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Z-8616
B. Turcotte

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: DOUG LANSINK 66 BYRON AVENUE EAST PUBLIC PARTICIPATION MEETING ON AUGUST 22, 2016

RECOMMENDATION

- 1) That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Doug Lansink, relating to the property located at 66 Byron Avenue East, the request to amend Zoning By-law Z.-1 to change the zoning of 66 Byron Avenue East **FROM** a Residential R2 (R2-2) Zone to a Residential R2 Special Provision (R2-2(_)) Zone **TO** recognize 4 existing dwelling units and permit an additional single detached dwelling **BE REFUSED** for the following reasons:
 - i. The requested amendment is not consistent with Section 1.1.3.3 of the Provincial Policy Statement which promotes opportunities for residential intensification based on appropriate development standards;
 - ii. The requested amendment is not consistent with Section 3.1.1 of the Official Plan which seeks to minimize the potential for land use compatibility problems which may result from an inappropriate mix of higher intensity residential uses with other residential uses; and,
 - iii. The requested amendment is not consistent with Sections 3.2.3.4 and 3.7.2 of the Official Plan which seek to ensure that a proposal for residential intensification be sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood.

- 2) That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the property located at 66 Byron Avenue East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 30, 2016, 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 (R2-2) Zone **TO** a Residential R2 Special Provision (R2-2(*)) Zone **AND** a Residential R2 Special Provision (R2-2(**)) Zone.

- 3) The Site Plan Approval Authority **BE REQUESTED** to consider implementing the following design matters through the site plan process:
 - i. Provide a main building setback that is aligned to existing buildings on the south side Euclid Avenue;
 - ii. Set the garage back behind the main building mass;
 - iii. Align the main floor and second storey levels with those of adjacent buildings;
 - iv. Provide a porch and walkway from the front door out to the sidewalk;
 - v. Provide windows and façade articulation that is in keeping with the scale of the surrounding houses;

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- vi. Utilize high quality materials that are common in the Wortley Village – Old South Heritage Conservation District, including brick and wood or siding;
- vii. Wrap materials around all visible façade portions, and make material transitions at appropriate locations;
- viii. Include a roof pitch that is consistent with predominant roof forms in the nearby properties; and,
- ix. Ensure that the proposed building design complies with Section 4.4 and Section 8.3.3 of the Wortley Village – Old South Heritage Conservation District Plan and Guidelines.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommendation serves to refuse a Zoning By-law amendment application that seeks to provide for the maintenance of an existing 4 unit converted dwelling fronting Byron Avenue East (on the proposed retained lot) and the development of a new single detached dwelling fronting Euclid Avenue (on the proposed severed lot).

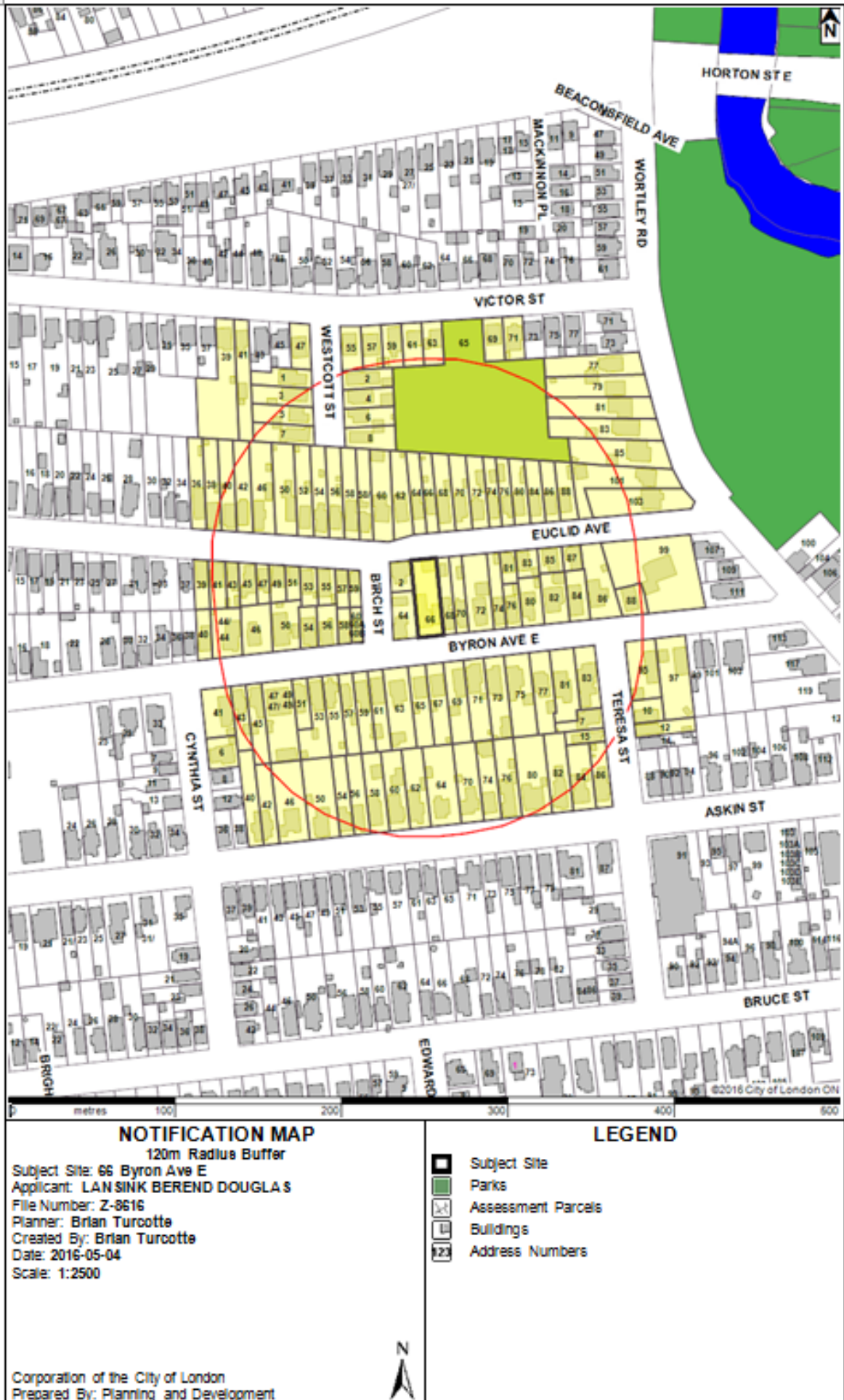
The recommendation also serves to permit 3 units in an existing converted dwelling fronting Byron Avenue East (on the proposed retained lot) and the development of a new single detached dwelling fronting Euclid Avenue (on the proposed severed lot).

RATIONALE

1. The rationale for refusal of the requested Zoning By-law amendment to recognize four existing dwelling units within a converted dwelling and permit a new single detached dwelling is listed in clause 1) of the Recommendation.
2. The rationale to support a Zoning By-law amendment to permit a maximum of 3 dwelling units in a converted dwelling and permit a new single detached dwelling is as follows:
 - a) The recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the Provincial Policy Statement, 2014;
 - b) The recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the City of London Official Plan; and,
 - c) The recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the Wortley Road Heritage Conservation District Plan and Guidelines.

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BACKGROUND

Date Application Accepted: April 25, 2016	Agent: Pol Associates Inc.
REQUESTED ACTION: There are 2 specific requested actions:	
<p>The Proposed Retained Lot “Site A” on Attachment 1 (fronting 66 Byron Avenue East): Possible change to Zoning By-law Z.-1 FROM a Residential R2 (R2-2) Zone which permits: single detached; semi-detached; duplex and converted dwellings (with a maximum of two dwelling units) TO a Residential R2 Special Provision (R2-2(_)) Zone to permit: an existing four unit converted dwelling with: a minimum lot area of 471 square metres; a minimum rear yard of 4.8 metres; a minimum (west) interior side yard of 1.06 metres; and three off-street parking spaces; and,</p> <p>The Proposed Severed Lot “Site B” on Attachment 1 (fronting Euclid Avenue): Possible change to the Z.-1 Zoning By-law FROM a Residential R2 (R2-2) Zone which permits: single detached; semi-detached; duplex and converted dwellings (with a maximum of two dwelling units) TO a Residential R2 Special Provision (R2-2(_)) Zone to permit a two storey single detached dwelling (with attached garage) with: a minimum lot area of 244 square metres; a minimum front yard setback of 1.2 metres; a minimum rear yard of 2.06 metres; a minimum (west) interior side yard of 0.93 metres; a maximum lot coverage of 46%; and, a minimum landscaped open spaces of less than 30%.</p>	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – the subject site contains an existing four unit converted dwelling and detached single bay garage fronting onto Byron Avenue. A second detached three bay garage is located on the north end of the property fronting Euclid Avenue. • Frontage – 15.24 metres (50 feet) • Depth – 46 metres (150 feet) • Area – 0.17 acres (0.07 hectares)

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - single detached dwellings and converted dwellings containing 2 units • South - single detached dwellings • East - single detached dwellings, converted dwellings containing 2, 3 and 4 units; • West - single detached dwellings and converted dwellings containing 2 units

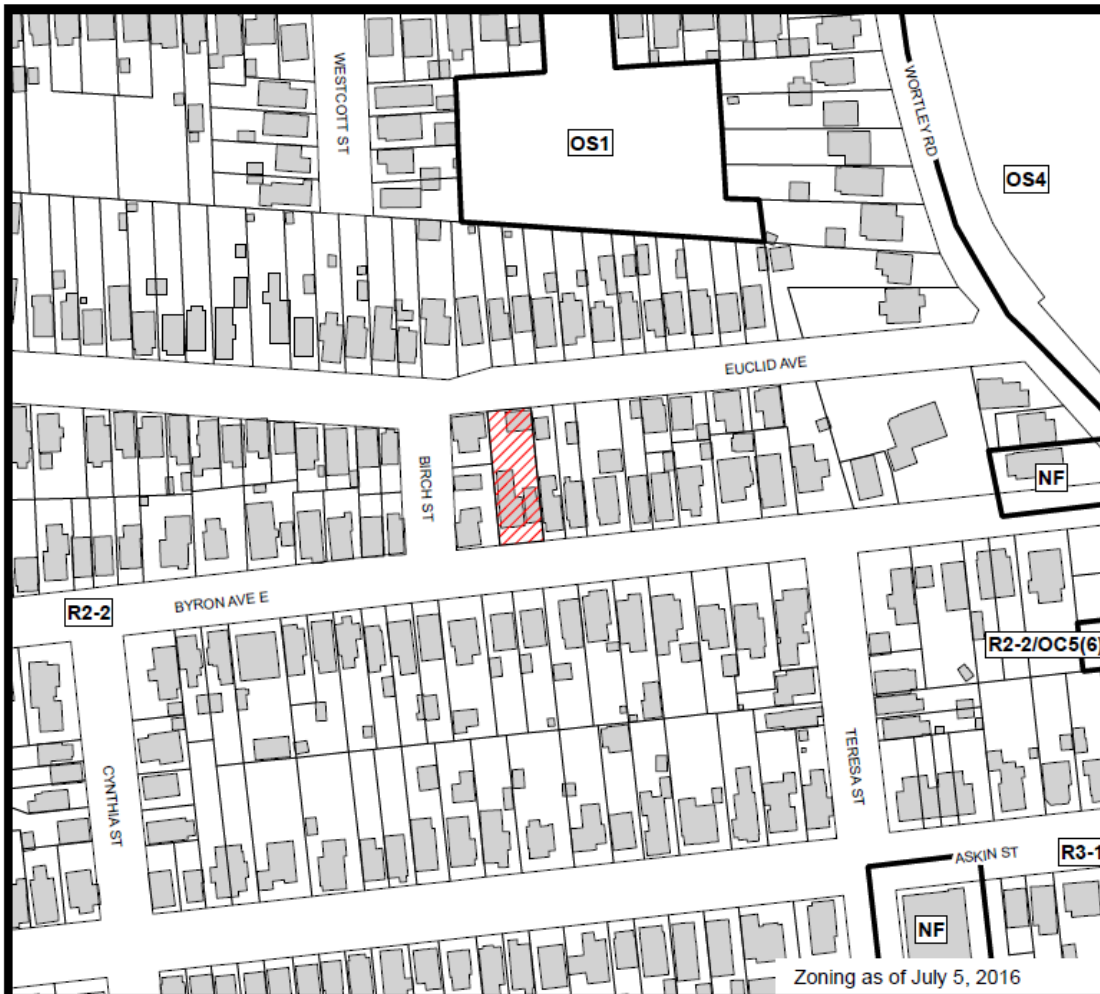
OFFICIAL PLAN DESIGNATION – See Official Plan Map (Low Density Residential)
EXISTING ZONING – See Zoning Map (Residential R2(R2-2))

PLANNING HISTORY

In 2011 the applicant submitted a minor variance and consent application to facilitate the severance of a portion of an existing lot known municipally as 66 Byron Avenue East and to establish zoning regulations for both the retained lot (which contained an existing a four unit converted dwelling) and the severed lot on which proposed a new single detached dwelling fronting Euclid Avenue. Prior to the meeting of the Committee of Adjustment, the minor variance application was withdrawn at the request of the applicant. The current requested actions mirror

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-2

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**



FILE NO:
Z-8616 BT

MAP PREPARED:
2016/07/15 MB

1:2,000
0 10 20 40 60 80 Meters

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

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the minor variance and consent requests of 2011.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Transportation Planning and Design comment:

“Transportation has no concerns with the zoning, however the minimum length for a driveway between the property line and the garage is 5.5m with 6.0m being preferred”.

WADE comments:

“WADE does not oppose the proposed changes in zoning for the subject lands.”

UTRCA:

“The UTRCA has no objections to this application”.

London Hydro:

“London Hydro has no objection to this proposal”.

Urban Design Peer Review Panel (UDPRP):

The UDPRP comments are in response to the rendering shown as Attachment 3 to this report.

- *“City of London staff, in this instance Heritage, appears to be making specific design recommendations which serves to confuse and lead proponents towards approval oriented solutions and not urban design. The proponents’ original concept has more architectural merit and will be of greater significance and value to the built fabric of the neighbourhood compared to the design revisions suggested by City staff that literally creates confusion in the architectural concept. Precedent buildings in the design brief have proven to be quite successful enhancements to the neighbourhood in which they are built.*
- *The contemporary approach is an acceptable direction however it would be useful to see further design development to ensure a quality design is achieved. At this stage there are a number of issues that if addressed would improve the design and enhance the urban fabric.*
- *The driveway does not appear to be long enough on the site plan drawing to accommodate a vehicle. Graphic representation of an automobile is touching the building. Recommended is a further review of the garage wall setback to avoid possibility of car/truck parked in driveway overhanging the sidewalk.*
- *Having a front entry path can enhance privacy and streetscape.*
- *Raising the front porch elevation and increasing its size for outdoor use would provide an active covered front porch that is prevalent on the existing streetscape improving the transition from public to private space.*
- *Narrowing the garage width relative to the house would provide a more balanced façade.*
- *Consider tree planting in the boulevard.*
- *The development approach is seen as appropriate for this area that allows for further intensification without imposing pocket density increases.*

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- *Having a front entry path can enhance privacy and streetscape.*”

London Advisory Committee on Heritage (LACH):

“The LACH supports the Heritage Impact Assessment, dated March 2016, and the proposed Zoning By-law amendment for the property located at 66 Byron Avenue East, it being noted that the LACH expressed concerns with the proposed elevations noted in the Heritage Impact Assessment (see attachment 4 – author’s note) as to the compatibility within the Wortley Village Heritage Conservation District.”

PUBLIC LIAISON:	<p>On May 18, 2016 a Notice of Application was sent to 129 property owners (and the Old South Community Association) 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 19th, 2016. A “Possible Land Use Change” sign was also posted on the site.</p>	<p>3 e-mail responses were received in response to the Notice of Application.</p>
Nature of Liaison:		
<p>The purpose and effect of this zoning change is to facilitate the severance of a portion of an existing lot known municipally as 66 Byron Avenue East and to establish zoning regulations for both the retained lot and the severed lot. The application seeks to provide for four dwelling units in an existing converted dwelling on the retained lot fronting 66 Byron Avenue East. The application further seeks to provide for the development of a new single detached dwelling (with an attached garage) on the severed lot that will front Euclid Avenue</p> <p>1) The Proposed Retained Lot (fronting 66 Byron Avenue East):</p> <p>Possible change to Zoning By-law Z.-1 FROM a Residential R2 (R2-2) Zone which permits: single detached; semi-detached; duplex and converted dwellings (with a maximum of two dwelling units) TO a Residential R2 Special Provision (R2-2(_)) Zone to permit: an existing four unit converted dwelling with: a minimum lot area of 471 square metres; a minimum rear yard of 4.8 metres; a minimum (west) interior side yard of 1.06 metres; and three off-street parking spaces; and,</p> <p>2) The Proposed Severed Lot (fronting Euclid Avenue):</p> <p>Possible change to the Z.-1 Zoning By-law FROM a Residential R2 (R2-2) Zone which permits: single detached; semi-detached; duplex and converted dwellings (with a maximum of two dwelling units) TO a Residential R2 Special Provision (R2-2(_)) Zone to permit a two storey single detached dwelling (with attached garage) with: a minimum lot area of 244 square metres; a minimum front yard setback of 1.2 metres; a minimum rear yard of 3.06 metres; a minimum (west) interior side yard of 0.93 metres; and, a maximum lot coverage of 46%.</p>		
Responses: The e-mail responses are included as Attachments 1 and 2 report. One response requested a copy of the Notice of Application.		

THE EXISTING SITUATION – THE SITE, THE BLOCK AND THE NEIGHBOURHOOD

What is the Nature of the Application?

The subject site is zoned a Residential R2 (R2-2) Zone in the Z.-1 Zoning By-law. The Residential R2 (R2-2) Zone permits a range of single detached, semi-detached, duplex and converted dwellings (to a maximum of 2 units). Under the provisions of the Residential R2 (R2-2) Zone, a single detached dwelling requires a minimum lot area of 360 square metres. A



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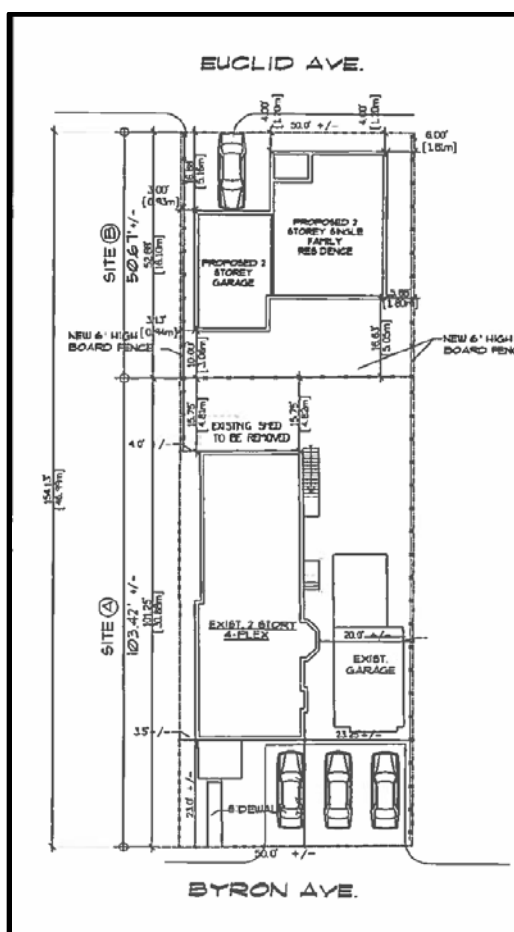
converted dwelling containing 2 dwelling units would require a minimum lot area of 430 square metres.

The General Provisions of the Z.-1 Zoning By-law further require that one readily accessible parking space shall be required for each unit in a converted dwelling and that these parking spaces shall be located in the interior side yard or rear yard and that no part of any parking area shall be located closer than 1 metre to the required road allowance.

The purpose and effect of the requested zoning change is to facilitate the severance of a portion of the subject site and to establish zoning regulations for both the retained lot and the severed lot. The application seeks to maintain four existing dwelling units within a converted dwelling on the retained lot fronting 66 Byron Avenue East (where the current zoning permits a maximum of 2) and allow the development of a new single detached dwelling (with attached garage) on the severed lot fronting Euclid Avenue (see Figure 1).

To facilitate the development concept the applicant has indicated willingness to remove the existing detached garage fronting Byron Avenue East.

Figure 1 – The Proposed Development Concept



The subject site is designated under Part V of the Ontario Heritage Act and is located within the Wortley Village Heritage Conservation District (HCD). In support of the requested zoning change, the applicant submitted a Heritage Impact Statement (HIS). The HIS included a rendering of the building elevation for the proposed single detached dwelling fronting Euclid Avenue (see Figure 2). For contextual purposes, Figure 3 depicts the proposed single detached dwelling within the context of a portion of the existing block face. The application does not contemplate, nor seek permissions for, exterior alterations to the existing structure located at 66

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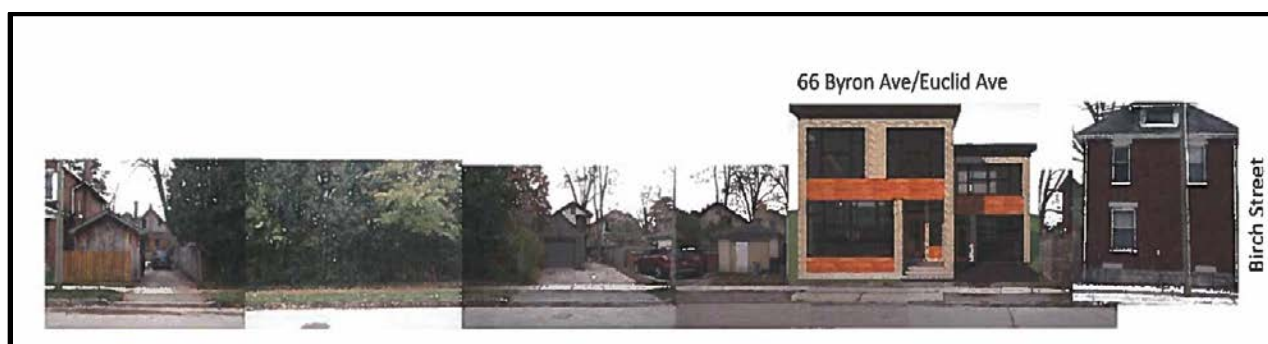
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Byron Avenue East which is listed as a Priority 2 Building in the City of London Inventory of Heritage Resources.

Figure 2 – Proposed Single Detached Dwelling Fronting Euclid Avenue



Figure 3 – The Proposed Single Detached and Euclid Avenue



The Subject Site and how does it Currently Function?

The subject site, known municipally as 66 Byron Avenue East, is a through lot located on the north side of Byron Avenue East, east of Birch Street. The lot is: regular in shape; 15 metres (50 feet) in width; 46 metres (150 feet) in depth; and 0.17 acres (0.17 hectares) in size. The lot contains a single detached converted dwelling (containing 4 residential units) with detached garage fronting Byron Avenue (see Figure 4) and a three bay detached garage fronting Euclid Avenue (see Figure 5). The applicant has indicated that the existing single detached dwelling has contained 4 apartment units since the 1940's. In March of 2016 the City of London issued a Residential Rental License for 66 Byron Avenue East for four units.

Byron Avenue East and Euclid Avenue are identified as local streets on Schedule C – Transportation Corridors, to the City of London Official Plan. Both streets provide for on-street parking and both have Average Annual Daily Traffic counts of less than 1,000 vehicles. The London Plan identifies both Byron Avenue East and Euclid Avenue as a Neighbourhood Street. Neighbourhood Streets in the London Plan provide for on-street parking in the through lanes.

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Figure 4 – 66 Byron Avenue East



Figure 5 – Existing 3 Bay garage fronting Euclid Avenue



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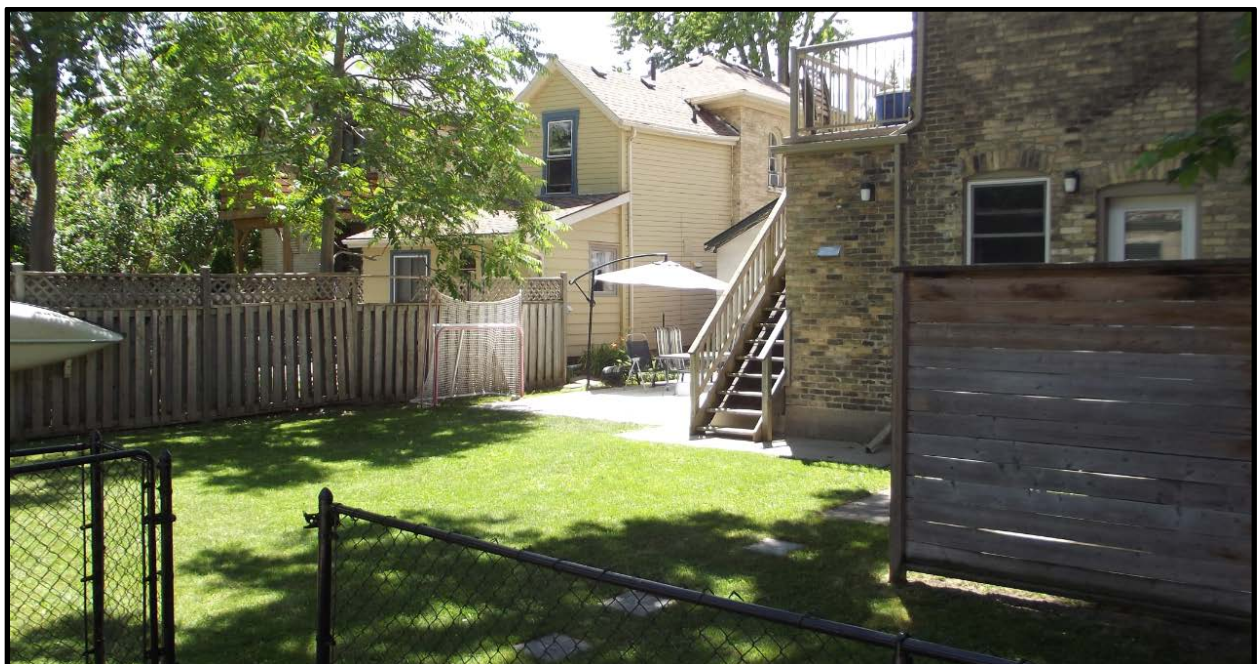
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A rear yard amenity space is located between the existing converted dwelling and the three bay detached garage and gravel driveway (Figure 6). The amenity space includes a patio and grassed area. A board fence on the east and west property line provides a degree of privacy for the amenity area (see Figure 7).

Figure 6 – Rear Yard Amenity Space



Figure 7 – Privacy Fencing



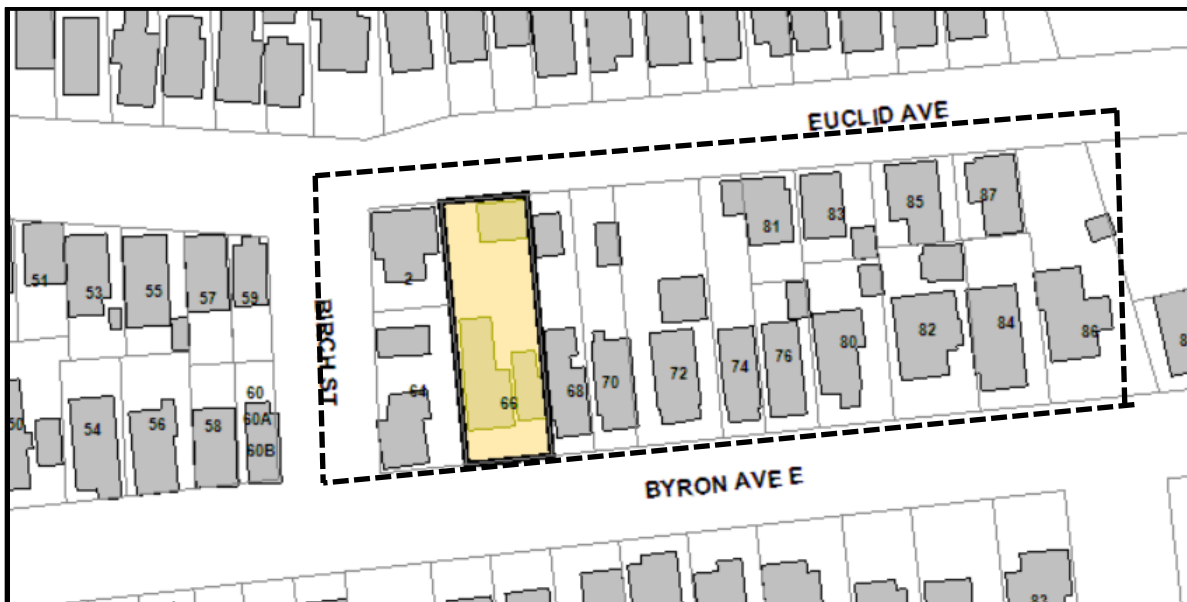
How does the Site fit within “the Block”?

Lands hereafter referred to as “the block” encompass those properties shown on Figure 8 below. The block encompasses those lands on the north side of Byron Avenue East, the east side of Birch Street, the south side of Euclid Avenue, and lands to the west of 88 Byron Avenue East.

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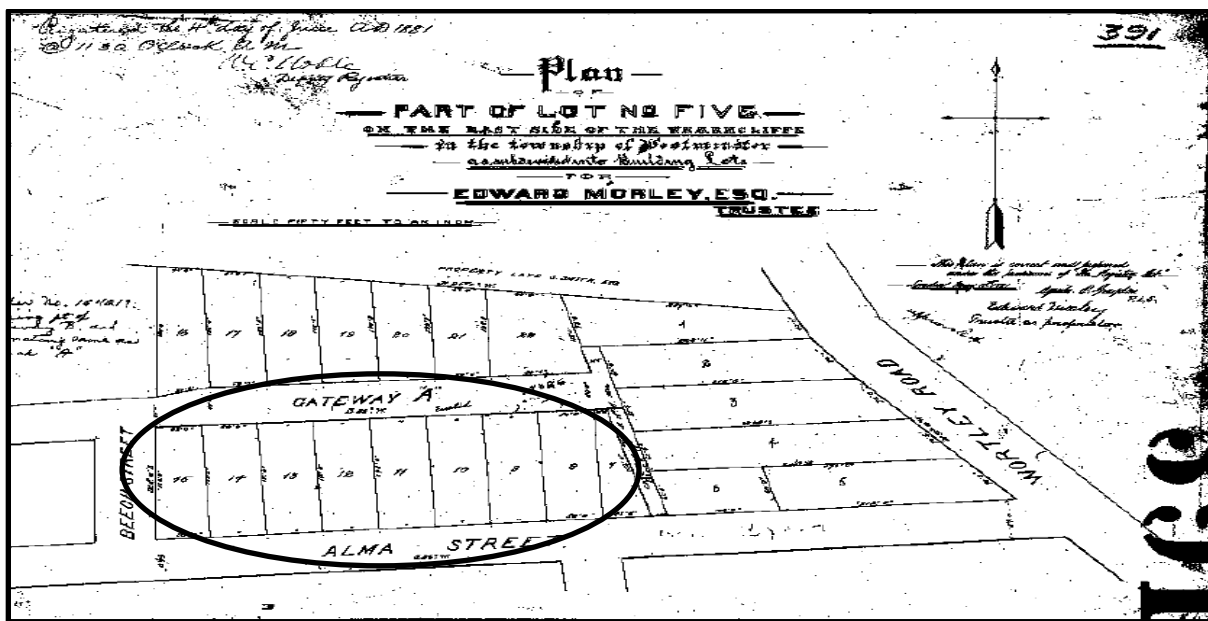
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Figure 8 – The Subject Site (highlighted) and “The Block”



The nine lots in the block were registered in 1881 under Plan 391 (see Figure 9). These lots were generally 50 feet in width and 140 feet in depth at the time of registration. Over time a further 7 lots were created through severance such that the block today consists of a total of 16 lots. City of London Real Property Assessment Roll information from 1966 identifies all 16 lots suggesting that the last of these severances occurred at least 50 years ago.

Figure 9 - Plan 391



Attachments 5, 6a) and 6b) depict the Byron Avenue East and Euclid Avenue block faces.

Table 1 identifies the year in which those structures shown on Attachments 5, 6a) and 6b) were constructed. Table 1 also identifies those properties within the block for which a Residential Rental License has been issued by the City of London (and the number of units identified on and permitted under the license). 5 properties within the block have been issued a 2016 Residential Rental License from the City of London. These 5 licenses serve to provide for a total of 17 converted rental units within the block. The properties for which these licenses have been issued are shown on Figure 10 below.

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Table 1 – Year Constructed and Issued City of London Rental Licenses

Municipal Address	Year Constructed	Units Permitted Under C o L Residential Licensing
64 Byron Ave. E.	1880	
66 Byron Ave. E.	1891	4
68 Byron Ave. E.	1890	
70 Byron Ave. E.	1890	
72 Byron Ave. E.	1876	
74 Byron Ave. E.	1914	
76 Byron Ave. E.	1914	
80 Byron Ave. E.	1891	3
82 Byron Ave. E.	1891	4
84 Byron Ave. E.	1916	
86 Byron Ave. E.	1894	4
2 Birch St.	1919	
81 Euclid Ave.	1923	
83 Euclid Ave.	1923	
85 Euclid Ave.	1885	2
87 Euclid Ave.	1935	
Total		17

How does the site fit within the “Larger Neighbourhood”?:

Figure 10 places the block (and its existing lot fabric) within the context of the larger neighbourhood. Figure 10 also identifies properties within the neighbourhood for which a 2016 residential rental license has been issued by the City of London.

Figure 10 – Lot Fabric and 2016 Residential Licenses in the Neighbourhood



The lot fabric of the block, in-as-much-as that fabric consists of 3 non-severed through lots of similar lot area enjoying frontage on 2 public streets, is unique to the larger neighbourhood.

A total of 16 properties in the neighbourhood, not including those properties defined for this

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report as being within the block, have been issued a 2016 Residential Rental License. These properties, their existing lot area and the number of rental units permitted under License by the City of London in 2016, are listed on Table 2.

Table 2 – Lot Areas and Rental Units Permitted Under City of London Licensing in 2016

Municipal Address	Existing Lot Area (m ²)	Units Permitted Under C o L Residential Licensing
28 Euclid Avenue	1003	4
30 Euclid Avenue	501	4
36 Euclid Avenue	485	2
38 Euclid Avenue	501	1
40 Euclid Avenue	501	1
60 Euclid Avenue	660	2
31 Euclid Avenue	480	2
43 Euclid Avenue	234	4
47 Euclid Avenue	189	1
49 Euclid Avenue	160	1
51 Euclid Avenue	220	1
34 Byron Avenue East	372	2
46 Byron Avenue East	476	2
65 Byron Avenue East	550	2
75 Byron Avenue East	720	3
81 Byron Avenue East	630	4
Total Licensed Units		36

The Site, the Block and the Larger Neighbourhood and the Wortley Village - Old South Heritage Conservation District:

66 Byron Avenue East, and the larger neighbourhood of Wortley Village, is located within the Wortley Village – Old South Heritage Conservation District (HCD). The HCD was designated under Part V of the *Ontario Heritage Act* on June 1, 2015. 66 Byron Avenue East is a “c” ranked property under the HCD Plan and Guidelines. The designating by-law for the HCD is registered on the title of every property within the HCD as designated under the *Ontario Heritage Act*.

The Subject Site and the London Plan:

The London Plan identifies both Byron Avenue East and Euclid Avenue as a Neighbourhood Street. Under the Plan structures shall be a minimum of 1 storey high to a maximum of 2.5 storey high. The London Plan does not include a Maximum Floor are that may be permitted along this street classification. The London Plan anticipates infill development and converted dwelling units in the Neighbourhood Place Type policies noting that all forms of intensification should be appropriately located and be a good fit within their neighbourhood.

ANALYSIS - THE POLICY AND REGULATORY FRAMWORK

The applicant has submitted a Planning Justification Report, a Neighbourhood Character Statement and Compatibility Report, a Heritage Impact Statement, and an Urban Design Brief in support of their requested action.

The submissions of the applicant have been reviewed in response to the policy framework of the *Provincial Policy Statement, 2014*, the *Ontario Heritage Act*, and the City of London Official Plan, including the HCD Plan and Guidelines. The results of this analysis are as follows:

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The Provincial Policy Statement, 2014:

The purpose and effect of the requested zoning change is to facilitate the severance of a portion of an existing lot known as 66 Byron Avenue East and to establish zoning regulations for both the retained lot and the severed lot. The application seeks to retain 4 existing dwelling units within a converted dwelling on the retained lot fronting 66 Byron Avenue East and allow the development of a new single detached dwelling (with attached garage) on the severed lot fronting Euclid Avenue.

The *Provincial Policy Statement, 2014* (PPS) provides policy direction on matters related of provincial interest related to land use planning and development. It is intended to be read in its entirety and the relevant policies are to be applied in each situation.

One of the primary policies of the Province as expressed in the PPS is the efficient use of land within urban areas. To manage and direct land use to achieve efficient and resilient land use patterns, Section 1.1.2 of the PPS states that “...sufficient land shall be made available to accommodate an appropriate range and mix of land uses...” and that “...within settlement areas, sufficient land shall be made available through intensification and redevelopment...”.

Intensification, as defined in the PPS, means “...the development of a property, site or area at a higher density than currently exists through the development of a vacant or underutilized lot within previously developed areas or through infill development.” Development is defined to mean the “creation of a new lot” and redevelopment as “the creation of new units, uses or lots on previously developed land in existing communities”.

The existing policies of the Official Plan and the Z.-1 Zoning By-law serve to provide for, and implement, the policies of the *Provincial Policy Statement* referenced above:

- the subject site, as well as the larger neighbourhood, is designated for Low Density Residential purposes in the City of London Official Plan. The Low Density Residential designation permits a range of uses including single detached, semi-detached, and duplex dwellings. Multiple- attached dwellings, such as row houses or cluster houses, may also be permitted in the Low Density Residential designation subject to additional criteria.
- Residential intensification may also be permitted in the Low Density Residential designation of the Official Plan through an amendment to the Zoning By-law, subject to a policy review, and a Planning Impact Analysis. For the purposes of the Official Plan, residential intensification refers to the development of a site or area at a higher density than currently exists. Residential intensification may be provided for through: the development of underutilized lots within previously developed areas; infill development, including lot creation; and the conversion or expansion of existing residential buildings to create new residential units or accommodation. For the purposes of the Official Plan, development is only considered infill when it occurs on vacant or underutilized sites within an established residential neighbourhood. Underutilized sites are defined by the Official Plan as those site that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood;

In-as-much as it seeks to provide for the development of a new single detached dwelling lot and the retention of an existing 4 unit converted dwelling in a previously developed area, the requested Zoning By-law amendment would facilitate “intensification” as defined by the *PPS*. However, Section 1.1.3.3 of the PPS requires that Planning Authorities, having had consideration for the existing building stock in the area, not only promote opportunities for intensification but promote such opportunities based on “...Appropriate development standards...”. The requested Zoning By-law amendment relies on a set of development standards that it suggests are appropriate for the level of intensification sought given the existing building stock and the area.

Lands within the block and the larger neighbourhood have been identified by Official Plan policy,

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and the land use regulations of the Z.-1 Zoning By-law, as appropriate areas for intensification up to a maximum of 2 dwelling units per lot. The development standards that serve to “underpin” the requested Zoning By-law amendment to provide for the retention of an existing 4 unit converted dwelling on a lot that has been reduced in area by approximately 34% (to provide for the severance of a new single detached dwelling lot) are, as the Planning Impact Analysis will demonstrate, inappropriate and not in keeping with Section 1.1.3.3 of the *Provincial Policy Statement* which directs that intensification and redevelopment opportunities be based on “*appropriate development standards*”.

The City of London Official Plan:

The City of London Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. These policies promote orderly urban growth and compatibility among land uses. The following objectives and policies of the Official Plan have served to assist in the review of the requested Zoning By-law amendment:

Section 3.1.1 General Objectives for all Residential Designations Policies:

Section 3.1.1. of the Official Plan details Council’s General Objectives for Residential land use designations. In part Section 3.1.1 states that the Official Plan shall:

- *“Support the provision of a choice of dwelling types according to location, size, affordability, tenure, design and accessibility so that a broad range of housing requirements are satisfied;*
- *Encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities;*
- *Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing...;*
- *Encourage the maintenance and preservation of buildings and/or areas considered by Council to be architecturally and/or historically significant to the community;*
- *Promote residential development that makes efficient use of land and services.*

The requested Zoning By-law amendment would be consistent with many of the General Objectives of the Official Plan noted above. The requested Zoning Amendment would:

- provide for infill residential development;
- maintain a “historic” building that is located in a larger area identified by policy as being of architectural and historical significance; and,
- not adversely affect existing municipal services and facilities.

As will be shown in the Planning Impact Analysis Section to this report however, the development standards underpinning the requested Zoning By-law amendment will increase, rather than minimize, the potential for land use compatibility problems that would result from the inappropriate mix of higher intensity uses with other residential housing. As such, the requested amendment would be contrary to the compatibility policies of policies of Section 3.1.1. This inappropriate mix would also be contrary to the Low Density Residential Objectives of Section 3.1.2 which state that Council through its actions shall “*...enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected*”.

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Section 3.2.1 Permitted Use in the Low Density Residential Designation Policies:

Section 3.2.1 of the Official Plan states that the *“...primary permitted uses in areas designated Low Density Residential shall be single detached, semi-detached, and duplex dwellings. The Plan further states that residential intensification may be permitted subject to the provisions of policy 3.2.3”* (Residential Intensification).

The policies of Section 3.2.2 define Residential 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; infill development, including lot creation...”,* and, *“...the conversion or expansion of existing residential buildings to create new residential units or accommodation.”*

For the purposes of the Official Plan, development is only considered infill *“...when it occurs on vacant or underutilized sites within an established neighbourhood. Underutilized sites are defined as those sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding neighbourhood.”*

The requested Zoning By-law amendment proposes the maintenance of an existing 4 unit converted dwelling use on the retained lot and the development of a new single detached dwelling use on the severed parcel.

The uses sought by way of the Zoning By-law amendment are contemplated under the Permitted Use policies of Section 3.2.1 of the Official Plan. That being said, the Official Plan also includes qualitative policies which must be given consideration in the application of the Permitted Use policies of Section 3.2.1 noted above. These qualitative policies, which address the compatibility of a residential intensification proposal, are advanced in Section 3.2.3.3 of the Official Plan and detailed below.

Section 3.2.3.3 Compatibility of Proposed Residential Intensification Development Policies:

Section 3.2.3.3 of the Official Plan states that *“...as part of an application for residential intensification, the applicant shall be required to provide an adequately detailed statement of compatibility, where it is clearly demonstrated that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, massing and architectural treatments as outlined in Section 3.7.3.1 (Residential Intensification) of the Plan.”*

The Residential Intensification policies of Section 3.7.3.1 of the Official Plan require that an applicant proposing a residential intensification development within the Low Density Residential submit a Neighbourhood Character Statement (NCS) and a Compatibility Report. The Neighbourhood Character Statement provides *“...a detailed statement of the character of the existing neighbourhood that demonstrates how the proposed development respects the character of the existing neighbourhood”*. The Compatibility Report provides a detailed statement of the *“...compatibility of the project to demonstrate that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood”*.

The applicant’s Neighbourhood Character Statement concluded that the requested Zoning By-law amendment to *“...retain the existing converted four unit dwelling and replace the three bay garage with a two storey dwelling is in keeping with the established neighbourhood character of Byron Avenue and Euclid Avenue...”* and that *“...it is consistent with Official Plan policies regarding the character and image of the neighbourhood.”*

The applicant’s Compatibility Report concluded that, based on its review of the built form, massing, articulation and architectural treatment of the proposal, the proposal *“...is sensitive to, compatible with and a good fit within the surrounding neighbourhood.”*

Staff has reviewed the applicant’s Neighbourhood Character Statement and Compatibility

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Report and, while agreeing with many of the observations offered therein pertaining to the character and design, servicing, massing and articulation and architectural treatments, etc., would disagree with the conclusions of both in-as-much as neither has consideration for, or provides an opinion on, the level of residential intensification sought by way of the requested Zoning By-law amendment application or how the proposal, given the level of intensification sought, is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood. Staff’s opinion on the appropriateness of the level of intensification sought and its impacts on the existing surrounding neighbourhood is advanced under the policy framework of Sections 3.2.3.8 and 3.7 which speak to the Zoning By-law and the preparation of a Planning Impact Analysis.

Sections 3.2.3.8 Zoning By-law Policies:

Section 3.2.3.8 of the Official Plan states that, in the Low Density Residential designation, “*The Zoning By-law may limit the number of units that may be contained in a converted dwelling and specify minimum requirements for lot area....*”. Section 3.2.3.8 continues stating that “*It is intended that an intensification project should meet all Zoning By-law regulations; however, there may be instances when a minor variance is warranted based on the configuration of the site or development constraints associated with it*”.

The subject site is zoned a Residential R2 (R2-2) Zone which permits single detached dwellings and converted dwellings (to a maximum of 2 units) subject to additional minimum and maximum lot area requirements. The existing Residential R2 (R2-2) Zone, as it applies to the subject site, does not permit a converted dwelling containing 4 dwelling units and as such an amendment to the Zoning By-law to provide for the development proposal is therefore required and its appropriateness is subject to review under the criteria of the Planning Impact Analysis policies of Section 3.7 of the Official Plan.

A Note on Non-Conformity and the Policies of Section 19.5:

Section 19.5 of the Official Plan pertains to legally established uses that do not conform to the land use designations and policies of the Official Plan and Zoning By-law. Section 19.5 states that “*...While the general approach to uses that do not conform to the Official Plan is to encourage their transition to, or replacement by, conforming uses, consideration must also be given to their varying degrees of acceptance and stability and to the hardship that may result if no provision is made for their extension or enlargement*”.

Section 19.5 of the Official Plan states that a “*legally established land use which does not conform to the Plan may be recognized as a permitted use in the Zoning By-law where Council is of the opinion that....*”:

- *the use has achieved an acceptable measure of compatibility with adjacent land uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area; and; the use does not involve hazardous activities;*
- *the long-term continuation and any potential expansion of the use will not detract from the general intent of the Official Plan; and,*
- *Recognition of the use in the Zoning By-law is not likely to result in proposals to amend the Official Plan to allow similar types of uses”.*

The subject site, as noted above, is zoned a Residential R2 (R2-2) Zone. This zone does not permit the 4 unit converted dwelling that currently exists on the site for which a 2016 Residential Rental License has been issued by the City of London.

The current application does not seek to provide for the recognition of the existing 4 unit converted dwelling on the existing 715 square metre lot in the Z.-1 Zoning By-law. The

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requested Zoning By-law amendment seeks instead to provide for an existing 4 unit converted dwelling on a lot that, in a post severance scenario, has been reduced in size by approximately 35% from 715 square metres to 471 square metres.

The purpose and intent of Section 19.5 is to provide for the recognition of a legally established use and/or “existing situation” in the Z.-1 Zoning By-law – in this case the Residential R2 (R2-2) Zone. The requested Zoning By-law amendment instead seeks to facilitate a “new situation” that, as staff’s Planning Impact Analysis serves to demonstrate, leads further from, rather than closer to, a level of residential intensity considered appropriate for both the site and the larger neighbourhood.

Section 3.7 Planning Impact Analysis Policies:

The policies of the Official Plan require the preparation of a Planning Impact Analysis (PIA) to evaluate the appropriateness of a proposed change in land use and to identify ways of reducing any adverse impacts on surrounding land uses. Criteria advanced in the Official Plan relevant to present discussion include:

- a) *“The compatibility of the proposed use with surrounding land uses and the likely impacts of the proposed development on present and future land uses in the area; and,*
- b) *The size and shape of the parcel on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use”.*

The Requested “Lot Area” Development Standard:

The requested Zoning By-law amendment seeks to facilitate the severance of an existing lot known municipally as 66 Byron Avenue East and to establish zoning regulations (or new development standards) for both the retained lot and the severed lot. The application seeks to provide for four dwelling units in an existing converted dwelling on the retained lot fronting 66 Byron Avenue East. The application further seeks to provide for the development of a new single detached dwelling (with attached garage) on the severed lot that will front Euclid Avenue.

Tables 3a) and 3b) identify the new development standards sought to the existing Residential R2 (R2-2) Zone to facilitate the requested action for both the severed and retained parcels:

Table 3a) 66 Byron Avenue East – the retained parcel

Regulations of the Residential R2 (R2-2) Zone for a Converted Dwelling)	Existing Development Standard	Proposed Development Standard
Use	Converted Dwelling	Converted Dwelling
Lot Area (m ²) minimum	430	471
Rear Yard Depth (m)	7	4.8
West Interior Side Yard Depth (m) minimum	1.8	1.06
Number of Units per Lot (maximum)	2	4
Off-Street Parking (1 per unit)	1 per unit	0.75 per unit

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Table 3b) Euclid Avenue Frontage – the severed lot

Regulations of the Residential R2 (R2-2) Zone for Single Detached Dwelling	Existing Development Standard	Proposed Development Standard
Lot Area (m ²) minimum	360	244
Front Yard Depth (main building) (m) minimum	4.5	1.2
Rear Yard Depth (m)	7	2.06
West Interior Side Yard Depth (m) minimum	1.8	0.93

The applicant seeks to implement these new development standards through a new Residential R2 Special Provision (R2-2(_)) Zone.

Lands within the block (as defined on Figure 8 above - including the subject site) are zoned a Residential R2 (R2-2) Zone in the Z.-1 Zoning By-law. The Residential R2 (R2-2) Zone permits a range of single detached, semi-detached, duplex and converted dwellings (to a maximum of 2 units). Under the provisions of the Residential R2 (R2-2) Zone, a single detached dwelling requires a minimum lot area of 360 square metres. A converted dwelling (containing a maximum of 2 dwelling units) would require a minimum lot area of 430 square metres.

The Intensity of the Requested Development Standard:

The requested Zoning By-law amendment seeks to maintain, in a post-severance scenario, the 4 existing converted dwelling units at 66 Byron Avenue East. As noted above, the existing Residential R2 (R2-2) Zone does not contemplate more than 2 units in a converted dwelling. The Residential R2 Zone variation however does include a number of existing Special Provision Zones that have been applied to other “unique or existing situations” (author’s emphasis) – particularly as these situations pertain to converted dwellings.

The Residential R2 Special Provision (R2-2(2)) Zone of the Z.-1 Zoning By-law for example, states that *“in no case shall a converted dwelling have a lot area of less than 220 square metres per unit...”*. Both the Residential R2 Special Provision (R2-2(7)) Zone and the Residential R2 Special Provision (R2-2(9)) Zone of the Z.-1 Zoning By-law regulate that *“...a converted dwelling may have up to a maximum of four dwelling units...”* and that *“...in no case shall a converted dwelling have a lot area of less than 180 square metres per unit...”*.

The existing lot area for 66 Byron Avenue East is approximately 720 square metres. Using the least restrictive of the two Special Provision development standards noted above the existing lot area for 66 Byron Avenue East would allow for 4 converted dwelling units. The requested Zoning By-law amendment however seeks to provide for the maintenance of the existing 4 unit converted dwelling on a lot that has been substantially reduced in area from 715 square metres to 471 square metres. This equates to approximately 117 square metres of lot area for each unit in a converted dwelling. In addition, the requested Residential R2 Special Provision (R2-2(_)) further seeks to regularize the provision of 3 parking spaces rather than the 4 that would be required under the existing Parking Provisions of the Z.-1 Zoning By-law.

The requested Zoning By-law amendment would establish a new Special Provision, or new development standard, that would reduce the current 180 square metre standard by approximately 33% to 1 converted dwelling unit for every 117 square metres of lot area.

As noted above, Special Provision Zone variations are typically applied to unique or existing situations. The Special Provision, or development standard, sought by the applicant does not

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serve to provide for an existing situation (i.e. a four unit converted dwelling on a 715 m² lot.) Instead, the requested Special Provision serves to facilitate a reduced lot area of 471 m² for an existing 4 unit converted dwelling. Further, the Special Provision Zone sought by way of the requested zoning amendment may not be viewed as unique in-as-much as it could be readily applied to other non-severed lots (72 and 86 Byron Avenue East) on the block face. The requested development standard to provide for an existing 4 unit converted dwelling on a 471 square metre lot is viewed as inappropriate. The requested standard would provide for a level of residential intensification that is not sensitive to, compatible with, or a good fit with the existing surrounding neighbourhood.

It should also be noted that the recommended Zoning By-law amendment would create a level of intensity of 157 m² of lot area per dwelling unit. While that is less than the 180 m² standard, staff is supportive of this recommendation because the existing level of intensity would remain the same at 4 units over the entire site.

The policies of the Official Plan further require that a Planning Impact Analysis have consideration for:

- d) *“The height, location and spacing of any buildings in the proposed development and any potential impacts on surrounding land uses; and,*
- e) *The potential impact of the development on surrounding natural features and heritage resources.”*

In response to “d)” and “e)” above the applicant has submitted an Urban Design Brief and a Heritage Impact Statement.

Planning staff have reviewed the Urban Design Brief submitted by the applicant in support of their requested action (which included the rendering shown as Attachment 4 to this report and revised renderings shown as Attachments 3a) and 3b) to this report). Planning staff would offer the following comments in response to the Brief to be implemented at the Site Plan Approval process:

- The creation of a new lot fronting onto the south side of Euclid Avenue is consistent with lot creation further to the east on Euclid Avenue;
- The proposed main building setback is consistent with other buildings on the south side of Euclid Avenue;
- The building width and side yard setbacks are generally in keeping with what is seen in nearby properties;
- A slightly raised and covered porch feature has been provided;
- The building includes street-facing windows to activate the street and provide passive surveillance; and,
- Materials that are common in the area are being used, including brick and wood siding.

The applicant has submitted a Heritage Impact Statement (HIS) in support of their development proposal. The applicant’s HIS identifies those Goals, Objectives and Principles of the HCD that are of particular relevance to the present discussion and how the development proposal responds to them:

- Section 3.1.1 Overall Heritage Conservation District Goal – *“Encourage the retention, conservation and adaption of the district’s heritage buildings and attributes rather than their demolition...”*;

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- Section 3.1.2. Buildings Goal – “...ensure new development and alterations are sensitive to the heritage attributes and details of the district...”;
- Section 3.1.3 Streetscape Goal – “maintain and enhance the visual, contextual and pedestrian-oriented character of the streetscape and public realm...”;
- Section 3.1.4 Land Use Goal – “Maintain the low-density residential character of the District as the predominant land use, while recognizing that certain areas of the district already have or are intended for a wider range of uses by: ensuring that infill development is compatible with the heritage character and pedestrian scale of the district”;
- Section 3.2.1, 3.2.4 and 3.2.9 Principles – “...historical context is to be considered when planning restorations, alterations or redevelopment.....spatial organization, site circulation, view sheds and individually designed elements should be considered during plans for restoration or change.....” and “...the construction eras and historical progression should be self-evident. Although new work should be sympathetic to the original and match or mimic as appropriate, it should not attempt to appear as if built as part of the original construction...”;

The applicant’s HIS concluded that, given a review of the policies noted above, there would be no negative impacts created by the proposed form of the development.

Staff is in general agreement with the conclusions of the HIS (in-as-much as those conclusions support the proposed form and lot fabric) but would further note the following Sections of the HCD Plan that specifically address the existing zoning and intensification:

- Section 5.2.2 Zoning By-law – “The HCD study determined that the current zoning regulations that apply to the HCD were appropriate, as the permitted uses, densities and other regulations are similar to what exists. The residential zones that apply to much of the Heritage Conservation District (HCD) are appropriate as the lot frontage, setbacks, coverage and height regulations are all in keeping with the existing nature of the neighbourhood.....”; and,
- 5.12 Intensification Opportunities – “.....intensification proposals within the HCD must consider therefore not just the conservation of individually designated properties, but also how the project would be sympathetic to the context of the HCD and meet the intent of the HCD Plan and Guidelines.....severances that would result in lots that are not compatible with the prevailing lot fabric in terms of width and area are discouraged, however, some severances may provide opportunities for small-scale intensification within the HCD...”.

The policies of Section 5.2.2 and 5.12 note that the current zoning regulations that apply to HCD are appropriate and in keeping with the existing nature of the neighbourhood. The policies do acknowledge however that, in certain circumstances, severances may provide opportunities for small-scale intensification within the HCD. Planning staff would agree that the proposed lot fabric requested by the applicant is appropriate given the prevailing lot fabric. The Planning Impact Analysis has concluded however that the level of intensification sought by the applicant’s proposal is inappropriate.

The policies of the Official Plan further require that a Planning Impact Analysis have consideration for:

- “the compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, and Site Plan Control By-law”.

Section 3.2.3.5 of the Official Plan notes that residential intensification proposals, with the exception of permitted single detached dwelling conversions to add one additional residential unit only, will be subject to a Site Plan process.

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Should the requested Zoning By-law amendment application be approved, it would be subject to an administrative Site Plan Review.

The policies of the HCD would further require a Heritage Alteration Permit to provide for the erection of any new building within the HCD.

It is a policy of the HCD Plan that the City's Heritage Planner and Urban Design staff be consulted as part of staff's review of Site Plan applications.

Planning Impact Analysis (PIA) - Conclusions:

It is the conclusion of this PIA that the lot fabric sought by way of the Zoning By-law amendment application is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood;

It is the conclusion of this PIA that the Special Provisions, or development standards, sought by the applicant are appropriate for the development of a single detached dwelling on the proposed severed lot;

It is the conclusion of this PIA that the Special Provisions, or development standards, sought by the applicant to provide for the maintenance of a 4 unit converted dwelling on a 471 square metre lot is inappropriate; and,

It is the conclusion of this PIA that a reduced level of residential intensification which exceeds the current zoning standards may be provided for on the retained lot at 66 Byron Avenue.

It is the conclusion of this PIA that the level of residential intensification on the retained lot:

- Be based on a development standard that has consideration for the existing building stock and the area. The development standard should limit the number of units in a converted dwelling and specify a minimum lot area to accommodate those units;
- Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing; and,
- Transition to a level of residential intensity more in keeping with the policies of the Official Plan and Wortley Village – Old South Heritage Conservation District Plan.

A Recommended Zone for the Subject Lands:

The PIA demonstrated that some level of intensification should be provided for on the retained lot.

Based on those intensification criteria detailed above and their consistency with the policies of the *Provincial Policy Statement*, Official Plan and the Wortley Village – Old South Heritage Conservation District Plan, staff recommend a level of residential intensification on the retained lot which permits a maximum of 3 dwelling units and severed lot which permits one single detached dwelling be based on the following development standards. Staff would further recommend that these standards be provided for under the Residential R2 Special Provisions of Section 6.4 of the Z.-1 Zoning By-law.

The Retained Lot fronting Byron Avenue East

- Permitted Use: a converted dwelling containing a maximum of three dwelling units;
- Lot Area: a minimum lot area of 471 m² shall be required; and,
- Rear Yard: a minimum rear yard of 4.8 metres shall be required.

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An additional standard recognizing the location of the existing building relative to the western interior lot line lot line is further recommended. No additional special provisions to the Regulations of the Residential R2 (R2-2) Zone variation (including a special provision for parking) would be required for the retained lot fronting Byron Avenue East.

The Severed Lot Fronting Euclid Avenue:

- Permitted Use: a single detached dwelling;
- Lot Area: a minimum lot area of 244 m² shall be required;
- Front Yard: a minimum front yard setback (to the building) of 1.2 shall be required;
- Rear Yard: a minimum rear yard setback of 2 metres shall be required; and,
- Interior Side Yard (west): a minimum interior side yard of 0.9 metres shall be required.

No additional special provisions to the Regulations of the Residential R2 (R2-2) Zone variation (including a special provision for parking) would be required for the proposed severed lot fronting Euclid Avenue.

CONCLUSION

The recommended zone provides a balanced approach to the issue of intensification, one that is based on an appropriate set of development standards that recognize the unique attributes and planning considerations of the site, the block and the larger neighbourhood.

The recommended zone would provide for a lot fabric that is sensitive to, compatible with, and a good fit within the neighbourhood. The recommended zone would maintain the existing number of residential units on the site by "shifting" one of these units onto the severed lot. The resulting level of residential intensity, generally equating to approximately 160 square metres of lot area for every unit in a converted dwelling, would, in this particular situation, be more in keeping with the 180 square metre development standard that is currently utilized in the Residential R2 Zone to allow for converted dwellings in unique situations.

The recommended zone would be consistent with the intensification and redevelopment policies of the *Provincial Policy Statement* and would be in keeping with the Low Density Residential Intensification policies of the Official Plan. The recommended zone would also be in keeping with the Cultural Heritage and Archaeology polices of the Provincial Policy Statement and the policies of the Wortley Village – Old South Heritage Conservation District.

REPAIRED BY:	SUBMITTED BY:
BRIAN TURCOTTE SENIOR PLANNER, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

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Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone</u>	<u>Written (e-mail)</u>
	<u>See Attachments 1 and 2 to this report</u> e-mail from C. Castein, no address given, June 15, 2016
	e-mail from Glen Miner, 68 Euclid Avenue, May 23, 2016
	e-mail from M. Puzanov, no address given, June 2, 2016

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Bibliography of Information and Materials
Z-8616

Request for Approval:

City of London Zoning Amendment Application Form, completed by Wil Pol, January 4, 2016

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*, 2014.

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

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

Wortley Village – Old South Heritage Conservation District Plan, 2015.

Urban Design Brief for 66 Byron Avenue East, completed by William Pol, December 2015 and revised April 2016.

Heritage Impact Assessment for 66 Byron Avenue East, completed by William Pol, March 2016.

Planning Justification Report, completed by William Pol, January 2016.

Neighbourhood Character Statement and Compatibility Report, completed by William Pol, January 2016.

Correspondence: (all located in City of London File No. Z-8616 unless otherwise stated)

Departments and Agencies - (all located in City of London File No. Z-8616 unless otherwise stated)

Other:

Site Visits – July, 2016

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Attachment 1 – e-mail from Glen Miner

I support Dough Lansink's application (Z-8616) to sever 66 Byron Avenue East and replace a 3-door garage with a single-family dwelling.

-Glen Miner
68 Euclid Ave

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Attachment 2 – e-mail from M Puzanov

Dear Mr. Meksula and Mr. Turcotte,

*RE: Consent (B.018-16) and Zoning By-law Amendment (Z-8616) Applications – 66
Byron
Avenue*

Thank you for the opportunity to provide feedback as part of your review of the consent and zoning by-law amendment applications at 66 Byron Avenue within the Wortley Village-Old South Heritage Conservation District.

In the development of this property, I would urge you and the applicant to please consider the construction of a detached garage rather than one that is attached to the proposed single-detached dwelling. In reviewing the Euclid Avenue, Birch Street and Byron Avenue streetscapes, only two dwellings contain attached garages and their construction predates the establishment of the Wortley Village-Old South Heritage Conservation District, the plan and guidelines for which encourage parking areas to be located in driveways at the side of buildings or in garages at the rear of dwellings and discourage attached garages at the front of buildings [Section 4.1.1 (g)].

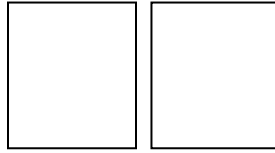
If there are opportunities to implement conditions of severance that require further public consultation regarding the architectural style and features of the proposed single-detached dwelling, I would urge the Consent Authority to please explore these given that the proposed dwelling would be located within a heritage conservation district.

Thank you again for the opportunity to provide comments. I would appreciate a digital copy of the Consent Authority's decision in this matter when it is available.

Sincerely,

Marcy Puzanov

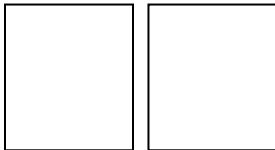
Marcy K.E. Puzanov, J.D., Hon. B.A.



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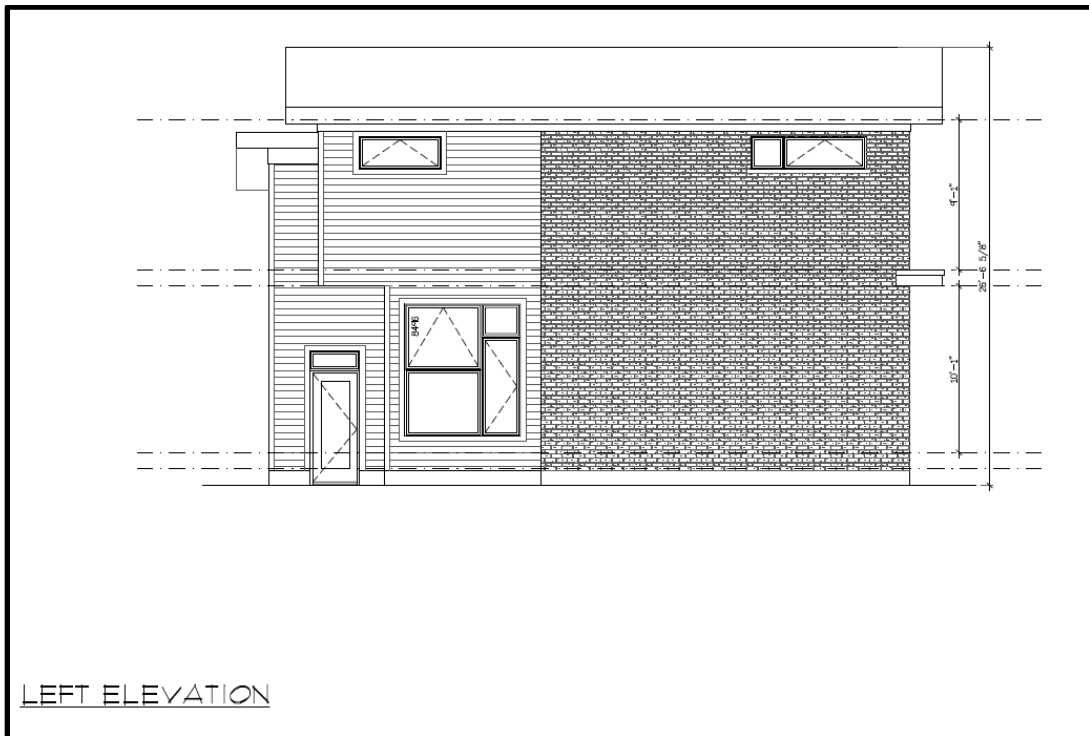
Attachment 3a) – Rendering of Proposed Single Detached Dwelling Presented to the UDPRP (June 15, 2016)





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Attachment 3b) – Rendering of Proposed Single Detached Dwelling Presented to the UDPRP (June 15, 2016)



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Attachment 4 – Rendering of Proposed Single Detached Dwelling Included in the applicant’s Urban Design Brief (April 15, 2016)



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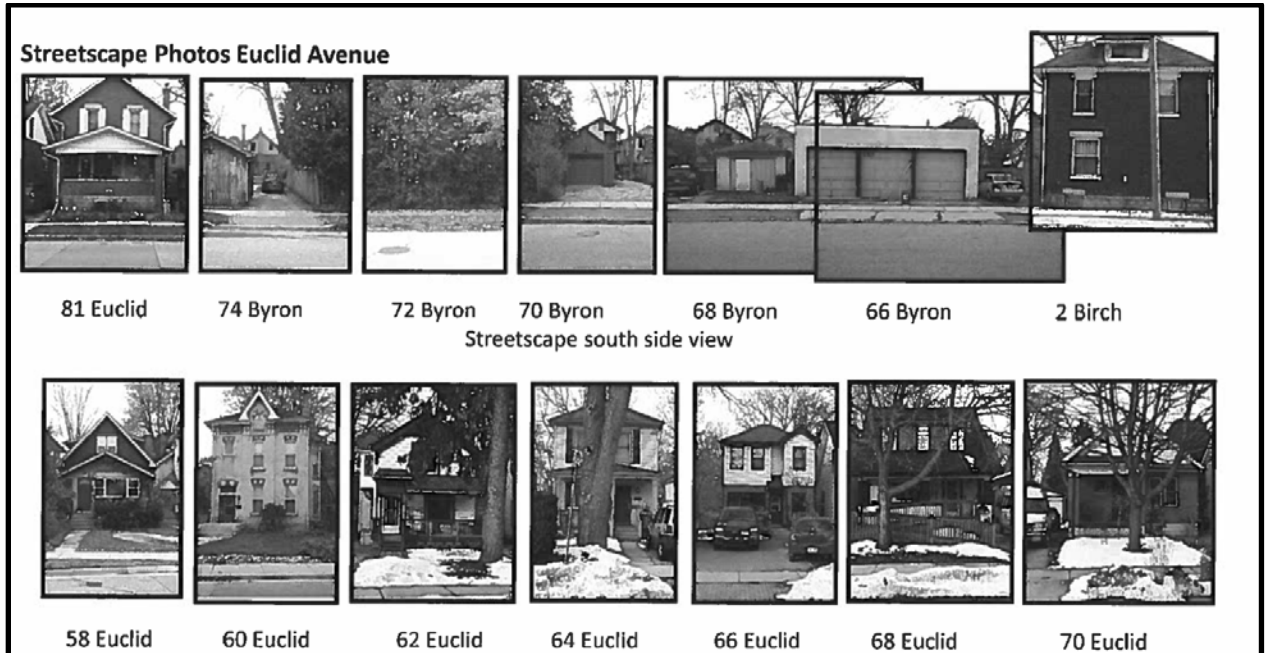
Attachment 5 – The Byron Avenue Block face (including the subject site)



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Attachment 6a) – Euclid Avenue South Block face (excluding 83, 85 and 87 Euclid Avenue shown on 6b) below) and Euclid Avenue North Block face (opposite the subject site)



Attachment 6b) – 81 to 87 Euclid Avenue (south side)



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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. Z.-1-16 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 66 Byron Avenue East:

WHEREAS Doug Lansink has applied to rezone an area of land located at 66 Byron Avenue East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law Z.-1 is amended by changing the zoning applicable to those lands located at 66 Byron Avenue East, as shown on the attached map comprising part of Key Map No. A107, from a Residential R2 (R2-2) to a Residential R2 Special Provision (R2-2(*)) Zone and a Residential R2 Special Provision (R2-2(**)) Zone.
- 2) Section Number 6.4 b) of the Residential (R2-2) Zone Variation is amended by adding the following Special Provisions:

- | | |
|----------|---|
| R2-2(*) | That portion of lands fronting Byron Avenue East located at 66 Byron Avenue East |
| a) | Additional permitted Use: |
| i) | Converted Dwelling (maximum 3 Dwelling Units) |
| b) | Regulations |
| i) | Lot Area (Minimum) 471 square metres (5,069 sq. ft.) |
| ii) | Rear Yard Depth (Minimum) 4.8 metres (15.7 ft.) |
| iii) | Interior Side Yard Depth (west) as existing |
| R2-2(**) | That portion of lands fronting Euclid Avenue East located at the rear of 66 Byron Avenue East |
| a) | Permitted Use: |
| i) | A single detached dwelling |
| b) | Regulations |
| i) | Lot Area (Minimum) 244 square metres (2,626 sq. ft.) |

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- ii) Front Yard Depth (building) (Minimum) 1.2 metres (3.9 ft.)
- iii) Rear Yard Depth (Minimum) 2 metres (6.5 ft.)
- iv) Interior Side Yard Depth (west) (Minimum) 0.9 metres (2.9 ft.)

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.

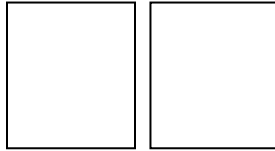
This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on August 30, 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - August 30, 2016
Second Reading – August 30, 2016
Third Reading - August 30, 2016



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B. Turcotte

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



File Number: Z-8616

Planner: BT

Date Prepared: 2016/08/02

Technician: MB

By-Law No: Z-1-

SUBJECT SITE



1:2,000

