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H-8127  
Nancy McKee

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: ADAMAS GROUP INC. 613-629 FIRST STREET &amp; 1461-1465 OXFORD STREET EAST MEETING ON MARCH 19, 2013</b>

**RECOMMENDATION**

That, on the recommendation of the Senior Planner of Development Services, based on the application by Adamas Group Inc. relating to the property located at 613 – 629 First Street & 1461 – 1465 Oxford Street East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 26, 2013, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R10 (h-88\*R10-1\*H40) Zone **TO** a Residential R10 (R10-1\*H40) Zone to remove the holding provision.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

**OZ-7390**

- Report and public meeting at Planning Committee on application to amend the Official Plan for these lands from Low Density Residential to Multi-Family, High Density Residential, and amend the Zoning By-law to apply a Holding Residential R10 Zone to permit a 14 storey apartment building at a maximum density of 175 units per hectare, with holding provisions for urban design and sanitary capacity - November 12, 2007
- Report to Planning Committee recommending that Municipal Council not alter its decision in response to an appeal to the amending by-law by a neighbouring property owner - February 11, 2008

**H-7557/SP 07-031176**

- Public meeting on site plan and report on removal of holding provision – August 11, 2008

**SP 12-031032**

- Public meeting on site plan – January 8, 2013

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

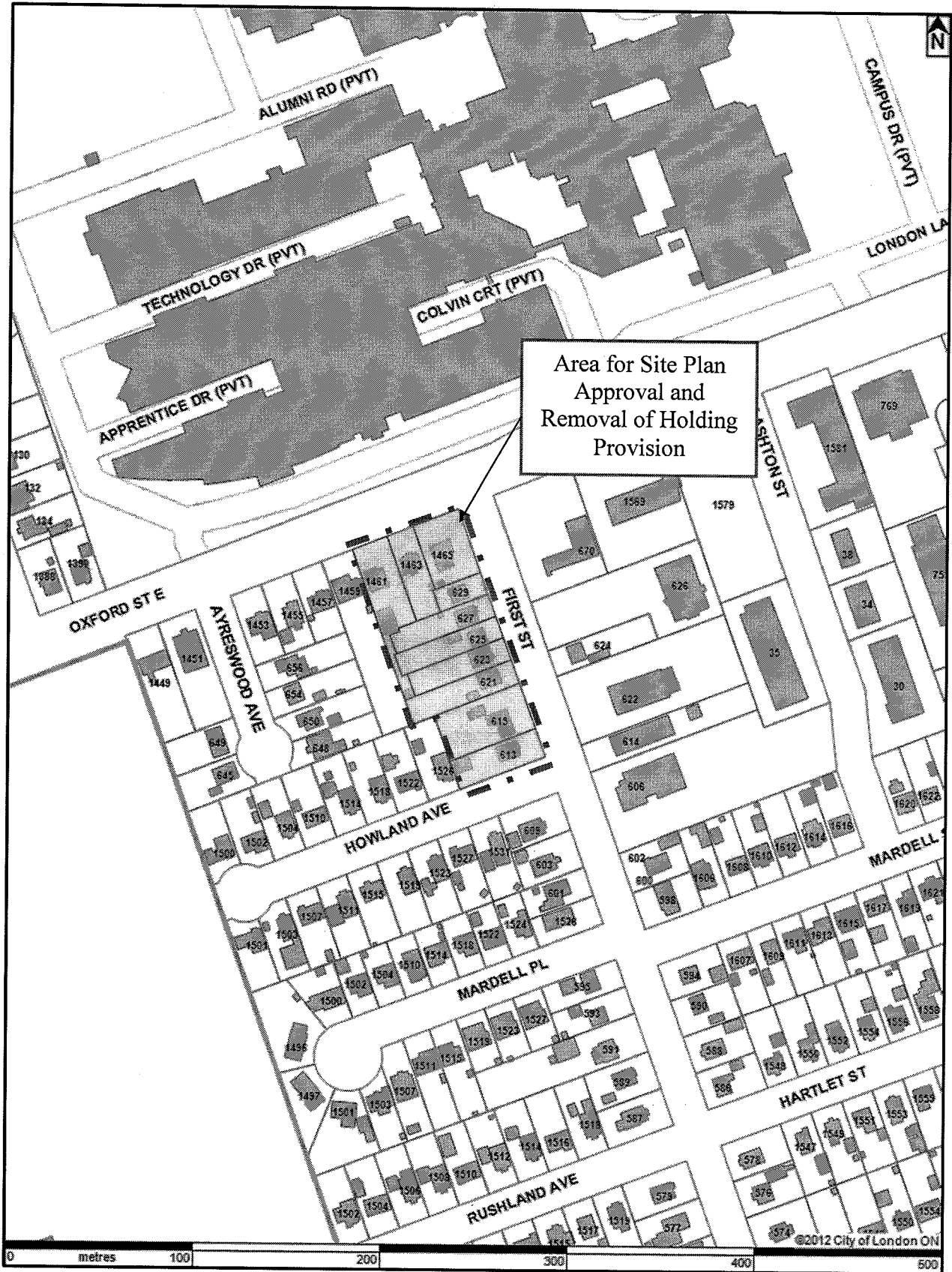
The purpose and effect of the proposed amendment is to remove the holding provisions to permit the development of a 14 storey apartment building with 126 units.

**RATIONALE**

1. The landowner has entered into a development agreement for the subject site which addresses very specific conditions and requirements relating to the provision of high quality urban design.

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**BACKGROUND**

<b>Date Application Accepted:</b> November 22, 2012	<b>Agent:</b> Casey Kulchycki, Zelinka Priamo
<b>REQUESTED ACTION:</b> To remove the holding provision for urban design.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – residential single detached dwellings, vacant</li> <li>• <b>Frontage</b> – 60.5 metres (198.5 feet)</li> <li>• <b>Depth</b> – approx. 136 metres (446.2 feet) – varies</li> <li>• <b>Area</b> – 0.68 ha (1.58 acres)</li> <li>• <b>Shape</b> – generally rectangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> – Fanshawe College</li> <li>• <b>South</b> – residential single detached dwelling</li> <li>• <b>East</b> – industrial and commercial uses</li> <li>• <b>West</b> – residential single detached dwelling, multiple attached dwellings</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b>
<ul style="list-style-type: none"> <li>• Multi-Family, High Density Residential</li> </ul>
<b>EXISTING ZONING:</b> (refer to map on page 4)
<ul style="list-style-type: none"> <li>• h-88*R10-1*H40</li> </ul>

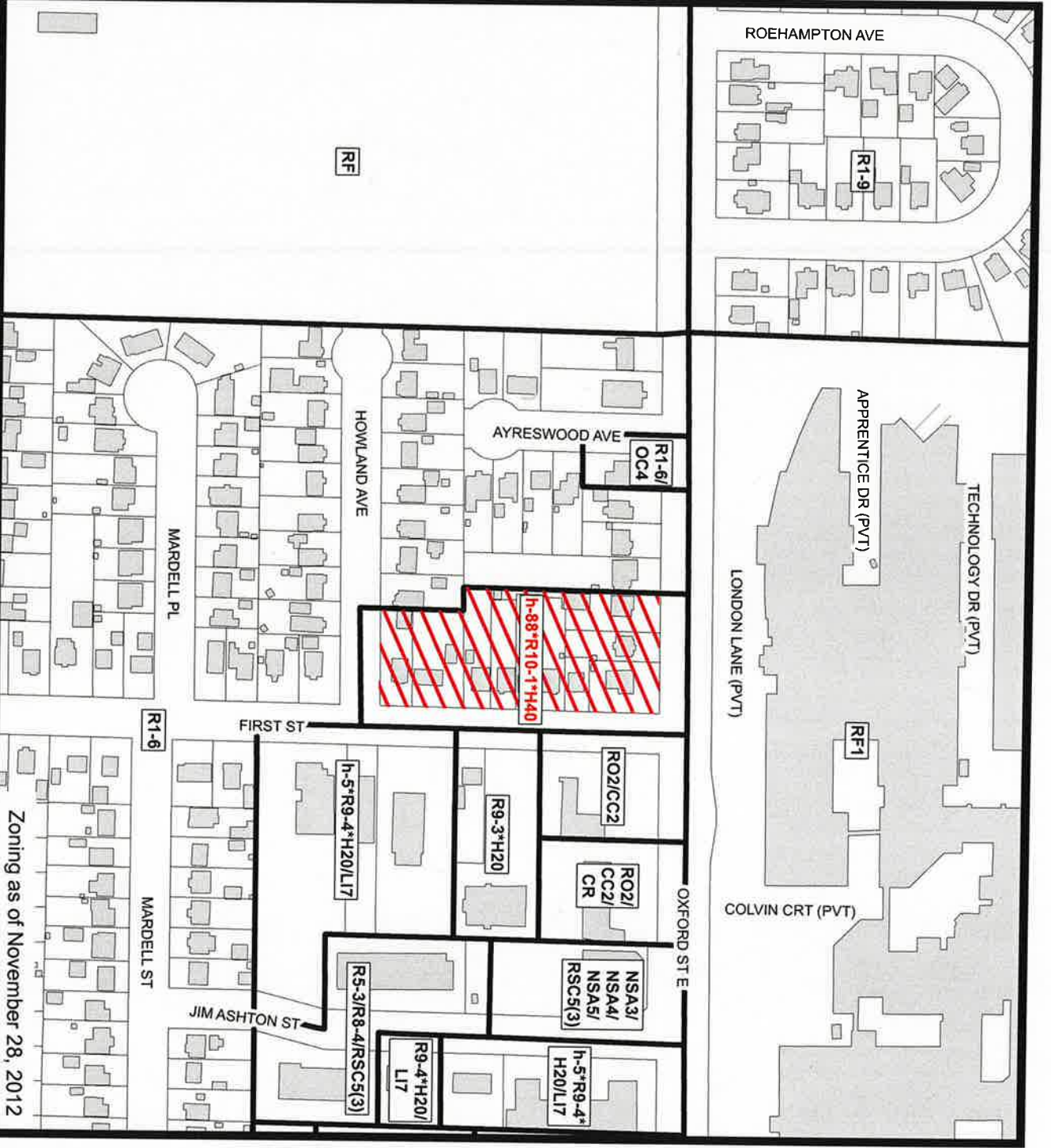
**PLANNING HISTORY**

The subject site is comprised of ten residential properties, located at the southwest corner of Oxford Street and First Street. Each of the properties previously contained single storey residential dwellings that were used as income/rental properties for students attending Fanshawe College. These properties were developed in the 1950's as single family homes.

An application for Official Plan and Zoning By-law amendment (OZ-7390) was made in June, 2007 to permit the development of a 14 storey apartment building with 129 units adjacent to Fanshawe College. These amendments were adopted by Council on November 19, 2007. To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process were implemented, a development agreement was to be entered into which incorporated these specific urban design criteria. Staff also recommended that a public site plan meeting be held before Planning Committee prior to the approval of a site plan.

In addition, an "it being noted clause" was included in the staff report which outlined the specific urban design issues to be addressed through the site plan review process. High quality design was recognized as a key rationale for allowing increased height for this development. These issues included:

- the siting of the building close to the First Street and Oxford Street road allowances to minimize the impact on adjacent properties to the west and south;



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-88\*R10-1\*H40**

**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 - SENIORS HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

**2)**



**ANNEXED AREA APPEALED AREAS**

- 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

- "n" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

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

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



FILE NO:  
**H-8127**      **NM**

MAP PREPARED:  
**January 17, 2013**      **DT**

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



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- the use of a building step-back, at the 2<sup>nd</sup> - 4<sup>th</sup> storey of the building, to provide for pedestrian-supportive scale on the Oxford Street and First Street frontages;
- a building design which is sympathetic to, and supportive of, the Fanshawe College buildings across Oxford Street;
- the use of architectural features, façade articulation and building materials to mitigate the overall scale and massing of the proposed building and to enhance the pedestrian streetscape;
- the implementation of landscaping (hard and soft landscaping varying by location) along all street frontages to enhance the pedestrian environment;
- the use of intensive screening of the proposed parking deck along First Street and Howland Avenue; and
- the establishment of a quality plaza/outdoor amenity area on the Oxford Street frontage to create a strong relationship between the proposed building and the public realm.

The adopted zoning by-law amendment was appealed to the Ontario Municipal Board by an adjacent neighbour on December 3, 2007. Following the hearing, the Board issued its decision on June 11, 2008, dismissing the appeal and allowing the adopted zoning by-law amendment to come into force and effect. In addition to matters outlined specifically in Council's resolution, the Board addressed the issue of the possible loss of privacy in existing back yards due to views from windows and balconies. The applicant indicated in evidence that none of the units have balconies and that the end of the building on the west side of the property will contain no residential units.

A site plan application (SP 07-031176) was submitted in June, 2008, and a public site plan meeting was held on August 11, 2008. Council also recommended the removal of the holding provision (H-7557) related to the site, with third reading of the by-law withheld until the development agreement had been executed. The development agreement was never executed, and the holding provision for the site remained.

The properties were purchased by the Adamas Group Inc. in early 2012 and a revised site plan application was submitted in September, 2012 (SP 12-031032). A public meeting on the site plan was held at the Planning and Environment Committee meeting on January 8, 2013. Discussion on the public meeting and resolution of Council is detailed in the "Analysis" section below.

<b>ANALYSIS</b>
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The h-88 holding provision states the following:

*Purpose: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified urban design issues.*

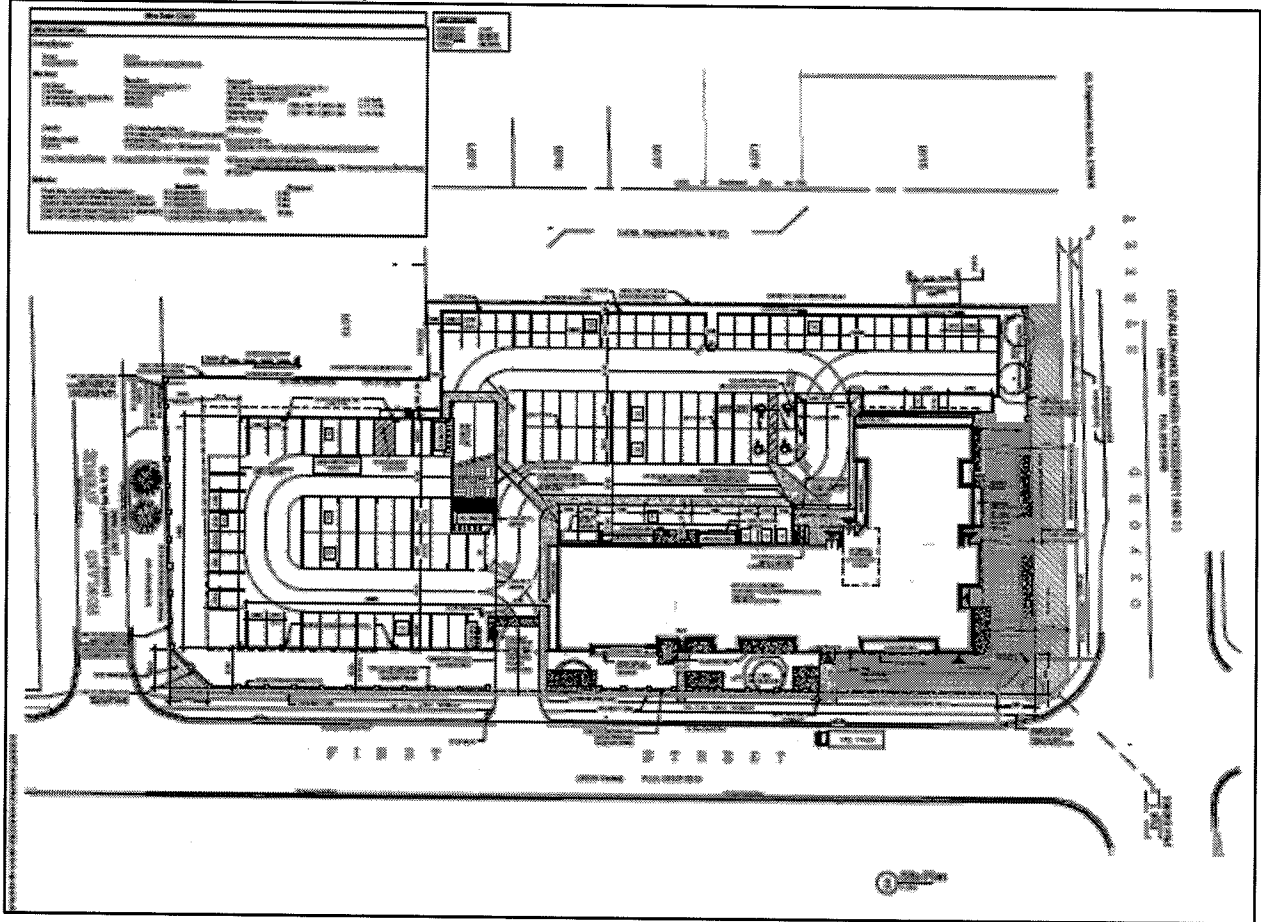
The submitted site plan, elevations and perspectives are shown below.



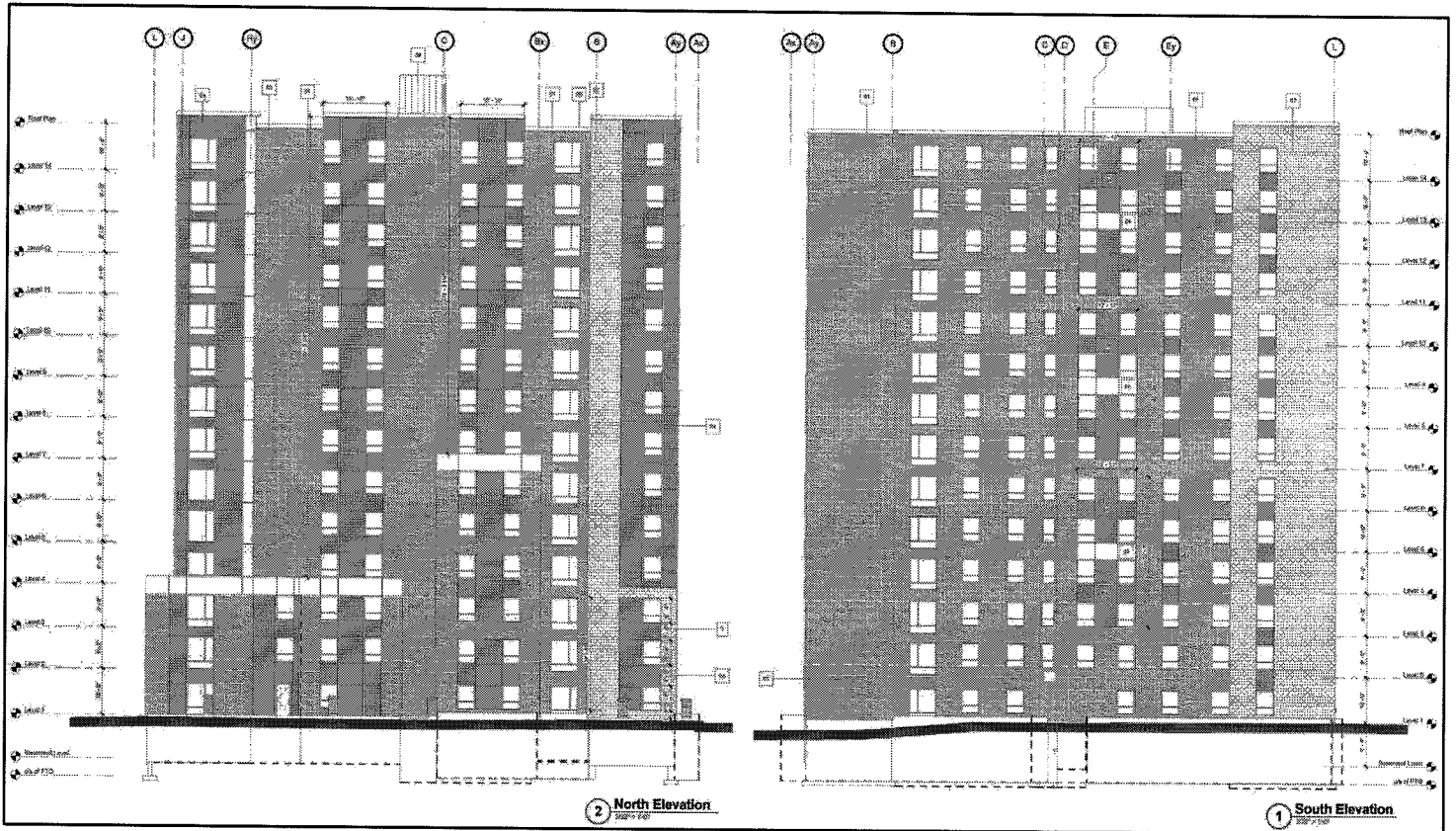
Empty boxes for agenda item and page numbers.

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**Proposed Site Plan - 2012**



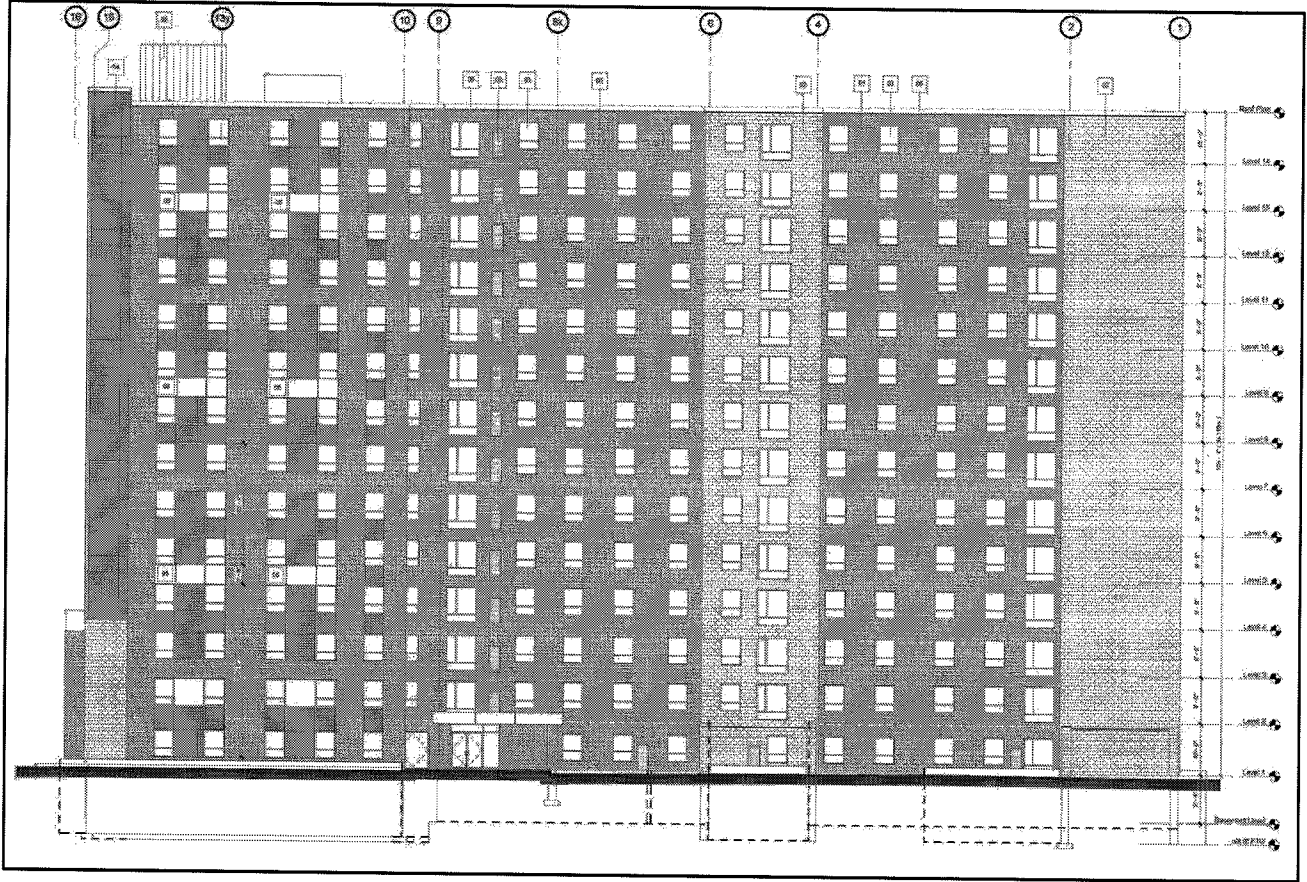
**Elevations 2012 – North and South**



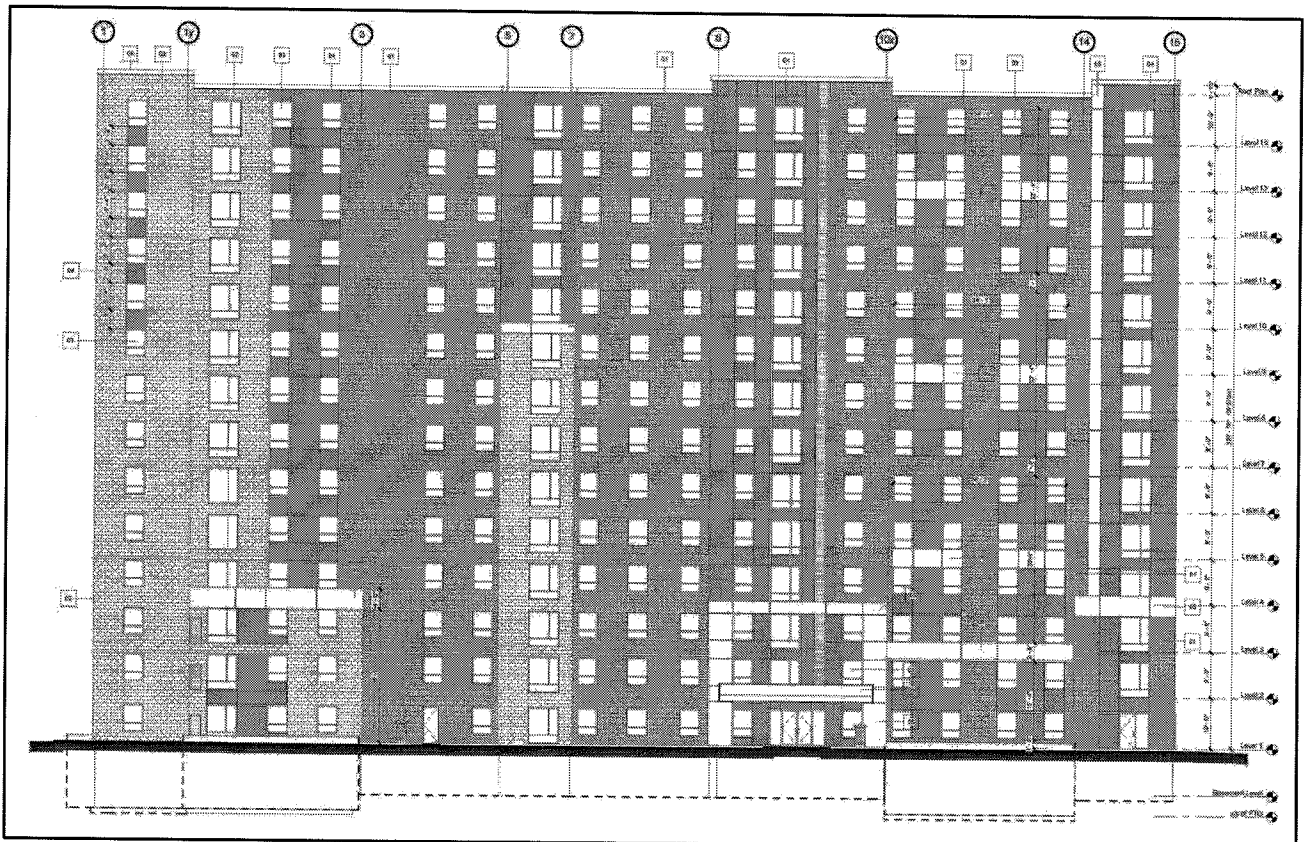
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**Elevations 2012 – West**



**Elevations 2012 – East (First Street)**



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**Perspectives 2012 – Looking north along First Street towards Fanshawe College**



**Perspectives 2012 – Looking south from Oxford and First Street**





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**Perspectives 2012 – Looking west along Oxford Street**



Through the Council resolution from November, 2007, Council directed the Site Plan Approval Authority to consider several urban design items. The following is a staff review of the specific design issues to be addressed through the site plan review included:

- *the siting of the building close to the First Street and Oxford Street East road allowances to minimize the impact on adjacent properties to the west and south;*

The building has been orientated towards the corner of First Street and Oxford Street East with proposed parking for the developed located in the west and south areas of the property to minimize impacts to the adjacent residents.

- *the use of a building step-back, at the 2<sup>nd</sup> and 4<sup>th</sup> storey of the building, to provide for a pedestrian-supportive scale on the Oxford Street East and First Street frontages;*

The proposed building has incorporated a building step-back at the 3<sup>rd</sup> storey which provides a pedestrian-supported scale along the street frontages.

- *a building design which is sympathetic to, and supportive to, the Fanshawe College building across Oxford Street East;*

The building materials have been chosen to mimic the Fanshawe College building materials across the street which includes reddish-brown and grey architectural masonry with grey aluminum panel accents, vertical metal siding, and blue glazing windows.

- *the use of architectural features, facade articulation and building materials to mitigate the overall scale and massing of the proposed building and to enhance the pedestrian environment;*

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The proposal incorporated a variety of elements to enhance the pedestrian realm which included the use of the ornamental fencing and landscaping to frame the plaza/outdoor amenity area between the building and the public sidewalk, incorporating building materials found immediately opposite the proposed development, and proposing a series of articulations and window wells in the elevations facing the street frontages.

- *the use of intensive screening of the proposed parking deck along First Street and Howland Avenue;*

The proposed landscape plan indicates screening of the parking deck and is to be implemented in conjunction with an appropriate parking deck elevation which the City will need to review.

- *the establishment of a quality plaza/outdoor amenity area on the Oxford Street East frontage to create a strong relationship between the proposed building and the public realm.*

The landscape plans incorporate a plaza/outdoor amenity area along the Oxford Street East frontage with ornamental fencing, paving patterns, trees, and shrubs to accomplish this design feature.

Staff reviewed the revised 2012 site plan and felt it met the urban design considerations as set out in the November, 2007 Council resolution. At the public site plan meeting on January 8, 2013, Council recommended approval of the site plan by the Approval Authority. The proposal addresses the items Council directed the Site Plan Approval Authority to consider when reviewing the application.

The Provincial Policy Statement encourages efficient land use and development patterns, provides for an appropriate range of housing types and densities, and is serviced in an efficient and cost-effective manner. The proposal is within a developed and serviced neighbourhood that provides additional housing options which complement the existing surroundings and is consistent with the Provincial Policy Statement.

The submitted site plan conforms to the Residential R10-1\*H40 Zone. Development of the lands as shown on the attached site plan is in conformity with the Zoning By-law and will result in the construction of new apartment building with 126 units with three, four and five bedrooms.


The proposed site plan is consistent with the Official Plan Designation, Zoning By-law, and Council Resolution. The development has implemented features recommended by the Council resolution and staff to ensure it is compatible with adjacent properties. The removal of the holding provision is appropriate.

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<b>CONCLUSION</b>
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The holding (h-88) provision can be removed from the lands as the applicant has met the urban design criteria as set out in the Council resolution of November, 2007, and has entered into a development agreement with the City of London. The proposed development is consistent with the PPS, and meets the policies and regulations of the Official Plan and Zoning By-law. The removal of the holding provision is appropriate and represents good planning.

<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
	
<b>NANCY MCKEE, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES</b>	<b>TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
	
<b>JENNIE A. RAMSAY, P.ENG. MANAGER, DEVELOPMENT SERVICES &amp; ENGINEERING LIAISON</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

March 4, 2013  
NM  
Attach.

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Bill No. (Number to be inserted by Clerk's Office)  
2013

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 613 – 629 First Street & 1461 – 1465 Oxford Street East.

WHEREAS Adamas Group Inc. has applied to remove the holding provision from the zoning for an area of land located at 613 – 629 First Street & 1461 – 1465 Oxford Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said land;

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 613 – 629 First Street & 1461 – 1465 Oxford Street East, as shown on the attached map to remove the holding provision so that the zoning of the lands as a Residential R10 (R10-1\*H40) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 26, 2013.

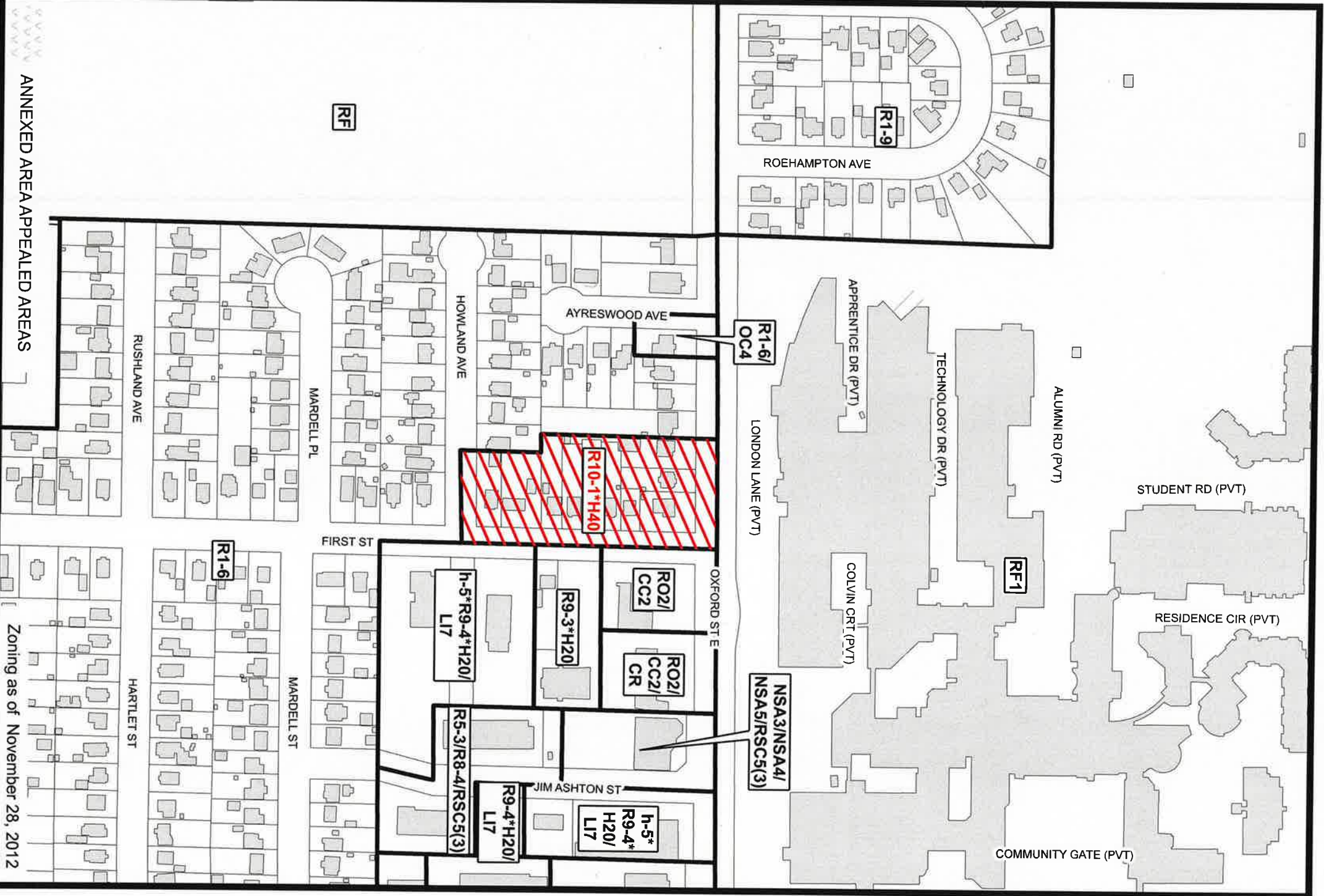
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk


First Reading - March 26, 2013  
Second Reading – March 26, 2013  
Third Reading - March 26, 2013



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



File Number: H-8127  
 Planner: NM  
 Date Prepared: January 17, 2013  
 Technician: DT  
 By-Law No: Z.-1-

SUBJECT SITE   
 1:3,000  
 0 20 40 80 120 160 Meters  
