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**File: Z-8132**  
**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: 1875425 ONTARIO INC. 275-277 PICCADILLY STREET PUBLIC PARTICIPATION MEETING ON APRIL 9, 2013</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of 1875425 Ontario Inc. relating to the property located at 275-277 Piccadilly 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 R8 (R8-3) Zone to permit, Apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments and continuum-of-care facilities **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;
- Opportunities for infill and intensification have already been provided in areas around the Piccadilly Neighbourhood;
- The site is currently developed at a higher density than what is currently permitted by the zoning and official plan and is not considered underutilized;
- 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 Residential Intensification policies of the Official Plan;
- 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; and
- The requested amendment could create opportunities for additional multiple unit residential uses and erode the residential character of the area.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Z-6218 – Report to Planning Committee, April 29, 2002

Near-Campus Neighbourhoods Planning Amendments, June 28, 2012

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the requested Zoning By-law amendment is to rezone the subject lands to permit the redevelopment of the subject site for apartment buildings.

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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) Opportunities for infill and intensification have already been provided in areas around the Piccadilly Neighbourhood;
- 3) The site is currently developed at a higher density than what is currently permitted by the zoning and official plan and is not considered underutilized;
- 4) 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;
- 5) The requested amendment is not consistent with the Residential Intensification policies of the Official Plan;
- 6) 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; and
- 7) The requested amendment could create opportunities 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> December 18, 2012	<b>Agent:</b> Michelle Doornbosch
<b>REQUESTED ACTION:</b> Change Zoning By-law Z.-1 from a Residential R2 (R2-2) Zone which permits Single, Semi-detached, Duplex and Converted dwellings, to a Residential R8 (R8-3) Zone which permits Apartment buildings, Handicapped persons apartment buildings, Lodging house class 2, Stacked townhousing, Senior citizen apartment buildings, Emergency care establishments and Continuum-of-care facilities	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Apartments</li> <li>• <b>Frontage</b> – 42m</li> <li>• <b>Depth</b> – 40m</li> <li>• <b>Area</b> – 0.168ha (1680m<sup>2</sup>)</li> <li>• <b>Shape</b> - Rectangular</li> </ul>

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LOCATION MAP	LEGEND										
Subject Site: <b>275/277 Piccadilly St</b> Applicant: <b>1875425 Ontario Inc C/O Harvey Mandel</b> File Number: <b>Z-8132</b> Planner: <b>Mike Corby</b> Created By: <b>Mike Corby</b> Date: <b>2012-12-20</b> Scale: <b>1:2500</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">□</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	□	Assessment Parcels	■	Buildings	123	Address Numbers
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■	Parks										
□	Assessment Parcels										
■	Buildings										
123	Address Numbers										
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: small;">                         Corporation of the City of London                          Prepared By: Planning and Development                     </div> <div style="font-size: 2em;">N</div> </div>											

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<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Low Density Residential/Medium Density Residential</li> <li>• <b>South</b> - Low Density Residential/Open Space/Rail Line</li> <li>• <b>East</b> - Low Density Residential</li> <li>• <b>West</b> - Single Family Dwellings and Parking lot (Designated High Density Residential)</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>• Low Density Residential</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)
<ul style="list-style-type: none"> <li>• R2-2</li> </ul>

<b>PLANNING HISTORY</b>
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In May 1988, the Special Planning Projects Committee reviewed the draft Official Plan designations of lands in the Piccadilly neighbourhood. At that time a Low Density Residential designation was recommended for the core of the neighbourhood. In October 1988, after a presentation from the Piccadilly Neighbourhood Association, the Committee recommended that the application submitted by the Piccadilly Area Neighbourhood Association to rezone the majority of the neighbourhood to eliminate medium density housing forms as a permitted use be processed expeditiously, and that it incorporate the proposed Zoning By-law No. Z-1 Residential R2 Zone.

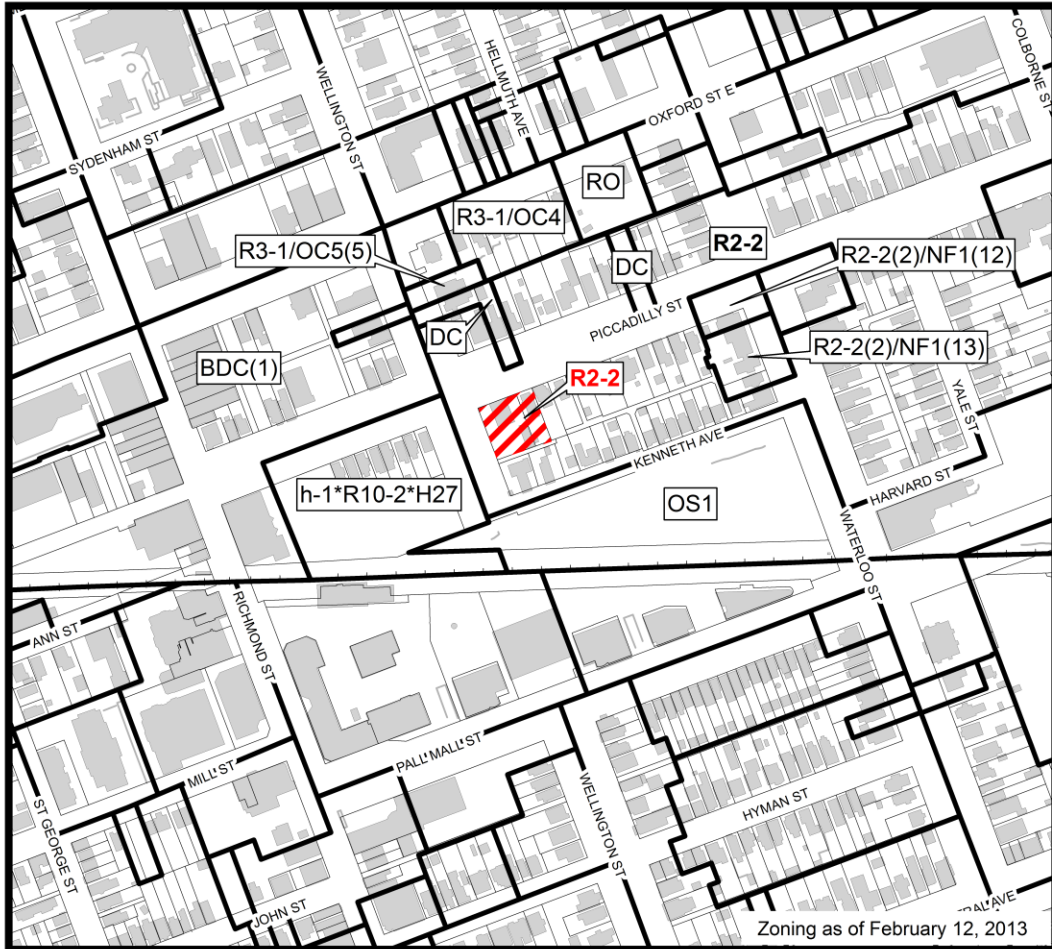
In June 1989, Council passed a by-law to rezone the area of land comprising approximately 16 residential blocks bounded by Oxford Street, Adelaide Street, Canadian Pacific Railway and Wellington Street from a Residential R4 Zone which permitted single detached, semi-detached, duplex, converted dwellings and rowhouse buildings to a Residential 2 Exception 36 (R2 Ex. 36) to permit single detached, semi-detached, duplex dwellings and converted dwellings. This rezoning removed rowhouse buildings as a permitted use from the Piccadilly Area Neighbourhood. Although the Piccadilly Area Neighbourhood Association was in favour of the rezoning, a few property owners appealed Council's decision to the Ontario Municipal Board. The appeal was resolved through the deletion of the appealed properties from the enacting bylaw. These properties were later considered during the public process for the comprehensive Zoning By-law No. Z-1.

In July 1993, Zoning By-law No. Z.-1 came into full force and effect. The predominant R4.D35 Zone under Zoning By-law No. C.P. 1000-21 was changed to Residential R2 (R2-2) Zone under Zoning By-law No. Z.-1.

275-277 Piccadilly Street was previously subject to a re-zoning application in 2002 where the applicant was requesting a Residential R8 Bonus (R8-4\*B\_\_) zone to permit a 6 unit apartment building in the rear yard of the subject properties. Staff recommended refusal of that application. Council's decision on the application was refusal as it did not conform to the Official Plan policies for Low Density Residential neighbourhoods or the infill housing policies. The density of the subject lands also exceeded the recommended density for lands designated Low Density Residential. The requested Zoning By-law amendment would allow for a form and intensity of redevelopment that is not in keeping with the character of the neighbourhood as defined by the existing Residential R2 (R2-2) Zoning.

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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**



FILE NO:  
Z-8132 MC

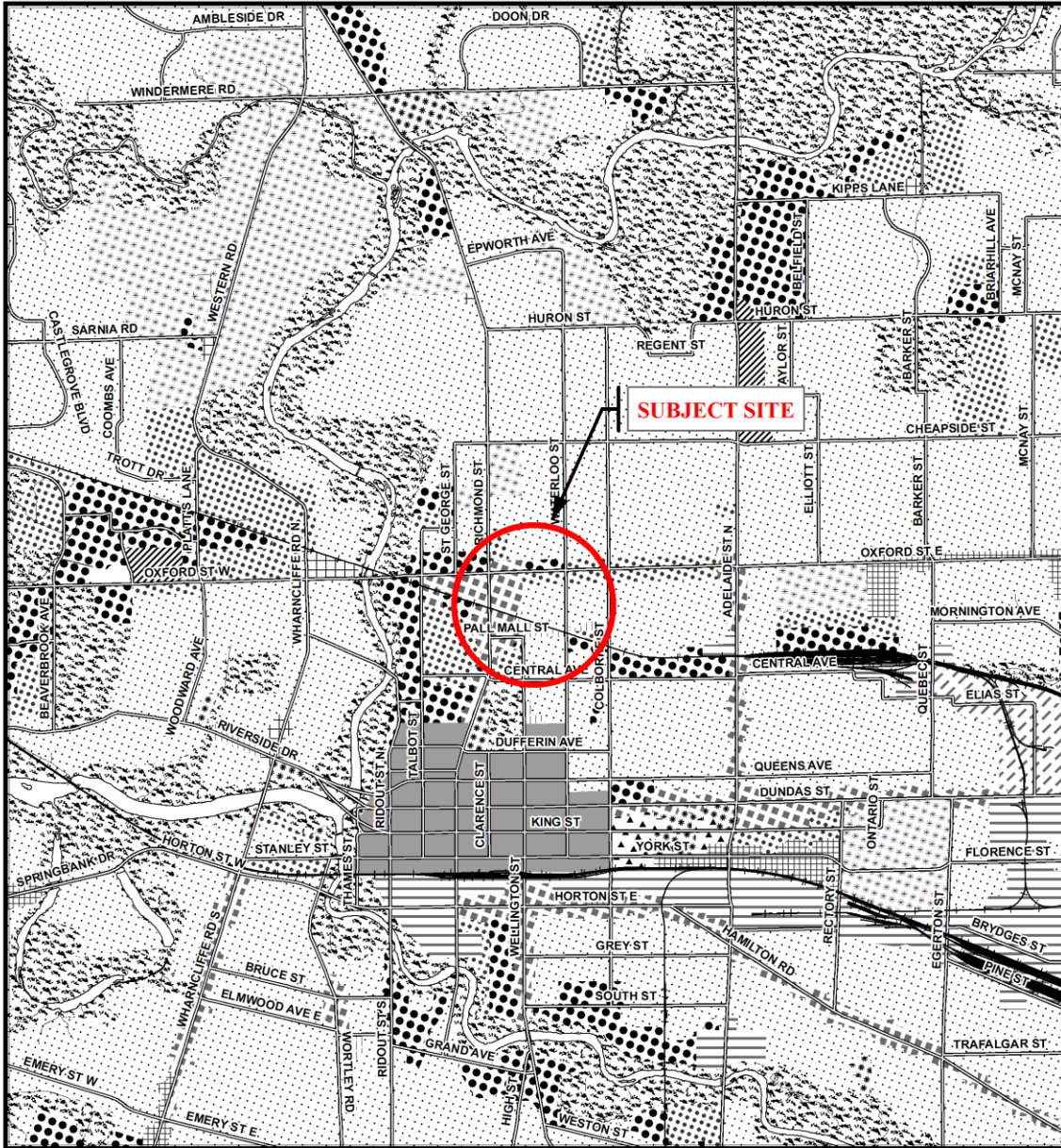
MAP PREPARED:  
2013/02/22 CK

1:4,000  
0 20 40 80 120 160 Meters

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

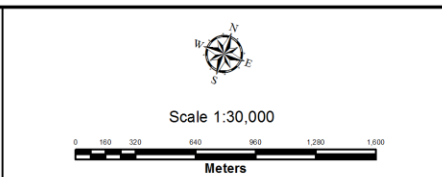
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Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential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

**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LANDUSE -  
  
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8132  
PLANNER: MC  
TECHNICIAN: CK  
DATE: 2013/02/22

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**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Environmental and Parks Planning**

*Environmental and Parks Planning has reviewed the above application and does not have a concern with the application, however, it should be of note that parkland dedication has not been collected for this site. If approved, parkland dedication, in the form of cash-in-lieu consistent with the requirements of By-law CP-9, will be required at the time of site plan/building permit.*

**Stormwater Management Unit**

*SWM Unit has the following comments for the zoning application at 275 and 277 Piccadilly Street Z-8132:*

- *The subject lands are located in the Thames River Central Area Watershed. The Developer shall be required to apply the proper SWM practices to ensure that the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.*
- *The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.*
- *The owner shall be required to comply with all City's By-Laws and acts;*
- *The owner is to confirm the outlet for the proposed development.*
- *Onsite quantity and quality controls may be required.*

**Urban Design**

*Urban design staff have reviewed the proposed site plan concept included with the application for the above mentioned property and provide the following comments:*

- *Locate the proposed buildings closer to Piccadilly Street in order to be consistent with the existing building line along the south side of the street.*
- *The applicant is to ensure that the site plan application drawings remain consistent with the drawings submitted through the zoning by-law amendment process.*

*Urban design staff are generally supportive of the design of the proposed buildings as they are generally in keeping with the character of the area by incorporating several design elements such as front porches, a wrap-around porch addressing the corner, complimentary façade materials, as well as locating all parking in the rear yard.*

**Urban Design Review Panel**

*The following comments from the Panel are based on the submitted Urban Design Brief and questions asked by the Panellists to the Applicant on February 20, 2013.*

1. *Plans and elevations that show both buildings together and in the context of neighbouring buildings should be included in the Applicants next submission to the City.*
2. *It is noted that there are not a lot of mansard roofs in the area and the massing of the buildings do not fit within the neighbourhood context.*
3. *It will be essential to re-evaluate the windows that are underneath the front porches on both buildings. The amount of natural light will be minimal and views will not be desirable.*
4. *Careful consideration will have to be given to the spaces below the porches should entrances and windows for the lower level remain in these locations. The spaces are effectively the "front door" to the lower level units and should be treated as outdoor*

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- rooms. Appropriate materials and finishes will be important for all surfaces, and lighting will be essential for safety and security.
5. The west elevation at Wellington Street would benefit from more articulation to add character and definition to the surrounding streetscapes. More windows would also be beneficial.
  6. The sides of the buildings facing the courtyard would benefit from more articulation to add character and definition to this important element of the site. More windows would also be beneficial.
  7. Pulling the courtyard forward would have the advantage of eliminating the duplicate sidewalk along Piccadilly Street. Moving the buildings forward could also eliminate the duplicate sidewalks.
  8. The development of the courtyard between the buildings is as important as the design of the buildings themselves. We recommend taking special care when designing this area. Accessing the courtyard from porches on the sides of the building would engage and enliven the space.
  9. Define the public/semi-public/private realms with the use of landscape elements such as hard and soft surfaces, plantings and fencing. The corner of the site at Wellington and Piccadilly requires further definition.
  10. Reversing the driveway and parking would bring the parking closer to the buildings and the driveway could become part of the public space.
  11. The fence should take design cues from the porches to bring some continuity to these elements.
  12. It will be important to use residential brick on the buildings.
  13. A landscape plan should be included in the Applicants next submission to the City.

<b>PUBLIC LIAISON:</b>	On January 4, 2013, Notice of Application was sent to 79 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 10, 2013. A "Possible Land Use Change" sign was also posted on the site.	8 replies were received
<p><b>Nature of Liaison:</b> The purpose and effect of the requested Zoning By-law amendment is to rezone the subject lands to permit the redevelopment of the subject site for apartment buildings.</p> <p>Change Zoning By-law Z.-1 from a R2-2 Zone which permits Single, Semi-detached, Duplex and Converted dwellings, to a R8-3 Zone which permits Apartment buildings, Handicapped persons apartment buildings, Lodging house class 2, Stacked townhousing, Senior citizen apartment buildings, Emergency care establishments and Continuum-of-care facilities.</p>		



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**Responses:** All replies received were opposed to the application. A summary of their concerns is below and their original comments have been attached as appendixes.

- Increase in density and intensity (additional units and bedrooms)
- The height of the structures will be imposing on surrounding properties
- Increase in noise, traffic, and garbage issues that already exist on the site
- More appropriate zones in place for higher density uses directly across Wellington Street
- Two large buildings will affect the character of the neighbourhood.
- Concerned over potential tenants
- Existing properties in the area have and are planning on developing at a scale appropriate for the area.
- Neighbouring property received a minor variance with a condition to reduce the bedroom count of the proposed semi-detached in an effort to keep the intensity and scale of development in keeping with the character of the surrounding low density residential neighbourhood. The owner has stated that if this increase in density is approved that they will pull their plans and apply to increase the density on their property.

## ANALYSIS

### Subject Site

The subject site is located at 275-277 Piccadilly Street on the southeast corner of Piccadilly and Wellington Street in the Piccadilly Area Neighbourhood. The properties at 275-277 Piccadilly Street have a combined lot frontage of 42 metres with a combined lot area of 1682m<sup>2</sup>, located within a Low Density Residential designation.

The subject site is also in close proximity to a Multi-Family, High Density Residential designation located just north along Oxford Street and a Main Street Commercial Corridor designation to the west along Richmond Street. In general the surrounding properties consist of large lots varying in frontage but with similar depths and provide a mix of mainly large single family dwellings and some duplex dwellings. A few properties in the area exist at a higher density than what is permitted under the current zoning and are considered legal non-conforming uses, however, 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 and the general approach to uses that do not conform to the policies/by-laws is to encourage their transition to become conforming uses over time. These legal non-conforming uses should not be used as justification for approval of similar or more intense uses.

### Nature of Application

The proposed amendment would allow for the construction of two new apartment buildings, one which would consist of 6 units and the other with 5 units creating a total density of 65 units per hectare on the site. The proposed new apartments will increase the number of dwelling units on the site from 9 legal non-conforming units to 11 units with a combined total bedroom count of 37 (18 at 275 Piccadilly Street and 19 at 277 Piccadilly Street) according to the submitted plans. In order to allow for the re-development of the subject lands 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 R8 (R8-3) Zone to permit apartments.

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**Provincial Policy Statement**

The Provincial Policy Statement provides 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 continues to promote an inappropriate mix of land uses in the Low Density Residential neighbourhood. Council has provided for higher intensity uses toward the arterial roads in proximity to the subject lands;
- The increase in inappropriate forms of intensification in the near-campus neighbourhoods has resulted in an increased cost for municipalities for proactive by-law enforcement due to the increase demand for garbage removal and an increase in police enforcement including such initiatives such as Project LEARN which is the most expensive initiative in the annual London Police Servicing Budget.

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 as-of-right in conformity with the designation.
- 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 and Richmond Street are both main arterial roads and are both located one block from the subject lands where higher density residential uses are encouraged to locate. Many local bus routes run along these corridors and act as a buffer to the lower density dwelling types located behind the higher density corridors within the interior of the Low Density Residential community.
- The neighbourhood is also in close proximity to the downtown area where higher density residential apartment buildings are located and continue to be built encouraging appropriate residential intensification.
- The subject site also has the ability under the existing zone to intensify in an appropriate form of single detached or duplex dwellings which will accommodate the existing building stock, infrastructure and public service facilities of the neighbourhood.

The PPS requires that municipalities promote appropriate development standards which

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facilitate intensification, redevelopment, and compact form while maintaining appropriate levels of public health and safety. The Official Plan achieves this PPS policy by containing intensification policies which outline development standards that 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.

**Official Plan**

The subject site currently exists as a legal non-conforming use in the Low Density Residential designation and Residential R2 (R2-2) zone. Section 19.5.3 of the Official plan identified below encourages non-conforming uses to return to a conforming standard over time. The proposed rezoning is contrary to the intent of the Official Plan by attempting to increase the density of the site and moving further away from the existing zone and density applied to the site.

**19.5.3. Conforming to the Official Plan and Zoning By-law**

*A use which does not conform to both the Official Plan and the Zoning By-law should, over the long term, cease to exist, or relocate to an area where it will conform to the Plan.*

*Expansion or Enlargement*

- i) Notwithstanding the general intent of this policy, there may be instances where, to avoid unnecessary hardship, it is desirable and appropriate to allow the expansion or enlargement of a use that does not conform to the Official Plan and Zoning By-law or to allow a change in the use to a similar or more compatible type of activity. Under the provisions of the Planning Act, a proposal to allow the expansion or enlargement of a legal non-conforming use, or to allow a change in a legal non-conforming use may be considered by way of an application to the Committee of Adjustment. Matters to be considered by the Committee in the consideration of such applications are described in policy 19.8.2.*

The requested development proposal is not an instance where there is a need to avoid unnecessary hardship. The subject site is not undergoing any expansion or enlargement as it is proposed to be totally redeveloped. The proposed development will cause this legal non-conforming use to cease to exist and, as a result, it is inconsistent with the policies of the Official Plan which seek to encourage the transition of legal non-conforming uses to conforming uses over time. The current uses do not implement the existing zoning and intentions of the low density residential designation, making it incompatible. Therefore the proposed higher density apartment use should not be permitted.

The Official Plan also 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;

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- 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 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 Residential R2 (R2-2) zoning which permits single, semi, duplex and converted dwellings as-of-right. Council has also approved a Multi Family, Medium and High Density Residential designation 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. Located immediately south of the Piccadilly Neighbourhood along the railway tracks between Waterloo and Colborne Street and along Central Avenue east of Colborne Street is a Multi-Family, High Density Residential designation which provides another location where higher residential intensification is permitted. The Main Street Commercial Corridor designation located along Richmond also supports mixed residential uses at a higher density than permitted in the Low Density Residential designation.

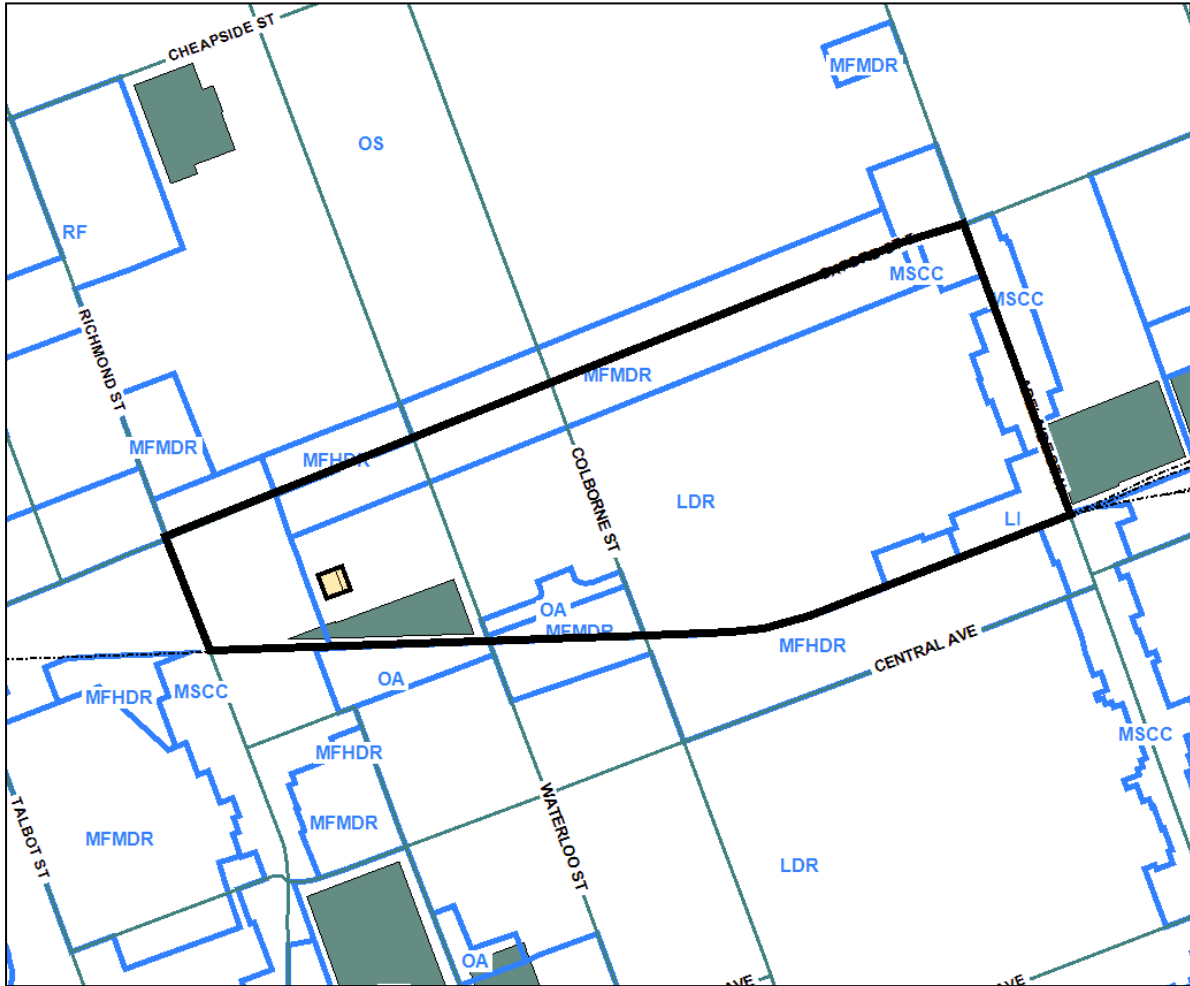
In general, compatibility issues occur when Low Density Residential lots are intensified by way of spot-zoning to accommodate an increasing number of residential units in proximity to lower density forms of housing in a form of housing which is not professionally managed. The proposed rezoning would add 2 additional units to an existing legal non-conforming use which could lead to 10 additional bedrooms on the site. It should be noted that the applicant's proposed structures do not have any units with more than 4 bedrooms. The apartment at 275 Piccadilly Street includes 4 units, each with 4 bedrooms, and 1 unit with 3 bedrooms while the apartment at 277 Piccadilly includes 6 units, each with 3 bedrooms. In order to accommodate the increase in density the buildings will also see an increase in lot coverage and massing than what currently exists on the site. This increase in density, intensity and the construction of two large buildings on the subject site may lead to land use compatibility issues in the Low Density Residential area in the Piccadilly Neighbourhood as the majority of the surrounding properties are large single detached dwellings with some converted and semi-detached dwellings in the area. 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 subject site also has the ability to intensify in conformity with the surrounding area under the existing zone. The R2-2 provides the potential to create additional lot(s) through the consent process and the proposed lots and dwellings would conform and maintain the character of the area.

The proposed rezoning of the subject site from a Residential R2 (R2-2) zone to the Residential R8 (R8-3) 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 up to a maximum of two units.

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**Official Plan Designation**



For general location purposes only

**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 proposed two apartment buildings are both designed to accommodate higher densities than currently exist on the site and exceed what is permitted in the area. The proposed structures would also detract from existing character of the surrounding properties. The proposed form of the two buildings could appear to be very dominant along the streetscape and the use of the mansard roof is not in keeping with character of the buildings in the area.

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 units. 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.

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**File: Z-8132**  
**Planner: Mike Corby**

### 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:

- Redevelopment, including the redevelopment of brownfield sites;

Residential Intensification policies, specifically Section 3.2.3.2 Density and Form, recognizes within the Low Density Residential designation, Residential Intensification, with the exception of dwelling conversions, will be considered in a range up to 75 units per hectare. The full range of density is not to be applied in all situations and is not as-of-right. 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.

- 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, semi-detached & duplex dwellings.
- Though this is a larger lot than many in the area 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 and can be intensified under existing zone in conformity with the area.
- The lot frontages and lot area required by the Residential R8 zones could be accommodated through some of the existing lots in the area or through the consolidation of properties which could prove precedent setting.

As per section 3.7 of the Official Plan a Planning Impact Analysis will be used to evaluate applications for proposed zoning change, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses. The Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. The proposed application does not meet the requirements of the Planning Impact Analysis in the following ways:

- (a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.
  - The use is not compatible with the surrounding land uses as the height and scale may be imposing on the surrounding properties, potential increase in traffic, garbage and noise all could create negative impacts now and in the future;
- (b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;
  - The size and shape of the parcel meets the minimum requirements of the requested zone in the Zoning By-law however the subject site also lends itself to more appropriate forms of intensification which can be accommodated through the existing zoning;
- (c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use;
  - There is a vacant lot directly west of the subject site currently used for surface parking and is pre-zoned for a higher density residential development;
- (d) the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.
  - The subject site is in close proximity to several public parks, community and recreational facilities and exists in close proximity to several main transit lines;

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**Planner: Mike Corby**

- (e) the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.
  - The proposal is not intended to facilitate the development of affordable housing;
- (f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;
  - The proposed development's height and location could create adverse impacts on the surrounding land uses as the mansard roof design creates a massing not in keeping to the area and creates a potentially dominant appearance compared to surrounding properties. The proposed setback is not in keeping with the existing setback along the streetscape;
- (g) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
  - A redevelopment of this nature would be required to apply for site plan approval to ensure retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- (h) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;
  - The proposal, if approved, would be required to go through the City's Site Plan process and ensure the main vehicular access point and other traffic and pedestrian access points comply in all aspects with the Site Plan Control By-law;
- (i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;
  - The proposed exterior design is at a much larger scale than many of the structures in the area and the mansard roof creates additional bulk on the 3rd floor of the development which could be imposing and out of scale with the surrounding area;
- (j) the potential impact of the development on surrounding natural features and heritage resources;
  - No natural features exist in the area;
- (k) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;
  - Noise, ground borne vibration and rail safety may limit development, if approved, and should be addressed through the site plan process which may require the submission of additional noise & vibration studies. No environmental constraints exist on the site and no adverse effects exist from landfill sites, sewage treatment plants, methane gas, contaminated soils;
- (l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;
  - The proposed development and rezoning will not comply with the provisions of the City's Official Plan. The proposal, if approved, will comply with the requested zone. The development, if approved, would be required to go through the site plan process to ensure it complies with the Site Plan Control By-law;
- (m) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;
  - Adverse impacts have been identified in terms of the compatibility with the surrounding land uses due to the height and scale creating an imposing structure on the surrounding properties and the potential increase in traffic, garbage and noise on

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**Planner: Mike Corby**

the site no mitigation measure have been proposed.

- (n) impacts of the proposed change on the transportation system, including transit.
  - The proposal will have no impacts on the surrounding transportation system.

#### 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 many of the same land use conflicts onto nearby neighbourhoods which currently do not have specific policies.

The subject lands are surrounded by the North London/Broughdale Neighbourhood, the Woodfield Neighbourhood and the Talbot Mixed-Use Area, all of which are areas with their own specific residential policies. However, the Piccadilly Neighbourhood is now experiencing the same issues as those experiences in the North London Broughdale Neighbourhood where low density dwellings are being modified to add bedrooms, thereby increasing the residential intensity in a low density neighbourhood but without the benefit of special policies which protect the interior of the Low Density Residential Communities. Some of the issues that are still occurring in the Near-Campus Neighbourhoods and specifically with the proposal at 275-277 Piccadilly Street include:

- Two legal non-conforming apartments are being replaced with two larger apartments to add additional units thereby increasing the residential density and intensity to a site that is already above the current permitted density;
- An increase in land use conflicts with two larger dwellings compared to what currently exists on the site;
- 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 Near-Campus Neighbourhoods. 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 implement 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. However, these policies should be noted as they are a decided matter of Council adopted after significant public consultation.

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 dwelling. 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. The proposed application would increase the number of units on the site from 9 to 11 units which could equal a maximum increase of 10 bedrooms. The proposed development could reach a total of 55 bedrooms if it were developed to its maximum intensity. Under the proposed Near Campus Neighbourhood changes the subject site would permit a maximum of 33 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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**Planner: Mike Corby**

### **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 approach to intensification.*

The proposed Zoning By-law amendment is not consistent with these policies as the Piccadilly Neighbourhood has experienced a significant amount of Residential intensification in the past and is seeing the impacts that undermine the vision of the Near-Campus Neighbourhoods policies. The subject site is an example of legal non-conforming uses in the neighbourhood that promotes a use that is not in keeping with the Near-Campus Neighbourhood policies. The immediate area and streetscape is already subject to other legal non-conforming uses at higher densities than what is permitted for the area and the addition of other higher density uses could contribute to the area becoming unsustainable due to a lack of balance in the mix of short and long-term residents. The proposed development has been noted to already exist at a higher density than permitted in the area. This proposal to increase an already non-conforming use can be considered an incremental trend towards Residential intensification within a given street, block, or neighbourhood, rather than a proactive, coordinated, and planned approach to intensification.

### **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*

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**Planner: Mike Corby**

*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.*

*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 redevelopment of legal non-conforming uses to higher densities in the Low Density Residential area of the Piccadilly neighbourhood.

There are several opportunities in proximity to the subject site that are more appropriate locations for residential intensification. As previously mentioned, directly north of the subject site along the Oxford Street corridor, where several bus routes run on a regular basis to and from Fanshawe College and Western University, are Multi-Family, Medium and High Density Residential designations and to the south of the Piccadilly neighbourhood is a Multi Family, High Density Residential designation along Central Avenue, which is classified as a Secondary Collector road. Directly west of the site is the Main Street Commercial Corridor which runs along Richmond Street which has several bus routes and permits higher density residential uses in mixed use forms.

### **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 above criteria. The combined properties create a large residential lot however it is not considered unique in context with the surrounding lots and does not have any special attributes which would warrant a site-specific amendment within the local context. The proposal would set a negative precedent as several

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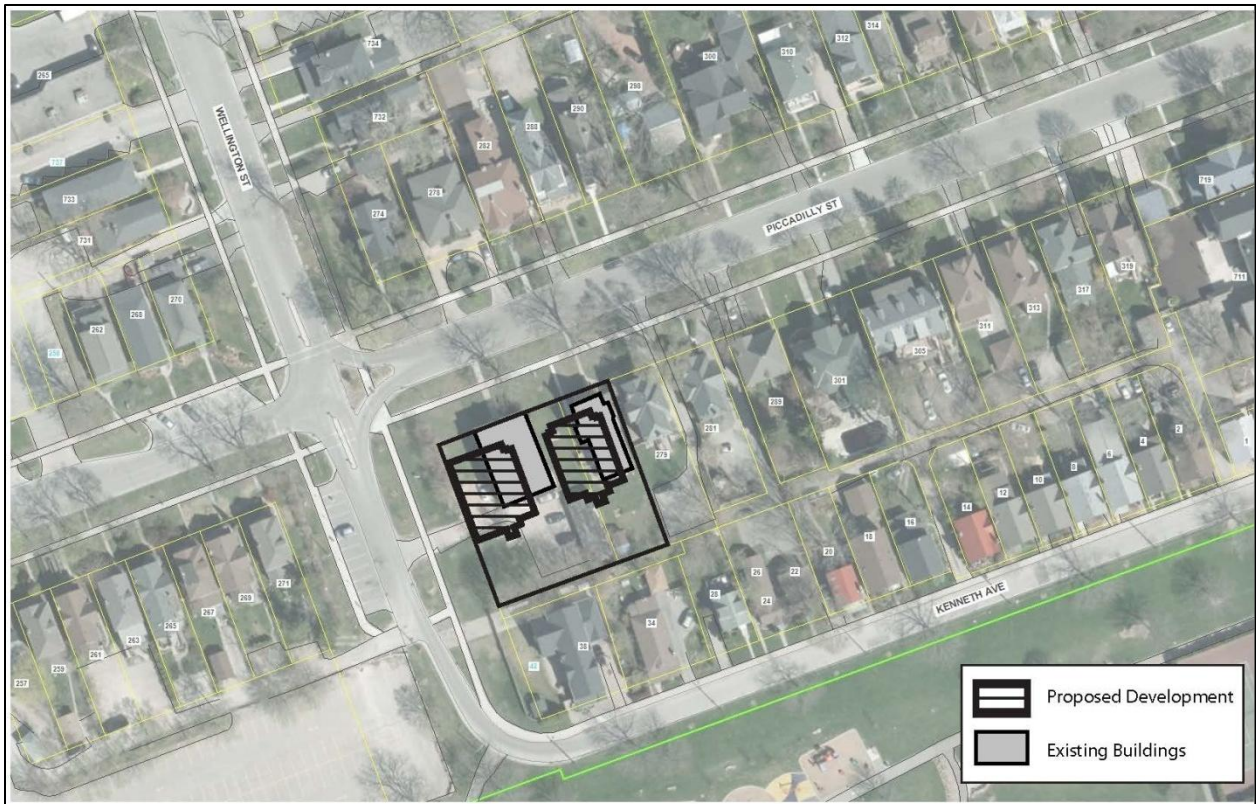
**File: Z-8132**  
**Planner: Mike Corby**

properties in the Piccadilly neighbourhood could be converted to inappropriate intensities that would also detract from the residential amenity character of the area. The proposal does not establish a positive or appropriate precedent for development proposals at similar locations within the near-campus neighbourhood areas. The subject site warrants intensification under the current zone that would be appropriate in size and scale and would provide a positive and appropriate precedent for similar developments.

**Urban Design**

As part of an application for residential intensification, the applicant shall be required to provide an adequately detailed statement of the compatibility, where it is clearly demonstrated 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 3.7.3.1. of the plan.

The submitted character statement and compatibility report have been reviewed by the City's urban design division and the proposal has been taken to the urban design review panel. Concerns were raised with the large mansard roof design proposed and how it will look in a neighbourhood where the design is not common. The proposed apartment buildings may also look out of context with the surrounding neighbourhood as they will seem very dominant along the prevailing setbacks in the existing streetscape, and the mansard design makes the buildings appear even bigger at a higher elevation than the surrounding area. The buildings have also been proposed to be set back further than the existing streetscape potentially altering the character of the neighbourhood. Urban Design Staff have recommended that the proposed buildings move closer to Piccadilly Street in order to be consistent with the existing building line.



Proposed Development Footprint vs. Existing Building Footprint

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**File: Z-8132**  
**Planner: Mike Corby**



Proposed Footprints vs. Surrounding areas

**Zoning**

The property is zoned Residential R2 (R2-2) which allows for single, semi, duplex and converted dwellings with a maximum of two units. 275 and 277 Piccadilly Street currently exist as a 5 unit and 4 unit apartment buildings respectively which significantly exceeds the permitted density on the site. The existing Residential R2 (R2-2) zone is used across the Piccadilly Neighbourhood to ensure the Piccadilly community maintains a cohesive scale and intensity.

The proposed amendment is to permit a Residential R8 (R8-3) Zone to be applied to the subject site to permit its re-development with two 3.5 storey apartments buildings. The requested Residential R8 (R8-3) permits a density of 65 units per hectare which the proposed development would reach. Though the City’s infill policies do permit up to 75 units per hectare as a maximum density this is not as-of-right and permission for higher density may not be supported. Rezoning the 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 in the area have the ability to accommodate higher densities than what is permitted in the R2-2. The continued intensification of the Low Density Residential designation could lead to the erosion of the existing residential character of the area.

**CONCLUSION**

The current zoning for this area is appropriate as it, 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 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.

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**File: Z-8132**  
**Planner: Mike Corby**

The requested amendment is not consistent with the Residential Intensification Official Plan 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>
<b>MIKE CORBY, PLANNER II COMMUNITY PLANNING AND DESIGN</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

February 26, 2013

MC/mc

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**File: Z-8132**  
**Planner: Mike Corby**

<u>Written</u>	<u>Phone</u>
Tom Burns – 274 Piccadilly Street	Ryan Craven – 320 Piccadilly
Craig Martin – 735 Waterloo Street	Dan Stevenson - 15 Wolsey Ave
Gord Buxton – 289 Piccadilly Street	
John Corry – 290 Piccadilly Street	
Kathy Masko – 290 Piccadilly Street	
Kate Albert – 170 Kent St	
Patrick & Shannon Ambrogio	
Danny Santarella – 38 Kenneth Ave	
Morgan Pavia	

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File: Z-8132  
Planner: Mike Corby

January 9, 2012

To: City of London Planning Division

Tom Burns  
274 Piccadilly St  
London, Ontario  
N6A 1S5

Attention: Mike Corby

Reference number: Z - 8132

I am writing to express serious concerns over the proposed application to amend the zoning bylaw for 275-277 Piccadilly Street.

My wife and I own the home directly across the street at 274 Piccadilly Street and our single family home has anchored the corner for the past 17 years. We choose to live in the Piccadilly area because we value the character of our diverse neighbourhood, however the proposed property for 275-277 will have a negative effect on both us and our neighbors.

My objections are:

- The number of units has been increased from 9 to 11.
- The 11 units contain a total of 35 bedrooms which is likely a substantially higher number than the current properties. The proposed rezoning allows for up to 65 residents for 275-277 Piccadilly St.
- The property is three stories high. This does not mesh well with our neighbourhood profile at the corner of Piccadilly and Wellington.
- For many years, we have dealt with ongoing noise issues from the relatively small first and second floor porches at 275 PiccadillySt. (with varying levels of success depending on the tenants). The "wrap around" porch at 275 and the front porch at 277 will become magnets for parties for the tenants at these locations. Our bedroom is located at the front of our house facing Piccadilly St. If these properties are built, we anticipate many sleepless nights, especially during the warmer weather.
- The proposed recreation/BBQ area between the buildings will also become "party central" impacting the enjoyment of our neighborhood as we will likely be subjected to loud music, noise, shouting, etc.

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Planner: Mike Corby

- The number of vehicles entering and exiting the property will increase substantially. The current traffic calming measures put in place at the intersection of Wellington and Piccadilly are regularly ignored by drivers going to and from Richmond St. With increased vehicular traffic due to the higher number of residents at 275-277, traffic will become even less "calm" on our street.
- Current tenants at 275 and 277 frequently leave garbage and recycling containers at the curb for days beyond pick up. With 35 or more tenants at these addresses, it's safe to say that this will get worse.

I plan to attend the public meeting to make my concerns know and am copying this letter to Anna Woodson, Chair of the Piccadilly Area Neighbourhood Association and our Ward 13 Councillor, Judy Bryant.

Should you have questions or require clarification, please contact me.

Sincerely



Tom Burns

C: Judy Bryant, Ward 13 Councillor  
Anna Woodson, Chair Piccadilly Area Neighbourhood Association (PANA)



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**File: Z-8132**  
**Planner: Mike Corby**

**PICCADILLY AREA NEIGHBOURHOOD ASSOCIATION**

January 24, 2013

Mr. Mike Corby  
City of London – Planning and Development / Planning  
300 Dufferin Ave. P.O. Box 5035  
London, Ontario N6A 4L5

Dear Mr. Colby:

**Re: Zoning Application Z-8132 – 275-277 Picadilly Street**

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This is to advise that the Piccadilly Area Neighbourhood Association is objecting to the above-noted application for the following points:

- The area is designated low density residential which provides for single detached dwellings, duplex, triplex and converted dwellings. It does not contemplate two buildings containing 11 units.
- We recognize that the existing property has 9 units, however the property is legal non-conforming and it zoned R2-2. The purpose of the legal non-conforming use is that eventually the use would revert back to a use that is provided for by the R2-2 and not to increase the number of units.
- The justification report refers to two other large buildings on the block, one of which is 301 Piccadilly Street. It should be noted that 301 Piccadilly Street is a single detached dwelling. The area contains, mix uses, however the bulk of the uses are single detached dwellings or small rental units.
- The neighbourhood fought long and hard to have the zoning in the area changed to an R2-2 to prevent exactly what is being proposed by this application. They are proposing 11 units, but only providing for 12 parking spots, where will the other cars related to this development be placed.
- We are of the understanding that the two buildings could potentially accommodate 31 bedrooms which is not an intensity that is compatible with the neighbourhood.
- We note that there are properties already zoned R-10 in other areas of the neighbourhood, why are these properties not being looked at.

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**File: Z-8132**  
**Planner: Mike Corby**

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- Wellington Street is the border between commercial and higher density residential development. This is an intrusion of a higher density development into a low density residential area.
- Approval would establish a precedent for the neighbourhood and the block and would lead to other such applications in the area which would negatively impact this neighbourhood. A large number of the houses in the block are owner occupied, even the rentals are owned by owners who live in the block.

In summary the development is too intense for the area and not in keeping with the residential nature of the neighbourhood. We object and want notice of the decision.

Your consideration of these concerns is appreciated.

Yours truly,

Craig Martin  
Executive Director  
Piccadilly Area Neighbourhood Association  
c/o 735 Waterloo St.  
London, Ontario N6A 3W2

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**File: Z-8132  
Planner: Mike Corby**

**Corby, Mike**

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**From:** Gord Buxton  
**Sent:** Sunday, January 27, 2013 11:27 AM  
**To:** Corby, Mike  
**Subject:** 275 Piccadilly Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mike Corby  
City Planning Division

Dear Mr. Corby:

I have recently received a notice for an application to change the zoning of 275-277 Piccadilly Street. I wish to express my deep concern over this application. For over 100 years, this block of Piccadilly Street has managed to maintain it's quiet residential nature despite being so close to the downtown. We, the residents of this stretch of Piccadilly Street, along with the Piccadilly Neighbourhood Association have fought hard to maintain the unique character of this downtown neighbourhood.

The change that is being asked for will have a dramatic effect our street. Once the existing buildings are destroyed, they can never be rebuilt, the character of the neighbourhood will be changed forever. Even if attempts are made to construct a building that is "in keeping" with the character of our neighbourhood, it will not. It is not possible to re-build a 100-year old building, keeping it's old charm (the Talbot block is a case in point).

I am also concerned about the type and of the density of the housing that is being proposed. Living downtown has many challenges that the residents of our street accept. We tolerate the drunken students stumbling down our street and through our yards in the middle of the night when the Richmond street bars close. We accept our street being filled with cars as parents drop their children off at the London Bridge's daycare as well as the Montessori school (both part of our block). Adding more housing units will increase traffic even more, making it unsafe for all.

I am also concerned about the type of tenants that this type of housing may attract. We have our fair share of student interactions already (being in close proximity to the Richmond Street bars), and are concerned about the increased noise and "rowdiness" that student housing tends to bring.

I urge council to carefully consider this application. I feel it is important that the planning department continue to consider how important the Victorian character of our London neighbourhoods are to making this city an attractive place to live and to raise our families. Once gone, our city will be no different than any other North American city. Please help us preserve the gem of a neighbourhood that we have here on Piccadilly Street.

Thank you for your consideration

Gord Buxton  
289 Piccadilly Street

Thanks you

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**File: Z-8132**  
**Planner: Mike Corby**

Mr. Mike Corby  
300 Dufferin Avenue  
London, ON  
N6A 4L9

January 14<sup>th</sup>, 2013

**Re: "Z-8132" – Amendment application of City's Zoning designation of  
275-277 Piccadilly Street**

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Dear Mr. Corby:

We reside at 290 Piccadilly Street and as such have a direct interest in this proposed amendment, and wish that the above addresses remain in their current designation of Zoning By-law of "Low Density Residential". We are ardently OPPOSED to any changes to the By-law towards an R8-3 Zone as we feel that the neighbourhood density would be negatively affected.

We are not under any illusions Mr. Corby; we can observe that the current dwellings on 275-277 Piccadilly St. have, for years, housed many post-secondary students and we feel it is predictable that the proposed buildings would simply allow a landlord to fill it with more students. The population of students in our community is currently a manageable delicate balance. There are numerous communities in London which have experienced the effects of this kind of transition towards higher density dwellings which landlords clearly intend to invite numbers of students that negatively affect the property values of the overall street.

Supported by the Piccadilly Area Neighbourhood Association, we are determined to avoid this happening to Piccadilly Street, and specifically to 275-277, and hope that this application will be denied.

Sincerely,

John W. Corry

Kathy Masko

290 Piccadilly Street  
London, ON N6A 1S5

[Empty boxes for Agenda Item # and Page #]

File: Z-8132  
Planner: Mike Corby

I strongly oppose the application for 555-557 Kent St.  
for the following reasons:

- ① It will unnecessarily delay the building of a Residential building
- ② It will increase vehicular traffic
- ③ Another commercial property is not needed as there are many vacant sites in the area already.

Thank you for your attention

*Youngs Division  
Mike Corby*

Kate Albert  
819-170 Kent Street

mum.kat@hotmail.com  
January 9, 2013

RECEIVED  
CITY OF LONDON  
PLANNING DIVISION

JAN - 9 2013

FILE NO. \_\_\_\_\_  
REFERRED TO           Z-8133          

- SUBSEQUENT REFERRALS
- FOR ACTION
  - FOR INFORMATION
  - FOR REPORT
  - FILE
  - B.F.
  - OTHER

PLANNING DIVISION  
SCANNED

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File: Z-8132  
Planner: Mike Corby

**Corby, Mike**

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**From:** Patrick John Ambrogio, P.Eng.  
**Sent:** Thursday, January 17, 2013 9:45 AM  
**To:** Corby, Mike;  
**Subject:** Re: 275-277 Picadilly Street

Hello Mike,

Shannon certainly has objections, and in preliminary quick draft only include the following:

1. The subject block of Piccadilly is unique. It is quiet and tree-lined, featuring historic family homes, child-friendly parks and schools, with separation in the form of a treed boulevard for traffic calming and prevention of through access from Richmond Row and the westerly portion of Piccadilly;
2. Any apartments in the area are smaller and typically studios, 1 and 2 bedrooms, occupied by quiet and responsible professionals, new families, retirees or serious students;
3. The proposed development is not in keeping with the current zoning of the area, and does not fit into the neighbourhood particularly in this location;
4. The proposed development would require demolition of homes of a classic era in a singularly-unique block of historic homes;
5. A purpose-built de facto high-occupancy student residence is not appropriate in a low-density, quiet, residential neighbourhood far removed from high-traffic arteries.

Mike, can you please direct Shannon to any neighbourhood associations you may be aware of in the area, or any other objectors to the development you have encountered?

Regards,

Patrick

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

**From:** Corby, Mike  
**To:** [redacted]  
**Sent:** Thursday, January 10, 2013 1:08 PM  
**Subject:** 275-277 Picadilly Street

Good Afternoon,

As per our conversation today I have attached the information submitted by the applicant with their application.

If you have any questions or comments please let me know.

Thanks,

**Mike Corby**  
Planner II  
City of London, Planning Division  
Community Planning & Design  
206 Dundas Street  
P.O. Box 5035 London, ON, N6A 4L9  
Direct Line: 519-661-2500 ext. 4657  
[mcorby@london.ca](mailto:mcorby@london.ca)

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**File: Z-8132  
Planner: Mike Corby**

January 12<sup>th</sup>, 2013.

re: file Z-8132

Dear Mr. Corby,

It has come to my attention that there has been an application to change the zoning at 275-277 Piccadilly Street to R8 residential (file Z-8132). **I am vehemently opposed to this application**, especially as my property is adjacent to these properties and that change would have a catastrophic impact to my family's life. This neighbourhood is zoned as R2 residential. I have recently updated and modernized my home to a four bedroom single family unit for myself, my wife and 3 young children. We have doubled our property value, and municipal taxes, because our neighbourhood is a quiet family neighbourhood adjacent to beautiful Piccadilly Park and because it is zoned as R2.

A change to R8 would ruin our beautiful residential neighbourhood by significantly increasing traffic in an area already prone to traffic problems, increase excessive noise, the possible destruction of mature trees adjacent to my property, and add transient tenants for an area that is still predominantly owner-occupied and family-friendly. I oppose any changes to zoning and I am frustrated that I find myself writing these letters so often. This area is already overbuilt and saturated with Montessori and daycare traffic. The city has invested hundreds of thousands of dollars into Piccadilly Park, which is already overused, and this intensification would further abuse the park with this drastic zoning change.

If the intention of the developer is to attract families to the core, then the existing R2 zoning is more than accommodating for the 2 properties. I have trusted the city departments with their urban plans and zones and have made investment decisions based on that plan. Changing the zoning to R8 will make living here unbearable and will impact my family financially.

It should be on record that the existing properties have had 2 units added in 2010 illegally before their sale to the current owner. The existing building at 275 Piccadilly has four legal 2-bedroom units and an additional one bedroom unit that has been recently added in the basement. The existing building at 277 Piccadilly had two 3-bedroom units prior to 2010. An illegal subdivision of the main floor apartment was completed in 2010 making it a 3 dwelling-unit building without proper permits. Also the existing garage has not been in use since I moved here in 2004. It is dangerous and should have been demolished a decade ago.

Please do not allow this change. Please continue to promote family-oriented living in the core. Please remember that this is a residential neighbourhood and not a business district. We are hard-working taxpayers who have invested in their homes to live in them, not to rent them out for profit. Please continue to keep me informed on decisions or questions that arise. I will be present at any future public meetings and can be available to discuss this matter in person.

Sincerely,

Danny Santarella  
38 Kenneth Avenue

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File: Z-8132  
Planner: Mike Corby

**Corby, Mike**

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**From:** Morgan Pavia [morgan@lendinglondon.com]  
**Sent:** Monday, January 14, 2013 1:01 PM  
**To:** Corby, Mike  
**Cc:** Bryant, Judy; 'Jeff House'; 'Carol Wiebe'; lisa@lansinkappraisals.com  
**Subject:** RE: 275-277 Piccadilly  
**Attachments:** Kenneth - Notice of Decision.pdf; PARKVIEW HOUSES 1.pdf; PARKVIEW HOUSES.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Mike,

As per our phone conversation earlier today, I would like to address my concerns for the proposed rezoning of 275-277 Piccadilly St. File #Z-8132.

I have a project underway located at 22-26 Kenneth Ave. I had several meetings with the planning in regards to the most suitable use for my location given the current LDR designation as per the official plan. My location is zoned R2-2 which would have allowed for 2 duplex properties on the site with a maximum of 5 bedrooms per unit. Which could have effectively increase the density from the current 3 bedrooms on site to potentially 20. As a group we decided that the best use of our site given the area was high end single family residential. A proposal was set in motion and we have designed and are ready to build 2 semi-detached linked foundation dwellings.

After our committee of adjustment meeting our request was granted given the following condition: (see attached Notice of Decision)

- That a maximum of four (4) bedrooms (2 per unit) be permitted combined.

It was our understanding that this condition was put in place to ensure that the density in the area was kept relatively low. We agreed to this condition as proposed and have decided to move forward with our high end modern build. (see attached renderings)

Please note that myself and my business partner Jeff House plan on residing in these new properties. Given the proposal for the above located property Jeff and I will be rethinking our plan for our site, as we do not wish to reside in such close proximity to a purpose build dwelling with anywhere from 35-44 bedrooms in 11 units. If this proposal comes to fruition Jeff and I will be forced to submit a new proposal that would allow for us to maximize total number of bedrooms for our site and we would hold this property as a rental geared towards the college and university market.

I am very enthusiastic about this area of downtown London and feel that it has the potential to become something unique if boutique projects such as ours continue. However, the impact of 11 units with the potential for 44 bedrooms in this area will drastically change the dynamic of the neighbourhood and encourage other would be developers to also increase the density.

Myself and Jeff House would be willing to sit down and discuss this matter further with you and the developer of this specific project.

Please do not hesitate to contact me, with any questions or concerns.

Regards,

Morgan Pavia



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**File: Z-8132**  
**Planner: Mike Corby**

**Bibliography of Information and Materials**  
**Z-8132.**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo Ltd., December 14, 2012

**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*, March 1, 2005.

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*, December 17, 2012.

**Correspondence: (all located in City of London File No. Z-8132. unless otherwise stated)**

**City of London -**

Page B., City of London Parks Planning and Design. Memo to M. Corby January 22, 2013.

Postma R., City of London Forestry. E-mail to M. Corby. January 16, 2013.

Galloway A., City of London Stormwater Management Unit. E-mail to M. Corby. January 10, 2013.

Smolarek J., City of London Community Planning and Design. Memo to M. Corby. February 27, 2013.

**Departments and Agencies -**

Raffoul L., Bell. January 17, 2013

Dalymple D., London Hydro. Memo to M. Corby. January 8, 2013.