

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: 1000915350 Ontario Inc.
145 Base Line Road West

File Number: Z-9783, Ward 11
Public Participation Meeting

Date: November 12, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application of 1000915350 Ontario Inc (c/o siv-ik) relating to the property located at 145 Base Line Road West, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R3 (R3-1) Zone **TO** a Residential R3 Special Provision (R3-1(_)) Zone, **BE REFUSED** for the following reasons:

- i) The requested amendment is not consistent with the Provincial Planning Statement, 2024, which directs municipalities to support the achievement of complete communities by improving social equity and overall quality of life for people of all ages, abilities, and incomes and by promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and support the use of active and public transportation;
- ii) The requested amendment is not in conformity with The London Plan, including but not limited to the Residential Intensification policies in the Neighbourhoods Place Type;
- iii) The proposed intensification cannot be appropriately accommodated on the subject lands and is not compatible with the surrounding neighbourhood;
- iv) The requested amendment would result in over-intensification of the site and existing buildings; and,
- v) The requested lot area per unit does not support necessary site functions relative to the intensity or number of units, including but not limited to the provision of a functional outdoor amenity area.

Executive Summary

Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject lands from a Residential R3 (R3-1) Zone to a Residential R3 Special Provision (R3-1(_)) Zone to permit the conversion of each of the five (5) existing triplexes to 6-unit cluster converted dwellings, for a total of 30 units.

Purpose and the Effect of Recommended Action

Staff are recommending the refusal of the requested Zoning By-law amendment as the proposed intensification of the subject lands from five (5) triplexes into 6-unit cluster converted dwellings represents over-intensification of the site and existing buildings.

Path to Approval

Staff are supportive, in principle, of residential intensification of the subject lands and acknowledge that the site is suitable to support intensification and/or redevelopment. On this basis, an increase in the number of units per building from three (3) to four (4), for a total of 20 units on site (a total increase of **five (5) units**) could be supported.

Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council's 2023-2027 Strategic Plan in the following ways:

- **Strategic Plan Area of Focus: Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Strategic Plan Area of Focus: Housing and Homelessness**, by supporting faster/ streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

1.1 Property Description and Location

The subject lands, municipally known as 145 Base Line Road West, are located on the southeast corner of the intersection of Base Line Road West and West Street in the Southcrest Planning District. The subject lands are comprised of a single lot with a total lot area of 0.32 hectares, a frontage of 32.5 metres along Base Line Road West and a depth of 100.5 metres along West Street.

The subject lands are currently developed with five (5) one-storey triplex dwellings for a total of 15 units. Vehicular access is currently provided via a one-way driveway from Base Line Road West, leading to an angled parking area that exits onto West Street. Sidewalks are located throughout the subject lands, connecting unit entrances to the parking area and municipal sidewalks on both Base Line Road West and West Street. Public transportation is also available along Base Line Road West and Commissioners Road West to the south.

The subject lands are part of an established neighbourhood consisting of a mix of low to high-density residential uses, including single-detached dwellings, cluster townhouses and high-rise apartment buildings. To the south along Commissioners Road West is a greater mix of residential and commercial uses.

Site Statistics:

- Current Land Use: Five (5) Triplexes
- Frontage: 32.5 metres (Base Line Road West)
- Depth: 100.5 metres (West Street)
- Area: 0.32 hectares
- Shape: Rectangular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: Residential
- East: Residential
- South: Residential/Commercial/Office
- West: Residential/Office

Existing Planning Information:

- The London Plan Place Type: Neighbourhoods Place Type at the intersection of a Neighbourhood Connector and Neighbourhood Street
- Special Planning Areas: Primary Transit Area
- Existing Zoning: Residential R3 (R3-1) Zone



Figure 1- Aerial Photo of the subject lands and surrounding area.



Figure 2 - Aerial Photo of the subject lands.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to redevelop each of the five (5) existing triplexes into 6-unit converted dwellings. The conversion specifically involves the creation of three (3) new residential dwelling units within the existing unfinished lower-level spaces in each of the existing buildings. The existing main floor dwellings (3 per building) will be maintained with minor physical modifications. The proposed redevelopment will also involve upgrades to the exterior features of the building, landscaping, site circulation network and waste collection functionality. A total of 30 residential units fully within the existing building footprints at a density of 94 units per hectare and a lot area of 105 square metres per unit is proposed. The conceptual site plan is shown below as Figure 3.

The proposed development includes the following features:

- Land use: Residential
- Form: Five (5) Cluster Converted Dwellings
- Height: 1-storey
- New Residential Units: 15 units (30 total)
- Density: 94 units per hectare
- Lot Coverage: 35%
- Landscape Open Space: 39%
- Parking Spaces: 16 surface parking spaces (0.53 spaces/unit)

- Bicycle Parking Spaces: 3 short-term spaces (0.1 spaces/unit)

Additional information on the development proposal is provided in Appendix B.

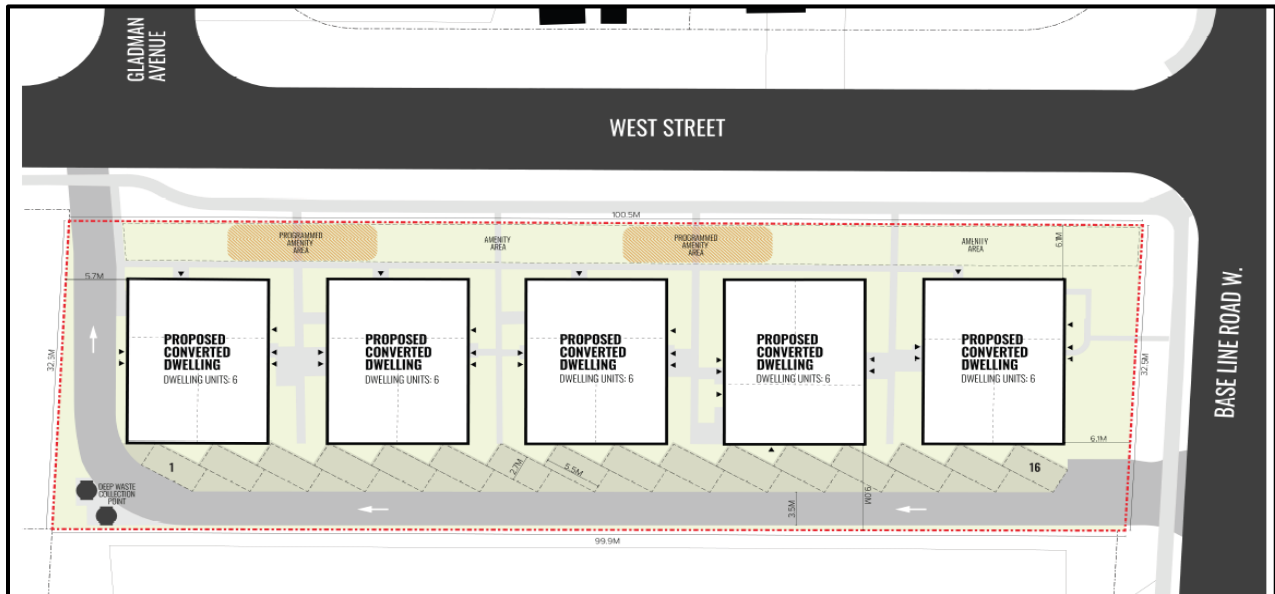


Figure 3 - Conceptual Site Plan

Additional plans and drawings of the development proposal are provided in Appendix D.

2.2 Requested Amendment

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject lands from a Residential R3 (R3-1) Zone to a Residential R3 Special Provision (R3-1(_)) Zone. The following table summarizes the special provisions that have been proposed by the applicant.

Regulation (R3-1 Zone)	Required	Proposed
Additional Permitted Uses	Converted Dwelling	Cluster Converted Dwelling
Lot Area (minimum)	430.0m ²	3,200.0m ²
Rear Yard Depth (minimum)	6.0m	5.7m
Landscape Open Space (minimum)	20%	35%
Height (maximum)	12.0m	6.0m
Lot Area Per Unit (minimum)	180m ² per unit	105m ² per unit
Parking Area Coverage (maximum)	35%	30%
Accessible Parking Spaces (minimum)	1 space	0 spaces

2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Proposed lot area per unit is insufficient.
- Intensity of development and site functionality issues.
- Lack of an appropriately sized outdoor residential amenity area.
- Remove of the required accessible parking space.

Detailed internal and agency comments are included in Appendix D of this report.

2.4 Public Engagement

On September 16, 2024, Notice of Application was sent to 279 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 26, 2024. A “Planning Application” sign was also placed on the site.

There were **two** responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Floor plans/area per units is too small.
- Impacts on current tenants, including displacement.
- Impacts of density on neighbourhood.
- Parking and traffic concerns.

Detailed public comments are included in Appendix E of this report.

2.5 Policy Context

The Planning Act and the Provincial Planning Statement, 2024

The Provincial Planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Planning Statement, 2024 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*. The *Provincial Planning Statement (PPS), 2024* provides policy direction on matters of provincial interest related to land use planning and development. The PPS is issued under the authority of Section 3 of the *Planning Act* and applies to all decisions that effects a planning matter made on or after October 20, 2024.

Section 1 of the PPS outlines the vision to build more homes for all Ontarians, with the goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. The PPS sets out that every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come (PPS, Section 1). Section 2.1.4 of the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet the projected requirements of current and future residents by maintaining at all times the ability to accommodate residential growth for a minimum of 15 years, through lands which are designated and available for residential development (2.1.4.a).

The PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation. Specifically, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents that addresses the full range of housing options including affordable housing needs while promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and requiring transit-supportive development and prioritizing identification (2.2.1.a,c,d). The PPS also directs municipalities to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities, as well as all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units (2.2.1.b).

While staff agrees that the subject lands are an appropriate location to support further residential intensification that would benefit from proximity to existing services, transit, and commercial uses, the proposed redevelopment represents over-intensification of the existing buildings. Further, the site layout does not sufficiently accommodate site functions, such as suitably sized and appropriately located amenity spaces for the number of units proposed. The PPS states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities (2.3.1.3), which includes improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups (2.1.6.c). As such, to support the achievement of complete communities, particularly regarding supporting affordable, accessible, and equitable housing, planning authorities should identify the appropriate type and scale of redevelopment. Planning authorities should also provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents that addresses the full range of housing options including affordable housing needs through promoting densities for new housing (e.g., additional units within existing buildings) which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation, and requiring transit-supportive development and prioritizing identification (2.2.1.c,d).

Staff are of the opinion that the proposed intensification of the existing buildings adversely impacts the livability of the site and neighbourhood through over-intensification; therefore, the development does not improve social equity, quality of life and densification of the property.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that not all the above criteria have been satisfied. Specifically, criteria 1, 2, 3, and 7. An analysis of the deficiencies is addressed in Section 4.0 of this report.

3.0 Financial Impact/Considerations

3.1 Financial Impact

None.

4.0 Key Issues and Considerations

4.1 Land Use

The subject lands are in the Neighbourhoods Place Type, as identified on Map 1 of The London Plan, at the intersection of a Neighbourhood Connector and Neighbourhood Street, as identified on Map 3. The proposed cluster converted dwelling use is a contemplated use in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type. Other permitted uses include single detached, semi-detached, duplex, townhouses, additional residential units, home occupations, group homes, triplexes, and small-scale community facilities. Per recent amendments to The

London Plan adopted at the Municipal Council meeting on September 24, 2024, multiplexes up to 4 units and stacked townhouse dwellings will also be permitted on lands fronting on a Neighbourhood Connector (i.e. Base Line Road West). However, the Council-adopted amendment to The London Plan is subject to Provincial review and approval before coming into force and effect.

Section 2 of the Zoning By-law defines a “Converted Dwelling” as:

“CONVERTED DWELLING” an existing dwelling constructed as a single, semi-detached, duplex or triplex dwelling on an existing lot prior to July 1, 1993 in which the number of dwelling units has been increased without significant alteration to the exterior of the building except for non-leasable floor such as fire escapes, stairwells and entrances to a maximum of 10 percent (10%) of the dwelling or 30.0 square metres, whichever is the lesser.

The Residential R3 (R3-1) Zone of the Zoning By-law that applies to the subject lands does not allow for a “cluster” form of development with multiple principal buildings on a single lot. The existing “cluster triplex” form of development, however, was constructed under previous zoning regulations and is recognized as legal non-conforming as the use would otherwise not be permitted based on the current Zoning By-law.

4.2 Intensity

In the Neighbourhoods Place Type, a minimum height of 1-storey to a maximum height of 3-storeys may be permitted outside of Central London in accordance with Table 11 – Range of Permitted Heights in Neighbourhoods Place Types. Zoning will also be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (TLP 935_3). For converted dwellings specifically, the Zoning By-law will limit the number of units that may be contained in the converted dwelling and may also limit additions to the building (TLP 943_). Planning and Development applications to allow for converted dwellings will also include a review of the number of units proposed in the converted dwelling, evaluated to ensure that this intensity is appropriate in its neighbourhood context and given the size of the lot. The existing building will also not be substantively altered or added to, and the site will be capable of accommodating the additional use (TLP 944_).

Within the Residential R3 (R3-1) Zone of the Zoning By-law, there is no limit on how many units can be included within a converted dwelling, nor a maximum density provision. Rather the maximum number of units and permitted density is dictated by Section 7.3.3 which states “in no case shall a converted dwelling have a lot area of less than 180.0m² per unit in the R3-1 zone variation.” As proposed, the redevelopment of the five (5) triplexes into 6-unit converted dwellings would equate to a reduced lot area per unit of 105.0m², almost half of the minimum requirement. Therefore, while The London Plan establishes a policy framework that supports appropriate residential intensification of a property at a higher residential intensity than what currently exists, the proposed converted dwellings are not considered an appropriate form of residential intensification as the increase in units represents over-intensification of the existing buildings and site (TLP 939_).

The intent of the lot area per unit regulation is to ensure residential intensity is appropriate for the size of the site, and that the site provides adequate space for various site functions relative to the number of units. This includes ensuring the lot can reasonably support driveways, adequate parking in appropriate locations, landscaped open space, an appropriately sized outdoor amenity area, adequate buffering and setbacks, and garbage storage areas (TLP 953_). Planning and Development staff have concerns with the broader policy considerations with the requested special provision to permit a reduced lot area per unit of 105.0m², whereas a lot area of 180.0m² per unit is

required, and whether the proposed lot area meets the intent of policies 943_ and 944_ of The London Plan. While the existing cluster form of development on the subject lands is a unique situation that is not necessarily contemplated through the regulations of the Residential R3 Zone, staff are of the opinion that these regulations continue to be an appropriate mechanism to control the intensity of the development on the subject lands. Staff are further of the opinion that the special provision does not meet the intent of the Zoning By-law to control the intensity of converted dwellings, and in the long-term, could set a negative precedent.

Based on the current site configuration and proposed modifications, there is already limited outdoor amenity area for the existing triplexes which the additional 15 units would put even greater pressure on. The proposed amenity areas are shown on the conceptual site plan, which denotes the location of two proposed programmed amenity areas and existing unprogrammed amenity areas in the exterior side yard abutting the public side walks on West Street. Figure 5 also provides further context to the size and location of the existing outdoor residential amenity area.

Although an increased minimum landscaped open space of 35% is requested, section 2 of the Zoning By-law defines landscape open space as “the open space which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping and includes any surfaced walk, patio, swimming pool or similar area, but does not include any access driveway or ramp, parking area, bus parking area, roof-top area or any open space beneath or within any building or structure.” On this basis, any portion of the site containing grass or sidewalks is included in the calculation for landscaped open space, therefore this metric is not necessarily reflective of the usability of these spaces as functional amenity area. It should also be noted that the location of short and long-term bicycle parking spaces and the location of snow storage have not been identified on the site concept plan, which could result in a further reduction in landscaped open space and amenity area, particularly in the winter months.



Figure 4 - Conceptual Site Plan, showing the residential amenity space.

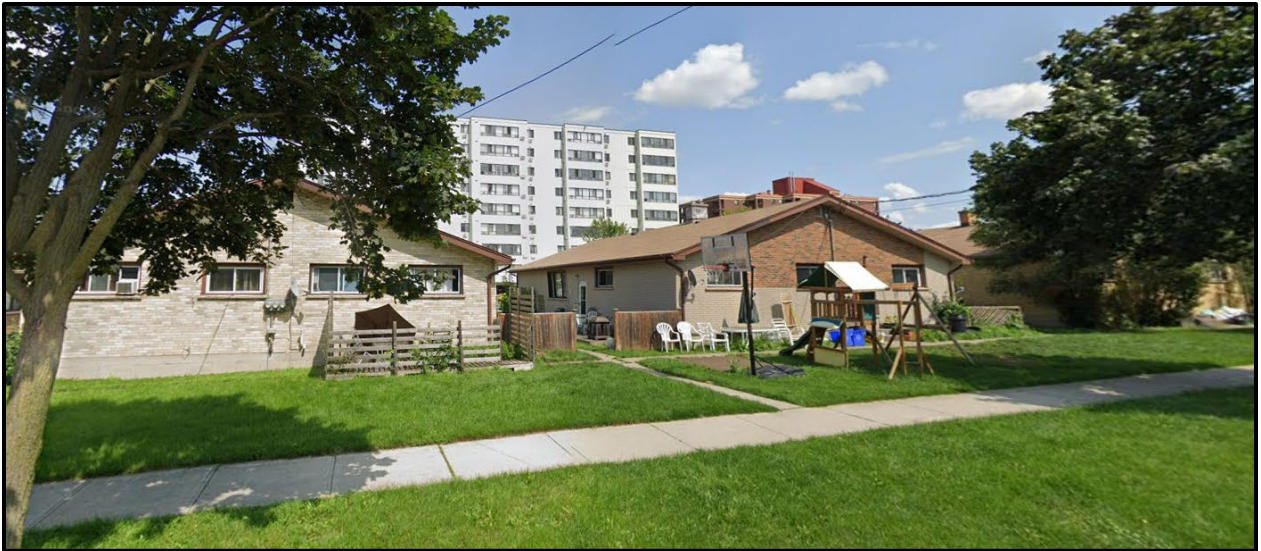


Figure 5 – Streetview of the subject lands.

While a cluster form of development can facilitate efficient use of land and promote affordable housing to ensure housing for all Londoners, the integration of affordable forms of housing and rehabilitation of our current public housing resources should balance economic, environmental, and social considerations in all planning decisions to ensure housing is safe, affordable and of a high quality of living (TLP 55_13 and 62_6). Providing accessible, affordable and quality housing options for all Londoners is an important element of building a prosperous city and a necessary component of a city that people want to live and invest in. Housing choice is influenced by location, type, size, tenure, and accessibility, in which affordability and housing options are provided by establishing variety in these factors (TLP 495_). As such, the goal is to ensure that all members of our community have access to housing that is safe, secure, and suitable to their needs and ability to pay, facilitate an adequate and appropriate supply of housing to meet the economic, social, health, and well-being requirements of Londoners, and to allow for aging in place, so that there are opportunities for people to remain in their neighbourhood as their housing needs change over time (TLP 497_1,6,7).

The London Plan contains policies regarding “big picture” thinking and the long-term when making planning decisions to consider the implications of short-term and/or site-specific planning decisions (TLP, 62_3). As proposed, however, Planning and Development staff are of the opinion that the proposed redevelopment of the five (5) triplexes into 6-unit converted dwellings is not considered an appropriate form of residential intensification. In particular, the requested special provision to permit a reduced lot area per unit of 105.0m², whereas 180.0m² per unit is required, is anticipated to adversely impact the livability of the site and neighbourhood through over-intensification.

4.3 Form

The built form consists of five (5) 1-storey triplex dwellings proposed to be repurposed into 6-unit converted dwellings. No additions to the existing buildings are proposed to facilitate the proposed intensification, nor are any major alterations to the site as the units would be located within the basements of the existing buildings and would utilize the existing parking and driveways on site. In accordance with the definition of converted dwelling in the Zoning By-law, the redevelopment will involve an increase in the number of dwelling units without significant alteration to the exterior of the building except for non-leasable floor such as fire escapes, stairwells and entrances (which are limited to a maximum of 10 percent (10%) of the dwelling or 30.0 square metres, whichever is the lesser). Should significant alterations occur, the proposed development would not meet the definition of a converted dwelling.

The conversion of the existing buildings will specifically involve the creation of three (3) new residential dwelling units within the lower levels of each of the five (5) existing buildings. The proposed redevelopment will also involve upgrades to the exterior features of the building, landscaping, site circulation network and waste collection functionality. Internally, physical modifications are proposed to facilitate the creation of

required ingress/egress for the new lower-level units as well as to facilitate new unit entrances to the lower-level units. As shown in the below figure, it is noted that the lower-level is almost entirely below grade and would require additional windows and separate entrances for the new lower-level units to ensure natural light and safe egress are provided in accordance with the Ontario Building Code.

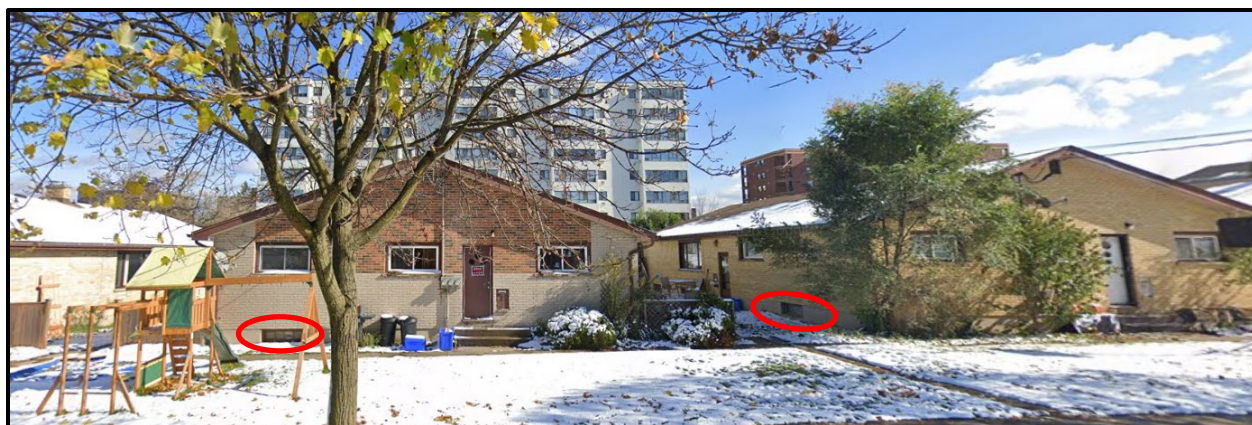


Figure 6 – Streetview of the subject lands.

At the time of Site Plan Approval, the applicant will be required to confirm the following:

- Whether the basement windows will function as an egress window for the proposed basement residential units to the satisfaction of the Section 4.8.8 of the Property Standards By-law which requires a total natural light transmitting area of 5% of the floor area in the case of living and dining rooms and 2.5% of the floor area in the case of bedrooms; and
- That the dwelling units maintain the minimum floor area parameters for a dwelling unit as per Section 4.8.11 of the Property Standards By-law.

The existing main floor dwelling units (3 per building) will be maintained. The conversion of the lower-level spaces in each of the existing buildings, however, will result in current tenants no longer having access to the additional lower-level space (currently unfinished) as part of their units. As shown in the below floor plans comparing the existing triplexes and proposed 6-unit converted dwelling, the existing units will be effectively reduced in size to permit the new units.

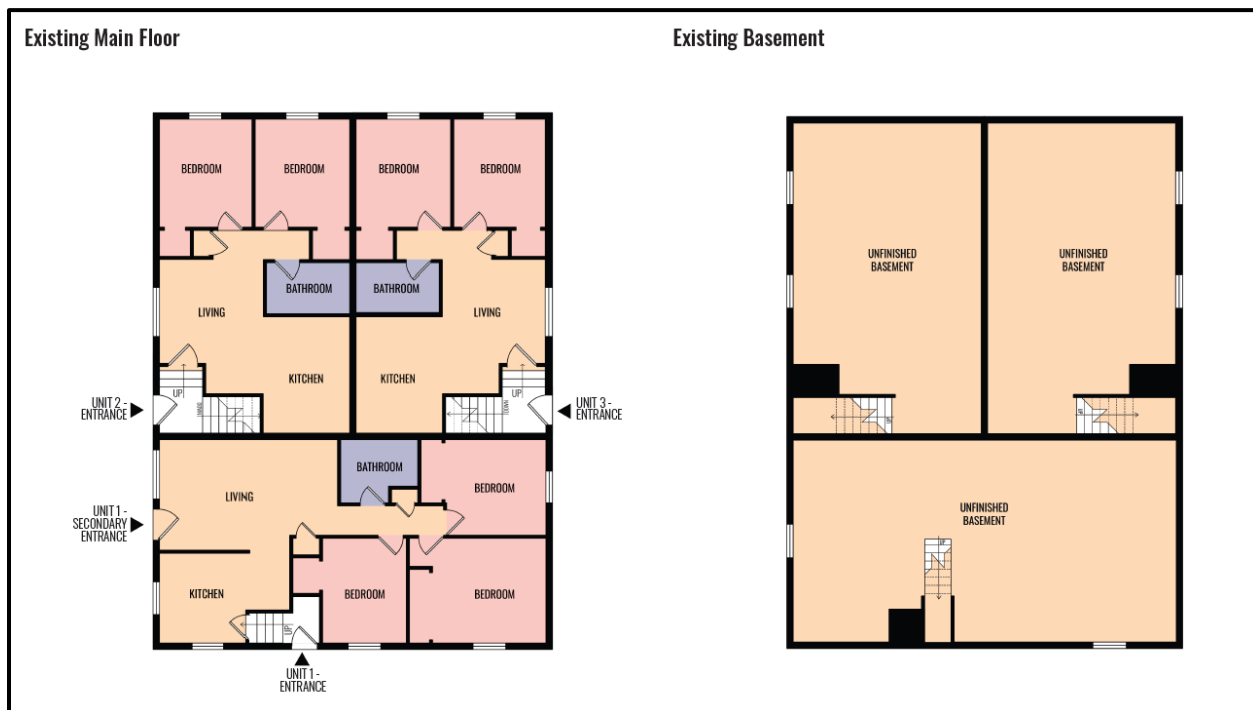


Figure 7 – Floor Plan of the existing triplexes.



Figure 8 - Floor Plan of the proposed 6-unit converted dwellings.

Vehicular access to the subject lands will continue to be provided via the existing one-way driveway from Base Line Road West, leading to a small informal angled parking area that exists onto West Street. The 16 existing surface parking spaces are planned to remain, provided at a rate of 0.54 spaces per unit. Should the alternative recommendation to facilitate a total of 20 units be approved, a rate of 0.6 spaces per unit (12 parking spaces) plus one (1) accessible parking space and three (3) visitor parking spaces can be provided. In any regard, a minimum of one (1) accessible parking spaces should be provided particularly as the 1-storey buildings could accommodate accessible units. The provision of one (1) accessible parking space and three (3) visitor parking spaces is recommended as a consideration of the Site Plan Approval Authority.

The parking area will generally be visually screened from the street encouraging a pedestrian-oriented streetscape, with additional landscaping to screen the parking area proposed and recommended by staff (TLP 235_ and 936_4). Short-term bicycle parking spaces will also be provided, as well as additional pedestrian walkways to ensure connectivity between unit entrances and the parking area and municipal sidewalks on both Base Line Road West and West Street.

4.4 Path to Approval

Planning and Development staff are of the opinion that the subject lands are not of sufficient size to support the proposed intensification from five (5) triplexes to 6-unit cluster converted dwellings, and that the proposed development represents over-intensification of the site and existing buildings. Staff are of the opinion, however, that the site is suitable for residential intensification in a manner that is appropriate for the site and within the context of the existing neighbourhood.

Given the context of the subject lands and surrounding neighbourhood, staff could support alternative forms of residential intensification that are appropriate for the size of the lot while being sensitive to, compatible with, and a good fit within the existing and planned neighbourhood context could be accommodated while developing additional affordable housing that attracts a diverse population to the city (TLP 55_11, 953_1, and 953_3). This aligns with the Community Housing Strategy which requires abundant opportunities to provide for the development of a broad range and mix of housing types and densities in conformity with the City Structure Plan and the Urban Place Type policies of The London Plan (TLP 508_).

Staff are of the opinion that one additional unit within each of the five (5) existing buildings, for a total of four (4) units per building and 20 units on-site, would be more appropriate for the subject lands. This would result in a lot area of 160m² per unit, which

is a more reasonable reduction from the required 180m² per unit than the applicant's proposal of 105m² per unit and would address concerns regarding the site's ability to accommodate the level of intensity proposed. While there are no significant exterior differences between 20 units and 30 units, differences in the demand of on-site functions (including shared parking and outdoor amenity facilities), the quality of living for existing and future residents, and mitigation of impacts on the neighbourhood are considered. The alternative recommendation is also aligned with the direction towards permitting multiplexes up to 4 units with the intent of regulating the number of additional residential units is to encourage gentle intensification while ensuring the intensity is appropriate for its neighbourhood context and size of the lot.

Lastly, redevelopment on site could also take the form of a comprehensive, purpose-built townhouse or stacked townhouse development. A purpose-built development could incorporate additional mitigation measures to ensure residential intensification is sensitive to, compatible with, and a good fit within the existing and planned neighbourhood context. In accordance with the recent amendments to The London Plan adopted at the Municipal Council meeting on September 24, 2024, fourplexes and stacked townhouse dwellings will also be permitted on lands fronting on a Neighbourhood Connector (i.e. Base Line Road West), which would lend further opportunity for residential intensification and redevelopment of this site. However, it should be noted that this amendment to The London Plan is subject to Provincial review and approval and is not currently in force and effect.

Staff are satisfied that through implementation of the zoning considerations described above, the site could support an appropriate form and intensity of development that is consistent with the PPS and in conformity with The London Plan.

Conclusion

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject lands from a Residential R3 (R3-1) Zone to a Residential R3 Special Provision (R3-1(_)) Zone to permit the redevelopment of each of the five (5) existing triplexes into 6-unit cluster converted dwellings for a total of 30 units.

Staff are recommending the refusal of the requested amendment as it is not consistent with the PPS 2024, is not in conformity with The London Plan, and would result in over-intensification of the site and existing buildings.

Prepared by: **Michaella Hynes**
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Reviewed by: **Catherine Maton, MCIP, RPP**
Manager, Planning Implementation

Recommended by: **Heather McNeely, MCIP, RPP**
Director, Planning and Development

Submitted by: **Scott Mathers, MPA, P.Eng.**
Deputy City Manager, Planning and Economic
Development

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Mike Corby, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Five (5) Triplexes
Frontage	32.5 metres (Base Line Road West)
Depth	100.5 metres (West Street)
Area	0.32 hectares
Shape	Rectangular
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Residential
East	Residential
South	Residential/Commercial/Office
West	Residential/Office

Proximity to Nearest Amenities

Major Intersection	Base Line Road West and Beachwood Ave (330 metres)
Dedicated cycling infrastructure	Base Line Road West (on site)
London Transit stop	Route 15 (on site)
Public open space	Southcrest Ravine (200 metres)
Commercial area/use	Commissioners Pharmacy (170 metres)
Food store	Gary's NOFRILLS London (850metres)
Community/recreation amenity	Springbank Gardens Community Centre (2,100 metres)

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods Place Type at the intersection of a Neighbourhood Connector and Neighbourhood Street
Current Special Policies	N/A
Current Zoning	Residential R3 (R3-1) Zone

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Residential R3 Special Provision (R3-1()) Zone

Requested Special Provisions

Regulation (R3-1() Zone)	Required	Proposed	Recommended
Additional Permitted Uses	Converted Dwelling	Cluster Converted Dwelling	As requested
Lot Area (minimum)	430.0m ²	3,200.0m ²	As requested
Rear Yard Depth (minimum)	6.0m	5.7m	As requested
Landscape Open Space (minimum)	20%	35%	As requested

Regulation (R3-1() Zone)	Required	Proposed	Recommended
Height (maximum)	12.0m	6.0m	As requested
Lot Area Per Unit (minimum)	180m ² per unit	105m ² per unit	160m ² per unit
Parking Area Coverage (maximum)	35%	30%	As requested
Accessible Parking Spaces (minimum)	1 space	0 spaces	As required

C. Development Proposal Summary

Development Overview

The applicant is proposing to redevelop each of the five (5) existing triplexes into 6-unit converted dwellings for a total of 30 residential units.

Proposal Statistics

Land use	Residential
Form	Five (5) Cluster Converted Dwellings
Height	1-storey (6.0 metres)
New Residential units	15 units (30 total)
Density	94 units per hectare
Building coverage	35%
Landscape open space	39%
New use being added to the local community	No

Mobility

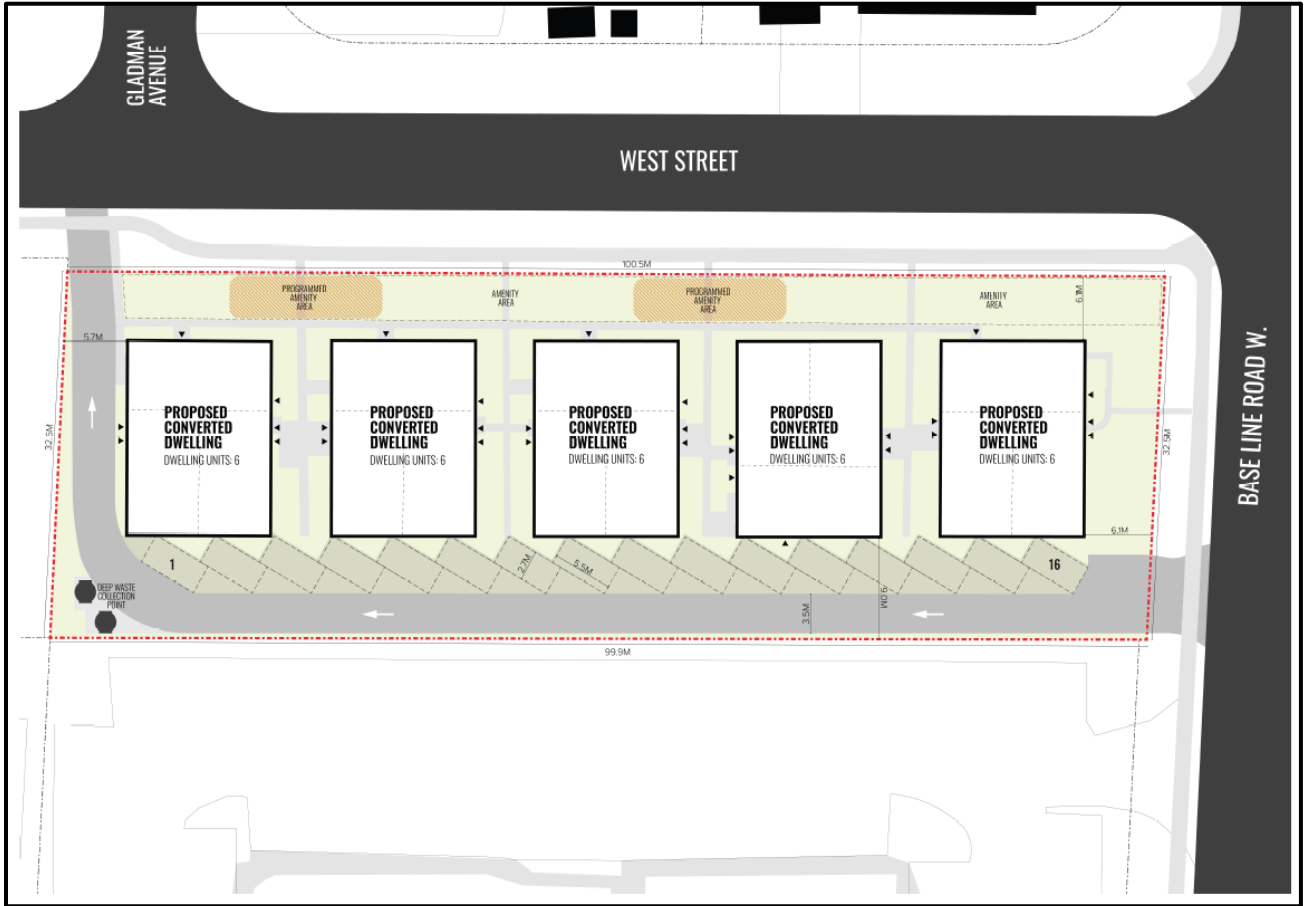
Parking spaces	16 surface parking spaces
Vehicle parking ratio	0.53 spaces/unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	3 Short-term spaces
Secured bike parking ratio	0.1 spaces/unit
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

Environment

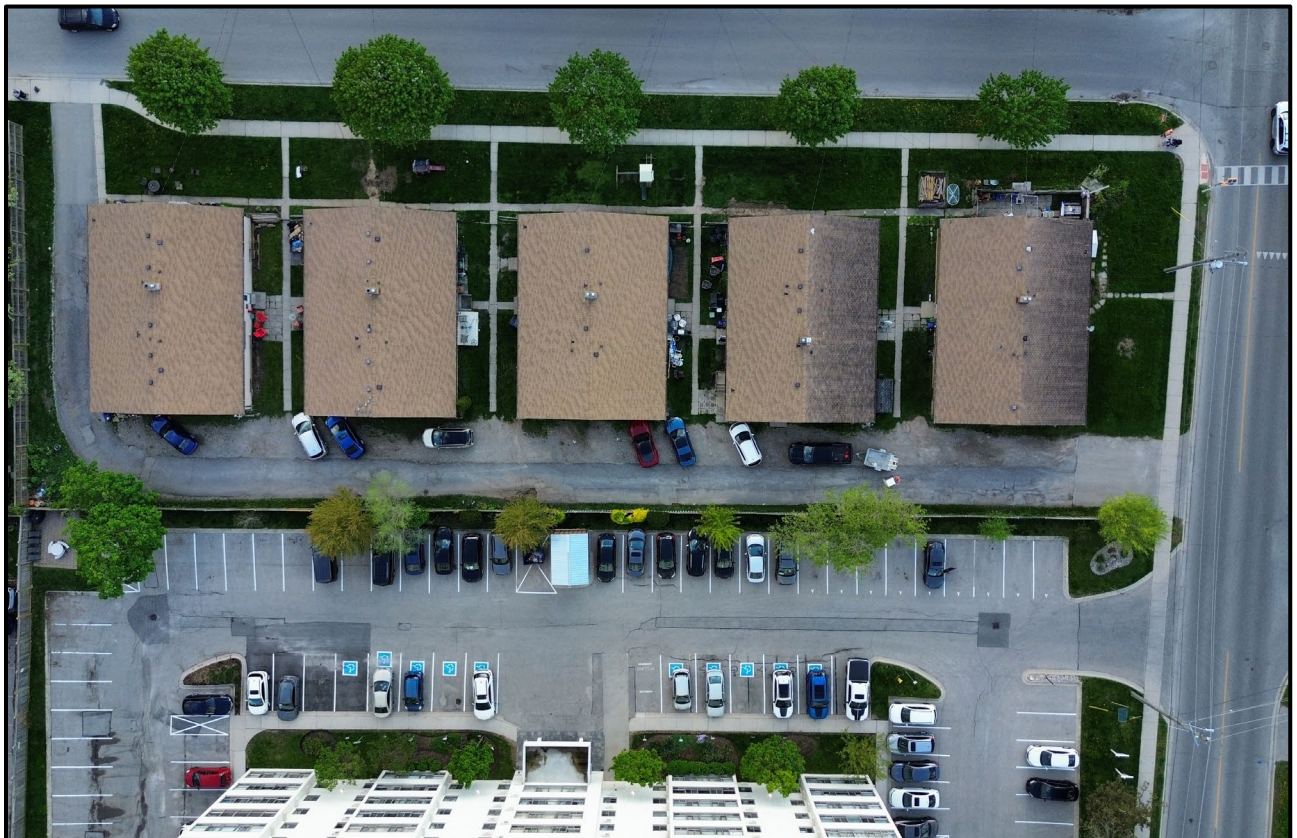
Tree removals	No
Tree plantings	Yes
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	Yes
Green building features	Unknown

Appendix B – Additional Plans and Drawings

Conceptual Site Plan



Aerial Images





Appendix C – Internal and Agency Comments

Planning

Major Concerns

- As previously discussed during the Pre-Application Consultation, Planning and Development staff have concerns of the proposal to add an additional 15 units to the property due to site functionality issues.
- Planning and Development staff are specifically concerned with the requested special provision for a reduced lot area per unit of 105m² whereas 180m² is required. The intent of the lot area per unit regulation is to ensure that adequate space for various site functions is provided relative to the intensity of development or number of units on the lot, and to ensure that the proposed residential intensity is appropriate for the size of the site and is compatible with adjacent properties.
- Planning and Development are also of the opinion that the current amenity space is not sufficient for the proposed additional units on site and have concerns with the special provision to permit zero accessible parking stalls.

Matters for OPA/ZBA

- An alternative special provision to permit 4-units per dwelling as opposed to the requested 6-units, for a total of 20 units is being proposed.
- Given the proposed reduction in the total number of units and the requirement for 0.5 parking spaces per unit, Planning and Development staff are satisfied that one of the 16 parking spaces can be converted into an accessible parking stall, and therefore, this special provision will also be recommended for refusal.

Urban Design

- Considering no expansion, enlargement, or significant exterior modifications to the existing buildings is proposed, Urban Design has no zoning related comments

Matters for Site Plan

- Demonstrate that a safe pedestrian circulation has been provided throughout the site connecting the parking area and the principal entrances of the dwelling units to the public sidewalks. TLP 255, 268
- Ensure that all habitable areas within the below-grade units receive minimum amount of natural light required by the Property Standards By-law-CP-24

Parks Planning

Matters for Site Plan

- Parkland dedication has not been taken for this site. It is to be noted that the applicant, as a condition of site plan approval, will be required to provide parkland dedication in the form of cash-in-lieu pursuant to By-law CP-25.

UTRCA

- The subject lands **are not** affected by any regulations (Ontario Regulation 41/24) made pursuant to Section 28 of the *Consevation Authorities Act*.
- The UTRCA has **no objections** to the application, and we have no Section 28 approval requirements.

Landscape Architecture

Matters for ZBA/OPA

- There is no potential ground for refusal or issued that could require significant changes to the proposal.

Matters for Site Plan

- A landscape plan is required as part of a complete Site Plan Application. The landscape plan must be completed in accordance with the City of London Site Plan Control Bylaw Section 1.6.1, Section 9. The base plan should be the same scale as the site plan, superimposed on top of servicing plan.
- Replacement trees will be recommendation to Site Plan Review based on total dbh removed.
- A Tree Preservation Plan is required as part of a complete Site Plan Application to:
 - Establish the ownership of trees growing along property lines, including the identification of boundary trees that are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes.
 - Identify critical root zones of boundary trees and those up to 3 metres outside of property lines. Critical Root Zone means the area of land within a radius of ten (10) centimetres from the trunk of a tree for every one (1) centimetre of trunk diameter.
 - Determine the total Diameter at Breast Height (dbh) proposed for removal to determine tree replacement. The City will be using the following for tree replacements: for an Individual tree proposed to be removed, the calculation of replacement trees shall be 1 replacement tree for a trunk diameter of 50 centimetres measured at a height of 1.4 metres above ground, 2 replacement trees for a trunk diameter between 51 centimetres and 60 centimetres, and 1 additional replacement tree for every 10 centimetres of trunk diameter thereafter to a maximum of 11 replacement trees. Where there is insufficient space on the same Site to plant all of the number of Replacement Trees as determined by the City Engineer, a cash-in-lieu fee will be charge calculated by multiplying the number of Replacement Trees that could not be planted on site due to insufficient space by \$350 per tree.
- The tree preservation plan and tree protection measures must be completed in accordance with Section 13.3 SPC Bylaw City of London Design Specifications and Requirements Manual, Chapter 12 Tree Planting and Protection Guidelines Section 12.2.2 <https://www.roadauthority.com/Standards>.
- Any tree removals required as part of the application need to be identified on the tree preservation plan to receive permit exemption under the Tree Protection By-law.

Heritage

- There are no cultural heritage or archaeological comments for Z-9783 for 145 Base Line Road West.

Site Plan

Major Issues

- None.

Matters for OPA/ZBA

- Base Line Road West is considered the front yard of the subject site, in accordance with the zoning by-law ensure that no parking is located in the front

yard. (Zoning By-Law, Section 4.19.4.)

Matters for Site Plan

- Add provisions for long and short-term bicycle parking. Confirm the number of provided bicycle parking spaces. Based on Section 4.14a) iii) Cluster dwellings with eleven or more residential units require 0.1 short-term bicycle parking spaces per dwelling unit.
- Provide one (1) accessible parking space to meet the By-law outlined in Section 4.19 10)c)ii)
- Provide a full set of dimensioned elevations, site plan, and floor plans in metric.
- Specify if the basement windows will function as an egress window for the proposed basement residential unit.
- Provide three (3) visitor parking spaces. Multi-unit residential development including cluster detached dwellings developments with a total of three or more units shall provide common areas for visitor designated and signed parking spaces. One (1) visitor parking space shall be provided for every ten (10) dwelling units.
- Identify snow storage locations on plan or confirm removal from site.

Complete Application Requirements

- Site Plan Application

London Hydro

- This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearance from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineer
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Ecology

- No comments on this file.

Engineering

- Engineering has no further comments on this application – Approval is recommended.
- For the applicant's benefit, the following comments have been provided as an FYI and shall be addressed through a future servicing permit/site plan application.

Matter for Site Plan

Wastewater

- The applicant's engineer will need to verify whether or not the existing PDC can convey the increased flow proposed by the additional units.

Water

- A capacity analysis of the existing 40mm water service is to be undertaken to verify the service is appropriately sized to accommodate all domestic demands and fire flow (if applicable) associated with the proposed intensified development. If the existing service is found to be undersized for the proposed use, it is to be abandoned in accordance with city standards (cut and capped at the main) and a

new water service of appropriate size is to be constructed to service the development.

- Water is available via the 200mm PVC watermain located on Base Line Road West which is part of the city's low-level system with a hydraulic grade line of 301.8m
- A water servicing report will be required addressing all domestic demands, fire flows, water quality and the various pressure scenarios as outlined in section 7.3.1 of the city's Design Specifications and Requirements Manual (DSRM)
- Water servicing shall be configured in such a way as to avoid the creation of a regulated drinking water system
- As part of the site plan application, provide information relating to the proposed ownership arrangement of the various buildings (e.g. are all buildings to be owned by the same entity, or will each building be separately owned).
- Further comments will be provided during the site plan application

Transportation

- Road widening dedication required. Base Line Road West is subject to a 1.442m widening (11.5m from centreline).
- A 6m x 6m daylight triangle will be required at the intersection.

Appendix D – Public Engagement

Public Comment #1 – Anna Maria Valastro

The floor plan for the added units in the basement should match the floor plan for the units on the main floor. Increasingly, developers are offering reduced common areas. Whether it is a luxury highrise such as Clarence Place on Dundas Street or student housing, common areas are too small to be practical common areas for more than one person. There is no room for a table or a full chesterfield. Instead, eating counters that double as kitchen work counters are offered and limited sitting capacity such as loveseats or single chairs is all that can fit in a 'livingroom'. The result is that people tend to stay in their rooms. In real terms, the units are used as rooming houses.

Developers are motivated to build these cramped spaces because they can charge more money for more bedrooms but they limit people's quality of life because while it is shelter, it is cramped shelter. The outdoor space also becomes crowded.

There is no evidence that there is a housing crisis and responsible civic decision makers are ceasing using that term and instead are specific and make reference to housing affordability and not a general 'housing crisis'.

The tiny houses that are being built in St. Thomas are approx. 400 sq. ft. for a one bedroom. What is being proposed at 145 Baseline Rd. are two bedrooms at 577 sq. ft. so there is no wasted space. It is important to build good housing and not just housing. The tiny houses being built in St Thomas are for people without shelter. 145 Baseline is for people who are paying for shelter.

Public Comment #2 – Courtney Crossen

Good evening,

I hope everyone is having a great day. I do have some comments and concerns regarding the zoning amendment that is taking place at the apartment I currently rent at.

It is my understanding that the landlord that has recently acquired this property is looking to convert the current 15 units to 30 units.

Once these permits are issued, he is going to issue remaining tenants with an N13 to vacate the property. He has been able to vacate six of the fifteen units with cash for keys offers.

I would like to highlight that at your last meeting with this individual he mentioned that Reno's would take a year and current tenants would not be able to reside in the units while renovations have taken place. Since then, renovations to the upstairs of the vacant units are nearing completion and some have taken as little as two weeks.

As we all know we are experiencing a housing crisis in Canada. More importantly an AFFORDABLE housing crisis. If this landlord is granted these permits, you are giving him the tools he needs to evict the remaining tenants. I propose that permits are given to the vacant units and ones that are occupied be granted permits as they become available.

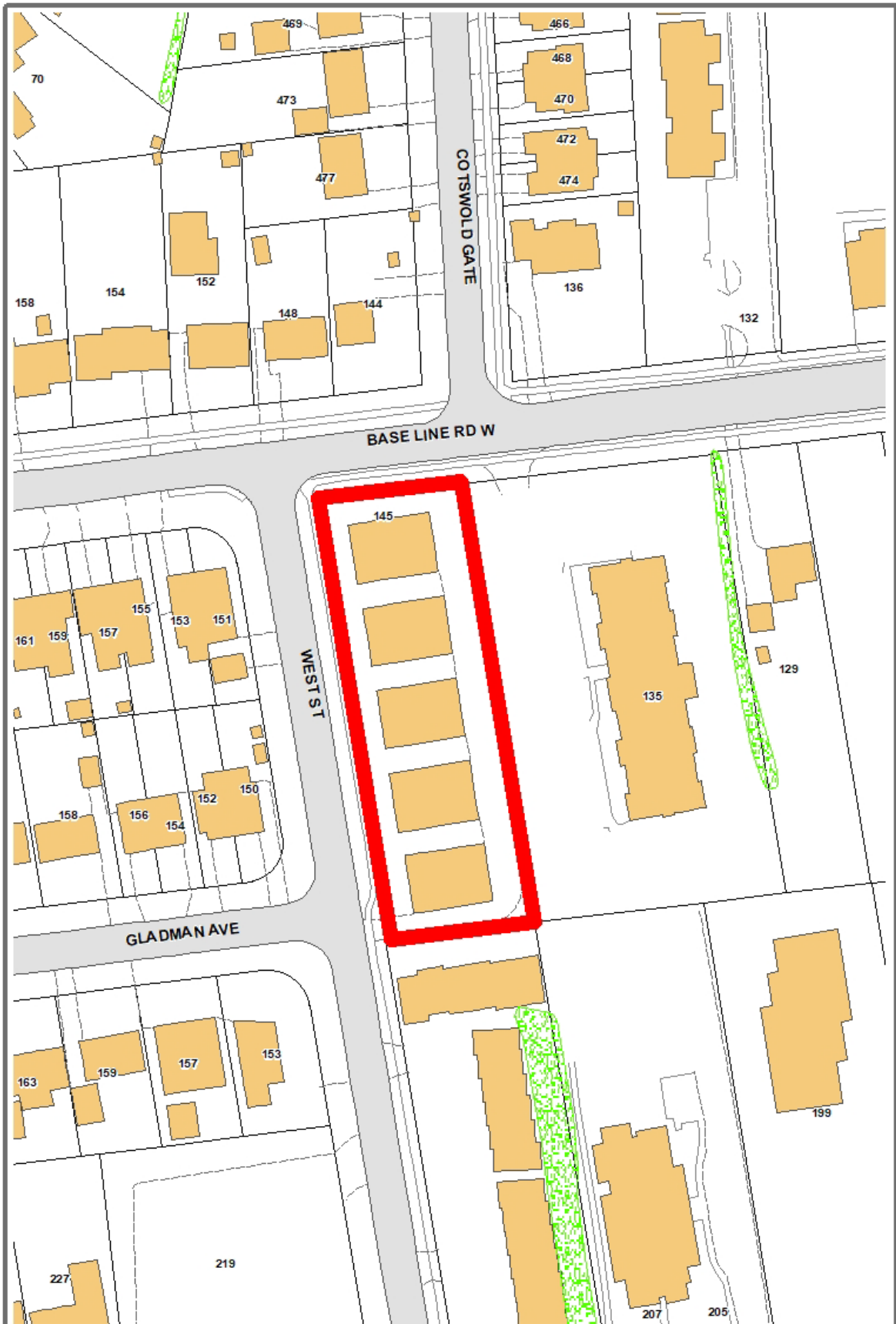
From research I have done these permits would assist the landlord in violating my rights as a tenant in Ontario. He would get the go-ahead from the city to convert my current unit into two units. Take away half my living space for his sole monetary benefit. Where would everyone park? No matter what is said you can't control tenants having a vehicle. Which would mean that West Street would be swamped with tenant and visitor parking.

On Base Line Road West we have two other buildings that are going to be built. One for 77 units and the other for 180 units. This already is adding immense population density to the area. Not to mention there is also a vacant lot that has already been zoned for 30+ units at the corner of Commissioners Road West and West Street.

When you vote on November 12th. Please consider that many of my neighbours are some of the most vulnerable in the city. If these permits are granted, we will be fighting for a roof over our heads.

Thank you for your time and consideration and I look forward to speaking more on this matter November 12th, 2024.

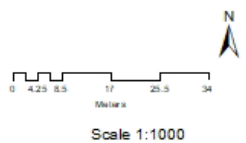
Appendix E – Relevant Background







LOCATION MAP

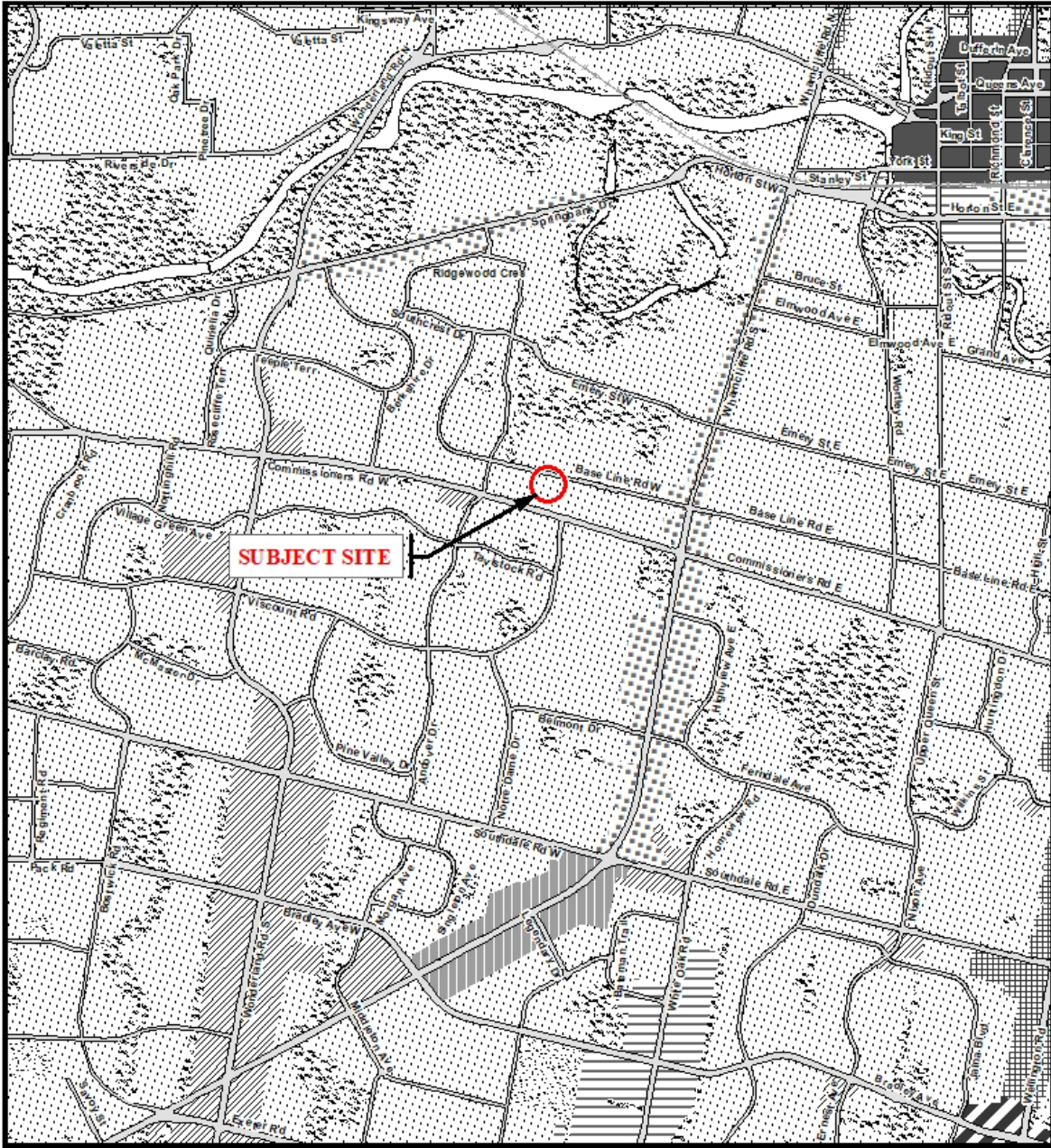
Address: 145 Baseline Road West
 File Number: Z-9783
 Planner: Michaela Hynes
 Date: 2024/10/07

Corporation of the City of London
 Prepared By: Planning and Development



Legend

-  Subject Site
-  Assessment Parcels
-  Buildings
-  Driveways/Parking Lots



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p>CITY OF LONDON Official Plan</p> <p>LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning & Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>File Number: Z-9783</p> <p>Planner: MH</p> <p>Technician: JI</p> <p>Date: 2024/10/07</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R3-1

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9783

MH

MAP PREPARED:

2024/10/07

JJ

1:1,200

0 5 10 20 30 40

Meters