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File: OZ-8662
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 2503153 ONTARIO INC. 855 TRAFALGAR STREET PUBLIC PARTICIPATION MEETING ON MAY 8, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2503153 Ontario Inc. relating to the property located at 855 Trafalgar Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 16, 2017 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 R3/Day Care (R3-2/DC) Zone, **TO** a Residential R8 Special Provision/Residential R3/Day Care (R8-4(_)/R3-2/DC) Zone;

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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"None"

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to permit a 3-storey stacked townhouse with 8 residential units. Additional special provisions for a reduction in lot frontage, front yard setback, west interior side yard and a reduction to 8 parking spaces will also be considered.

RATIONALE

1. The recommended amendment is consistent with the polices of the Provincial Policy Statement (2014);
2. The proposed amendment is consistent with the Low Density Residential Intensification policies of the City of London Official Plan;
3. The subject site is underutilized in the context of the neighbourhood & surrounding area.

BACKGROUND

<p>Date Application Accepted: Original Application: July 25, 2016 Revised Application: January 18, 2017</p>	<p>Agent: Michelle Doornbosch (Zelinka Priamo)</p>
<p>REQUESTED ACTION: Change to Zoning By-law Z.-1 FROM a Residential R3/Day Care (R3-2/DC) Zone TO a Residential R8 Special Provision/Residential R3/Day Care (R8-4(_)/R3-2/DC) Zone to permit a stacked townhouse at 75 uph.</p>	

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SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Vacant/Previously a Day Care • Frontage – 24.8m (81.4ft) • Depth – 45m • Area - 0.11ha • Shape - Rectangle

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - 2.5 Storey apartment/low density residential • South - Community Facilities (School) • East - Single Detached Dwelling/High School • West - Low Density Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)		
<ul style="list-style-type: none"> • Low Density Residential 		
THE LONDON PLAN PLACE TYPE: (refer to The London Plan Map)		
<ul style="list-style-type: none"> • Neighbourhood 		
INTENSIFICATION: (identify proposed number of units)		
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> • The proposed stacked townhouse represents intensification within the Built-Area Boundary. </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> • The proposed residential units are inside the Primary Transit Area. </td> </tr> </table>	<ul style="list-style-type: none"> • The proposed stacked townhouse represents intensification within the Built-Area Boundary. 	<ul style="list-style-type: none"> • The proposed residential units are inside the Primary Transit Area.
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EXISTING ZONING: (refer to Zoning Map)		
<ul style="list-style-type: none"> • R3-2/DC 		

PLANNING HISTORY

On July 25, 2016 the applicant submitted an application to amend the Official Plan and Zoning By-law to permit a 3-storey low-rise apartment building with 15, one-bedroom residential units for affordable housing. 16 parking spaces along with bicycle storage was proposed to be provided underground with 1 additional space provided at-grade.

The Official Plan amendment was to add a specific area policy (Chapter 10) to permit an apartment building at a density of 135uph and the rezoning requested a bonus zone to permit an apartment building use at a density of 135uph to implement the proposed specific area policy.

Prior to the Planning and Environment Committee meeting the applicant revised their application to reduce the number of units from 15 to 8 and proceed with a smaller stacked townhouse under the Low Density Residential Intensification policies of the Official Plan.

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LOCATION MAP


Subject Site: 855 Trafalgar Street
Applicant: 2503153 Ontario Inc.
File Number : OZ-8662

Planner : MC
Created By : RN
Date : 2016/10/26
Scale : 1:1500

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
File:planning\projects\p_locationmaps\MXD

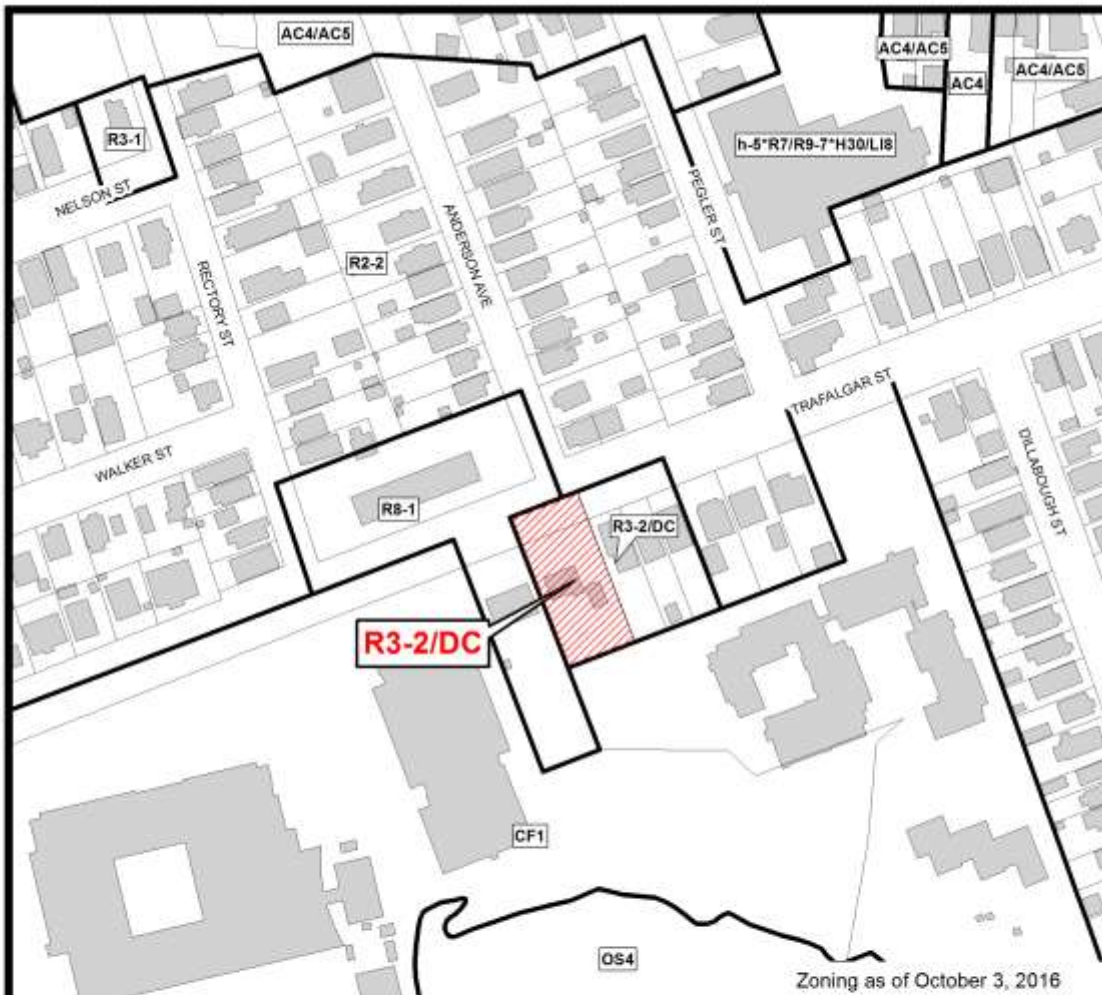


Legend

 Subject Site

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R3-2/DC

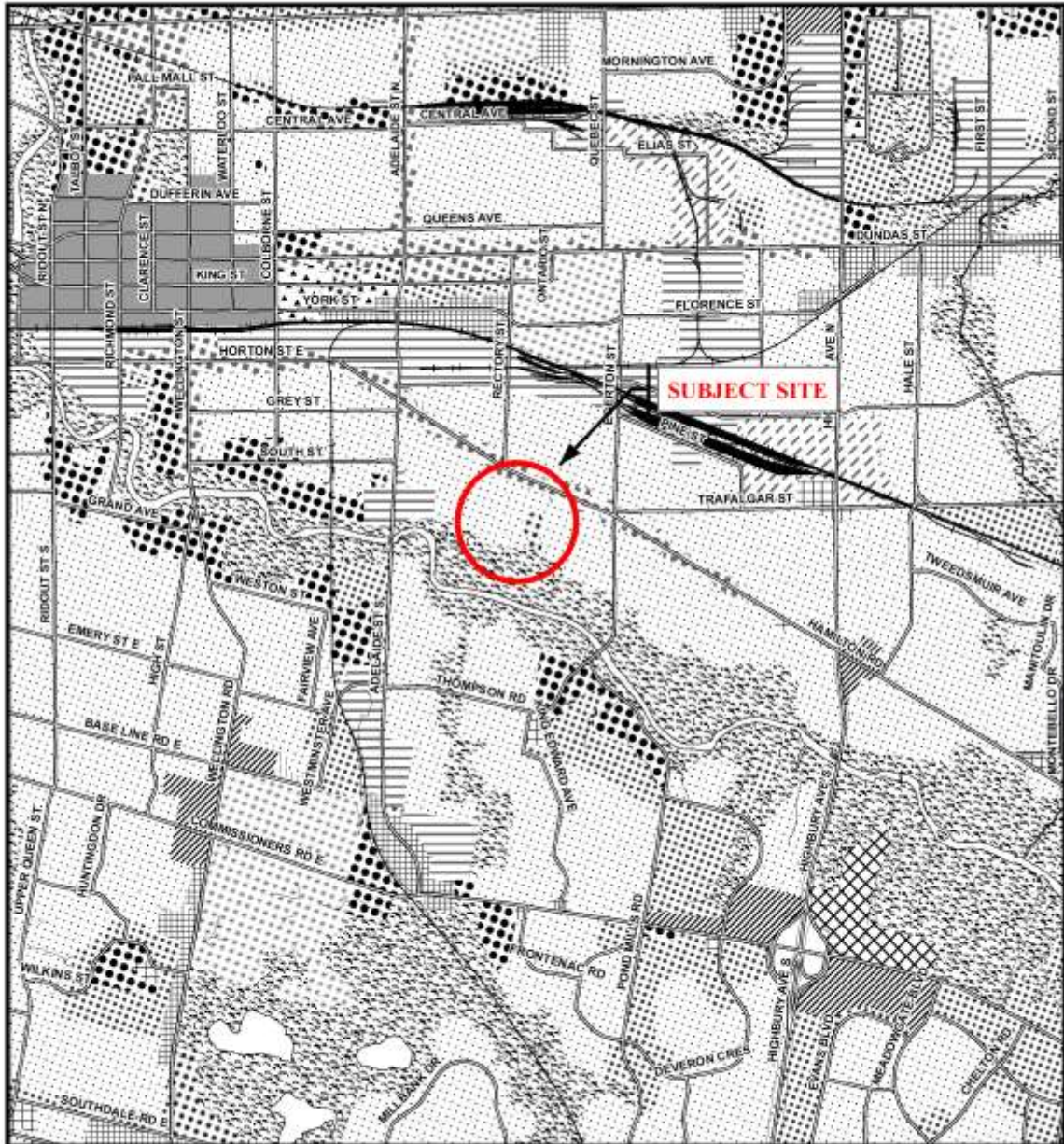
1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
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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 |
|--|---|

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p>	<p>FILE NO: OZ-8662 MC</p>
<p>ZONING BY-LAW NO. Z.-1 SCHEDULE A</p>	<p>MAP PREPARED: 2016/10/26 RN</p>
<p>THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>	<p>1:2,000 0 10 20 40 60 80 Meters</p>

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

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8662</p> <p>PLANNER: MC</p> <p>TECHNICIAN: RN</p> <p>DATE: 2016/10/26</p>
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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Based on Original Application:

Verbatim comments as per the Stormwater Engineering Division (SWED) – August 30, 2016

The Stormwater Engineering staff have no objection to the above-noted application to amend the Official Plan and Zoning By-Law. Please ensure the applicant is informed about the need to address/consider, among others, the following SWM requirements/concerns during the site plan application stage:

- *The municipal storm outlet available for the subject land is the 300mm storm sewer on Trafalgar Street. Changes in the "C" value required to accommodate the proposed redevelopment will trigger the need for hydraulic calculations (storm sewer capacity analysis) to demonstrate the capacity of the existing 300mm storm pipe and downstream system is not exceeded and that on-site SWM controls will be design to the satisfaction of the City Engineer. Please note that review and approval of the SWM strategy described in the attached Stormwater Management (SWM) Brief prepared by Development Engineering (Project DEL16-058; June 20, 2016) will be part of the site plan application process.*
- *The design and construction of SWM servicing works for the subject land shall be in accordance with:*
 - *The SWM criteria and targets for the Central Thames Subwatershed,*
 - *Any as-constructed information and any accepted report or development agreement for the area (e.g. as-constructed sheet 20118 and T15-25, etc.),*
 - *The City Design Requirements for on-site SWM controls which may include but not be limited to quantity/quality and erosion controls, and*
 - *The City's Waste Discharge and Drainage By-Laws; the Ministry of the Environment Planning & Design Manual; as well as all applicable Acts, Policies, Guidelines, Standards and Requirements of all approval agencies.*
- *The design of the SWM servicing work shall include but not be limited to such aspects as requirements for Oil/Grit separators for the proposed parking area, on-site SWM controls design, possible implementation of SWM Best Management Practices (e.g. Low impact Development "LID" features), grading and drainage design (minor, and major flows), storm drainage conveyance from external areas (including any associated easements), hydrological conditions, etc.*
- *The applicant and his consultant shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
- *Additional SWM related comments may be required and provided upon future review of this site through the site plan application stage.*

Comments as per the Wastewater Engineering Division (WADE) – August 22, 2016

- *A new san. p.d.c. will be required for the subject lands and is to be adequately sized for the proposed use.*
- *In accordance with City Standards a 150mm diameter p.d.c. should be connected to the main sewer, while a 200mm san. p.d.c. should be connected to a manhole.*
- *City Sanitary Drainage Area Plan # 20119 shows the existing flow before development is 35 l/s and the 200mm diameter pipe has the capacity of 59.5 l/s.*

Comments as per the Transportation Division – August 16, 2016

- *Access to the proposed underground parking is to align opposite Anderson Ave*
- *Detailed comments regarding the access will be made during the site plan process*

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Comments as per the Urban Design Division – October 13, 2016

Urban design staff have reviewed the submitted concept plan and urban design brief for the application at the above mentioned property and provide the following comments:

- *Notwithstanding the use and intensity of the proposal the proposed apartment form is generally in keeping with the surrounding neighbourhood with regards to height and front yard setback. However, in accordance with policies 3.2.3 (specifically 3.2.3.5 ii) of the Official Plan, the size of the proposed building far exceeds the size of surrounding buildings which will in effect negatively impact adjacent properties with regards to privacy in existing private amenity spaces and year-round sunlight conditions. It would be recommended that the building floorplate is reduced so that the rear wall of the proposed building is generally in line with the established rear building line of adjacent properties.*
- *In order for this proposal to be considered for bonusing for good urban design, it would be imperative to reduce the size of the floorplate to be in accordance with existing infill policies.*

Upper Thames River Conservation Authority

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. The regulation limit is comprised of a riverine erosion hazard. The UTRCA has jurisdiction over these lands and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

The UTRCA recommends that the applicant contact the Conservation Authority regarding our Section 28 permit requirements for the proposed development.

Revised Application Comments:

Comments as per the Wastewater Engineering Division (WADE) –February 8, 2017

- *The sewer available for the subject lands is the 200mm sanitary sewer on Trafalgar Street.*
- *There is enough capacity in the sanitary system for the proposed change of development on the subject lands.*
- *WADE has no concerns w.r.t. this application.*

Comments as per the Transportation Division – January 24, 2017

- *Access to align opposite Anderson Ave, detailed comments regarding access design will be made through the site plan process*

Stormwater Engineering Division (SWED)

- *No new comments*

Urban Design

The revised conceptual site plan and elevations for 855 Trafalgar St with its reduced building floorplate is now more in line with the size of surrounding buildings and continues to be generally in keeping with the surrounding neighbourhood with regards to height and front yard setback.

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Upper Thames River Conservation Authority

Thank you for circulating the revised application to the UTRCA. We have nothing further to add to the comments which were provided to the City on August 26, 2016

PUBLIC LIAISON:	<p>On August 3, 2016, Notice of Application was sent to 70 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 August 4, 2016. A “Possible Land Use Change” sign was also posted on the site.</p> <p>On January 18, 2017, Notice of Application was sent to 70 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 January 19, 2017. A “Possible Land Use Change” sign was also posted on the site.</p>	<p>5 replies were received and a petition with roughly 125 signatures</p> <p>No additional replies were received</p>
<p>Nature of Liaison: The purpose and effect of the requested Official Plan and Zoning By-law amendment is to permit a 3-storey stacked townhouse with 8 residential units. 8 parking spaces will be considered where 12 parking spaces are required.</p> <p>Change Zoning By-law Z.-1 from Residential R3/Day Care (R3-2/DC) Zone to a Residential R8 Special Provision/Day Care (R8-4(_)/DC) Zone to permit a stacked townhouse at 75 uph.</p>		
<p>Responses: See attached Comments – Appendix ‘B’</p>		

ANALYSIS

Subject Site

The subject site is located within a Low Density Residential neighbourhood with a low rise (2.5 storey) apartment directly north of the site, a single detached dwelling to the west and three triplexes in a row to the east. The majority of the neighbourhood is made up of single detached dwellings and duplexes. The site is located in close proximity to community facilities which include Lester B Pearson School for the Arts, B Davison Secondary School and Madame Vanier Children’s Services. The site is approximately 0.11ha (1133.9m²) in size with a lot frontage of 25m on a local street.

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Nature of Application

The proposed application is for a residential intensification project that would permit a 3-storey stacked townhouse with 8 residential units (71uph) on the site and provide 8 parking spaces.

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs while sustaining the financial well-being of the Province and municipalities over the long term. The PPS seeks to improve accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society. The PPS also encourages settlement areas (1.1.3 *Settlement Areas*) to be the main focus of growth and development while promoting opportunities for intensification and redevelopment where it can be accommodated taking into account existing building stock, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Appropriate development standards are also promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.4 [Housing] directs municipalities to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents. This can be achieved by establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households. The PPS encourages municipalities to provide for all forms of housing to meet the social, health and wellbeing requirements of current and future residents and directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available and support the use of active transportation and transit in areas where it exists or is to be developed.

This proposed application ensures that the policies of the PPS 2014 are being achieved by developing underutilized lands that are within the settlement area. The proposed development takes advantage of a parcel of land that is large enough to provide for a compatible form of infill development within the context of the surrounding area. The proposal will provide a new and

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unique form of residential development to an area that is mainly single detached and duplex dwellings. It will offer a density that is compatible and permitted within the existing designation while promoting cost effective development standards to minimize land consumption and servicing costs. The use will also capitalize on the existing infrastructure and public facilities in the area which will help support those living in the building. The applicant has identified that the proposed apartment would be target toward affordable housing. The site's close proximity to the Hamilton Road corridor and public transportation will provide accessible services to future tenants that can assist in their participation in society. The proposal is required to go through the Site Plan Approvals process which ensures that certain public health and safety concerns are addressed.

Official Plan

Use

The Official Plan provides objectives for all residential designations. Specifically, the Low Density Residential objectives include supporting the provision of a choice of dwelling types by designating lands for a range of densities and structural types throughout the City. They also encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services, facilities and land. Within the Low Density Residential designation a main objective is to enhance the character and amenities of the residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected (1.1.1 General Objectives for All Residential Designations, 1.1.2 Low Density Residential Objectives).

In an effort to achieve these objectives the policies of the Low Density Residential designation permit residential intensification through infill housing subject to the provisions of policy 3.2.3 Residential Intensification and a Planning Impact Analysis under Section 3.7. The Official Plan promotes Residential Intensification [3.2.3] as a means of providing opportunities for the efficient use of land and encouraging compact urban form. Residential Intensification projects shall use innovative and creative urban design techniques to ensure that character and compatibility with the surrounding neighbourhood are maintained as outlined in policy 3.2.3.3. and 3.2.3.4.

The Official Plan specifically defines residential intensification as the development of a property, site or area at a higher density than currently exists on the site, through the development of vacant and/or underutilized lots within previously developed areas. Underutilized sites are defined as those sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood [3.2.3.1. Definition].

The intensification policies permit residential densities up to 75uph and permit infill housing in the form of single detached dwellings, semi-detached dwellings, attached dwellings, cluster housing and low rise apartments [3.2.3.2. Density and Form] making the proposed stacked townhouse a permitted use and form of residential intensification in the Low Density Residential designation. The subject site is also considered an appropriate location for residential intensification as it provides adequate infrastructure to support the proposed development. [3.2.3.7. Supporting Infrastructure]

The requested use will satisfy the relevant Official Plan policies and objectives as the higher density proposed is permitted through the Official Plan's intensification policies and will help enhance the character of the area while utilizing the subject site. The proposed use provides for an alternative choice of dwelling type through an infill development in an area which is made up of mainly single detached and duplex dwellings. The site is also considered underutilized as a single detached dwelling or daycare. The property can reasonably accommodate more density through the existing zoning, which permits triplexes and fourplexes, and the proposed development will utilize the site more efficiently than the existing zoning and utilize the existing municipal services and facilities in the community.

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The site's close proximity to Hamilton Road and public transit provides occupants the ability to walk to many day-to-day amenities as well as provide access to the downtown. Not only will the proposal bring a new choice of dwelling type to the area it will also provide an opportunity for individuals to live in an affordable form of development providing the opportunity to integrate into the surrounding community. Along with being fully serviced there are several schools and parks in the area along with a public library.

The site has also proven that it can accommodate sufficient off-street parking and on-site buffering to mitigate any impacts on abutting lands. The proposed use has raised no traffic concerns for Staff as its close proximity to Hamilton Road and Adelaide Street along with several bus routes coupled with the scale of the proposed use will generate limited increases in traffic to the site and through the community. The Site Plan Approval process will ensure that appropriate fencing, lighting and landscaping is used to help mitigate any potential impacts and maintain the privacy of abutting outdoor amenity areas.

As mentioned, residential intensification proposals must meet the relevant infill policies and are subject to review through the Planning Impact Analysis in accordance with the provisions of Section 3.7. Staff have evaluated the proposed application on the basis of the criteria relevant to the proposed amendment. Through this review the application of the proposed stacked townhouse meets the relevant criteria of section 3.7 based on the analysis provided in this report.

Section 12 of the Official Plan speaks to the City's housing policies and the availability, affordability and adequacy of housing that may not be fully satisfied by the designation and servicing of lands for residential uses. It encourages and supports private, public and local partnerships in the provision of affordable and supportive housing.

The proposed application helps achieve the housing objectives of the Official Plan as it will provide an alternative dwelling type within the community that is not generally available in the surrounding LDR designation. The applicant has indicated his intention to provide for affordable dwelling units which could provide a unique use within an established neighbourhood while contributing to the supply of affordable housing within the city through residential intensification. The proposal will also help meet the economic, social, health and well-being requirement of all people [12.1 Housing Objectives].

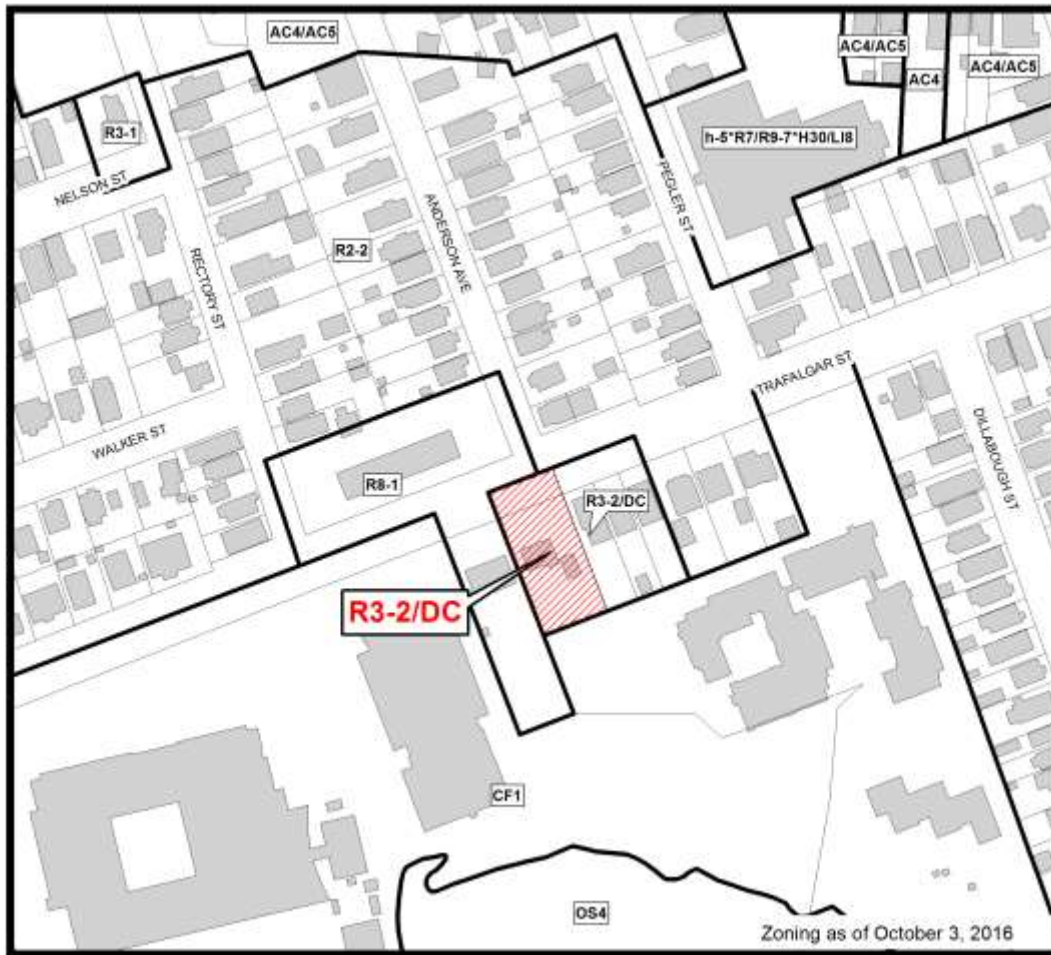
Intensity

Low Density Residential designations normally permit a density up to 30uph. Through residential intensification projects the intensity of residential uses on sites can be increased up to 75uph provided the proposal meets the relevant criteria. The proposed application for a stacked townhouse with the intention of providing affordable housing will maintain a similar intensity to what could currently be accommodated on the site through alternative planning processes. As previously mentioned due to the site's large frontage and existing zoning of R3-2 a consent application could provide for the site to be severed into two lots and accommodate a triplex or fourplex on each. Though potential minor variances may be required it would result in developments similar to the properties to the east and the lot sizes would in fact be larger. A severance could provide the ability to provide for up to a total of 8 units (same as the density of the proposed stacked townhouse) and would require 8 parking spaces. The proposed application for a stacked townhouse would require 12 spaces however Staff is comfortable with the reduction to ensure that other requirements of the By-law are met including lot coverage and open space.

This neighbourhood already has existing zoning to support increases in density and permits higher order uses like community facilities and school sites (see image below). As mentioned there are three triplexes to the east and the property to the west is zoned R8-1 which would permit and apartment or stacked townhomes at a density of 40uph. There is also an existing apartment across the street that has an existing 2.5-storey apartment on the site.

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Form

Within the Low Density Residential (LDR) designation development shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy [3.2.2. Scale of Development]. Infill housing may be in the form of single detached dwellings, semi-detached dwellings, attached dwellings, cluster housing and low rise apartments. Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area [3.2.3.2. Density and Form]. When an application for residential intensification occurs in an LDR designation it is required to provide innovative and creative urban design techniques to ensure that character and compatibility with the surrounding neighbourhood are maintained as outlined in policy 3.2.3.3. and 3.2.3.4 [3.2.3. Residential Intensification]

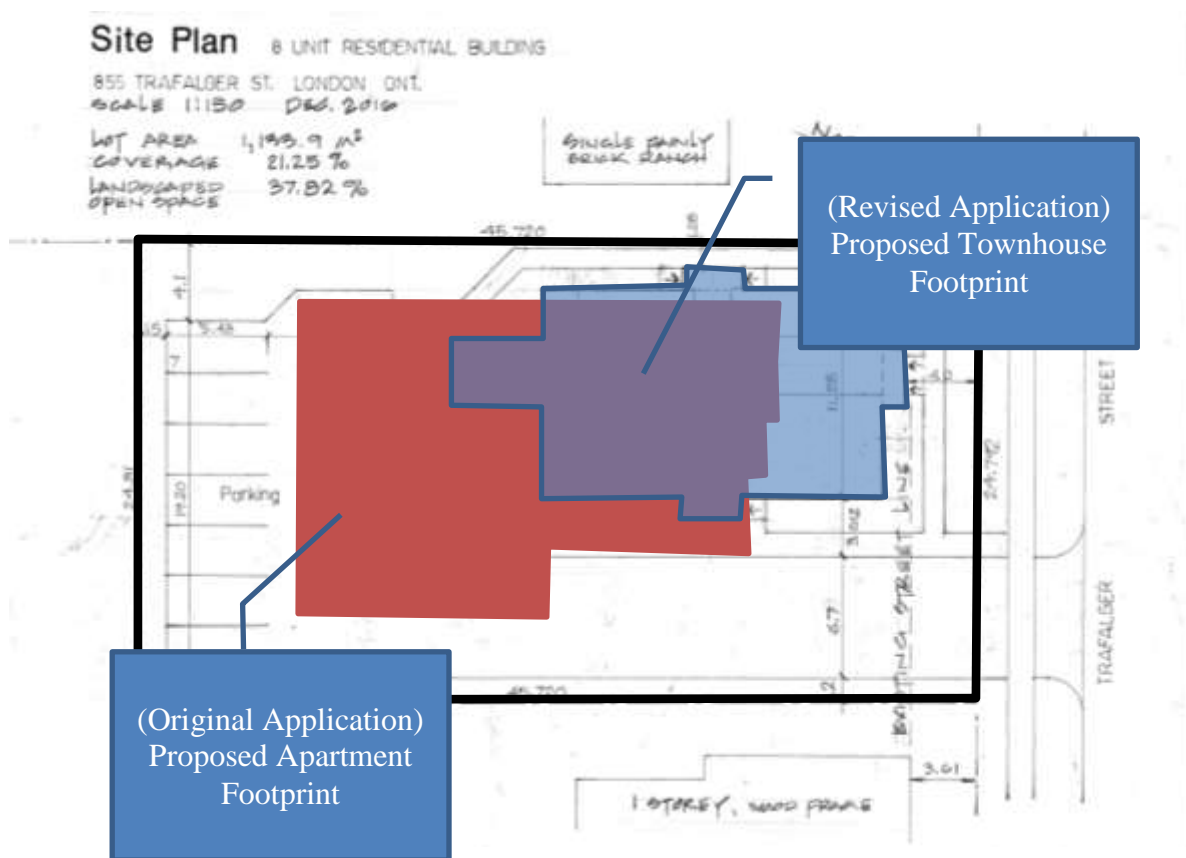
As part of a complete application for residential intensification, the applicant is required to provide a detailed character statement and compatibility report which are intended to provide an inventory of the urban design characteristics of the structures and the natural environment within a neighbourhood. The applicant must clearly demonstrate 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. of the Plan.

The submitted Urban Design Brief has been reviewed by the City's Urban Design Division and determined that it included the requirements of Official Plan section 3.2.3 for infill and intensification. Staff is supportive of the design and the siting of the proposed building and feel the design of the building is generally in keeping with the character of the area. The reduced building floorplate is now more in line with the size of surrounding buildings compared to the previous proposal and now provides a massing and form similar to the existing triplexes to the east. The smaller floorplate also allows for the building to be situated in the front corner of the

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property reducing impacts on the abutting land's rear yards as the proposed three storeys does not extend deep into the site. The revised proposal will maintain the low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy in the area. The image below shows the difference in the size of the original building's footprint and location compared to the revised stacked townhouse proposal. The building is now proposed to be in line with the abutting dwellings helping provide additional privacy to the rear yards of the abutting lands.



Proposed Stacked Townhouse (NOT TO SCALE)

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Zoning

The proposed rezoning from a R3-2/DC to a R8-4()/R3-2/DC is appropriate for this residential intensification development as it permits the proposed stacked townhouse use and required density. In order to locate the building in an appropriate position some special zoning provisions were required. The first provision required is reduction in the front yard setback which requires a reduction to 4 metres where 7 metres is required. This reduction will bring the front of the building in line similar to the developments to the east. The second provision required is for the westerly interior side yard. This is required to provide for the laneway to the parking in the rear of the property. The building will be located 2.6 metres from the property line where 4.5 metres would be required. This is appropriate considering the existing permissions on the site which would allow for a triplex or fourplex with a height of 12 metres (3-storey) to be located 2.4 metres away from the interior side yard. The other provision that is required is minor in nature and is a reduction in frontage to 24m where 30m is required to recognize the existing lot dimensions.

London Plan Analysis

The London Plan identifies 855 Trafalgar Street as a ‘Neighbourhood’ place type with frontage onto a neighbourhood street (Trafalgar Street). The permitted uses for this site would range from single detached, semi-detached, duplex, converted dwellings, secondary suites, home occupations and group homes at a height of 1 to 2.5 storeys. In this instance the subject site would not permit a stacked townhouse nor the proposed height of 3 storeys.

Given the mix of zoning in the immediate vicinity (including an R8-1 zone immediately to the north and west of the subject site) and the existing mix of uses that would similarly not comply with the London Plan (including apartment buildings and triplexes) the recommended amendment to infill one lot amongst these uses with a development that is compatible with the surrounding context demonstrates a reasonable consideration during a transitional period in time in which the recommended amendment will be processed under the (1989) Official Plan.

Public Concern

The original application raised some concerns with several members in the surrounding community (See Appendix B). The notice of revised application was then circulated to the same members of the public. To date no additional or new comments were received.

Staff attribute this to the fact that many of the relevant planning concerns expressed by the public have been addressed through the revisions provided by the applicant. The original issues included:

Traffic – No traffic concerns were raised by Staff during the original proposal nor with the reduced unit count.

Parking - The original application had sufficient on-site parking in Staff’s opinion as does the current proposal. There is on street parking within the community that could also be utilized if required.

Scale – The overall scale of the original building was originally a concern to Staff along with the community. The revised building now provides a building that is more in keeping with scale in the community.

Privacy – The original building was setback within the site affecting the privacy of the abutting lands and their backyards. Again the revisions provided by the applicant help address the issue of privacy.

Trees – During the Site Plan Approval process a tree preservation plan will be required to address any potential tree removal.

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File: OZ-8662
Planner: Mike Corby

CONCLUSION

Staff's recommendation is consistent with the polices of the Provincial Policy Statement (2014) and the Low Density Residential policies of the City of London Official Plan. The requested zone will infill an underutilized site within an established neighbourhood while potentially providing an opportunity for affordable housing within the City.

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

October 7, 2016

MC/mc

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**File: OZ-8662
Planner: Mike Corby**

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

<u>Telephone</u>	<u>Written</u>
	Lynn and Gerald Gowers 853 Trafalgar Street, London ON
	Keith Brake 75 Anderson Ave, London ON
	Josh Fentin 10 Pegler St, London ON
	Gil Graham 71 Anderson Ave, London ON
	Steve King 86 Anderson Ave, London ON

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

“None”

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**File: OZ-8662
Planner: Mike Corby**

**Bibliography of Information and Materials
OZ-8662**

Request for Approval:

City of London Official Plan and Zoning By-law Application Form, completed by Zelinka Priamo Ltd. (Michelle Doornbosch) on behalf of 2503153 Ontario Inc, July 12, 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.

Zelinka Priamo Ltd. *Planning Justification Report*, July 8, 2016.

Zelinka Priamo Ltd. Urban Design Brief, July 8, 2016

Development Engineering Ltd. *Stormwater Management Brief*, June 20, 2016.

Correspondence: (all located in City of London OZ-8662 unless otherwise stated)

City of London -

Giesen A., City of London Transportation. Emails to M. Corby. August 16, 2016 & January 24, 2017

Moore B., City of London Wastewater and Drainage. Emails to M. Corby. August 22, 2016 & February 8, 2017

Lambert B., City of London Development Services. Memo to M. Corby. August 30, 2016.

Smolarek J., City of London Urban Design. Memo to M. Corby. October 13, 2016 and Email to M. Corby April 5, 2017

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Corby. August 25, 2016.

Bezzina j., London Hydro. Memo to M. Corby. August 9, 2016.

Other:

Site visit October 3, 2016 and photographs of the same date.

Two empty rectangular boxes for agenda item and page numbers.

File: OZ-8662
Planner: Mike Corby

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-17 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 855 Trafalgar Street.

WHEREAS 2503153 Ontario Inc. has applied to rezone an area of land located at 855 Trafalgar Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 855 Trafalgar Street, as shown on the attached map comprising part of Key Map No. A.108, from a Residential R3/Day Care (R3-2/DC) Zone to a Residential R8 Special Provision/Residential R3/Day Care (R8-4(_)/R3-2/DC) Zone.

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

-) R8-4() 855 Trafalgar Street
 - a) Regulation[s]
 - i) Front Yard Depth (minimum) 4 metres (13.12 feet)
 - ii) Western Interior Side Yard Depth (minimum) 2.6 metres (8.5 feet)
 - iii) Lot Frontage (minimum) 24 metres (78.75 feet)
 - iv) Parking (minimum) 8 spaces

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

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

PASSED in Open Council on May 16, 2017.

Agenda Item # Page #

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File: OZ-8662
Planner: Mike Corby

Matt Brown
Mayor

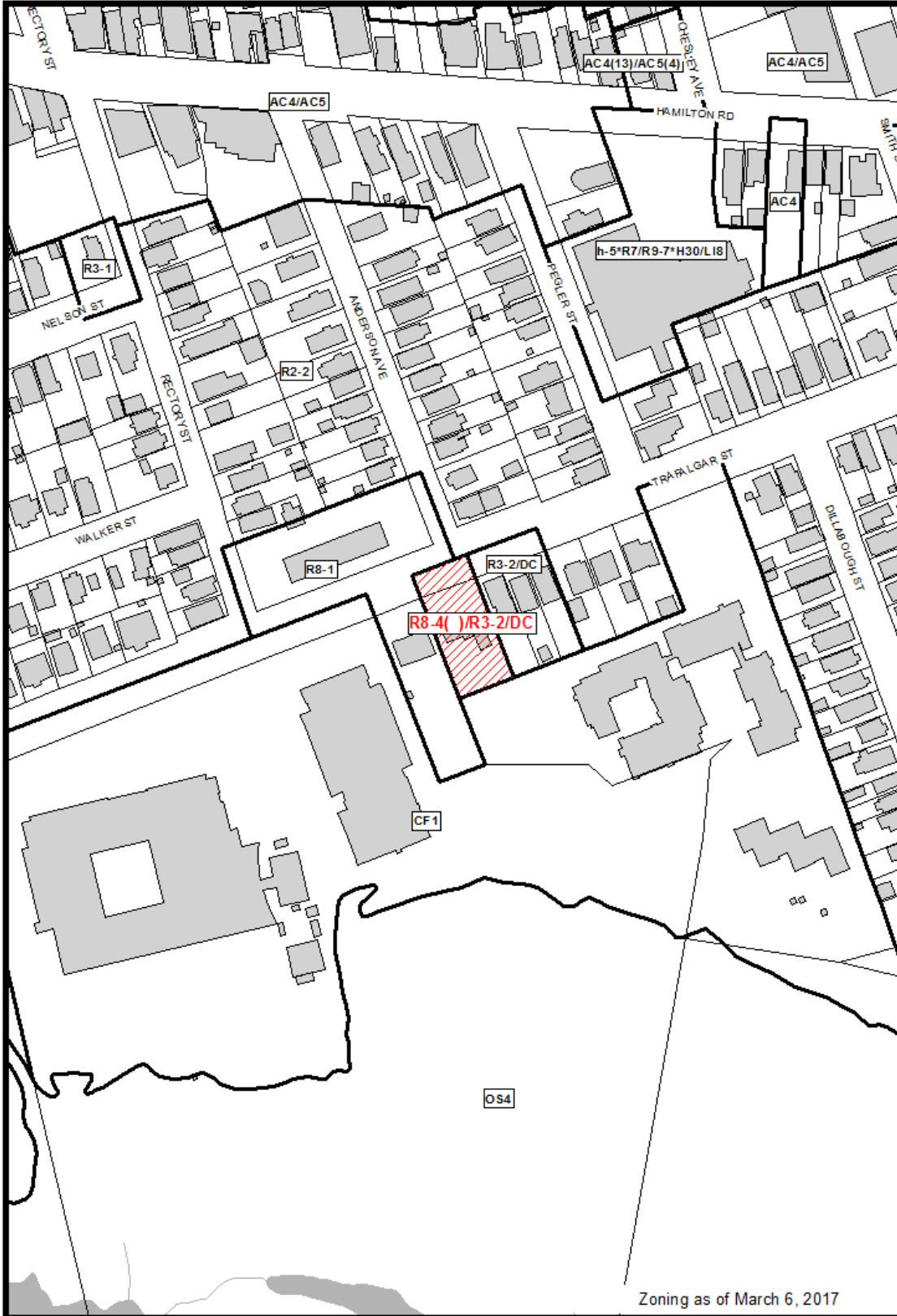
Catharine Saunders
City Clerk

First Reading - May 16, 2017
Second Reading - May 16, 2017
Third Reading - May 16, 2017

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File: OZ-8662
Planner: Mike Corby

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



File Number: OZ-8662
 Planner: MC
 Date Prepared: 2017/04/18
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE

1:2,000

0 10 20 40 60 80 Meters

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File: OZ-8662
Planner: Mike Corby

Appendix 'B'

Public comments verbatim:

From: GIL GRAHAM
Sent: Wednesday, August 24, 2016 10:02 PM
To: Corby, Mike <mcorby@London.ca>
Cc: van Holst, Michael <mvanholst@london.ca>
Subject: File # OZ-8662 855 Trafalgar Street

Mike Corby
City of London Planning Services

Michael van Holst
Ward 1 Councillor

RE: 855 Trafalgar Street file#OZ-8662

Mr Corby and Mr van Holst:

I am writing to you as a concerned citizen and property owner regarding the proposed rezoning of 855 Trafalgar Street. The structure proposed for this address does not suit the style of homes in the immediate area. The area is largely single family dwellings or duplex. There are 4 small three story walk ups in the area, however they tend to be seniors and families. This area is just seeing some improvements and property values have started to increase. The proposed affordable housing for one will bring property values down and as a homeowner I do not want my house devalued because of low income/affordable housing. This type of housing is better suited to the White Oaks or White Hills area where there are already a large number of apartments with easy access to grocery stores and shopping which would benefit low income residents unable to afford a car. If the city is going to stay consistent with previous rulings in the core and soho districts then this project cannot proceed.

Sincerely Gil Graham
71 Anderson Ave

-----Original Message-----

From: Steve King
Sent: Wednesday, August 24, 2016 11:36 PM
To: Corby, Mike <mcorby@London.ca>
Cc: van Holst, Michael <mvanholst@london.ca>
Subject: File OZ-8662

Sirs,

In reference to file OZ-8662, application for zoning changes at 855 Trafalgar St., I would like to express my concerns in regards to increasing traffic in an already congested area in a family oriented neighbourhood. With a public school, a high school and a residential institution for children within the same block of Trafalgar, the traffic of school buses, cars picking up and letting off children, already poses a hazard to the safety of those same children. Adding more traffic to the mix compromises the safety and the values of a family neighbourhood. In addition adding more low rent housing to an area that is already awash in low rent apartments, group homes and the such, as well as prostitution and illicit drug use will continue to influence the neighbourhood property values.

I am also concerned that I didn't receive any communication in regard to this application, even though my property at 86 Anderson Ave. Is less than a block from the affected property. It would lead one to express concern about the openness of the process. I would like to be kept in the loop for any further communication on this matter.

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File: OZ-8662
Planner: Mike Corby

I thank you for your consideration of my concerns.

Respectfully

Steve King

86 Anderson Ave
London Ontario
N5Z2A9

From: Josh Fentin
Sent: Tuesday, August 09, 2016 3:55 PM
To: Corby, Mike <mcorby@London.ca>
Subject: In opposition of OZ-8662 at 855 Trafalgar St. in London

Hi Mike,

I am a resident at 10 Pegler St. in London approximately 1 block away from the proposed zoning change from residential/daycare site to an apartment building.

I am writing in strong opposition of the proposal on the following grounds:

- Takes away from the visual appeal of the neighbourhood which already contains multiple low rise, low income housing options within blocks of the proposed site.
- The idea of adding an additional low income housing directly adjacent to an elementary school and high school is troubling.
- Additional construction will remove trees and green space which provides access to the Thames river corridor.
- Will increase crime in a neighbourhood that is just starting to turn the corner and the addition of this project will reverse the positive steps the neighbourhood is taking to be a family neighbourhood.
- Will reduce property values of nearby homes.

I trust you will take all of these points and more into consideration when making the decision to deny the requested zoning change.

Best regards,

Josh Fentin

From: Keith Brake
Sent: Tuesday, August 16, 2016 5:12 PM
To: Corby, Mike <mcorby@London.ca>
Subject: OZ-8662 (855 Trafalgar Street application to amend Official Plan)

To Mike Corby,

I would like to comment on the application to allow an apartment building on 855 Trafalgar Street.

I oppose the apartment building on two points. (1) the proposed building is too large for the size of the property. (2) it would be a waste of a good, affordable home that could be a family's first house.

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**File: OZ-8662
Planner: Mike Corby**

To elaborate, the building plan looks to take up the whole width of the lot. With 15 units and what appears to be very little clearance on either side, what will happen with garbage and blue box collection? I don't see room to get a garbage truck to the back and I doubt it will be able to access the underground parking. Does that mean 15 individual garbage containers/blue boxes out-front?

Also, an affordable family home will be destroyed, along with a number of mature trees on the property. If the building goes up, I worry that the neighbouring house to the west will likely be sold next and either rented out or be the next to ask to be torn down to build more apartments.

There are a number of houses within the neighbourhood that should be torn down, as the owners have let them get run down. There are 2 at the end of Marmora St that are currently boarded up. I have other examples, gathered just from walking around the area. There are also vacant lots, we saw at least 3 together on Maitland between Hill and Grey. The retail store Rags To Riches should be torn down, the building & property has been neglected since the Asian grocery store closed (you just need to visit the Bank Of Montreal parking lot to see the mess at the back of the Rags To Riches store).

The point is, there are better places for a building like this in our area. There is no need to destroy a good home and put up something that is out of scale for the size of the property.

We have lived in the area (Anderson Ave) for more than 20 years. We have several neighbours who have been here just as long. There are people in the area that care about this neighbourhood.

I hope that the city will reject this application, there are many other places in the area that this building could be suitably built.

Sincerely
Keith Brake

P.S. I will be sending a copy of this e-mail to my city councillor.

From: Gerald Gowers
Sent: Tuesday, August 16, 2016 2:49 PM
To: Corby, Mike <mcorby@London.ca>
Subject: zone change 855 Trafalgar street London, On.

- 1 we will have no privacy in the back yard or in house at all.
- 2 we have four schools in the area.
we have a lot of small children in the area to put that building he
- 3 all the trees will have to come down
- 4 a building with all one bedrooms will have no children in it .
- 5 we will have windows overlooking my backyard so if we are cooking outside everybody can watch us cook and eat
- 6 we have a three storey aptment building a cross the road from us now.
- 7 we have a three bedroom ranch house with a good size peace of land
if we go to sell it will bring the price of are home Down
- 8 we do not want that building at all near us.
- 9 wood he like it if someone put a building like that next to his house
- 10 this is a family area

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File: OZ-8662
Planner: Mike Corby

Thank you

Jerry & Lynn Gowers
853 Trafalgar Street
London, On

Petition from the community.



Mike Corby
City of London Planning Services
PO Box 5035
London ON N6A 4L9

RE: 855 Trafalgar Street London Ontario Zoning Amendment OZ - 8662

To our Municipal Council,

This letter is to address our opposition to the proposed zoning changes to 855 Trafalgar Street London Ontario Canada.

The area consists of two public schools, children's treatment centre and a high school.

1. Trafalgar Public School approx. 200 students (potential exist for 650 students if TVSB closed Aberdeen PS and Ealing PS)
2. Pearson School for the Arts - 270 + students
3. Vanier's Children Services (unknown enrollment)
4. B. Davison Secondary School (formally Thames Secondary School) - 240+ students.

The proposed side of the street, other than the schools, are mostly smaller pre- and post war homes . Mostly single family detached homes with a few duplexes (granny suits) and a couple of multiple bedroom triplexes. A few of us are living in second generation homes.

This area is a family neighborhood, being surrounded by school and many children. We currently are exposed to extreme congestion in our street, with busses and parents dropping and picking up students.

The resulting traffic from such a large 15 unit building will create a great deal of extra traffic in an already potentially dangerous situation regarding the children. The single entrance and exit on the plan seems hazardous and there is no parking for guest on the street, as the street parking is already congested, interfering with school busses and parental pickups and putting children at risk of injury.

Other points that have been offered:

- Drainage of underground parking would likely not be connected to storm sewer. Therefore, the option would be to divert drainage to south of property. This would be draining on Pearson School, where currently already receiving drainage from Vanier Services and would be compounded by the extra drainage from this structure. This situation already causes flooding and is a dangerous situation for children.
- Snow removal hindered, as there is no place to remove the snow to, causing serious banking , which children and snowbanks, and an overly busy roadway is a formula for injury.
- The rear of the property drops severely, approximately 20 feet, and consists of sandy loam. It has concerns that it would not be able to support the proposed structure.
- The property as it stands now is a 2 + ranch style home which has lovely mature trees in the front and rear yards. On the plans, these trees are removed which id contrary to not only our eco-system but our city's nickname " The Forest City"
- In our area we have had a quiet issue with drug abuse and prostitution. As a neighborhood we also try to look after each other and our homes. A fear that an underground parking will provide an outlet for illicit purposes, putting us, our children, some of them more vulnerable than others, at risk for contact with undesirable individuals

Any building there should be a family housing, to stay in the flavour and feel of our neighborhood and zoning in part to protect that.

I ask that you please take this into consideration as a decision is made regarding these zoning changes. ~ see next page~