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File: Z-8483
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: PAMELA KARASY 356 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 8, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Pamela Karasy relating to the property located at 356 Dundas Street. The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 15, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Downtown Area (h-3*DA2*D350) Zone, **TO** a Downtown Area Bonus (DA2*D350*B(_)) Zone. The Bonus Zone shall be implemented through a development agreement to provide increased density up to 558 units per hectare and a minimum rear yard depth of 1.5 metres in return for the provision of the following services, facilities and matters which are described in greater detail in the recommended by-law:

- a) A 6-storey building design which responds to the existing built form on the abutting lands to the east and west of the subject site. This includes continuing the datum line established by the existing built form to the west of the site;
- b) A building height and massing which is compatible with the West Woodfield Heritage Conservation District abutting the subject site immediately to the north;
- c) A building design including such qualities as:
 - i) A minimum front building façade height on the ground-floor of 3.65 metres (12 feet) across the entire length of the building frontage to establish the building "base";
 - ii) A glass canopy located above the principal front building entrance extending approximately one-third the length of the building façade;
 - iii) A horizontal cornice line located above the glass canopy which visually separates the ground-floor front façade and the upper building storeys and distinguishes the "middle" of the building from the ground-floor "base";
 - iv) A masonry building material such as brick or block used on the façade of the base while avoiding the use of field stone or similar material;
 - v) The use of brick on the exterior façade on the "middle" of the building extending the entire length of the front building elevation between floors 2-4 (inclusive) beginning above the cornice line;
 - vi) The inclusion of decorative moulding between floors 4 and 5 to create visual interest and distinguish the "top" of the building from the "middle";
 - vii) The use of clear vision glass in all of the building's openings on the entire building frontage between floors 2-6 (inclusive) and avoiding the use of spandrel glass panels;
 - viii) The use of clear vision glass in all of the transom windows and where the windows are associated with internal facilities and rooms that promote active uses on the base of the building;
 - ix) The use of a minimum of three glass Juliette balconies per floor between floors 2-5 (inclusive);
 - x) The inclusion of decorative moulding and decorative bracket detail at the top of the 6th floor to cap the "top" of the building;
- d) A "U" shaped building footprint with the creation of a common outdoor landscaped area located within the interior portion of the "U"; and,
- e) To support the provision of development of affordable housing.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 356 Dundas St Applicant: Karasy Pamela Gene File Number: Z-8483 Planner: Brian Turcotte Created By: Michael Tomazincic Date: 2015-08-30 Scale: 1:1200</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings 123 Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

“None”

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Zoning By-law amendment is to provide for the redevelopment of the site for a new six storey, apartment building containing 69 one-bedroom units.

RATIONALE

1. The recommended amendment is consistent with the PPS 2014.
2. The recommended amendment is consistent with the City of London Official Plan policies.
3. The recommended amendment facilitates the redevelopment of an underutilized site and encourages an appropriate form of intensification;
4. The proposed development will provide an opportunity for affordable housing within the City.
5. The bonusing of the subject site ensures the building form and design will fit within the surrounding area and provide for an enhanced design standard.

BACKGROUND

Date Application Accepted: April 23, 2015	Agent: Zelinka Priamo, Michelle Doornbosch
<p>REQUESTED ACTION: Change Zoning By-law Z.-1 from a Holding Downtown Area (h-3*DA2*D350) Zone which permits apartment buildings (to a maximum density of 350 units per hectare) to a Downtown Area Bonus (DA2*D350*B(_)) Zone to permit apartment buildings with a bonus zone which would allow for a maximum density 558 units per hectare, a maximum height of 20 metres, and a rear yard setback of 1.5 metres in return for the construction of a specified building design for new affordable housing units. The applicant, having submitted a wind impact assessment for the development, has further requested the removal of the existing holding “(h-3)” zone requiring the preparation of wind impact assessment for development over 15 metres in height. The City may also consider a Special Provision to provide for relief from the bicycle parking requirements of Zoning By-law Z.-1 for the proposed development.</p>	

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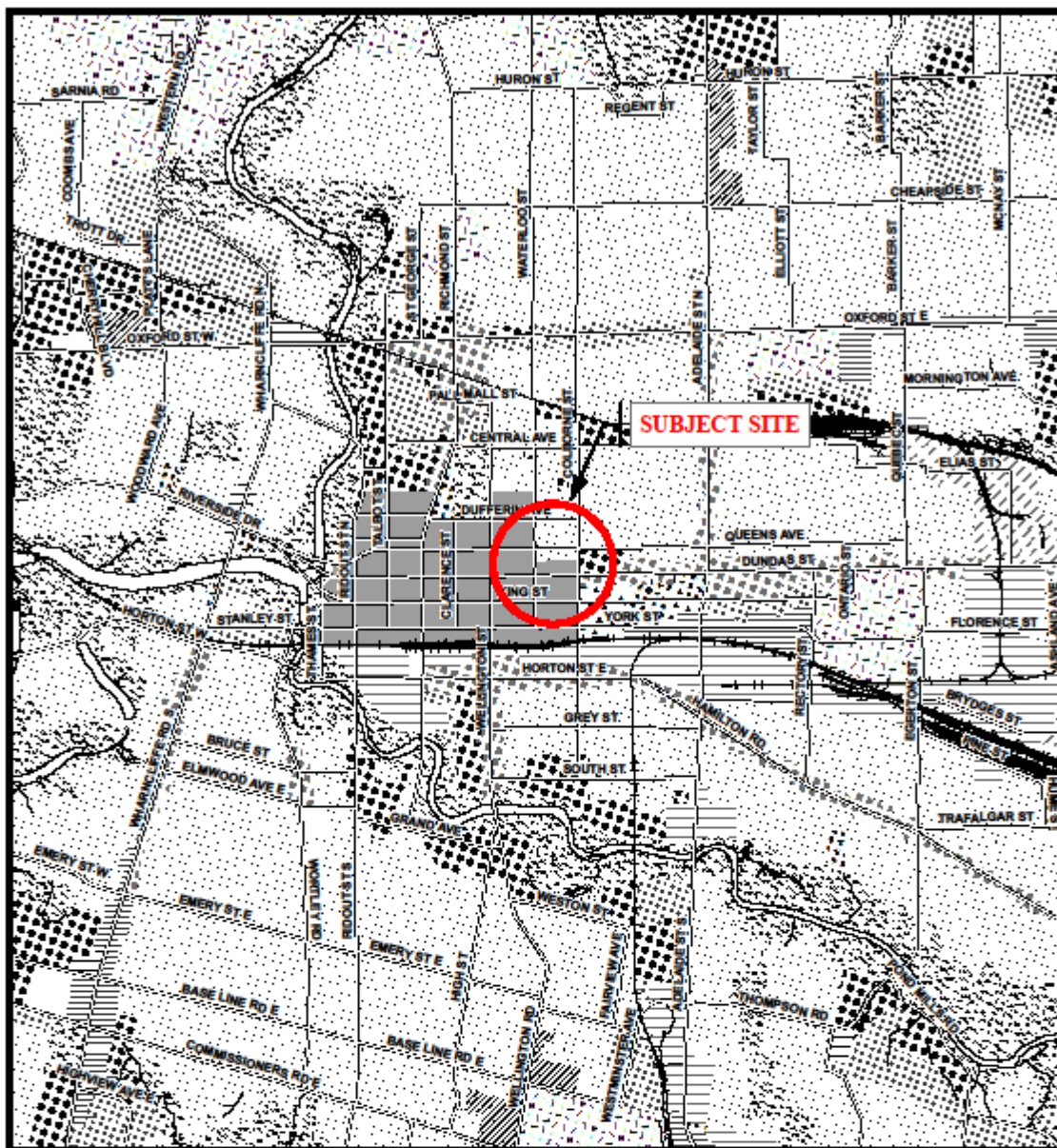
SITE CHARACTERISTICS:
<ul style="list-style-type: none">• Current Land Use – Parking Lot• Frontage – 20.19m (66.25ft)• Depth – 65.6m (215.2ft)• Area – 1237m² (0.31ac)• Shape - Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none">• North - Multi-Unit Residential/Office Conversion• South - Restaurant/Funeral Home/Office• East - Apartment/Hotel• West - Mixed use retail/commercial

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none">• Downtown Area
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none">• Holding Downtown Area (h-3*DA2*D350)

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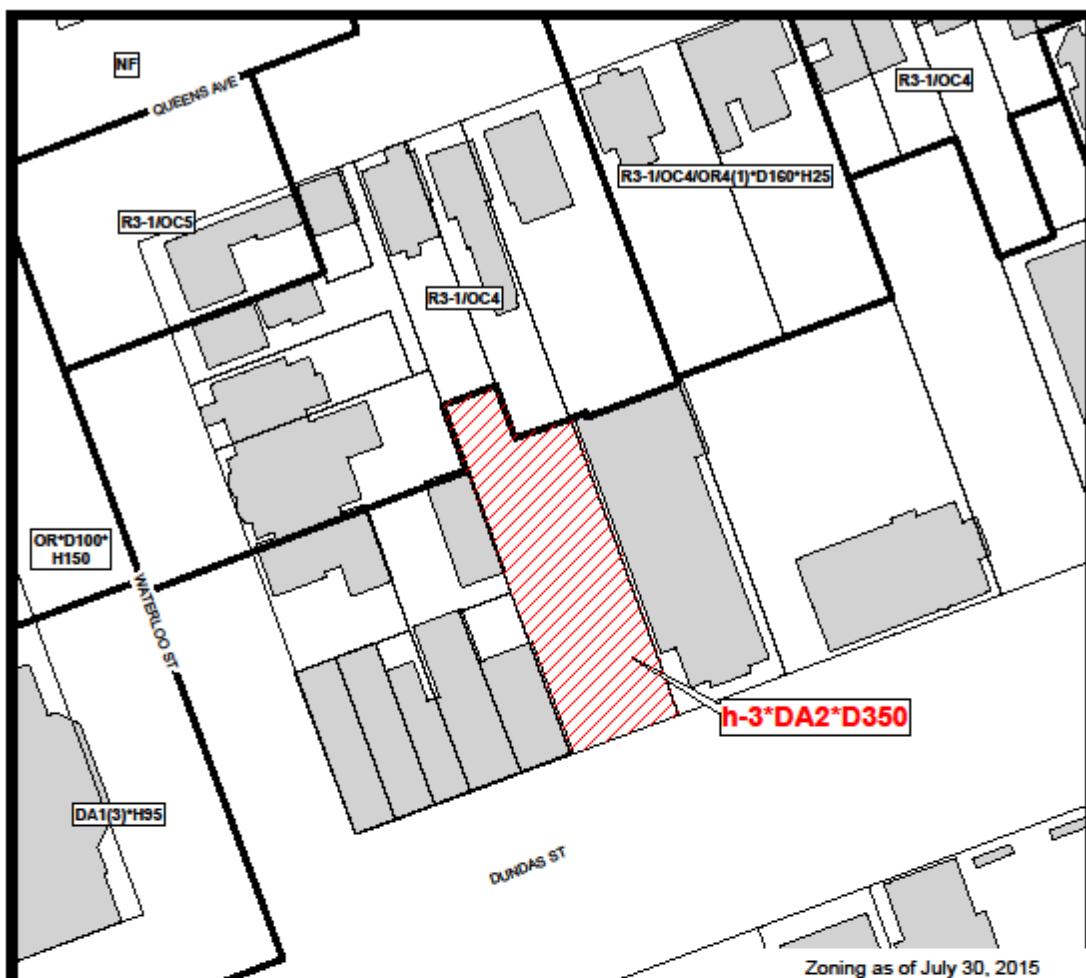


Legend	
	Downtown
	Wonderland Road Community Enterprise Corridor
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	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 OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 0 100 200 300 400 500 600 Meters	<p>FILE NUMBER: Z-8483 PLANNER: MC TECHNICIAN: TT DATE: 2015/08/21</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-3*DA2*D350

1) **LEGEND FOR ZONING BY-LAW Z-1**

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| <ul style="list-style-type: none"> 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/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. 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 - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "H" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
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CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
Z-8483 MC

MAP PREPARED:
2015/08/21 TT



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PLANNING HISTORY

A single detached dwelling was demolished in 1983 since then no permanent use has been established and the site has remained undeveloped.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London Wastewater Department

The Owner is requesting a density of 558 UPH resulting in 69 units for the development of a six-storey apartment building and is seeking approval under the federal Investment in Affordable Housing program in order to offer all of the proposed units for social housing in the Downtown Area.

City sanitary drainage area plan #23340 shows a density of 300 units per hectare. According to the existing zoning for the subject lands is "h-3/DA2/D350".

The requested increase is from 36 units to 69 units.

The municipal sanitary available for the subject lands is the 525mm diameter trunk sanitary sewer on Dundas Street.

No sanitary connections are permitted to the 1950mm diameter relief sewer on Dundas Street. City Plan #23343 shows a 150mm sanitary p.d.c. in favor of the subject lands. This PDC was deemed to be in good condition in 2011 under the Infrastructure Lifecycle Renewal Program – Contract #7.

There has been no reports of flooding reported in the immediate area. No concerns.

Stormwater Management Unit, August 13, 2015

The SWM Unit has the following comments from a cursory review of the available information:

- The storm sewers downstream 356 Dundas Street were included in the 2011 City renewal program (Contract #7).
- The site is currently used as a parking lot. Proposed changes in the land use will require confirmation of storm sewer capacity, especially if the expected density is more than 500 units per hectare.

As part of complete application, the SWM Unit will require:

- Confirmation from the developer's consultant that the storm sewer fronting and downstream has enough capacity.
- An updated Contract #7 Storm Sewer design sheet and storm Drainage.

Transportation

Transportation has reviewed the proposal summary and has no significant concerns. It is odd not to provide any on-site parking for residents, visitors or non-residents however provided off-street loading areas for moving, garbage trucks are provided that should suffice. It should be noted that Dundas is a potential bus rapid transit route and street face development should be designed accordingly

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Urban Design Peer Review Panel, May 20, 2015

1.0 Urban Design Context

- 1.1 The proposed mid-rise, residential building is a positive addition to the area.
- 1.2 The submitted rendering of the proposed building in situ falsely portrays the Executive Suites building immediately to the east. That building is shown with an asymmetrical façade when it is symmetrical actually. The proponent is advised to correct the rendering to better portray the proposed building in situ.

2.0 Site Planning

- 2.1 The proposed building fills the site with the exception of: an area behind the building to be used as a common garden; and an exterior common area in the middle of the building open to the west.
- 2.2 No parking area is provided.

3.0 Building Architecture

- 3.1 The architecture is a simple u-shaped box form with the interior of the 'U' being the common area noted in 2.1. Windows, a variety of cladding and colour are used to add interest to the façade rather than architectural articulation. The latter is recommended also.
- 3.2 There are three types of cladding on the street or south façade. Consider lowering the ground level material to improve the proportion of the 'middle' brick relative to the 'base' and the 'top' as defined by the third material. Consider the top and associated material to be the area above the ledge at the sixth storey. Regardless, the 'top' in one colour as in the rendering is preferable to the two colours shown in A2.1.
- 3.3 The quality of the south façade is diminished by the misalignment of the two westerly ground floor windows with the windows of the second floor and above. Consider moving the two noted windows to the east in-line with the most westerly column of windows.
- 3.4 The blank east wall is not supported. Though that wall faces the adjacent Executive Suites building, the separation from the building would allow for windows in the common hallway. At the very least windows at the hallway corners are recommended. Bringing natural light into the hallways will improve their quality.
- 3.5 Similarly, Units 103, 203, 303 and so on, and the laundry rooms on each floor would benefit from a window in the east wall. Units 310, 307, 304, 301, 410, 407, 404, 401 and so on, would benefit from a window in the west wall.
- 3.6 Consider the use of transom windows above the doors to the utility rooms for visual continuity at the ground floor south facade. A minimum 60% glazing on Dundas Street is recommended.
- 3.7 Further to 3.6, reconsider the arrangement of the common interior spaces at the front of the building to improve their relationship of that area to the front of the building and thus the street.
- 3.8 Awnings or canopies above the ground floor on Dundas Street would provide weather protection and contribute to the general quality of the front façade.
- 3.9 Material patterning on the west wall would add to its interest where visible above the adjacent commercial buildings.

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4.0 Landscape Design

- 4.1 Little design detail of the exterior common spaces was provided. Given that ground floor units have windows looking into the common spaces, it is imperative to provide a physical separation between the windows and usable outdoor space. Plant material may be used to create both a physical and visual barrier while still allowing for light and ventilation.
- 4.2 Consider planting Boston Ivy (*Parthenocissus tricuspidata*) at the blank walls in order to create a green wall.
- 4.3 Consider directing rain water from the roof to the common areas for irrigation purposes assuming the provision of rain barrels or some other water storage system.

This UDPRP review is based on City planning and urban design policy, the submitted brief and noted presentation. It is intended to inform the ongoing planning and design process and represents support for the proposed project with the proviso that additional windows be provided to improve the quality of units where possible and the common hallway and laundry rooms especially.

PUBLIC LIAISON:	On May 6, 2015, Notice of Application was sent to 335 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on May 7, 2015. A "Possible Land Use Change" sign was also posted on the site.	no replies were received
<p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to provide for the redevelopment of the site for a new six storey, apartment building containing 69 one-bedroom units.</p> <p>Change Zoning By-law Z.-1 from a Holding Downtown Area (h-3*DA2*D350) Zone which permits apartment buildings (to a maximum density of 350 units per hectare) to a Downtown Area Bonus (DA2*D350*B(_)) Zone to permit apartment buildings with a bonus zone which would allow for a maximum density 558 units per hectare, a maximum height of 20 metres, and a rear yard setback of 1.5 metres in return for the construction of a specified building design for new affordable housing units. The applicant, having submitted a wind impact assessment for the development, has further requested the removal of the existing holding "(h-3)" zone requiring the preparation of wind impact assessment for development over 15 metres in height. The City may also consider a Special Provision to provide for relief from the bicycle parking requirements of Zoning By-law Z.-1 for the proposed development.</p>		
Responses: No replies received		

ANALYSIS

SUBJECT SITE

The subject site is located at 356 Dundas Street and is currently being used as an accessory surface parking lot. The site is situated at the eastern edge of the formal downtown area, on the north side of Dundas Street between Waterloo Street and Colborne Street. This section of Dundas Street is classified as a Primary Collector Road with an average daily traffic volume of 9,000 vehicles per day.

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The site is long and narrow with a frontage measuring 20.19 metres along Dundas Street, a depth of 65.6 metres and a total area of 1,237m². The site is sits between a 2-storey, mixed use building to the west and a 6-storey apartment to the east. A wide mix of uses surrounds the subject site including residential, commercial and office spaces.

On the north side of Dundas Street, a viable cluster of small-scale restaurants and service commercial uses are located immediately to the west of the subject site. The lands abutting the subject site immediately to the east have been developed for hotel/motel uses (see Figure 2). To the east of the hotel/motel uses, is Campbell Memorial Park with lot dimensions that are similar to that of the subject site (see Figure 3). And further east, between Campbell Memorial Park and Colborne Street, is a 3-storey commercial building a commercial/office building that accommodates the Fred Astaire dance studio (see Figure 4).

NATURE OF APPLICATION

The requested amendment is intended to facilitate the development of a new 6-storey, apartment building containing 69 one-bedroom units. The current Zoning applied to the site permits a density of 350 units per hectare (uph) in conjunction with the use of an apartment building (see Figure 1). The requested amendment also seeks to remove the existing h-3 holding provision which requires the submission of a wind impact assessment for buildings over 15.0 metres in height to ensure that there will be no adverse impacts on pedestrian wind level conditions in the Downtown Area of the City.



Figure 1 - Elevation depicting proposed development

The applicant is seeking a Bonus zone to increase the density permitted on the site to 558 uph, reduce the minimum rear yard depth requirement from 2.5 metres to 1.5 metres, and number of bicycle parking spaces from 52 required spaces to 26 provided. The applicant has also stated that the proposed development is for affordable housing project and would be seeking funding for the affordable housing apartment.

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USE

Provincial Policy Statement 2014 (PPS)

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. The policies support the development of healthy, liveable, and safe communities by “accommodating an appropriate range and mix of residential (...including affordable housing...) uses to meet long-term needs” [1.1.1.b)]. The recommended amendment will facilitate the development of 69, one-bedroom dwelling units, with the applicant further indicating that he will seek the necessary funding and approvals for the provision of affordable housing, in conformity to the PPS.

The policies of the PPS also promote densities and mix of land uses which “are transit supportive, where transit is planned, exists or may be developed” [1.1.3.2.a)1)]. The recommend amendment will increase the maximum density of the subject site by almost 60% on a portion of Dundas Street that currently accommodates 3 London Transit routes and has also been identified as one of the potential rapid transit corridors (see Figure 2) in conformity with the policies of the PPS.

The policies of the PPS also promote “maintaining and, where possible, enhancing the vitality of downtowns and mainstreets” [1.7.1.c)]. The recommended amendment to facilitate development of a vacant downtown site through the creation of 69 residential dwelling units and the re-establishment of the streetwall along this portion of Dundas Street is anticipated to enhance the vitality of the downtown and this mainstreet in conformity to the policies of the PPS.

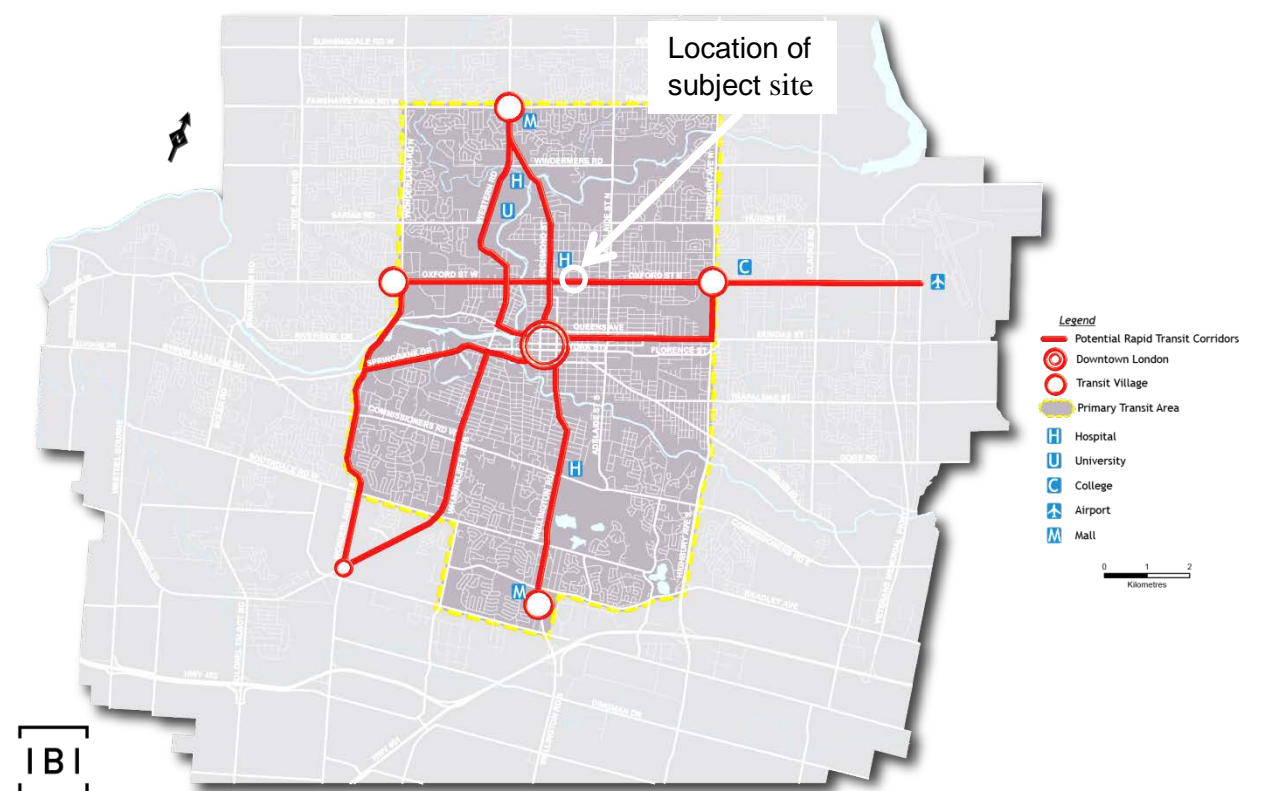


Figure 2 – Excerpt map from *Shift: Our Rapid Transit Initiative* illustrating the location of the subject site in context to the proposed future rapid transit routes

Official Plan

The proposed development is entirely comprised of a residential apartment building without a mixed-use component. The subject site is located within the portion of the Downtown identified as the “Downtown Shopping Area”. While the policies of the Official Plan support “The development of a variety of high and medium density housing types...” [4.1.6.iv)], within the Downtown Shopping Area the policies of the Official Plan specify that the “...predominant uses at street level shall be retail and service facilities that comprise a pedestrian-oriented shopping

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environment...". The intent of the Downtown Shopping Area is to discourage non service-office uses, residential uses, and surface parking lots at street level [4.1.4]. This policy is intended to implement one of the Planning Objectives which encourages "...the consolidation and enhancement of a compact, pedestrian-oriented shopping area within the Downtown" [4.1.1.iv)].

The challenge with the subject site is that while a group of viable, small-scale service commercial uses are located immediately to the west of the subject site, the lands between the subject site and Colborne Street to the east have not established themselves as a compact, pedestrian-oriented shopping area anticipated by the Official Plan policy. As shown in Figure 3 (below), the hotel/motel uses immediately to the east of the subject site have been developed with no accessory street-level commercial component, lobbies that are recessed behind the front building façade, and entryways that are elevated from the ground level to separate the private realm from the public sidewalk.

To the east of the hotel/motel uses is Campbell Memorial Park which can be characterized as a long and narrow public open space and is surrounded on 3 sides by built form (see Figure 4). The park space creates a gap in the street wall where no commercial uses can be located.

Further to the east, between Campbell Memorial Park and Colborne Street, is a 3-storey commercial building which has been designed to accommodate street-level commercial uses at-grade but has experienced continuous vacancies (see Figure 5) in those commercial units. And the last building on this block, at the northwest corner of Dundas and Colborne, is the building that accommodates the Fred Astaire dance studio which has not been designed to accommodate individual street-facing commercial units that are accessed directly from the public sidewalk.

The end result is a streetscape where a consolidation of a pedestrian-oriented shopping area has proven difficult to establish. Furthermore, the narrow lot frontage of the subject site poses a challenge for the development of a mixed-use site given that the building frontage competes for space with the main lobby, service areas and corridors thereby leaving little room for the development of a non-residential component. The Official Plan recognizes these site-specific challenges by recognizing that "...the boundaries of the Downtown Shopping Area are approximate..." and permits "...flexibility in their application provided that the intent of the Downtown Shopping Area concept is maintained" [4.1.4.i)] and the existing DA2 Zoning on the site implements this level of flexibility given that it does not require street-level retail. This is in contrast to the DA1 zone applied to the other areas of the Downtown Shopping Area where residential units are restricted to the rear portion of the ground-floor or above the first storey.

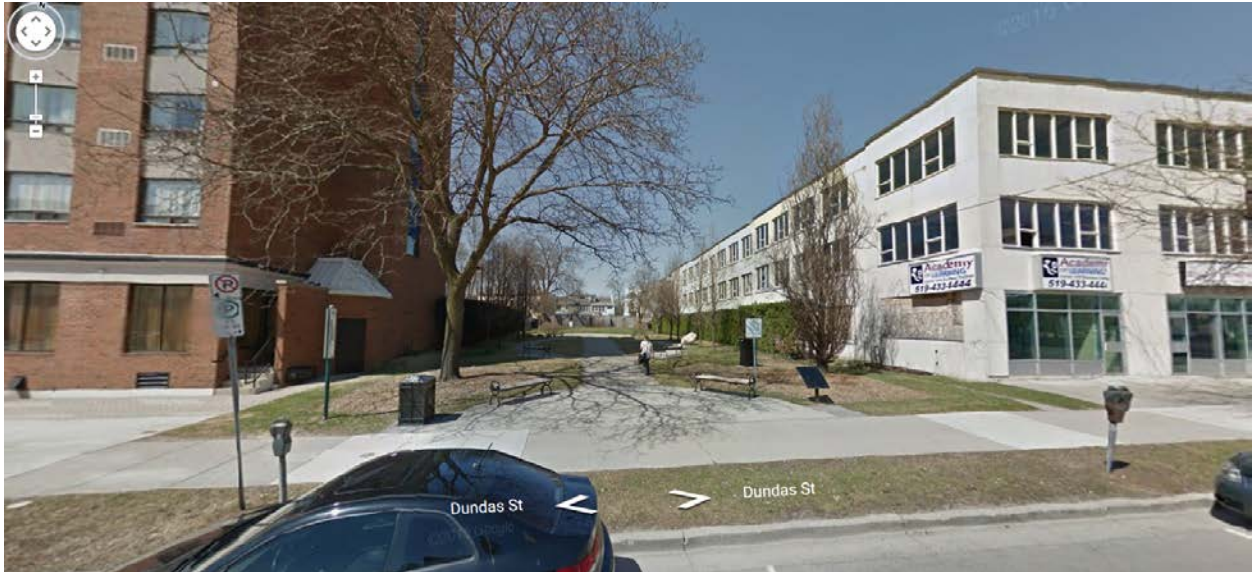


Subject Site | 362 Dundas Street | 374 Dundas Street

Figure 3 – Streetscape photo illustrating the subject site on the left, London Executive Suites in the centre, and Holiday Inn Express on the right

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374 Dundas Street

374 Dundas Street

Figure 4 – Streetscape photo illustrating Campbell Memorial Park situated between 374 Dundas Street and 388 Dundas Street

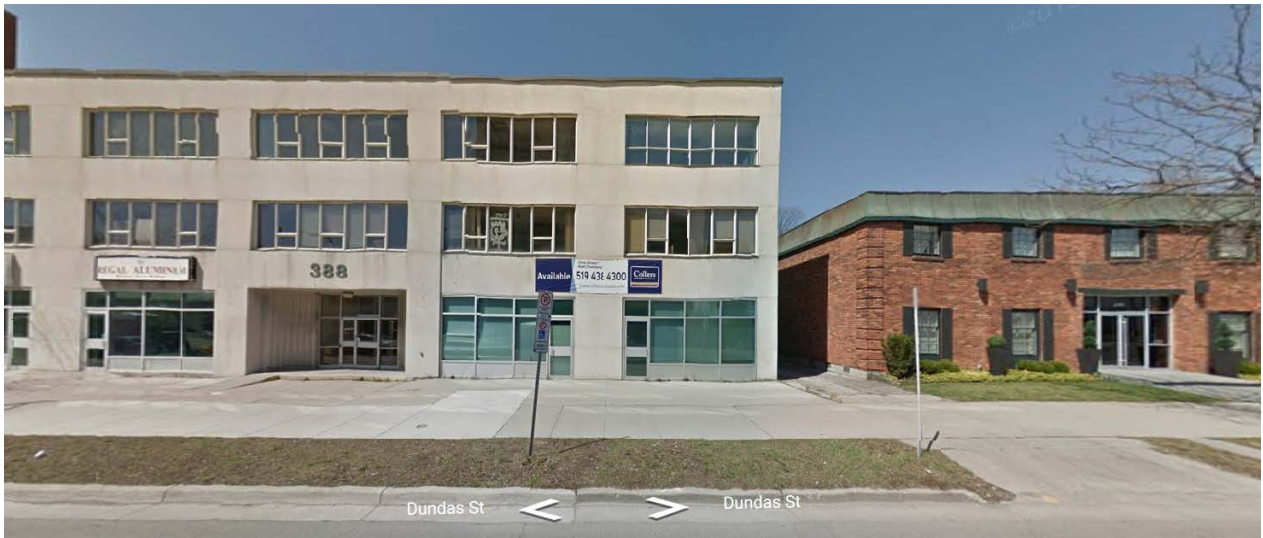


Figure 5 – Streetscape photo illustrating a commercial building located at 388 Dundas Street and the Fred Astaire Dance Studio building at 400 Dundas Street

The policies of the Official Plan support the development of a variety of high and medium density housing types in the Downtown through new development or through the conversion of vacant or under-utilized space in existing buildings. The proposed residential development is consistent with this Official Plan policy.

Our Move Forward: London's Downtown Plan

The proposal implements the guidelines of London's Downtown Plan, specifically Strategic Directions 1 (Make Dundas Street the Most Exciting Place in London) and 5 (Build a Great Neighbourhood). Both of these strategic directions promote the creation of great neighbourhoods in the Downtown. The proposed development implements these strategic directions by facilitating a use that helps to foster neighbourhood on a site-specific basis.

Zoning By-law

The recommended amendment does not implement a change in use. All the uses permitted by

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the current Zoning will be maintained and no new uses are proposed. The current zoning permits apartment buildings (without requiring street-level commercial uses) and the proposed development seeks to implement the existing range of uses albeit at a higher density. Therefore, the recommended amendment is consistent with the spirit and intent of the Zoning By-law.

INTENSITY

Provincial Policy Statement (2014)

The policies of the PPS promote “...cost-effective development patterns and standards that to minimize land consumption and servicing cost” [1.1.1.e)]. The implementation of this policy is effectively achieved by increasing the allowable density on sites where this can be accommodated. The recommended amendment to increase the density by 60% to facilitate a development that is compatible with, and sensitive to, the surrounding development is consistent with the policies of the PPS.

The policies of the PPS also require that “within settlement areas, sufficient land shall be made available through intensification and redevelopment...” [1.1.2]. The PPS defines “intensification” as “the development of a property, site or area at a higher density than currently exists through...the development of vacant and/or underutilized lots within previously developed areas...” The proposed development seeks to develop a residential apartment building on a site that had previously been developed but has remained vacant since 1983 in conformity with the policies of the PPS.

The policies of the PPS also promote a lands use pattern, density and mix of uses that minimize the length of and number of vehicle trips and support current and future use of transit and active transportation [1.6.7.4]. “Active Transportation” is described as “human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids...” The recommended increase in density along this portion of Dundas Street will increase the number of potential riders on this main transit route and its location in the city’s core in proximity to a wide ranges of uses and services facilities active transportation. And although the applicant has requested a reduction in the number of required bicycle spaces by a factor of 50%, the recommended amendment does not include a reduction in the number of bicycle parking spaces in conformity to the above PPS policies.

Official Plan

The downtown area is subject to the highest residential densities permitted in the City. The highest density permitted is 350 uph for residential developments. The policies of the Official Plan also permit increases in density provided the proposal satisfies density bonusing provisions of the Plan. As previously indicated, the applicant has applied to increase the density above the permitted 350 uph through the bonusing provisions outlined in Section 19.4.4 of the Official Plan. The policies of the Official Plan permit Bonus Zoning as a means of encouraging development features which result in a public benefit which cannot be obtained through the normal development process. The *Planning Act* allows municipalities to increase the height and density limits established by Zoning for specific developments in return for provisions such as facilities, services, or matters, as are set out in the By-law.

The Official Plan indicates that the maximum level of intensity will not be permitted on all sites. The policies state that “In areas which cater primarily to pedestrian shopping needs, including portions of Dundas Street..., the height of buildings at or near the street line will be restricted in the Zoning By-law to provide for a pedestrian-scale streetscape which allows adequate levels of sunlight and minimizes wind impacts...Parts of the Downtown that are located adjacent to lower density, residential areas will be subject to height, density and site coverage limits in the Zoning By-law that are intended to provide for an appropriate transition in the scale of development.” [4.1.7.i)] As previously mentioned, this portion of Dundas Street has not transitioned into a shopping area and, as a result, the current Zoning By-law has not restricted the heights of

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buildings. Additionally, while the subject site abuts lower intensity uses to the north, the proposed building is comparable to the form of the development that has been established on lands to the east and no concerns have been expressed about the proposed level of intensity and its potential impacts on abutting lands.

The Official Plan Transportation policies also promote development patterns that increase access to public transportation by encouraging higher density, mixed use forms of development at major intersections and transit-friendly land uses along major corridors which support a high frequency of transit service [18.2.11.x)]. The proposed development facilitates the development of 69 residential units to the area helping to achieve the goal of a higher residential density in the downtown core along a significant transit corridor.

Our Move Forward: London's Downtown Plan

Strategic Direction 3 (Forge Connections with the Downtown Neighbourhoods) recognizes that Downtown is a growing neighbourhood that has a reciprocal relationship with the surrounding core neighbourhoods. And synergies are created when regeneration occurs in these urban neighbourhoods including the provision of a wider range of housing options for core area residents. The recommended amendment facilitates regeneration of a vacant site in the Downtown and, through the development of affordable housing, will provide a wider range of housing options in conformity to London's Downtown Plan.

Zoning By-law

As previously mentioned, the current zoning applied to the site permits a maximum density of 350 uph in conformity to the policies of the Official Plan. This existing density permission is recommended to remain on the site as the "Base Zone" should the proposed development not meet the criteria outlined in the approved by-law.

As previously mentioned, the applicant is also seeing a reduction in bike parking from 52 to 26. This represents a 50 percent reduction in the required bicycle parking spaces and the ability for only 1 in 3 dwelling units to benefit from secured bicycle parking in an area that is conducive to cycling as a mode of transportation. As a result, Staff are not recommending that this reduction be supported.

FORM

Provincial Policy Statement (2014)

The policies of the PPS require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3]. Immediately to the east of the subject site is a 6-storey hotel/motel with a height and scale of development that is similar to that proposed for the subject site. Further east is another hotel/motel use that is 10-storeys in height. To the south there is a 5-storey office building and to the south-east there are 22-storey residential apartment buildings. The recommended amendment facilitates the redevelopment of a site that has been identified as being an appropriate location for intensification by permitting a form of development that is compatible with existing development located on surround lands in conformity to the policies of the PPS.

The policies of the PPS also require the promotion of appropriate development standards which facilitate intensification, redevelopment and compact form [1.1.3.4]. The recommended amendment facilitates intensification and redevelopment in a compact form a manner that is sensitive to the surrounding context.

The policies of the PPS also encourage a "sense of place" by promoting well-designed built form and by conserving features that help define character. In order to qualify for the requested increased density through Bonus zoning, the applicant has been working with Staff to improve

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on its original design and achieve a standard that implements the City's urban design principles, as contained in Chapter 11. The design elements that will facilitate the “sense of place”, as promoted by provincial policy, are identified in the recommendation and Zoning By-law in an effort to promote a well-designed built form to help define character in conformity to the policies of the PPS.

Official Plan

The Downtown policies of the Official Plan encourage new developments to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11. The policies encourage the enhancement of the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses. The proponent has worked with City Staff to modify the proposed development as part of the application review process to improve the street level pedestrian environment from previous renditions of the proposed development. The proposed development was also vetted by the Urban Design Peer Review Panel whose recommendations have also been implemented in the recent renderings attached to the amending by-law.

The Official Plan includes urban design objectives for new development occurring in the Downtown, including designing new developments to provide for continuity and harmony in architectural style with adjacent uses and, co-ordinating the planning and design of streetscape improvements in the Downtown such as the upgrading of building facades [4.12.vi), 4.1.2.vii)]. The proposed development continues the datum lines and ground-floor scale that have been established with the buildings to the west to provide for continuity and harmony in architectural style with adjacent uses in conformity to the policies of the Official Plan.

As previously mentioned, the applicant has requested an increase in the density of the building than would otherwise be permitted through the use of Bonus Zoning. The policies of the Official Plan permit Bonus Zoning to encourage development features which result in a public benefit which cannot be obtained through the normal development process to support the City's urban design principles, as contained in Chapter 11 and other policies of the Plan. The use of Bonus Zoning may include be used to support the provision of the development of affordable housing [19.4.4.ii)]. The City's Housing policies encourage Municipal Council to consider development proposals “...that use innovative design features and servicing standards as a means of improving land use efficiency and providing affordable housing” [12.2.2.vi)]. The proposed “U” shaped form of development facilitates a building design that increases the amount of natural light that can enter each unit while creating a usable space for an common outdoor courtyard space. The use of urban design features, which may not be otherwise implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan.

Our Move Forward: London's Downtown Plan

Strategic Direction 5 (Build a Great Neighbourhood) identifies the creation of “...a distinct urban neighbourhood that builds upon and conserves downtown's cultural heritage values”. Although the subject site is located outside of the Downtown Heritage Conservation District, the proposed form of development is intended to be inserted into a vacant site within an established street wall, adjacent to a cluster of commercial buildings to the west. The proposed form of development has maintained and respected this cluster of commercial buildings by continuing and incorporating the existing rhythm previously established within their façade treatments. This helps to create the distinct urban neighbourhood that is encouraged by the London's Downtown Plan.

Zoning By-law

The current Zoning includes a holding provision to ensure that development over 15 metres in height will not have an adverse impact on pedestrian level wind conditions by requiring the submission of a wind impact assessment. The holding provision also requires that any

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recommendations contained within the wind assessment for building design or site modifications necessary to achieve acceptable wind conditions be incorporated into the proposed development. The applicant has submitted a pedestrian level wind study in conformity with the holding provision. Upon review of the submitted wind study, the form of the proposed development is not anticipated to generate any significant additional wind impacts on pedestrian traffic.

The current zoning also includes various setback requirements for a form of development such as the one proposed by the applicant. Specifically, a minimum rear yard depth of 2.5 metres is currently required whereas the application seeks to reduce the required setback a minimum of 1.5 metres. Additionally, building setbacks are required for upper storeys of buildings above 15 metres in height on properties located on Dundas Street. The proposed form of development does not incorporate this setback requirement however, Planning Staff are recommending that this requirement be deleted given that the existing street wall to the east of the subject site include a 6-storey and 10-storey building that also do not incorporate building setbacks above 15 metres of building height. These buildings have achieved an acceptable measure of compatibility in the area and by deleting this requirement, the form of development proposed for the subject site is consistent with the surrounding context.

In order to implement the identified items for bonus zoning section 19.4.4 iv) of the Official Plan states that:

“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.”

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 design features that will be incorporated into the form of development to merit the additional density. Through the site plan process, the proposed development will be reviewed to ensure that all benefits that have warranted bonus zoning have been incorporated into the development agreement. These design features are highlighted in the recommendation and the amending by-law including the illustrations attached as Schedule “1”.

Through the Site Plan Approval process, Staff will work with the applicant to seek opportunities to reconfigure the interior layout of the proposed building in an effort to relocate the location of the garbage room from the front of the building to the interior of the building. The relocation of the garbage room will allow for more active frontage to be created at the base of the of the building at street-level and help to animate Dundast Street.

The bonus zone will be specific as it is intended to facilitate a development design which will permit a density of 558uph a height of 17.5m and will be tied to the approved elevations. The bonus zoning is directly related to the enhanced urban design provided and the understanding that the proposed development is to support the provision of affordable housing. The proposed development shall be implemented through a development agreement in return for the provision of these services, facilities and matters.

CONCLUSION

Staff's recommendation is appropriate as it is consistent with the Provincial Policy Statement (2014) and with the City of London Official Plan policies. It encourages the redevelopment of an underutilized site and encourages an appropriate form of intensification and provides an opportunity for affordable housing within the City. The by-law which permits the bonus zoning of the subject site and subsequent development agreement will ensure the building form and design will fit within the surrounding area and provide for an enhanced design standard.

Agenda Item # Page #

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PREPARED BY:	SUBMITTED BY:
MIKE CORBY POLICY PLANNING AND PROGRAMS	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

MC/mc

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File: Z-8483
Planner: Mike Corby

**Bibliography of Information and Materials
Z-8483**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Pamela Karasy, April 2, 2015

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.

Zelinka Priamo Ltd. *Planning Justification Report*, April 22, 2015.

Zelinka Priamo Ltd. *Urban Design Brief*, April 1, 2015.

The Boundary Layer Wind Tunnel Laboratory. *Pedestrian Level Wind Preliminary Impact Assessment*, March 31, 2015.

Correspondence: (all located in City of London File No. Z-8483 unless otherwise stated)

City of London -

Moore R., City of London Wastewater Department. E-mail to B. Turcotte, May 19, 2015.

Chaves J., City of London Stormwater Management Unit. E-mail to M. Corby. August 13, 2015.

Couvillon A., City of London Planning Transportation Division. AMANDA. May 7, 2015.

Departments and Agencies -

Creighton C., UTRCA. Letter to B. Turcotte. May 27, 2015.

Bezzina J., London Hydro. Memo to M. Corby. August 21, 2015.

Urban Design Peer Review Panel. Memo to B. Turcotte, May 20, 2015

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. Z.-1-15_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 356 Dundas Street.

WHEREAS Pamela Karasy has applied to rezone an area of land located at 356 Dundas 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:

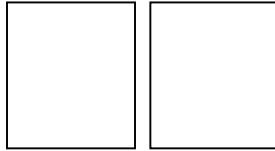
- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 356 Dundas Street, as shown on the attached map comprising part of Key Map No. A.107, from a Holding Downtown Area (h-3*DA2*D350) Zone to a Holding Downtown Area Bonus (DA2*D350*B(_)) Zone.
- 2) Section number 4.3 of the General Provisions to By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3(_) B(*) 356 Dundas Street

This bonus zone is intended to facilitate a development design which includes a 6-storey residential apartment building with a maximum of 69 residential apartment units at an increased density up to 558 units per hectare, front yard setback of 0 metres and a minimum rear yard depth of 1.5 metres in return for the provision of the following services, facilities and matters which are described in greater detail in the recommended by-law:

A building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, is consistent with the Site Plan and Illustrations shown in Schedule "1" of the amending by-law, except where the below criteria require more specific detail than shown in Schedule "1", and includes the following:

- i. A 6-storey building design which responds to the existing built form on the abutting lands to the east and west of the subject site. This includes continuing the datum line established by the existing built form to the west of the site and a height and massing which is compatible with the West Woodfield Heritage Conservation District abutting the subject site immediately to the north. The building itself shall maintain a "U" shaped building footprint with the creation of a common outdoor landscaped area located within the interior portion of the "U".
- ii. Other specific features include a minimum front building façade height on the ground-floor of 3.65 metres (12 feet) across the entire length of the building frontage to establish the building "base" and a glass canopy located above the principal front building entrance extending approximately one-third the length of the building façade. There shall also be a horizontal cornice line located above the glass canopy which visually separates the ground-floor front façade and the upper building storeys and distinguishes the "middle" of the building from the ground-floor "base". A masonry building material such as brick or block will be used on the façade of the base while avoiding the use of field stone or similar material.
- iii. The use of brick on the exterior façade on the "middle" of the building extending the entire length of the front building elevation between floors 2-4 (inclusive) beginning above the cornice line and the inclusion of decorative moulding between floors 4 and 5 to create visual interest and distinguish the "top" of the building from the "middle".



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Planner: Mike Corby**

- iv. Alternative window treatments shall be used to provide an enhanced appearance. The use of clear vision glass in all of the building’s openings on the entire building frontage between floors 2-6 (inclusive) will be required. The use of spandrel glass panels will be avoided. Clear vision glass will be required in all of the transom windows on the base of the building and where the windows are associated with internal facilities/rooms that promote active uses.
- v. A minimum of three glass Juliette balconies per floor between floors 2-5 (inclusive) and the inclusion of decorative moulding and decorative bracket detail at the top of the 6th floor to cap the “top” of the building.

The following regulations apply with the bonus zone:

Density (maximum):	558 units per hectare (222 units per acre)
Front Yard Setback (minimum)	0 metres (0 feet)
Rear Yard Setback (maximum)	1.5 metres (4.92 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. 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 September 15, 2015.

Matt Brown
Mayor

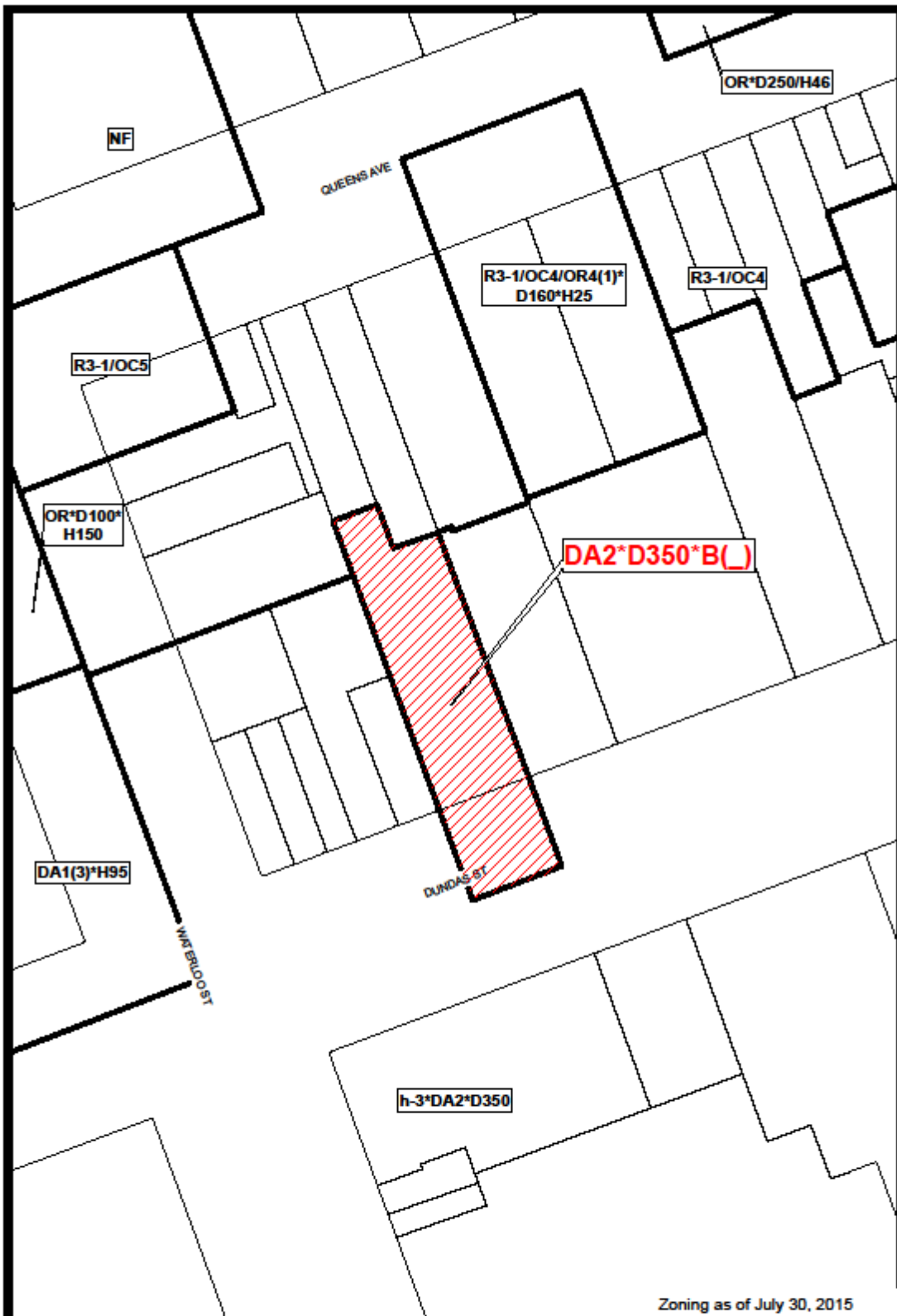
Catharine Saunders
City Clerk

First Reading - September 15, 2015
Second Reading - September 15, 2015
Third Reading - September 15, 2015

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File: Z-8483
Planner: Mike Corby

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



Zoning as of July 30, 2015

File Number: Z-8483
 Planner: MC
 Date Prepared: 2015/08/21
 Technician: TT
 By-Law No: Z.-1-

SUBJECT SITE 

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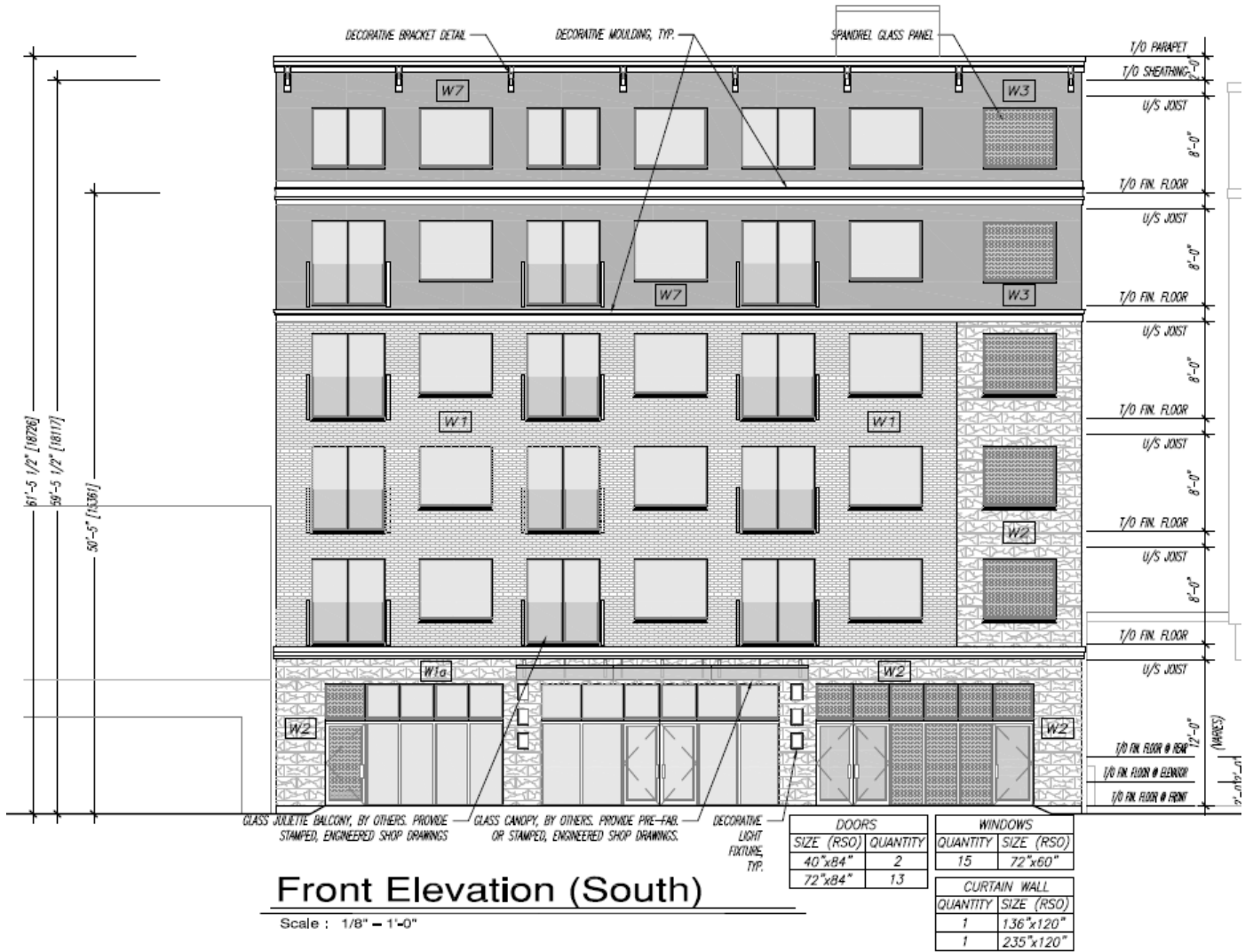
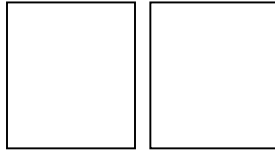
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Schedule "1"



Front Elevation (South)



Glass Canopy

