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**File: Z-8695**  
**Planner: Mike Corby**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: RYAN O'DONNELL 581 ROSS STREET PUBLIC PARTICIPATION MEETING ON MARCH 27, 2017</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Ryan O'Donnell relating to the property located at 581 Ross Street, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R2 (R2-2) Zone, **TO** a Residential R2 Special Provision (R2-2(\_)) Zone, **BE REFUSED** for the following reasons:

- i) The proposed amendment is contrary to the North London Broughdale Neighbourhood policies and Near Campus Neighbourhood policies of the 1989 Official Plan.
- ii) The proposed amendment is contrary to the Near Campus Neighbourhood policies of the London Plan.
- iii) The proposed 4 unit, converted dwelling represents an over-intensification of the site.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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"None"

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the requested Zoning By-law amendment is to convert an existing duplex into a four-unit converted dwelling. The recommendation is to refuse the requested amendment.

<b>RATIONALE</b>
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- i) The proposed amendment is contrary to the North London Broughdale Neighbourhood policies and Near Campus Neighbourhood policies of the 1989 Official Plan.
- ii) The proposed amendment is contrary to the Campus Neighbourhood policies of the London Plan.
- iii) The proposed 4 unit, converted dwelling represents an over-intensification of the site.

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**LOCATION MAP**

Subject Site: **581 Ross St**  
 Applicant: **Ryan O'Donnell**  
 File Number: **Z-8695**  
 Planner: **Mike Corby**  
 Created By: **Mike Corby**  
 Date: **2016-10-21**  
 Scale: **1:1200**

**LEGEND**

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

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



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<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> October 14, 2016	<b>Agent:</b> Ryan O'Donnell
<b>REQUESTED ACTION:</b> Change Zoning By-law Z.-1 from Residential R2 (R2-2) Zone which permits single detached, semi-detached, Duplex and converted dwellings to a Residential R3 Special Provision (R3-2(__))Zone which permits the above noted uses plus triplexes and fourplexes. A special provision will also be considered for a reduction in lot area per unit from 180m <sup>2</sup> to 169.5m <sup>2</sup>	
<b>REVISED ACTION:</b> Possible change to Zoning By-law Z.-1 <b>FROM</b> a Residential (R2-2) Zone which permits single detached, semi-detached, Duplex and converted dwellings <b>TO</b> a Residential R2 Special Provision (R2-2(__)) Zone to permit a converted dwelling with up to 4 total units.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Duplex Dwelling</li> <li>• <b>Frontage</b> – 12.84m</li> <li>• <b>Depth</b> – 52m - 55m</li> <li>• <b>Area</b> – 678.28m</li> <li>• <b>Shape</b> - Rectangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Low Density Residential</li> <li>• <b>South</b> - Low Density Residential</li> <li>• <b>East</b> - Low Density Residential</li> <li>• <b>West</b> - Low Density Residential</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)	
<ul style="list-style-type: none"> <li>• Low Density Residential</li> </ul>	
<b>THE LONDON PLAN PLACE TYPE:</b> (refer to The London Plan Map)	
<ul style="list-style-type: none"> <li>• Neighbourhood</li> </ul>	
<b>RESIDENTIAL INTENSIFICATION:</b> (refer to Zoning Map)	
<ul style="list-style-type: none"> <li>• The requested residential conversion for 2 additional units represents intensification within the Built-area Boundary</li> </ul>	<ul style="list-style-type: none"> <li>• The additional residential units are within the Primary Transit Area</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)	
<ul style="list-style-type: none"> <li>• R2-2</li> </ul>	

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**PLANNING HISTORY**

The North London Broughdale Policies were originally established due to an increase in demand for residential intensification and infill development in this neighbourhood because of its proximity to both Western University and Fanshawe College.

In 1995, a study was initiated which resulted in the adoption of a special Official Plan policy in the based on a comprehensive planning review of the impacts of residential intensification in the Broughdale Neighbourhood of Old North London. In addition to the special policy, zone regulations were introduced to this neighbourhood to control the scale and bulk of intensification and infill projects including applying sliding scale floor area ratios and maximum dwelling size regulations, yard setback to preserve private amenity space, and more stringent parking requirements.

In 2004, a review of the existing Official Plan policies and zoning regulations in the Broughdale Neighbourhood was undertaken in order to determine if the same controls should be extended to other North London neighbourhoods as the effects of infill were being seen in other areas. Through this process Council approved the extension of special zone regulations to a much wider area of North London resulting in the North London Broughdale Policies. The updates included applying floor area ratios, maximum dwelling sizes, and more stringent parking regulations as a means of achieving and maintaining a balance between intensification and preserving neighbourhood character and stability. Along Richmond Street the zoning was also amended by allowing dwelling conversions up to four units and removing triplexes and fourplexes as permitted uses.

After decades of planning policies that *reacted* to land use matters and applied policies throughout pockets of Near-Campus Neighbourhoods in isolation to issues occurring elsewhere, Council directed Staff to undertake a comprehensive planning approach that *proactively* addressed residential intensification opportunities. This resulted in an initiative called, "Closing the Gap: New Partnerships for Great Neighbourhoods Surrounding our University and Colleges." This initiative was presented to the Planning Committee in February, 2007 and highlighted the gaps between the vision for the Near-Campus Neighbourhoods and the state of affairs at that time. In November 2008, the results of these consultations were presented to the Planning Committee in the form of the Great Near-Campus Neighbourhoods Strategy and Implementation Plan, both of which were approved to address Near-Campus planning issues. The Great Near-Campus Neighbourhoods Strategy has been in effect since 2008, with Official Plan policies and Zoning regulations being in effect as of 2012.

In 2016 a review of the NCN was undertaken to determine whether the strategy is having the desired effect and whether any changes are required to close the gaps between the vision and current conditions in the Great Near-Campus Neighbourhoods. As a result of that review the NCN boundary was redrawn and minor clarifications were made in the existing policies.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

Wastewater and Drainage Division – November 16, 2016

The sanitary sewer available for the subject lands is the municipal 200mm sanitary sewer on Ross Street. There is one 100mm san. p.d.c. for the subject lands.

Transportation – November 11

Transportation has no concerns with the rezoning (Z-8695) for 581 Ross Street.

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<b>PUBLIC LIAISON:</b>	<p>On October 26, 2016, Notice of Application was sent to 107 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 October 27, 2016. A “Possible Land Use Change” sign was also posted on the site.</p> <p>On March 1, 2017, Notice of Revised Application &amp; Public Meeting was sent to 107 property owners in the surrounding area. Notice of Revised Application &amp; Public Meeting was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on March 2, 2017. A “Possible Land Use Change” sign was also posted on the site.</p>	2 replies were received
<p><b>Nature of Liaison:</b> The purpose and effect of the requested Zoning By-law amendment is to convert the existing duplex into 4 total units.</p> <p>Change Zoning By-law Z.-1 from Residential R2 (R2-2) Zone which permits single detached, semi-detached, Duplex and converted dwellings to a Residential R3 Special Provision (R3-2(_))Zone which permits the above noted uses plus triplexes and fourplexes.</p> <p>The applicant subsequently updated their application to request a R2-2(_) Zone to limit their request to a converted dwelling with up to 4 units to help address the public concerns by ensuring that intensification would be limited to the existing building and no new forms of development could occur on the property.</p> <p>Change Zoning By-law Z.-1 from Residential R2 (R2-2) Zone which permits single detached, semi-detached, duplex and converted dwellings to a Residential R2 Special Provision (R2-2(_)) Zone to permit a converted dwelling use with up to 4 units.</p>		
<p><b>Responses:</b></p> <ul style="list-style-type: none"> <li>- Concerned about the potential for future triplexes or fourplexes being purpose built on the site and potential size of the buildings.</li> <li>- Concerned about additional height permissions provided within the proposed zone.</li> <li>- Loss of Privacy</li> <li>- Decrease in property value.</li> <li>- Would prefer to see the existing zone remain on the site but are open to allowing the conversion of the dwelling through a special provision.</li> </ul>		

<b>ANALYSIS</b>
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**Subject Site**

The subject site is situated at the easterly limit of the North London Broughdale Neighbourhood, located on the one-block portion of Ross Street that spans the west side of Adelaide Street North, containing a total of 5 properties (see Figure 1). Directly to the east of the subject site is an existing converted dwelling with 4 units which can be characterized as a two converted semi-detached dwellings that merged on title to create 4 units on the site (see Figure 2). The subject site and the site to the east comprise the only two lots fronting the south side of Ross Street. The subject site is approximately 687m<sup>2</sup> in size with a 12.8m frontage and includes an existing duplex dwelling on the site. A long driveway to the rear of the site leads to a large garage and paved area for additional parking.

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Figure 1 – Map depicting subject site



Figure 2 – Streetview photo of subject site (to the right) in context with the neighbouring property

**Nature of Application**

The proposed application is to permit a converted dwelling with two additional one bedroom units within the existing duplex dwelling unit for a total of 4 residential units.

**Provincial Policy Statement 2014**

The Provincial Policy Statement (PPS) directs planning authorities to “*identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs*” (PPS2014 1.1.3.3). The City of London has identified appropriate locations and provided opportunities for intensification and redevelopment through

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comprehensive planning processes such as the Specific Neighbourhood policies applied to this neighbourhood including the North London Broughdale policies and the Near-Campus Neighbourhood policies. Additionally, the subject lands and surrounding area are pre-zoned to accommodate additional intensification in the form of semi-detached, duplex and converted dwellings (max 2 units) in addition to single detached dwellings. As a result, through these planning permissions Council has identified this area as an appropriate location for intensification has promoted opportunities for 2-unit dwellings in conformity with the policies of the PPS.

The PPS also states that appropriate development standards should be applied while avoiding or mitigating risks to public health and safety. The subject site is located in the North London Broughdale Neighbourhood and with a Near Campus Neighbourhood which have unique land use considerations given its proximity to Western University and Fanshawe College. These unique land use challenges have resulted in policy direction which promote appropriate development standards in the form of mid- and high-rise apartments along arterial roads while discouraging a concentration of residential intensification in low density forms of housing.

**Official Plan**

The subject site is located in the North London Broughdale Neighbourhood (3.5.9. North London/ Broughdale Neighbourhood) and these policies were created as a response to the demands for residential intensification and infill development within portions of the neighbourhood. The goal of these policies is to direct future residential development to suitable locations and protect the character of the existing low-rise, low-density community. The policies direct multiple unit residential developments to areas already designated for medium and high density residential uses. An exception is made for low density designations that are located on the Adelaide and Richmond Street corridors which would permit for the conversion and rehabilitation of the existing housing stock provided the site can accommodate the requirements of the Zoning By-law such as parking and open space and compatibility. Lands designated Low Density Residential in the interior of the neighbourhood are encouraged to be conserved and rehabilitated to maintain the existing housing stock in the community. In order to ensure that this low rise, low density character is conserved and rehabilitated the North London Broughdale Policies clearly state that *“residential uses will be restricted to single detached, semi-detached, duplex and converted dwellings (to a maximum of 2 units)”*.

The subject site is not in keeping with the criteria of the North London Broughdale Neighbourhood Policies which provide guidance for residential intensification in this area. The property is not located on Richmond or Adelaide Street or within an existing Multi-Family, Medium Density Residential or High Density Residential designation where intensification is preferred. Furthermore, the site exists as a duplex dwelling and therefore any additional conversion of the building would exceed the 2 unit maximum that is outlined in policy for converted dwellings.

Although the London Plan has been appealed, it should be noted that the North London Broughdale Neighbourhood policies were not carried over into the London Plan given the inherent overlap with the Near Campus Neighbourhood policies (which were carried over into the London Plan). However, the one exception to this is the reference to the maximum of 2 dwelling units within a converted dwelling identified in the North London Broughdale policies which continue to apply in the Near-Campus Neighbourhood policies of the London Plan.

*972 Permitted uses in the Neighbourhoods Place Type within Near-Campus Neighbourhoods will be in conformity with Table 10 that identifies the range of permitted uses within all neighbourhoods within London. However, with the expectation of Central London, Converted dwellings will be limited to a maximum of two dwelling units within the Near-Campus Neighbourhood.*

Similar to the North London Broughdale Policies, the Near Campus Neighbourhood policies outline the planning goals and encourage appropriate forms and locations for intensification. The policies also recognize that these areas have been planned with substantial opportunities for intensification through existing Multi-Family, Medium Density Residential and High Density

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Residential designations generally along arterial roads, higher density zones in existing Low Density Residential areas, and other specific area policies.

In general, the policies prefer that residential intensification be in the form of medium and large scale apartments in existing designations. (3.5.19.6 *Directing Preferred Forms of Intensification to Appropriate Locations*). The Near Campus Neighbourhood policies also recognize that there are instances in the Low Density Residential designation where intensification is appropriate (3.5.19.10 *Low Density Residential Designations*). In order to be considered appropriate there are specific criteria that must all be met. In the instance of this application it would not meet two of the criteria as the proposal does not conform to all of the Policies for Specific Residential Areas (North London Broughdale maximum 2-unit dwellings) and the proposal does not provide an adequate amenity area that is appropriately shaped, configured, and located to provide respite for the occupants. Given the aforementioned reasons the requested amendment is not considered appropriate in the context of the Near Campus Neighbourhood policies.



Figure 3 – Air Photo of subject site depicting lot coverage, parking coverage and landscaped coverage

**Zoning Analysis**

The applicant’s original application was for a Residential R3 (R3-2) Zone which would have added triplexes and fourplexes to the range of permitted uses and increased the maximum number of units permitted in a converted dwelling (up to 4 units). The originally proposed R3 zone also has regulations that ensure enough lot area is provided per unit on the property. In this case a converted residential dwelling within the R3-2 zone would require 180m<sup>2</sup> of lot area per unit. Given the lot area of the subject site, the request for a 4-unit converted dwelling site would require a special provision to permit a 169.5m<sup>2</sup> of lot area per dwelling unit (where 180m<sup>2</sup> is required).

The application has since been revised to request a Residential R2 Special Provision zone. The effect is that the range of permitted uses would no longer include triplexes and fourplexes however the special provision is intended to continue to request that a maximum of 4 dwelling units be permitted within a converted dwelling. With the amended application to the Residential R2 Special Provision zone, the requirement to ensure that 180m<sup>2</sup> of lot area per dwelling unit is provided is no longer applied because that regulation is specific to the Residential R3 zone (recognizing that the standard Residential R2 zone does not typically permit more than 2 dwelling units per lot). However, given that the requested use is for 4 residential units, the lot area per dwelling unit requirements of the Residential R3 zone can be used as a benchmark to measure if the intensity proposed is appropriate for the subject site.



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**London Plan Analysis**

Within the London Plan the subject site is located in the Neighbourhood Place Type on a Neighbourhood Street. The range of permitted uses includes single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes. The proposed application would be considered a converted dwelling and as previously noted this use cannot exceed a total of 2 dwelling units given its location within the Near-Campus Neighbourhood. Therefore the requested amendment would not be permitted by the policies of the London Plan.

<b>CONCLUSION</b>
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The recommendation to refuse the requested amendment is considered appropriate as the requested Zoning By-law amendment does not conform to the North London Broughdale Neighbourhood specific area policies nor the Near Campus Neighbourhood policies of the Official Plan. The request to exceed the two units within a converted dwelling is also not consistent within the policies of the London Plan

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

November 28, 2016

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

<u>Telephone</u>	<u>Written</u>
	Anne Howe 18 Logan Ave, London ON, N5Y2P6
	Connie Suggitt 20 Logan Ave, London, ON, N5Y 2P6

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**Bibliography of Information and Materials**  
**Z-8695**

**Request for Approval:**

City of London Zoning By-law amendment Application Form, completed by Ryan O'Donnell, October 7, 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.

Ryan O'Donnell. *Planning Justification Report*, September 25, 2016.

**Correspondence: (all located in City of London File No. Z-8695 unless otherwise stated)**

**City of London -**

Giesen A., City of London Transportation Planning and Design. E-mails to November 10, 2016.

Moore B., City of London Wastewater and Drainage Division. Email to M. Corby. November 16, 2016.

**Departments and Agencies -**

Creighton C., UTRCA. Letter to M. Corby. November 17, 2016.