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**File: Z-8065**  
**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: KAPLAND INC. 754 MAITLAND STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 24, 2012</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Kapland Inc. relating to the property located at 754 Maitland 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 which permits single detached, semi-detached, duplex, and converted dwellings, **TO** a Residential R3 (R3-4) Zone to permit single detached, semi-detached, duplex, triplex and converted dwellings, **BE REFUSED** for the following reasons:

- The current zoning for this area is appropriate, promotes neighbourhood stability, and allows redevelopment of residential properties in a manner which is compatible with the surrounding neighbourhood, consistent with the Provincial Policy Statement;
- The Site has previously been intensified to an appropriate density in conformity with the neighbourhood and existing zoning by-law.
- the requested amendment is not consistent with the policies of the *Provincial Policy Statement, 2005* which encourage efficient development and land use patterns which sustain the financial well-being of the municipality;
- the requested amendment is not consistent with the Council-approved Near Campus Neighbourhood Policies;
- the requested amendment is not consistent with the Residential Intensification policies of the Official Plan;
- the requested amendment could set a further precedent for additional multiple unit residential uses and erode the residential character of the area; and
- the proposed amendment would constitute "spot" zoning, and is not considered appropriate in isolation from the surrounding neighbourhood; the site is not unique and does not have any special attributes which would warrant a site specific amendment.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Near-Campus Neighbourhoods Planning Amendments, June 28, 2012

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The proposed amendment is to rezone the subject site to permit the internal conversion of the existing duplex dwelling into a total of 3 residential dwelling units. The recommendation is to refuse the application which would allow for an additional dwelling unit.

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<p style="text-align: center;"><b>LOCATION MAP</b></p> <p>Subject Site: 754 Maitland St          Applicant: Kapland Inc.          File Number: Z-8065          Planner: Mike Corby          Created By: Mike Corby          Date: 2012-06-19          Scale: 1:1200</p>	<p style="text-align: center;"><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Subject Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; margin-right: 5px;"></span> Parks</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px dashed black; margin-right: 5px;"></span> Assessment Parcels</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #D3D3D3; margin-right: 5px;"></span> Buildings</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Address Numbers</li> </ul>
<p>Corporation of the City of London Prepared By: Planning, Environmental</p>	

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<b>RATIONALE</b>
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- 1) The current zoning for this area is appropriate, promotes neighbourhood stability, and allows redevelopment of residential properties in a manner which is compatible with the surrounding neighbourhood, consistent with the Provincial Policy Statement.
- 2) The Site has previously been intensified to an appropriate density in conformity with the neighbourhood and existing zoning by-law.
- 3) The requested amendment is not consistent with the policies of the *Provincial Policy Statement, 2005* which encourage efficient development and land use patterns which sustain the financial well-being of the municipality.
- 4) The proposed amendment would constitute "spot" zoning, and is not considered appropriate in isolation from the surrounding neighbourhood; the site is not unique and does not have any special attributes which would warrant a site specific amendment.
- 5) The requested amendment is not consistent with the Council-approved Near Campus Neighbourhood Policies.
- 6) The requested amendment is not consistent with the Residential Intensification policies of the Official Plan.
- 7) The requested amendment could set a further precedent for additional multiple unit residential uses and erode the residential character of the area.

<b>BACKGROUND</b>
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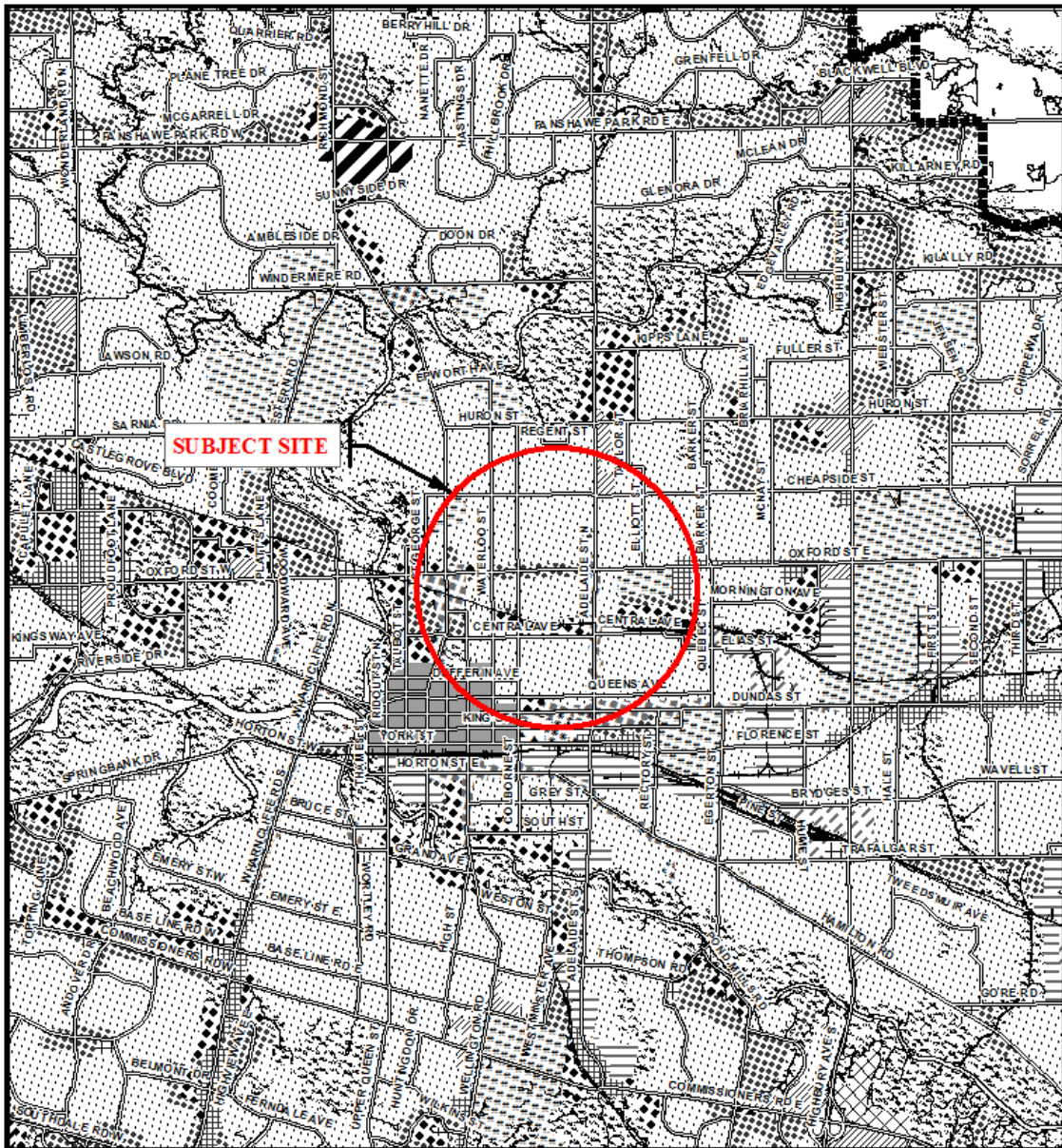
<b>Date Application Accepted:</b> June 14, 2012	<b>Agent:</b> Michelle Doornbosch
<b>REQUESTED ACTION:</b> The applicant is requesting an amendment to the Zoning By-law from a Residential R2 (R2-2) Zone which permits single, semi, duplex and converted dwellings with a maximum of two units to Residential R3 (R3-4) to allow for the existing duplex dwelling to be converted to a triplex.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Duplex Dwelling</li> <li>• <b>Frontage</b> – 15m</li> <li>• <b>Depth</b> – 38m</li> <li>• <b>Area</b> – 601m<sup>2</sup></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 and Commercial along Arterial Road</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>• LDR</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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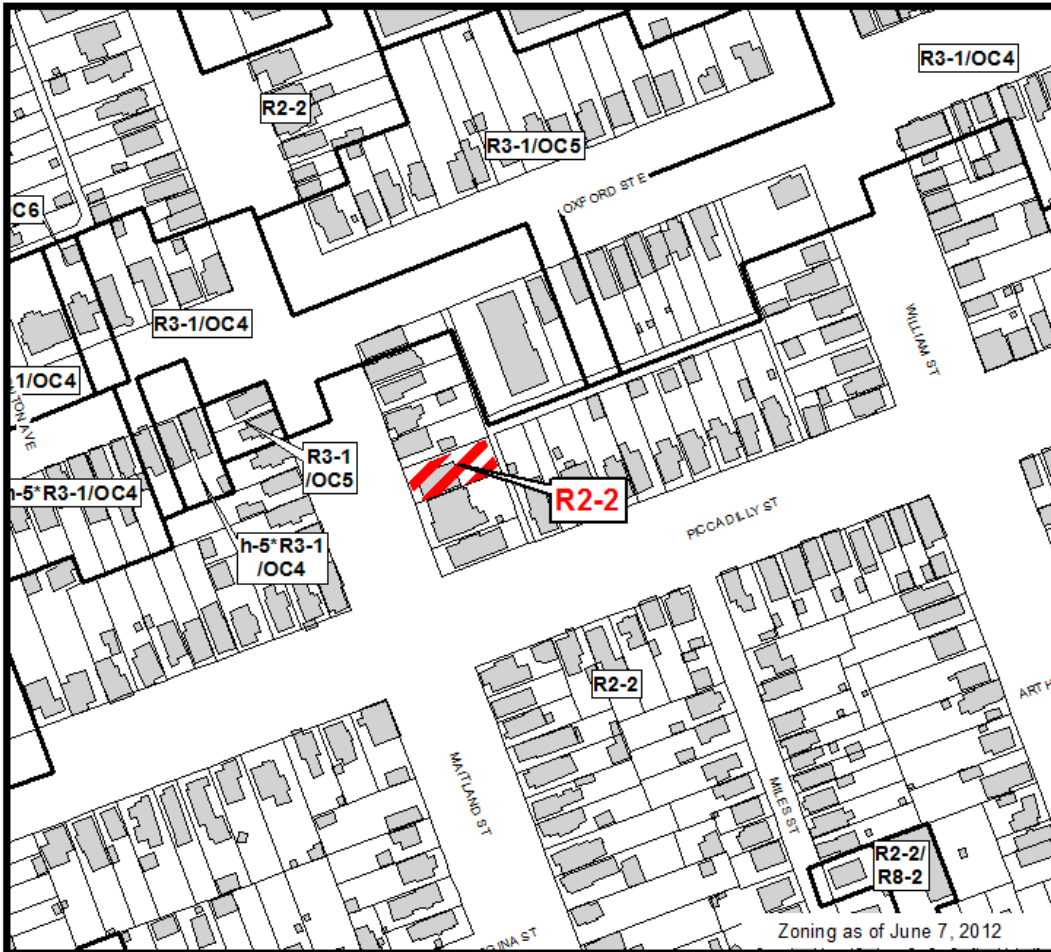


Legend	
Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial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

<p><b>CITY OF LONDON</b> Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8065</p> <p>PLANNER: MC</p> <p>TECHNICIAN: CK</p> <p>DATE: 2012/08/29</p>
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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-2**

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

- 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
  
- 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

2) ANNEXED AREA APPEALED AREAS

**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



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

FILE NO:  
Z-8065 MC

MAP PREPARED:  
2012/08/29 CK



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<b>PLANNING HISTORY</b>
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The subject property was originally developed and used as a single detached dwelling. . In early June, 2008 the Planning division was approached about the potential to sever the lot into two single detached dwellings. On June 30<sup>th</sup>, 2008 an application was made for a severance and minor variances by Kapland Inc. in order to create two new lots. Both the consent and minor variance application decisions were granted based on the clearance of conditions. A condition of the minor variance reduced the bedroom count in each single detached dwelling to three bedrooms. This was done in order to limit the intensity on each lot as the lot dimension for both of the lots being created were less than the minimum zoning standard, thereby avoiding the over-intensification of the lot while still providing for appropriate residential intensification opportunities.

On December 5<sup>th</sup>, 2008 the owner Kapland Inc. received a building permit to construct a duplex dwelling on the site. The owner decided not to complete the severance and instead maximized the intensity on the site by creating a duplex dwelling (two units) which allows for up to 10 bedrooms. On June 12, 2009 a complaint was received that the building was being constructed as a triplex dwelling which is not permitted in the current zone. Since the rest of the building was not complete at that time, an order was issued to advise contractor that construction in the basement needs to comply with the approved drawings. The order was lifted at the end of construction because the drywall that was installed was required to complete the fire separation between the storage area and first floor unit.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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<b>PUBLIC LIAISON:</b>	On June 22, 2012, Notice of Application was sent to 92 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on June 23, 2012. A "Possible Land Use Change" sign was also posted on the site.	8 responses were received  6 opposed the requested amendment  2 were concerned about specific issues
<p><b>Nature of Liaison:</b> The purpose and effect of this zoning change is to permit the conversion of an existing duplex to a triplex use.</p> <p>Change Zoning By-law Z.-1 from a Residential R2 (R2-2) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings, and converted dwellings (maximum 2 dwelling units) to a Residential R3 (R3-4) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, and converted dwellings</p>		

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**Responses:**

- concerned about the increase in the number of bedrooms in the building;
- creating pockets of student or low income housing in a low density single detached dwelling neighbourhood;
- increase in vandalism, garbage, noise;
- increased traffic on rear lane, would like to see access only from Maitland
- concerns about setting precedent and reducing the character of the neighbourhood;
- decrease in property value;
- concern about the appearance of the structure and its conformity with the area however the individual had no issue with the intensification.

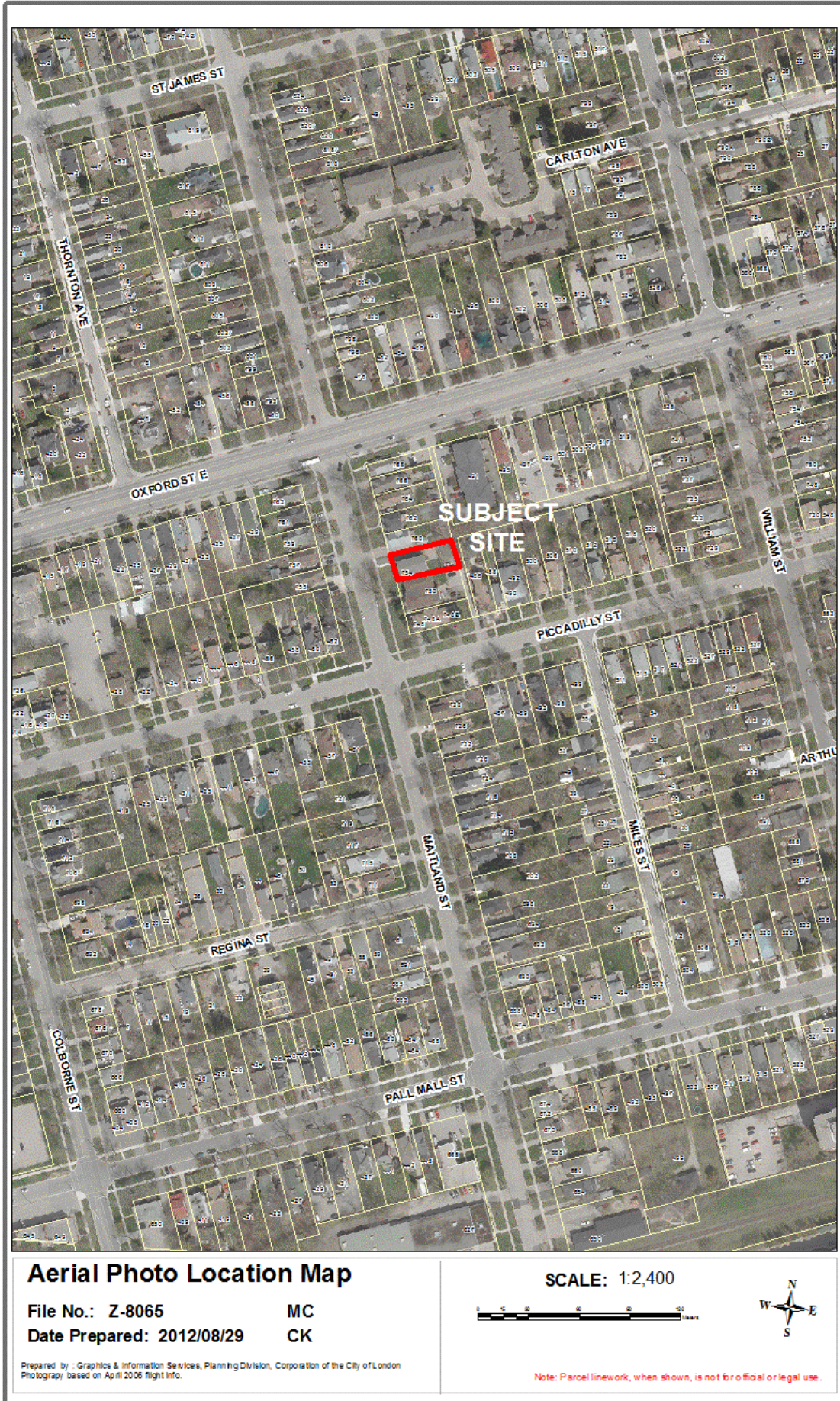
**ANALYSIS**

**Subject Site**

The subject site is located at 754 Maitland Street in the Piccadilly neighbourhood between Oxford Street and Piccadilly Street. The property has a 15.6m lot frontage and a lot area of 601m<sup>2</sup> and is located within a Low Density Residential designation. The subject site is also in close proximity to a Multi-Family, Medium Density Residential designation located directly north, but is not contiguous with the subject site and fronts onto an arterial road (Oxford Street). In general the neighbourhood is made up of lots similar in size to the subject property and provides a mix of mainly single family and duplex dwellings. Abutting the subject lands to the south is a large legal non-conforming fiveplex. Though this property exists it is important to recognize that these sporadic higher intensity uses in the low density designation do not make up the character of the neighbourhood. The general approach to uses that do not conform to the policies/by-laws is to encourage their transition to, or replacement by, conforming uses they should not be used as justification for approval of similar uses.

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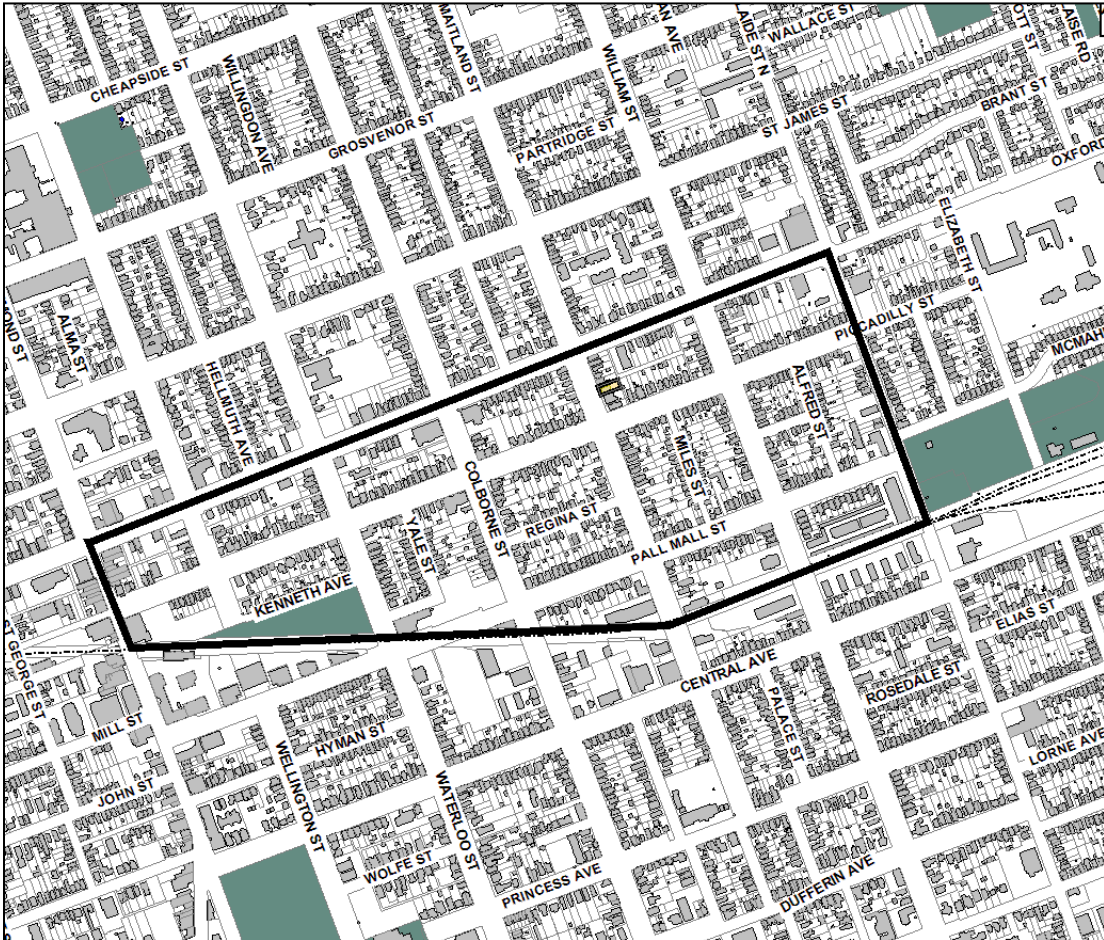




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### Piccadilly Neighbourhood Boundary



### Nature of Application

The proposed amendment would allow for the existing duplex dwelling to be converted to a triplex. The conversion will allow for 1 additional unit which can hold up to a maximum of 5 bedrooms. To allow for the conversion the applicant is requesting an amendment from a Residential R2 (R2-2) Zone which permits single, semi, duplex and converted dwellings with a maximum of two units to Residential R3 (R3-4).

### Provincial Policy Statement

The Provincial Policy Statement provides us with policy direction on matters of provincial interest related to land use and development. The following are relevant policies as they relate to this application.

### ***Section 1.1 - Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns***

Section 1.1.1 of the PPS promotes healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of land uses; and, promoting cost effective development standards to minimize land consumption and servicing costs. However, the requested amendments to intensify the subject site do not promote these goals of the PPS for the following reasons:

- This site-specific amendment alters the cohesive land use pattern of the neighbourhood and introduces an inappropriate mix of land uses in the interior of the Low Density Residential neighbourhood which permits it's higher intensity uses to the

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arterial road.

- The increase in intensity in the near campus neighbourhoods has resulted in a increase cost for municipalities for proactive by-law enforcement due to the increase demand for garbage removal and an increase in police enforcement.

Section 1.1.3.3. of the PPS requires municipalities to identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. This policy provides municipalities the ability to use their own discretion to “identify and promote” areas where intensification would be more appropriate and should not be interpreted as a requirement for municipalities to approve all intensification proposals. For the following reasons this application does not meet the intent of this policy:

- The Piccadilly neighbourhood’s existing building stock generally consists of large older single family dwellings located in close proximity to the downtown area. The Zoning By-law has taken into account these characteristics and has allowed this Low Density Residential neighbourhood the ability to convert to a maximum of two units.
- The Zoning By-law and Official Plan designation identify the Oxford Street corridor just north of the subject site and the lands immediately south of the Piccadilly neighbourhood along Central Avenue and the railway tracks as an area where additional intensification is appropriate in a comprehensive manner.
- Oxford Street is a main arterial road where higher density uses are directed to locate. Many local bus routes run along this corridor and it acts as a buffer to the lower density single detached and duplex dwellings located to the rear within the interior of the Low Density Residential community.
- The neighbourhood is also in close vicinity to downtown area where higher density residential apartment buildings are located and continue to be built encouraging appropriate residential intensification.

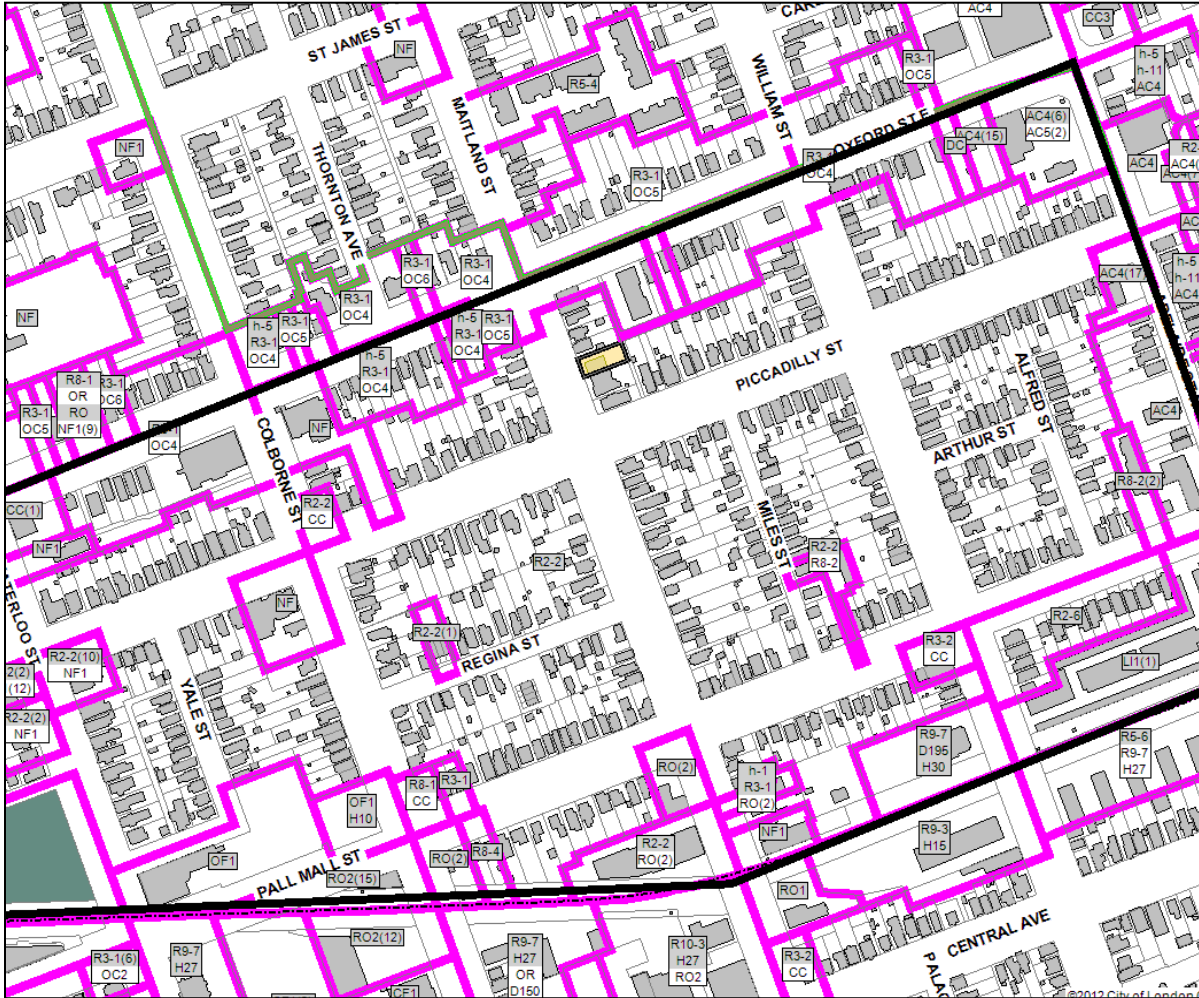
The PPS requires that municipalities promote appropriate development standards which facilitate intensification, redevelopment, and compact form while maintaining appropriate levels of public health and safety. The Official Plan contains intensification policies which outline development standards which facilitate appropriate intensification, redevelopment, and compact form by establishing criteria which ensure that the form, intensity, and character are compatible with the surrounding established neighbourhood in conformity to the PPS. This proposal is a site specific amendment and could set a further precedent for additional multiple unit residential uses and the proposed amendment could constitute "spot" zoning, and is not considered appropriate in isolation from the surrounding neighbourhood.

**Zoning**

The property is currently zoned Residential R2 (R2-2). This zone allows for single, semi, duplex and converted dwellings with a maximum of two units. 754 Maitland Street is an existing duplex dwelling which maximizes the permitted density on the site. The zone is used to allow for intensification on the subject and is also used to maintain a cohesive scale and intensity for the larger area of the Piccadilly neighbourhood.

The proposed amendment is to permit Residential R3 (R3-4) Zone to be applied to the subject site to permit the conversion of the existing duplex dwelling to allow a third dwelling unit. Rezoning the subject property in isolation from the surrounding area represents “spot” rezoning and should be discouraged. The requested amendment could set a further precedent for site specific zoning amendments in the immediate neighbourhood as several lots of similar size or larger exists. The continued conversion of singles and duplexes would erode the existing residential character of the area.

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**Official Plan**

The Official Plan contains policies to ensure applications for intensification are appropriate in terms of their use, scale and form along with their compatibility among the surrounding land uses. Relevant Official Plan policies are located in Section 3 of the Official Plan, these include: General Objectives for all Residential Designations and Low Density Residential policies which include intensification policies.

**3.1.1 Residential Land Use Designations**

The General Objectives for all residential designations include:

- 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;
- Support the distribution of a choice of dwelling types by designating lands for a range of densities and structural types throughout the city;
- Encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal sewers and facilities; and,
- 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; or residential and non-residential uses.

The Piccadilly Neighbourhood currently provides a diverse choice of dwelling types according to the criteria in the general objectives. The large Low Density Residential designation, which is complemented with a Residential R2 (R2-2) zone, and the additional Multi Family, Medium and High Density Residential designation along the north portion of the neighbourhood supports the

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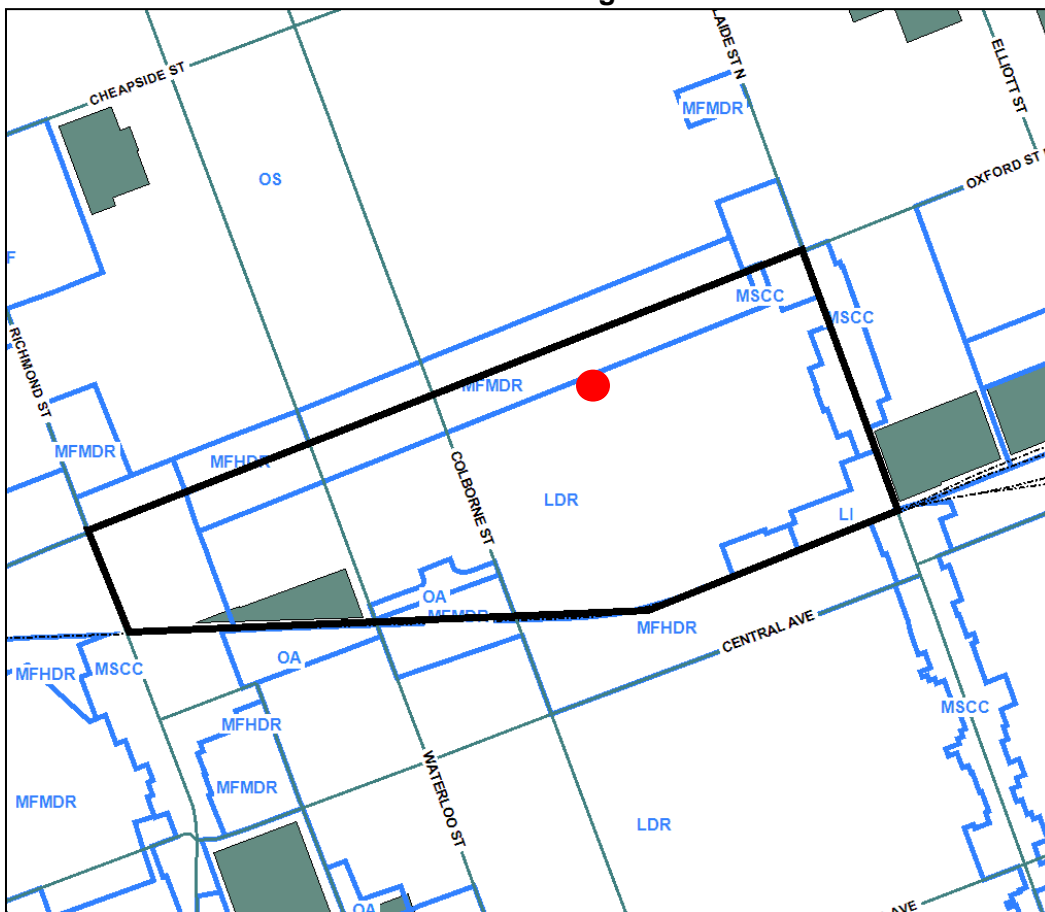
distribution of a choice of dwelling types to provide for an appropriate range of densities in the neighbourhood.

Council has encouraged infill residential development within this neighbourhood where development can efficiently utilize existing municipal sewers and facilities as exemplified by the R2-2 zoning which allows for single, semi, duplex and converted dwellings. Council has also approved a Multi Family, Medium and High Density Residential designation directly north of the subject site along the Oxford Street corridor, which is a main arterial road and can support a greater increase in residential intensity, and already permits the proposed triplex use. Located immediately south of the Piccadilly Neighbourhood along the railway tracks and Central Avenue a Multi-Family, High Density Residential designation exists which provides another location where higher residential intensification is promoted.

In general, compatibility issues occur when Low Density Residential structures are intensified to accommodate an increasing number of residents in proximity to lower density forms of housing. The proposed rezoning would result in an increase of 1 unit which could lead to 5 additional bedrooms on the site. This increase in intensity may lead to land use compatibility issues in the Low Density Residential area in the Piccadilly Neighbourhood. Conflicts often arise due to increased demands for vehicular parking as well as an increase in noise and garbage that is inherent with an increase in occupancy

The proposed rezoning of the subject site from a Residential R2 (R2-2) zone to the Residential R3 (R3-4) zone does not meet the General Objectives of the Residential Land Use designations outlined in the Official Plan. These objectives have already been considered through the existing land use designations and zoning in the Piccadilly neighbourhood and surrounding land uses to allow for moderate intensification of two units.

### Official Plan Designation



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### 3.1.2. Low Density Residential Objectives

The Low Density Residential designation outlines two objectives, of which one relates to this application. The Low Density Residential objective states:

*Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected.*

The subject site was initially a single detached dwelling and was allowed to intensify to a higher intensity under the existing Zoning By-law Z.-1. The application at that time did not require site plan approval and was not subject to current intensification policies which require a public site plan process and urban design review to ensure the building generally conforms with the neighbourhood. Since no new external construction would be required therefore the conversion to a triplex does not have the opportunity to implement the current intensification policies and help enhance the character or amenities in the residential area. The higher intensity would in fact detract from both of these and should be located to an area where existing land uses will not be adversely affected.

Additional Neighbourhood concerns will also arise from the increasing residential intensity as there will be an increase in vehicular traffic to the site, and increased noise and garbage as a result of the additional unit. Council has already directed “*higher intensity uses to locations where existing lands uses are not adversely affected*” from the subject site on the north/south side of the Oxford Street corridor as well as the north side of Central Ave thereby fulfilling the intent of this Objective. The requested amendment is not consistent with this Low Density Residential Objective.

### 3.2.3 Residential Intensification

Under section 3.2.3.1 of the Official Plan the proposed Zoning By-law amendment application falls under the definition of Residential Intensification as it results in the development of a property, site or area at a higher density than currently exists on the site through:

- the conversion or expansion of existing residential buildings to create new residential units or accommodation.

Residential Intensification policies, specifically Section 3.2.3.2 Density and Form, recognize the importance of considering a comprehensive planning approach by stating that, “*Site specific amendments to the Zoning by-law to allow dwelling conversions within primarily single detached residential neighbourhoods shall be discouraged.*” For the following reasons the subject site does not meet the Density and Form requirements in the Official Plan:

- The existing Residential R2 (R2-2) zone falls over the majority of the Piccadilly Neighbourhood and defines the character of the area as one of single detached & duplex dwellings situated on lot sizes that are comparable to the subject site.
- The subject site is not unique within its context and does not have any special attributes which would warrant a site specific amendment. Therefore, the requested amendment constitutes “spot” rezoning and is not considered appropriate in isolation from the surrounding neighbourhood.
- The comparable lot sizes limited lot frontage and lot area required by the Residential R3 (R3-4) Zone could be precedent setting.

### Near Campus Neighbourhood Strategy

There has been an ongoing effort to appropriately manage residential intensification within London’s near-campus neighbourhoods. Specific neighbourhood policies have been implemented over several decades, some of which are now encompassed by the Near Campus Neighbourhood boundary. These specific policy areas were created in an effort to address many of the issues caused by over intensification resulting in an inappropriate mix of land uses. These specific policy areas have been successful in their specific areas but have also pushed

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many of the same land use conflicts onto nearby neighbourhoods which currently do not have specific policies. The subject lands fall into an area located across the street from the North London/Broughdale Neighbourhood which is an area with its own specific residential policies. The abutting Piccadilly Neighbourhood is now experiencing the same issues as those in the North London Broughdale Neighbourhood where dwellings are being modified to add bedrooms and increasing the residential intensity in a low density neighbourhood. Some of the issues that are still occurring in the Near Campus Neighbourhood, and specifically with the proposal at 754 Maitland Street include:

- dwellings are modified to add bedrooms thereby increasing the residential intensity;
- reduction of landscaped areas detract from the residential amenity of the neighbourhood;
- the proposal would create a disproportionately high number of bedrooms;

Through previous efforts and public consultation 10 strategies were identified to help overcome the issues faced in the Near Campus Neighbourhood. On November 17, 2008 Council adopted these 10 strategies, which resulted in planning staff drafting new Official Plan and Zoning By-Law amendments. The latest report which was completed to address the 10 strategies previously adopted was presented to council on June 18, 2012. Council adopted the Near Campus Neighbourhood policies and the proposed Official Plan and Zoning By-law amendments. These policies however are not yet in full force and effect as they have been appealed to the OMB.

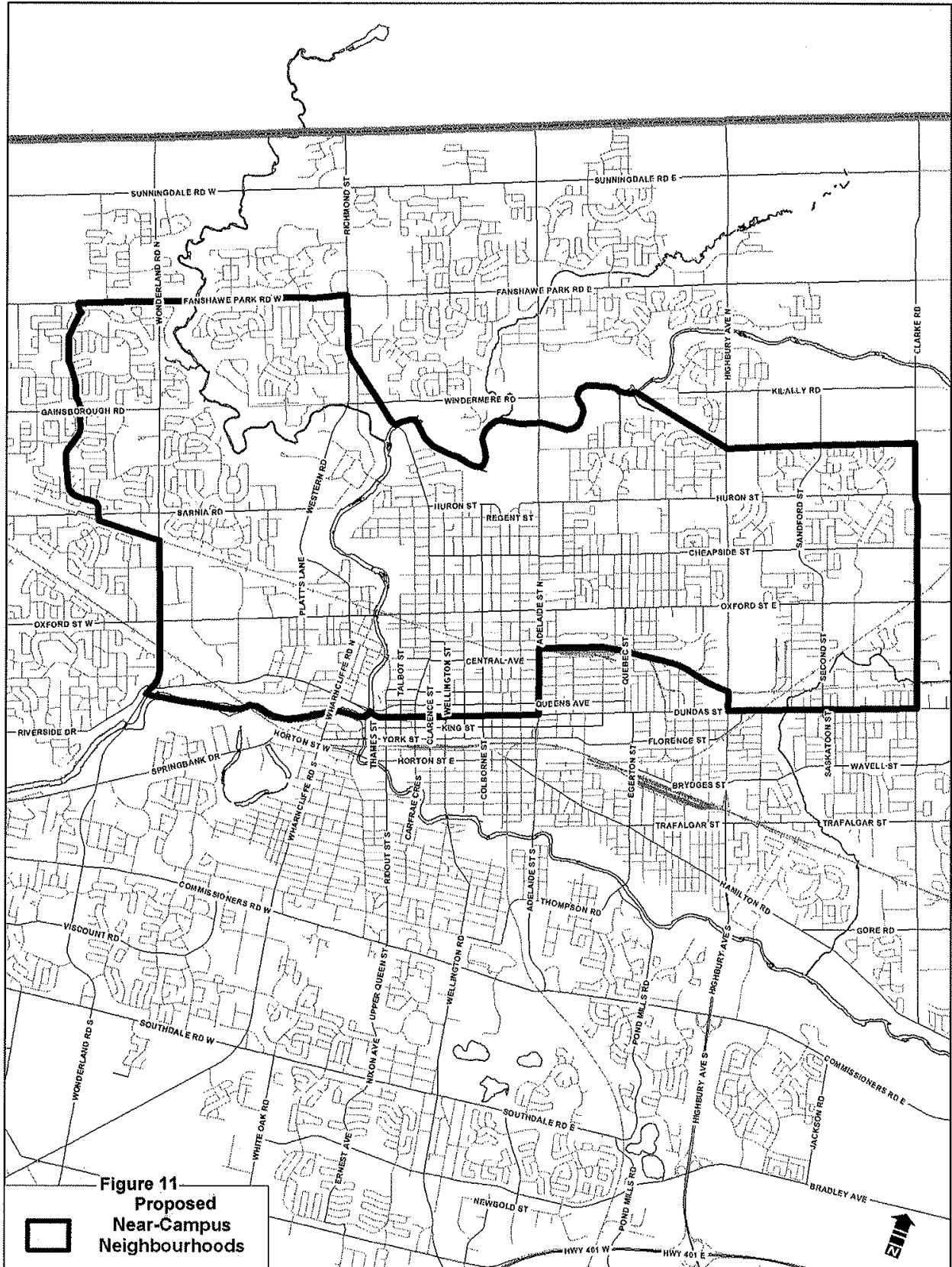
One of the main changes identified through the Near Campus Neighbourhood strategy is the proposed Zoning By-law amendment which includes the rewording of the existing definitions for semi-detached, duplex, triplex, fourplex, converted dwelling, stacked townhouse, street townhouse and apartment. The definitions have been reworded to ensure that these types of dwelling units, when located within the Near Campus Neighbourhood, shall contain no more than three bedrooms per unit. Other changes to the zoning include a change to the Minimum Landscaped Open Space and Maximum Parking Area Coverage. If the current application was granted under the existing zoning by-law the bedroom count could increase up to 15 bedrooms. Under the proposed Near Campus Neighbourhood changes the subject site permit a maximum of bedrooms.

The Official Plan amendments related to the Near Campus Neighbourhood are to be located in Section 3 of the plan and the specific policies that relate to the proposed application are noted below:

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### Proposed Near Campus Neighbourhood



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**3.5.19.5 Encourage Appropriate Intensification**

*Within near-campus neighbourhoods, it is a goal of this Plan to encourage appropriate forms of intensification. Planning applications, including minor variances, consents to sever, Official Plan amendments, Zoning By-law amendments, site plan approval, subdivisions, condominiums, area plans, secondary plans, or precinct plans which represent appropriate intensification, will be encouraged. For the purposes of these policies, appropriate intensification will be characterized as those which are **not** comprised of one or more of the following attributes:*

- *Developments within low density residential neighbourhoods that have already absorbed significant amounts of Residential Intensification and/or Residential Intensity and are experiencing cumulative impacts that undermine the vision for near-campus neighbourhoods;*
- *Developments proposed along streetscapes and within neighbourhoods that are becoming unsustainable due to a lack of balance in the mix of short and long-term residents;*
- *Residential Intensity that is too great for the structure type that is proposed;*
- *Inadequately sized lots that do not reasonably accommodate the density and intensity of the proposed use;*
- *Proposed lots and buildings requiring multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;*
- *A lack of on-site amenity area;*
- *Inadequate parking areas to accommodate expected level of Residential Intensity;*
- *Excessive proportions of the site devoted to parking areas and driveways;*
- *Built forms or building additions which are not consistent in scale and character with the neighbourhood, streetscape and surrounding buildings;*
- *Developments which continue an ad-hoc and incremental trend towards Residential intensification within a given street, block, or neighbourhood, rather than a proactive, coordinated, and planned*

The proposed Zoning By-law amendment is not consistent with these policies as the proposal contains a lack of outdoor amenity space caused by parking; the resulting increase in intensity would ensure that the existing amenity space would be insufficient for those who live there; and the existing duplex was built only 5 years ago with an unfinished basement large enough to accommodate an additional unit. This type of development could be considered an ad-hoc approach to residential intensification and contributes to the trend of uncoordinated and unplanned residential intensification within the neighbourhood.

**3.5.19.6 Directing Preferred Forms of Intensification to Appropriate Locations**

*Near-campus neighbourhoods have been planned with substantial opportunities for intensification through the provision of medium and high density residential designations, the application of higher density zones within areas designated Low Density Residential and special policies that allow for intensification in a variety of ways.*

*Many of these near-campus neighbourhoods have already experienced a significant amount of Residential Intensification (as defined in Policy 3.2.3.1 of this Plan) and an increase in Residential Intensity (as defined in policy 3.5.19.7 of this Plan).*

*In general, Residential Intensification in the form of medium and large scale apartment buildings situated at appropriate locations in the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations are preferred in near-campus neighbourhoods rather than additional Residential Intensification in Low Density Residential designations. This is particularly important in neighbourhoods where there has been a substantial amount of Residential Intensification or Residential Intensity within the Low Density Residential designation.*



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**Planner: Mike Corby**

*Appropriate locations are those areas within near-campus neighbourhoods that are designated Multi-Family, Medium Density Residential and Multi-Family, High Density Residential that are located along arterial roads and serviced by public transit. Additional areas may be identified for higher density forms of housing through an Official Plan and Zoning By-law amendment process. These proposals will be approached in a coordinated and comprehensive fashion, rather than on a site-specific basis.*

The proposed Zoning By-law amendment is not consistent with the policies regarding Directing Preferred Forms of Intensification to Appropriate Locations section. The preferred location and form of residential intensification would be in the existing medium and high density residential designations and in the form of medium to large scale apartments rather than additional ad-hoc residential intensification in the low density residential area of the Piccadilly neighbourhood.

There are several opportunities surrounding the subject site that are more appropriate locations for residential intensification. Directly north along the Oxford Street corridor, where several bus routes run on a regular basis to and from Fanshawe College and Western University, is a Multi Family, Medium Density Residential designation and to the south of the Piccadilly neighbourhood where a Multi Family, High Density Residential Designation exists along Central Avenue, which is classified as a Secondary Collector road.

### **3.5.19.10 Low Density Residential Designations**

*Within the near-campus neighbourhoods in areas designated Low Density Residential, planning applications to allow for Residential Intensification and Residential Intensity shall only be supported if the following criteria are met:*

- *The proposal conforms to all of the Residential Intensification policies of this Plan;*
- *The proposal conforms to all of the Policies for Specific Residential Areas of this Plan;*
- *The proposal does not represent a site-specific amendment for a lot(s) that is not unique within its context and does not have any special attributes which would warrant a site-specific amendment;*
- *The proposal is appropriate in size and scale and does not represent an over-intensification of the site;*
- *The proposal provides for an adequate amenity area that is appropriately shaped, configured, and located to provide respite for the occupants;*
- *Mitigation measures are incorporated into the proposed building(s) and site design which ensure that the amenity of surrounding residential land uses is not negatively impacted;*
- *The proposal demonstrates that all heritage attributes and resources of the subject site or adjacent sites are conserved; and*
- *The proposal establishes a positive and appropriate precedent for similar development proposals at similar locations within the near-campus neighbourhood areas.*

The proposed Zoning By-law amendment does not meet the following criteria. The existing site provides a limited amenity area (see figures below) which would be even further compromised and with the proposed increase in intensity, on a lot that is not unique within the local context, the proposal would set a negative precedent as several properties in the Piccadilly neighbourhood could be converted to inappropriate intensities that would also detract from the residential amenity character of the area.

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**Aerial Photograph, April 2008**



**Aerial Photograph, April 2011**



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<b>CONCLUSION</b>
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The PPS promotes healthy, liveable and safe communities and requires municipalities to identify and promote opportunities for intensification and redevelopment. The proposed amendment is not consistent with these policies and more appropriate lands have been identified in close proximity to the subject site that can better serve as areas to increase density.

The requested amendment is not consistent with the Residential Intensification policies as the subject site is not unique within the context of the neighbourhood and does not have any special attributes which would warrant a site specific amendment. Therefore, the requested amendment constitutes “spot” rezoning which is not considered appropriate in isolation from the surrounding neighbourhood.

The requested amendment could set a negative precedent for site specific zoning amendments in the immediate neighbourhood as several lots of similar size or larger exist. The continued conversion of singles and duplexes would erode the existing residential character of the area.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
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August 28, 2012

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

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**File: Z-8065**  
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**Bibliography of Information and Materials**  
**Z-8065**

**Request for Approval:**

City of London Zoning By-Law Amendment Application Form, completed by Michelle Doornbosch, June 5<sup>th</sup>, 2012

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

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Dalrymple, D., London Hydro. Memo to M. Corby. June 26, 2012.