') is required; a height of 14.0m (45.9') whereas 13.0m(42.6') maximum is permitted, a floor area ratio of 99% whereas 80% maximum is permitted and a zero long term indoor bicycle parking spaces whereas 16 long term indoor bicycle spaces are required.

--	--

File No: Z-7976
Planner: C. Smith

Based on the approved minor variance the applicant has applied for Site Plan Approval (SP11-012068) and has been issued conditional building permit (RA11-029383) to construct the foundation on the front of the property (apartment building "A" on the plan).



What are the Proposed Zoning Regulations?

The proposed amendment is to permit a Residential R8 Special Provision (R8-4 (_)) Zone to be applied to the property to permit two apartment buildings. The special provisions required to allow two apartments are:

- 3.1 metre front yard setback;
- interior and rear yard setbacks of 2.9 m;
- a floor area ratio of 142%;
- a maximum height of 14m to a depth of 40m from the Wharnccliffe Road North road allowance;
- a maximum height of 11m on the balance of the property;
- 0 secure bicycle parking spaces; and
- 50 vehicular parking spaces minimum.

The applicant has obtained minor variance (A.23/11) that permits:

- A 3.1m front yard setback;
- a south interior side yard setback of 2.9m;
- a north interior side yard setback of 2.9;
- a height of 14.0m; and
- a floor area ratio of 99%.

A severance and conveyance of the rear portions of 46, 48 and 50 Beaufort Street is proposed. Once the lands are conveyed, the property at 311-319 Wharnccliffe Road North the subject lands will have a lot area of 0.49 ha and a lot frontage of 55 metres along Wharnccliffe Road North. The property is of a suitable shape and size to accommodate the proposed medium density development.

The proposed zoning by-law amendment will allow for the second apartment building "B" as shown on the attached site plan with 16 units. The total number of dwelling units are proposed on the site is 37 which results in a density of 75 units per hectare. The Residential R8 (R8-4) zone variation allow for 75 units per hectare.

--	--

Floor Area Ratio

Floor area ratios are applied to specific areas of the City where pressure to intensify has been identified. Floor area ratios are a tool that assists in regulating the bulk and scale of a building(s) on a property. Floor Area Ratio is defined as: *the gross floor area, in square metres, divided by the area of the lot, in square metres, and is expressed in a ratio of gross floor area to one square metre of lot area.* In the Residential R8 (R8-4) zone variation a maximum FAR of 80% is permitted. The applicant has received a minor variance to allow for a FAR of 99%. To permit the second apartment building the proposed amendment would result in a FAR of 142%.

The Zoning By-law requires maximum lot coverage and minimum landscaped open space be provided. Maximum lot coverage and minimum landscape open space provisions are also tools that are used to assist in the regulation of bulk and scale of a building(s) on a property. The Residential R8 (R8-4) zone variation permits a lot coverage of 40% and a landscaped open space of 30%, because the proposed development will have lot coverage of 35% and will provide 36% landscaped open space, the proposed FAR provides for infill and intensification development along Wharncliffe Road North which is consistent with intent of the Multi Family Medium Density designation.

The Residential R8 (R8-4) zone variation allows for a maximum height of 13 metres. To assist in maintaining different levels of intensification between the proposed multifamily medium density development and the existing low density development that fronts onto Beaufort Street and Saunby Street, the 14 metre maximum height that was granted through minor variance (A23/11) will be permitted on the front portion of the lot. A reduced rear yard setback of 2.9 metre is proposed. A maximum height of 11 metres is proposed on the rear portion of the property to assist in buffering the proposed use from the abutting residential uses.

The property is located in close proximity to the University of Western Ontario and is located on a transit corridor. The proposal allows for the creation of a development that is transit supportive with a full building facade creating a positive street edge. This area is a walkable community, supported by transit. Instead of people in this neighbourhood driving to these neighbourhood-oriented retail uses and services, they have the opportunity to walk or bike to them and/or take transit. The applicant is proposing to provide outdoor bicycle storage spaces on site. It is City's preference that a common secure storage space be provided. The applicant has indicated that through experience with this form of development in this area that residents secure their bicycles in their units. The units do not have balconies and storage in the unit will not occur in a location visible to the public. Through the public site plan process location of outdoor bicycle parking will be provided. It is proposed that secure bicycle parking will be considered further at that time.

The proposed amendment will allow for an appropriate form of multifamily medium density development to be constructed on this site and be oriented to Wharncliffe Road North which is consistent with the Essex Street Area study and the Multi Family Medium Density Residential policies of the Official Plan.

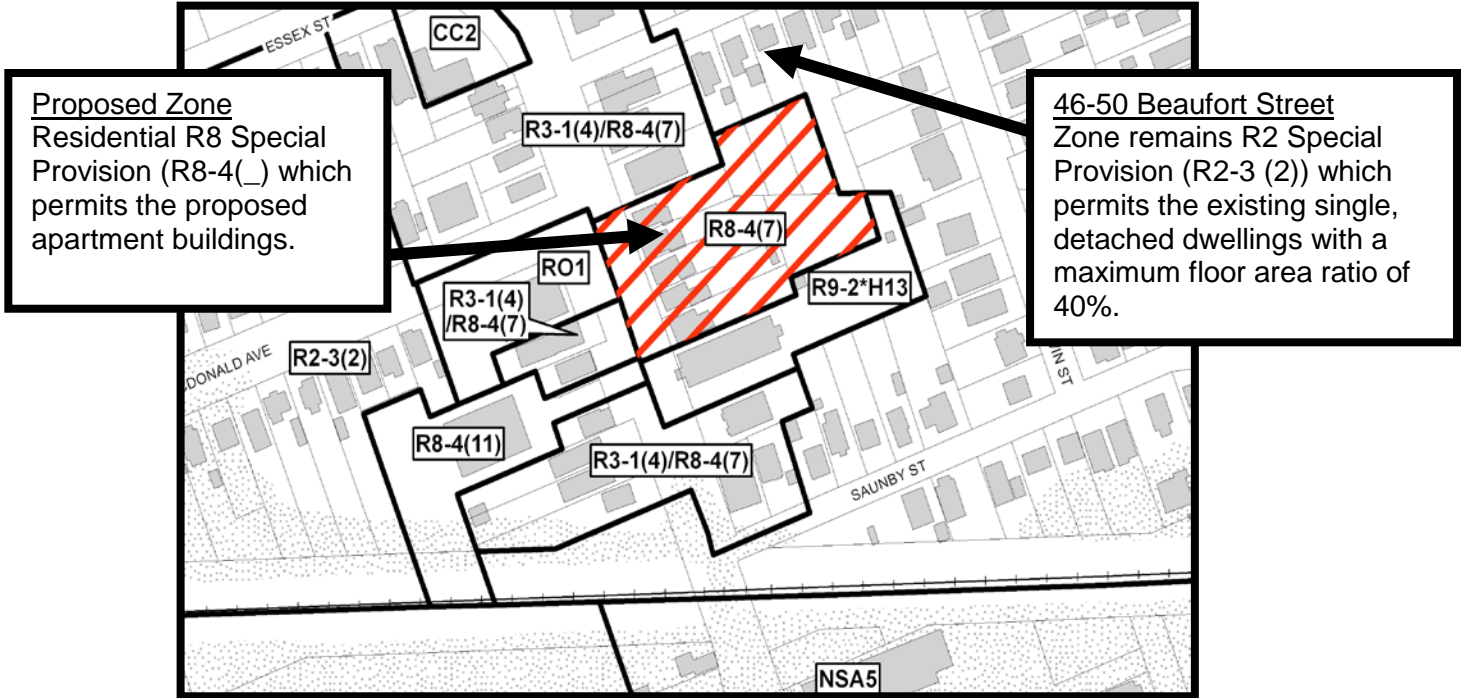
46, 48 and 50 Beaufort Street

The applicant proposes to sever the properties and convey the rear portion to 311-319 Wharncliffe Road North. The retained properties will have lot depths of 36 metres, lot frontages of 13.2 metres and lot areas of 480 square metres. The zoning on the properties will remain Residential R2 Special Provision (R2-3 (2)) which permits the existing single detached dwellings with, a minimum lot frontage of 12m, minimum lot area of 370 square metres and a maximum floor area ratio of 40%. The existing single detached dwellings have FAR's less than 25%. A minor variance may be required at the time of consent to recognize their existing front and interior side yard setbacks.

46, 48 and 50 Beaufort Street are oriented to the local street and are located in the interior of the neighbourhood with lot areas, lot frontages and FARs which are consistent with the Low Density Residential designation and the Essex Street Area Study

--	--

File No: Z-7976
Planner: C. Smith



Holding Provisions

Section 3.2.3.5 of the City of London Official Plan requires that proposals for infill and intensification be subject to a public site plan process. A consent application and development agreement for access are required to permit the lands to be developed as proposed. The h-holding provision states; *To ensure the orderly development of lands and the adequate provision of municipal services the "h" symbol shall not be deleted until a development agreement is entered into for the lands in question with the City of London.* And the h-5 holding provision which states: *To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.*

The proposed holding provisions will ensure that a public site plan meeting and a development agreement will be completed prior to the removal of holding provision to ensure the orderly development of the lands.

Public Comment

The following analysis addresses public comment received and recorded above and in the appendices to this report.

Conformity to the City of London Official Plan and Essex Street Area Study

The existing zoning on the property allows for an apartment use to be developed to the depth of the proposed amendment. Council's intent through the Area Study was to permit higher intensity uses along the arterial corridor and lower intensity uses in the interior of the neighbourhood. The proposed amendment will allow for an appropriate form of multifamily medium density development (two low rise apartments) to be constructed on this site to a depth that the existing zoning currently allows. The site is of a size and shape that can accommodate the proposed development and through site plan approval will provide adequate buffering from the abutting residential uses. The development will be oriented to Wharncliffe Road North and is consistent with the City of London Official Plan and Essex Street Area study.

--	--

File No: Z-7976
Planner: C. Smith

Traffic

On January 9, 2012 EESD Transportation Department provided the following:

In response to the letter submitted by the BIGS Community Association the Transportation Planning and Design Division has the following comments

- *Based on the parking rate reduction being considered for this site and the number of units being constructed, the site will not generate a significant amount of traffic. We would presume based on the parking rates that residents will use other means of transportation than the automobile. We estimate that the site will generate 20-25 trips during the am and pm peak hours respectively. This additional traffic will not create any significant differences in traffic operations than already exists on streets in the area.*
- *We have undertaken speed and traffic volume counts on Gunn St between Saunby St and Beaufort St. The results indicated that vehicle speeds were above what is typically found on other local streets throughout the City. The traffic volume counts showed that approximately 840 vehicles per day use Gunn St with 78 % of those vehicles travelling northbound. Local streets, like Gunn St, can be expected to accommodate up to 1500 vehicles per day. Based on this data Gunn St does not have traffic volume in excess of local street limits. However, considering that 78 % of the traffic using Gunn St travel in one direction (northbound), which is not typical of most residential streets, there is a possibility that traffic is travelling through the area between Oxford St and Wharncliffe Rd. Based on the results of the speed study we will be canvassing the neighbourhood to determine if support exists to install speed cushions to reduce vehicle speeds.*

In consideration of the reduced parking rate and low traffic volume the site will generate, this development will have little impact on traffic operations on surrounding neighbourhood streets. Traffic calming measures such as speed cushions, if supported by the residents, will mitigate the speeding problem on Gunn St.

The City of London Transportation Department is satisfied that the traffic from the proposed development can be accommodated by the proposed laneway connection onto Beaufort Street. The City of London Transportation Department is in the process of studying the issue regarding “cut through” traffic in this neighbourhood. Transportation is continuing to work with the residents of the neighbourhood to address and mitigate their concerns.

CONCLUSION

The recommended Zoning By-law Amendment to amend the zone from a Residential R2 Special Provision (R2-3 (2)) Zone and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone to a Holding Residential R8 Special Provision (h*h-5*/R8-4 ()) Zone is consistent with the Provincial Policy Statement and in keeping with the intent of the Essex Street Area study and the Official Plan. The recommended use, intensity and form of the proposed development is appropriate.

Agenda Item # Page #

--	--

File No: Z-7976
Planner: C. Smith

PREPARED BY:	SUBMITTED BY:
C. SMITH, PLANNER, COMMUNITY PLANNING AND URBAN DESIGN	JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND URBAN DESIGN
RECOMMENDED BY:	
J.M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

January 23, 2012
CS/

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to\7976Z - 311-319 Wharnclyffe Rd N and 46-50 Beaufort St
(CS)\Z-7976PECreport.docx

Agenda Item # Page #

--	--

File No: Z-7976
Planner: C. Smith

Bibliography of Information and Materials
Z-7976

Request for Approval:

City of London Zoning By-law Application Form, completed by Zelinka Priamo c/o Harry Froussios, December 14, 2011

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial 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.

Correspondence: (all located in City of London File No. Z-7976)

City of London -

Abushehada, I. City of London Engineering Review Division. Memo to C. Smith. December 12, 2011.

Departments and Agencies -

Creighton C., UTRCA. Letter to C. Smith. November 21, 2011

Dalrymple D., London Hydro. Memo to C. Smith. January 4, 2012.

Agenda Item # Page #

--	--

**File No: Z-7976
Planner: C. Smith**

Responses to Public Liaison Letter and Publication in “Living in the City”

Written

T.G. Jackson
44 Beaufort Street

Mary-Louise Hitchon,
Office Manager,
Drs. Forristal, Psutka, McLeod and Fenn
316 Wharnclyffe Road, North

James Corcoran
BIGS Community Association
Attached 37 signature petition signed June 13, 2011

[Empty boxes for Agenda Item # and Page #]

**File No: Z-7976
Planner: C. Smith**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 311-319 Wharnccliffe Road North and 46-50 Beaufort Street

WHEREAS London Property Group has applied to rezone an area of land located at 311-319 Wharnccliffe Road North and 46-50 Beaufort Street, 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 311-319 Wharnccliffe Road North and 46-50 Beaufort Street, as shown on the attached map compromising part of Key Map No. 50, from a Residential R2 Special Provision (R2-3 (2)) Zone and a Residential R3 Special Provision/Residential R8 Special Provision (R3-1 (4)/R8-4 (7)) Zone to a Holding Residential R8 Special Provision (h*h-5*/R8-4 ()) Zone.

1) Section Number 12.4 of the Residential (R8-4) Zone is amended by adding the following Special Provision:

) R8-4 ()

a) Regulations

- i) Front Yard Setback 3.1 metres Minimum
- ii) Rear Yard Setback 2.9 metres Minimum
- iii) Interior Yard Setback 2.9 metres Minimum
- iv) Floor Area Ratio 142% Maximum
- v) Height to a depth of 40 metres from the Wharnccliffe Road Allowance 14 metres Maximum
- vi) Height balance of the property 11 metres Maximum
- vii) Parking 50 spaces Minimum

Agenda Item # Page #

--	--

File No: Z-7976
Planner: C. Smith

viii) Secure Bicycle 0 (zero)
 Parking Spaces

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.

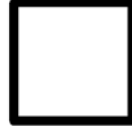
This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on February 21, 2012.

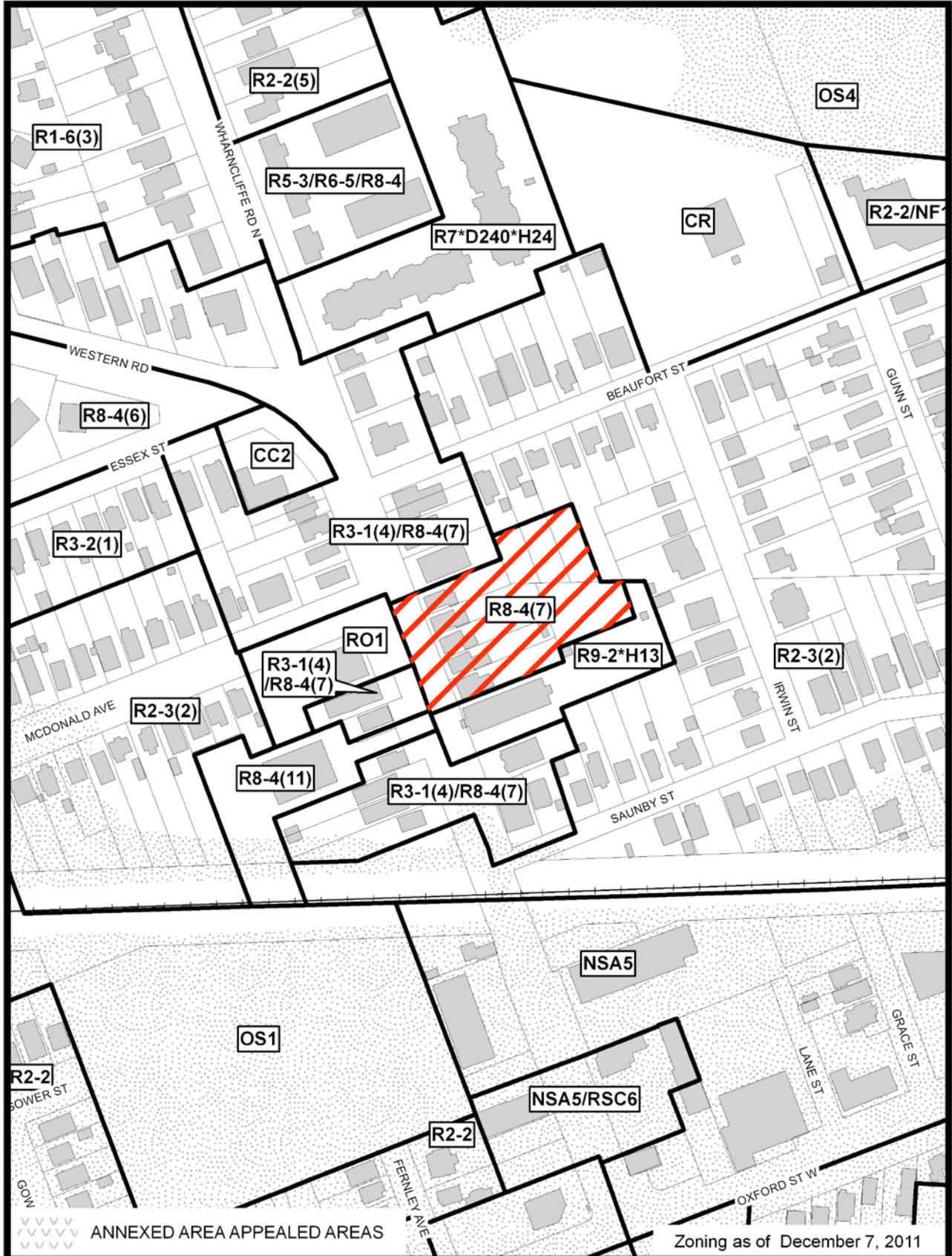
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - February 21, 2012
Second Reading – February 21, 2012
Third Reading - February 21, 2012



AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-7976

Planner: CS


Date Prepared: 1012/01/10

Technician: CK

By-Law No: Z.-1-

SUBJECT SITE 

1:2,300

0 10 20 40 60 80 Meters 



--	--

File No: Z-7976
Planner: C. Smith

Attachment 1

November 20, 2011

Beaufort, Irwin, Gunn, Saunby (BIGS) Community Association

City of London , Planning Division
300 Dufferin Ave
London ON N6A 4L 9
Attn: Craig Smith

RE: File Z-7976, 311-319 Wharncliffe Rd N and 46-50 Beaufort St

Our community association of 34 people represents 92 % of the owner occupied homes in our interior neighborhood of Beaufort, Irwin, Gunn and Saunby Streets which supports an elementary school and a pedestrian bridge to Gibbons Park . Traffic conditions in this neighborhood are already dangerous for pedestrians, cyclists and vehicles. We feel strongly that the proposed zoning change elevates the risk to a point that demonstrates unacceptable planning practice. Furthermore we are concerned that this development, combined with other recent intensification in this neighborhood and in the general area will combine to increase congestion at the intersection of Oxford Street and Wharncliffe Road, a scenario that is not desirable for the greater good of London, and results in even more cut-through traffic in our neighborhood. It should also be mentioned that the Notice of Application itself may not be drawing the attention or comments it deserves due to the helpless feelings it invokes among residents who see that construction is already well advanced on the Subject Site?

The BIGS neighborhood, historically by-passed by neighborhood special planning provisions, has seen unbridled intensification and is currently the subject of a neighborhood planning study by the City. The study which is just getting underway, will look at the effects of a proliferation of re-development focused on high-density student rentals including loss of neighborhood function and traffic issues. Traffic counts recently done by the city show the neighborhood is used as a cut-through by drivers avoiding the congestion at Oxford and Wharncliffe.

The neighborhood, isolated as it is by the Thames River, is challenged by problematic access and egress points, one of which is Beaufort Street. The proposed access for this 21 to 37 apartment application is Beaufort Street at a point of about one or two car lengths from Wharncliffe Road. The Beaufort and Wharncliffe intersection is only two car lengths from an existing traffic light at Essex Street. There will be obvious vehicle storage problems in these constrained conditions. There is only one other access point for this neighborhood that allows full turns and it really shouldn't, Gunn and Oxford Street. Left turns from Gunn are navigated pretty much blind due to a skewed Thames River bridge and its railing which blocks the view to Oxford Street. Saunby is right-in only and has a conflict with the pedestrian tunnel under the Railway overpass.

The vehicle cues and wait times to exit from Beaufort Street are already lengthy given the cut-through, traffic, the intensification that has already been permitted in the neighborhood and traffic from the private elementary school..

Yours Truly



James Corcoran
BIGS Community Association