

Planning Justification Report

Proposed Triplex Dwelling

754 Maitland Street



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ZELINKA PRIAMO LTD
A Professional Planning Practice

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1.0 INTRODUCTION

On behalf of Kapland Inc., Zelinka Priamo Ltd. has submitted applications to the City of London to amend the Zoning By-law to permit one additional dwelling unit within the existing duplex dwelling on the lands located on the east side of Maitland Street between Oxford Street East and Piccadilly Street in the City of London.

The purpose of the following land use assessment is to provide planning justification for a Zoning By-law Amendment application to permit the proposed triplex use on the subject lands through a site specific "Residential (R3-4)" zone under the current Low Density Residential designation.

1.1 DESCRIPTION OF SUBJECT LANDS

The subject lands are a rectangular shaped parcel of land located at 754 Maitland Street (Figure 1). The lands are 601 sq.m (0.15 acres) in size with a frontage of 15.6m (51.2ft) along Maitland Street. Access to the subject lands is provided off of Maitland Street as well as via a rear lane that exits onto Piccadilly Street to the south and Oxford Street East to the north.

Figure 1 – Location Map



The subject lands currently contain a newly constructed duplex dwelling as well as an accessory detached garage (Figure 2). The driveway off Maitland Street provides access to the garage and driveway parking, while the rear lane provides access to five additional parking spaces.

Figure 2 – Existing Dwelling on Subject Lands



1.2 SURROUNDING LAND USES

Surrounding land uses include a variety of low density residential dwellings in all directions with a multi-unit townhouse residential development located to the northeast of the subject lands, extending to the south side of Oxford Street East. Within the surrounding residential area there are also several converted dwellings that contain two or more units; including an existing 5-unit dwelling at 750 Maitland Street immediately to the south of the subject lands.

1.3 THE PROPOSAL

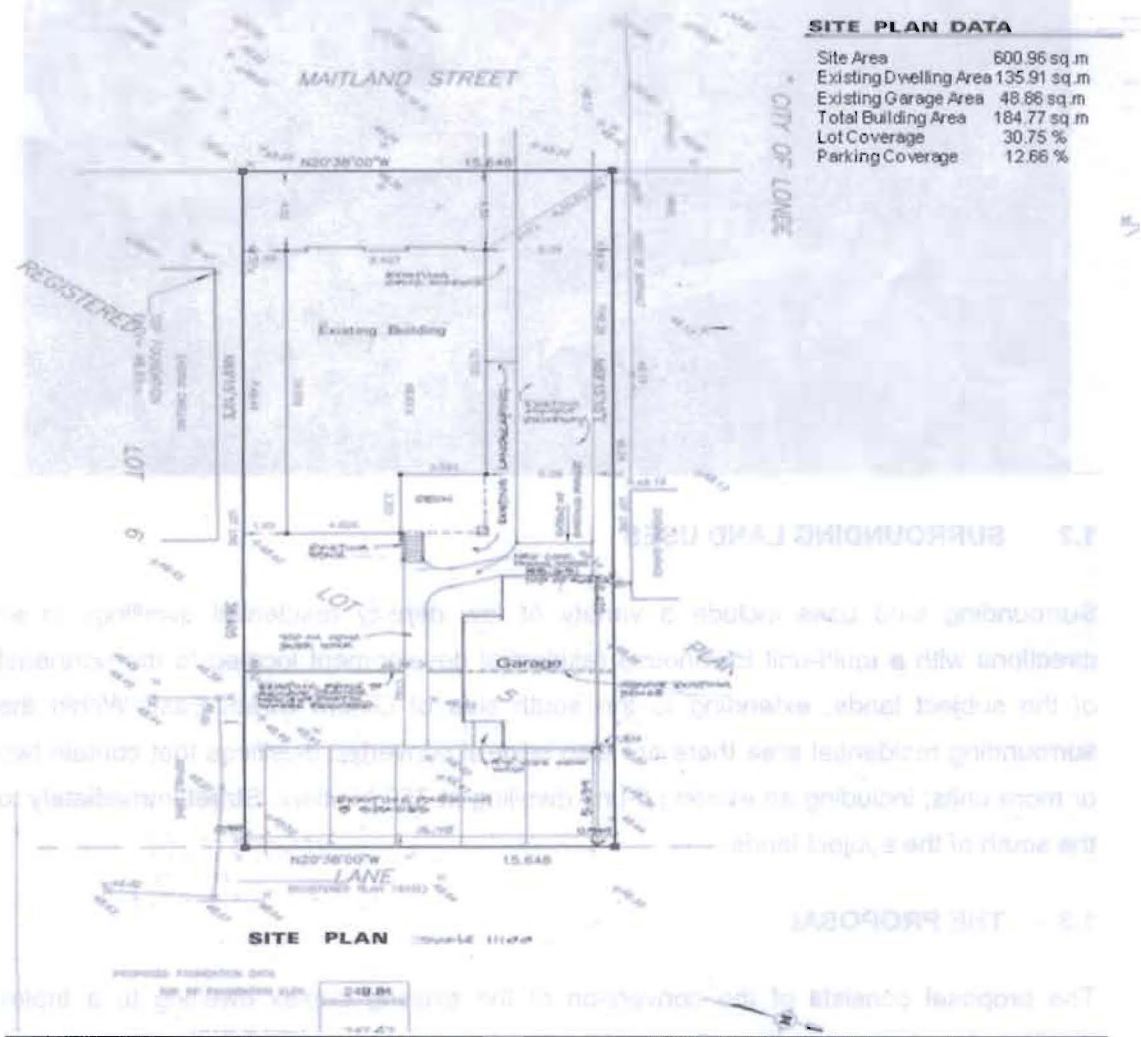
The proposal consists of the conversion of the existing duplex dwelling to a triplex dwelling. No changes to the exterior of the building are proposed, nor are any required,

in order to accommodate the additional dwelling unit within the existing building. The additional unit is proposed to be located within the lower level of the existing building.

The existing dwelling meets all of the zoning regulations under the proposed standard R3-4 zone including, building setbacks, lot coverage and landscape open space. The existing five parking spaces are sufficient to meet the parking requirements for a triplex dwelling.

Screen fencing and the rear yard garage (Constructed for the existing duplex) provide an appropriate separation and buffer between the proposed triplex use and the surrounding uses (both more intensive and less intensive).

Figure 3 – Existing Site Plan Relating to the Proposed Use



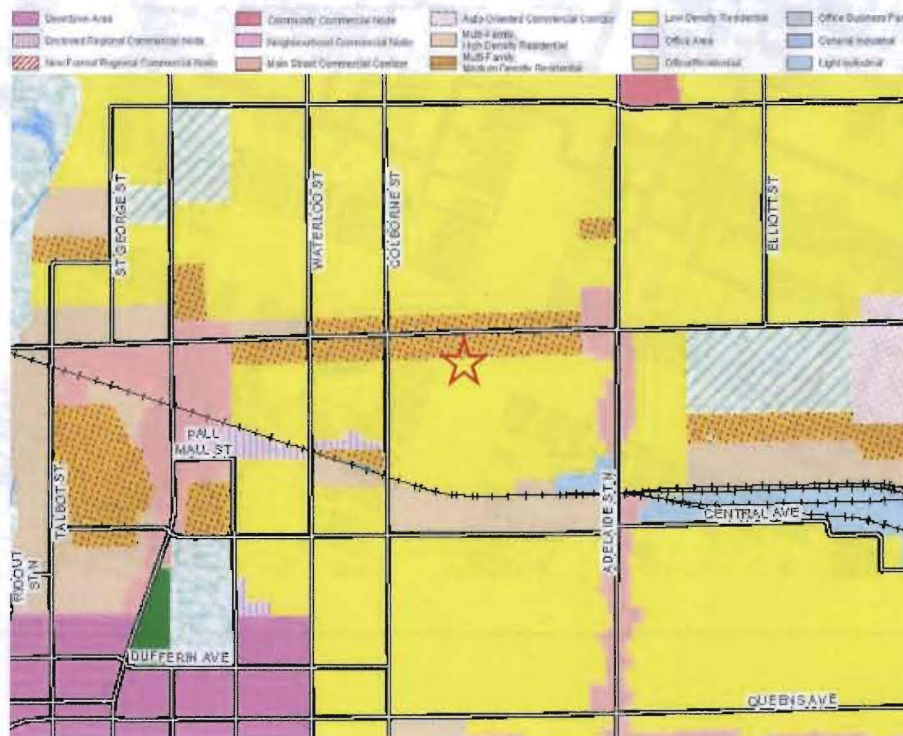
1.4 CONTEXT OF SUBJECT LANDS WITHIN CITY OF LONDON OFFICIAL PLAN

Schedule 'A' Land Use of the City of London Official Plan (Figure 3) shows a Multi-Family Medium Density Residential area extending south of Oxford Street East to an unspecified depth, but approximating the northerly half of the block between Oxford Street and Piccadilly Street. The area south of this designation is designated Low Density Residential in the Plan. While the subject lands lie, graphically, at the southerly edge of the Medium Density designation, they are most reasonably interpreted to be within the Low Density Residential designation

The Low Density Residential designation permits a range of low density residential uses including single detached, semi-detached, duplex, triplex and converted dwellings and rowhouses. Residential intensification is permitted in the Low Density Residential designation through an amendment to the Zoning By-law.

The proposed triplex is permitted under the current Low Density Residential designation.

Figure 4 – City of London Official Plan



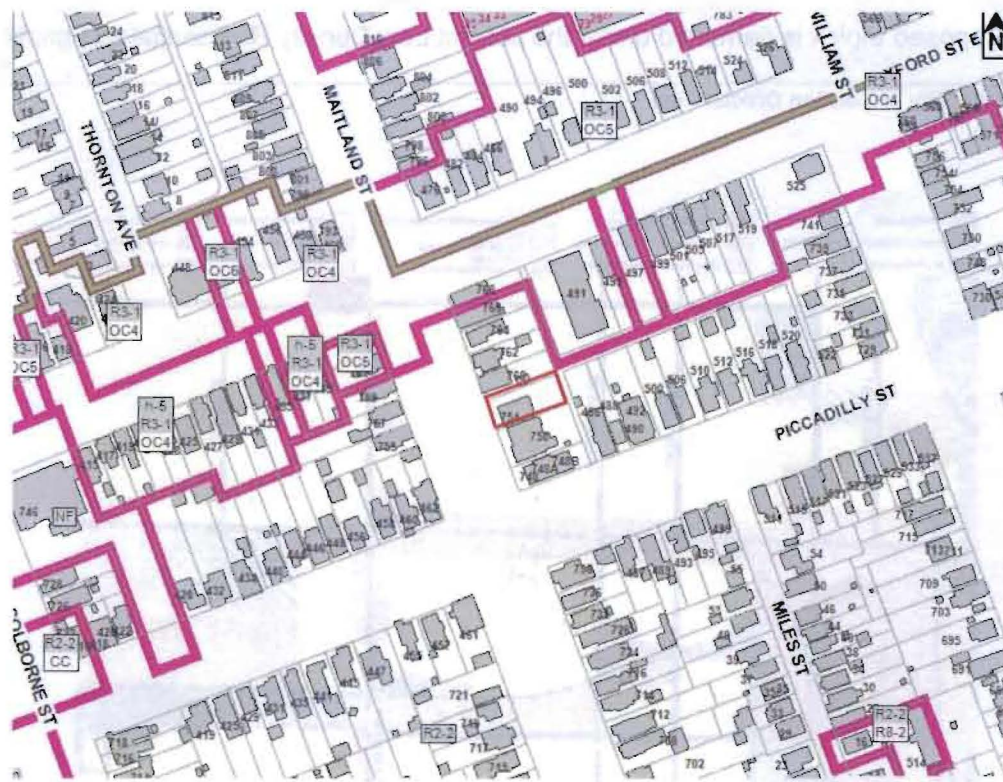
1.5 CONTEXT OF SUBJECT LANDS WITHIN CITY OF LONDON ZONING BY-LAW

According to the City of London Comprehensive Zoning By-law Z.-1, as amended, the majority of the subject lands are zoned "Residential 2 (R2-2)" (Figure 4).

The Residential 2 (R2-2) zone permits only low density residential developments, consisting of single detached, semi-detached, duplex or converted dwellings (maximum 2 units).

The proposed triplex use is not permitted under the current zone. A Zoning By-law Amendment is required to rezone the lands to an appropriate Residential 3 (R3-4) zone for the proposed use.

Figure 5 – City of London Zoning By-law



3.0 PLANNING DOCUMENTS AND ANALYSIS

The following documents have been reviewed and assessed to determine the appropriateness of the proposal on the subject lands, as per the proposed amendments noted in Section 2.0 of this report.

3.1 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient, cost efficient development and the protection of resources. Official Plan Amendment applications are required to be consistent with these policies.

3.1.1 Relevant Policies of the PPS

The policies outlined in Sections 1.1.1a), 1.1.1e), 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.4.3.b.2, 1.6.2, 1.6.4.2, 1.6.5.2, 1.6.5.4, 1.7.1.a and 1.8.1.a of the PPS are relevant with respect to the proposed development. These sections relate to promoting efficient land use and development through intensification, the efficient and cost effective use of infrastructure and public services.

3.1.2 Analysis of the PPS

The proposed triplex use within the existing building on the subject lands is consistent with the Provincial Policy Statement (PPS) and the provision for “*efficient land use and development patterns to support strong liveable and healthy communities*” and promotes opportunity for intensification as follows:

- The subject lands are located within the City of London Settlement Area and are connected to full municipal services (Section 1.1.3.2) and as such, the proposed intensification promotes cost-effective development to minimize land consumption and servicing costs by using existing facilities (*Section 1.1.1. e*);
- The proposed use proposes residential intensification through the use of the existing building stock (*Sections 1.1.3.3, 1.4.3.b.2 and 1.7.1.a*);
- The proposed use utilizes existing infrastructure (*Section 1.6.2 and 1.7.1.a*);
- The site is already connected to full municipal services (*Section 1.6.4.2*);

2.0 PROPOSED APPLICATION

The proposal requires a Zoning By-law Amendment to rezone the subject lands to a Residential 3 (R3-4) zone to permit the conversion of the existing duplex dwelling to a triplex dwelling. No site specific zoning regulations are required as the existing dwelling, garage and site meet all of the standard requirements under the R3-4 zone.

- The proposed development promotes the use of existing infrastructure and public transit, being within 60 m of the Oxford Street transit corridor (Section 1.6.5.2 and 1.6.5.4); and
- The proposed development promotes compact form by adding an additional unit within an existing building (Section 1.8.1.a).

3.2 CITY OF LONDON OFFICIAL PLAN – LAND USE

The City of London Official Plan provides policies to guide the short-term and long-term physical development of all lands within the City. It provides direction for the allocation of land use, provision of municipal services and facilities, and preparation of regulatory by-laws to control the development and use of land. The various policies are considered necessary to promote orderly urban growth and compatibility among land uses.

3.2.1 Land Use Policies of the Official Plan

The policies for residential intensification within Low Density Residential designations are applied as a means of providing efficient use of land and encouraging compact urban form.

Residential intensification proposals are subject to the Planning Impact Analysis policies under Section 3.7.

3.2.2 Analysis of the Land Use Policies

The proposed amendment will allow the reuse of the existing duplex dwelling for a triplex dwelling, within an area adjacent to medium density residential development along the Oxford Street corridor and next to an existing 5-unit dwelling on Maitland Street. The City's zoning standards for triplex dwellings provide a measure of the appropriateness of a particular property for triplex use.

The following considers the appropriateness of the proposed development in relation to Section 3.7.2 of the Official Plan:

The proposed triplex is compatible with the surrounding area as it is proposed within an existing building that already fits within the context of the area, without the need for any changes to the property or building. Given that there are no evident adverse impacts from the existing duplex dwelling on the present land uses in the area, it is expected that

one additional unit will create no new land use compatibility issues for the surrounding area.

The subject lands are appropriate for the proposed triplex in terms of size and shape of the parcel. Under the proposed R3-4 zone the minimum lot area and lot frontage for a triplex are 420 sq.m and 12.0m, respectively. The subject lands have a lot area of 600 sq.m and a lot frontage of 15.65m, well above the minimum zoning requirements for a triplex. There is also sufficient existing provision for parking on the subject lands to accommodate the triplex use.

In the immediate area surrounding the subject lands, triplexes are permitted to the north and south of Oxford Street East; however, due to the size, dimensions and orientation of these parcels, many of the properties currently zoned for triplex use are not capable of accommodating a triplex dwelling or its required parking. The subject lands are of sufficient size to accommodate a triplex dwelling. There are no vacant parcels in the surrounding area that could accommodate the proposed use.

The height and location of the existing building is consistent with the surrounding area in terms of bulk, scale and layout of the building. With no changes or additions proposed to this existing building in order to accommodate the additional unit, there will be no impacts on the surrounding land uses. In addition, the vehicular access points to this site have already been approved by the City and are constructed. No changes in access to the subject lands are proposed and therefore there will be no impacts on Maitland Street, on vehicular and pedestrian safety or on the surrounding properties.

Through the residential intensification approval process, the subject lands will be required to go through Site Plan Approval, confirming compliance of the proposed use with the proposed zoning provisions. However, given that there are no changes proposed (or necessary) to the site, there can be no site plan issues arising from this process.

3.3 CITY OF LONDON OFFICIAL PLAN – RESIDENTIAL INTENSIFICATION

3.3.1 *Neighbourhood Character Statement and Compatibility Report Policies of the Official Plan*

Section 3.7.3.1 of the Official Plan provides policy direction related to residential intensification developments within the Low Density Residential designation. Sections 3.2.3.3 and 3.2.3.4 require that the proposed development be consistent with the character of the area and compatible with the surrounding neighbourhood.

3.3.2 *Analysis of the Residential Intensification Policies*

Section 3.2.3.3 of the Official Plan requires an inventory of the urban design characteristics of the area be completed in order to assess the appropriateness of a proposed change on the character of the area. However, since the proposed triplex is to be located within the existing building and no changes to the existing structure are required or proposed, a Neighbourhood Character report is not useful or relevant. The appropriateness of the existing building within the neighbourhood was assessed at the time it was originally approved for construction (Figure 6).

Figure 6 – Existing Streetscape: East side of Maitland Street



Section 3.2.3.4 requires that proposed developments provide details as to how they are sensitive to, compatible with and a good fit within the existing surrounding neighbourhood based on the existing built form, massing and architectural treatments. As noted above, the triplex will be located within the existing duplex dwelling. No changes to the building are proposed and, therefore, there is no need to examine the existing streetscape and building characteristics with respect to this proposed development. The existing building fits well within the neighbourhood, and is a positive part of the existing character of the area. The existing garage and parking treatment is also consistent with the neighbourhood character.

Figure 7 – Subject Dwelling and Adjacent Dwellings



3.4 CITY OF LONDON COMPREHENSIVE ZONING BY-LAW

The Zoning By-law Amendment proposes a “Residential (R3-4)” zone consistent with the current Low Density Residential designation on the subject lands. The proposed triplex dwelling, as well as the existing conditions on the subject lands, meet all of the zoning regulations applicable to this zone.

4.0 CONCLUSIONS

The proposed Zoning By-law Amendment is consistent with the PPS and fulfills the Official Plan policies with respect to proposals for residential intensification. The reuse of the existing duplex dwelling for a triplex will maintain the existing streetscape and built form along Maitland Street, while allowing for a more efficient use of the subject lands and existing infrastructure and public services.

The proposed use is compatible with surrounding land uses and will have no undue adverse land use impacts on them. There will be no difference in the physical or operational characteristics between the existing duplex and the proposed triplex dwelling.

The proposed amendment is appropriate for the development of the lands given that the subject lands and the existing dwelling meet all of the zoning regulations under the proposed zone and are appropriate in terms of the size and shape of the parcel.