# **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: Dipesh Patel (c/o Siv-ik Planning and Design Inc.)

629 Base Line Road East

File Number: OZ-9807, Ward 11 Public Participation Meeting

Date: January 7, 2025

### Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Dipesh Patel (c/o Siv-ik Planning and Design Inc.) relating to the property located at 629 Base Line Road East:

- (a) the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 21, 2025, to amend The London Plan by **ADDING** a new policy in the Specific Policies for the Neighbourhoods Place Type and by **ADDING** the lands to Map 7 Specific Policy Areas of the Official Plan;
- (b) the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting January 21, 2025 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R3 (R3-1) Zone **TO** a Residential R3/Residential R8 Special Provision (R3-1/R8-3(\_)) Zone;

**IT BEING NOTED**, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the *Provincial Planning Statement*, 2024 (PPS);
- ii) The recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies; and
- iii) The recommended amendment would permit residential intensification that is appropriate for the existing and planned context of the site and surrounding neighbourhood.

### **Executive Summary**

### **Summary of Request**

The applicant has requested an amendment to The London Plan, the Official Plan for the City of London, to add a Specific Policy to the Neighbourhoods Place Type to permit an apartment building.

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the property from a Residential R3 (R3-1) Zone to a Residential R3/Residential R8 Special Provision (R3-1/R8-3(\_)) Zone. Requested special provisions are for existing conditions and include a minimum lot area of 953m2, a minimum lot frontage of 21.9 metres, a minimum front yard setback of 6.0 metres, a minimum interior side yard setback of 1.5 metres, and a driveway width of 3.0 metres.

### Purpose and the Effect of Recommended Action

The recommended action will permit the conversion of the existing fourplex to a 6-unit apartment building. The result would be an increase of **2 residential units**.

Staff are recommending approval of the requested Official Plan and Zoning By-law amendments.

## **Linkage to the Corporate Strategic Plan**

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Housing and Homelessness**, by supporting faster/ streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.

### **Analysis**

# 1.0 Background Information

# 1.1 Previous Reports Related to this Matter

None.

### 1.2 Planning History

None.

### 1.3 Property Description and Location

The subject site is located on the south side of Base Line Road East, west of the Base Line Road East and Wellington Road intersection, in the Highland Planning District. The site has a total area of approximately 0.09 hectares, with 21.9 metres of frontage along Base Line Road East. The site is currently developed with an existing 2-storey fourplex building and an accessory structure.

The surrounding neighbourhood consists of: single detached dwellings, mid-rise buildings and institutional to the north and west; a 9-storey retirement home, commercial, and a proposed 23-storey apartment building to the east; and commercial to the south.

Base Line Road East is classified as a Neighbourhood Connector on Map 3 – Street Classifications of The London Plan and is a two-lane road with a traffic volume of approximately 14,500 vehicles per day, and access to LTC transit routes with several bus stops within close proximity.

#### **Site Statistics:**

Current Land Use: 2-storey fourplex

Frontage: 21.9 metresArea: 0.09 hectares

• Shape: Regular (rectangle)

Located within the Built Area Boundary: YesLocated within the Primary Transit Area: Yes

### **Surrounding Land Uses:**

- North: single detached dwellings, mid-rise buildings and institutional
- East: a 9-storey retirement home, commercial and a proposed 23-storey apartment building South: commercial
- West: single detached dwellings, mid-rise buildings and institutional

### **Existing Planning Information:**

- The London Plan Place Type: Neighbourhoods Place Type along a Neighbourhood Connector
- Existing Special Policies: None
- Existing Zoning: Residential R3 (R3-1) Zone

Additional site information and context is provided in Appendix "B".



Figure 1- Aerial Photo of Subject Site and surrounding lands



Figure 2 - Streetview of the Subject Site (view looking south from Base Line Road East)

### 2.0 Discussion and Considerations

### 2.1 Development Proposal

The applicant is proposing to convert the existing two-storey fourplex to a 6-unit apartment building by adding two (2) new dwelling units to the finished lower level of the existing building. Landscaped areas, an outdoor amenity space, and five (5) surface parking spaces. Access is proposed via the existing driveway from Base Line Road East.

The proposed development includes the following features:

Land use: ResidentialForm: Apartment building

Height: 2 storeysResidential units: 6

Density: 65 units per hectareBuilding coverage: 28.2%

• Parking spaces: 5 surface parking spaces

• Landscape open space: 37.6%

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

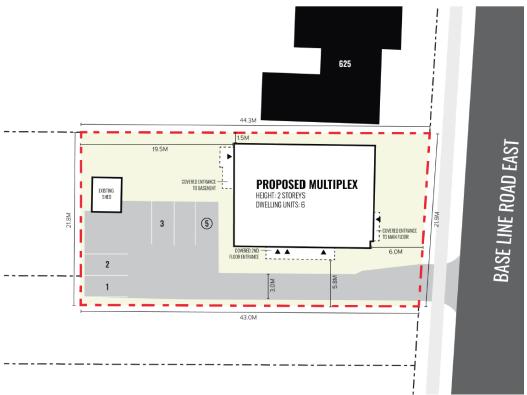


Figure 3 - Conceptual Site Plan

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

### 2.2 Requested Amendments

The applicant has requested an amendment to the London Plan to add a Specific Area Policy to permit a 6-unit apartment building within the existing building.

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R3 (R3-1) Zone to a Residential R3 (R3-1)/Residential R8 Special Provision (R8-3(\_)) Zone with special provisions to implement the proposed use and recognize existing conditions.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R8-4)	Required	Proposed
Lot Area (minimum)	1,000m2	953m2 (as existing)
Lot Frontage	25.0 metres	21.9 metres (as existing)
Front Yard Setback (minimum)	6.0 metres (19.7 feet) plus 1.0 metres (3.3 feet) per 10.0metres (32.8 feet) of main building height or fraction thereof above the first 3.0 metres (9.8 feet)	6.0 metres (as existing)
Interior Side Yard Setback (minimum)	1.2 metres (3.9 feet) per 3.0metres (9.8 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet)	1.5 metres (as existing)
Driveway Width (minimum)	6.0 metres	3.0 metres (as existing)

### 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; however, no major concerns were identified by staff.

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

### 2.4 Public Engagement

On December 4, 2024, Notice of Application was delivered to 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 November 14, 2024. A "Planning Application" sign was also placed on the site.

No responses have been received to date.

### 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 mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in The London Plan analysis below.

As the application for a Zoning By-law amendment complies with The London Plan, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

### 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 all the above criteria have been satisfied.

The London Plan includes conditions for evaluating the appropriateness of Specific Area Policies where the applicable place type policies would not accurately reflect the intent of City Council with respect to a specific site or area (TLP 1729-1734).

The following conditions apply when considering a new Specific Area Policy:

- 1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.
- 2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.
- 3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.
- 4. The proposed use cannot be reasonably altered to conform to the policies of the place type.
- 5. The proposed policy is in the public interest and represents good planning.

Staff are of the opinion that all the above conditions have been met.

### 3.0 Financial Impact/Considerations

### 3.1 Financial Impact

There are no direct municipal financial expenditures with this application.

### 4.0 Key Issues and Considerations

### 4.1 Land Use

The subject lands are in the Neighbourhoods Place Type of the London Plan fronting on a Neighbourhood Connector, in accordance with Map 1 – Place Types and Map 3 –

Street Classifications.

Table 10 – Range of Permitted Uses provides the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type by street classification (TLP 921\_). At this location, Table 10 permits a range of low-to-medium density residential uses including: single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, stacked townhouses, fourplexes, and low-rise apartment buildings. Apartment buildings are not permitted; therefore, the applicant has requested an Official Plan Amendment to add a specific policy to permit an apartment building within the existing building.

It is noted that the application is to establish permissions for an additional two dwelling units within the existing finished basement space, converting the building from a fourplex to a 6-unit apartment building. No expansions, enlargements or significant exterior modifications are proposed to the building. Although the use is not contemplated in Table 10, staff is satisfied that the use is appropriate for the subject lands, and further, that the requested amendment satisfies the evaluation criteria for Specific Policy Areas as identified above.

### 4.2 Intensity

The proposed residential intensity is consistent with the policies of the PPS 2024 that encourage all types of residential intensification, including redevelopment which results in a net increase in residential uses (PPS 2.2.1.2), compact form (PPS 2.4.1.3.c), and an appropriate mix of housing options and densities (PPS 2.3.1.3). The proposed intensity conforms with Table 11 – Range of Permitted Heights in Neighbourhoods Place Type, which contemplates, a standard maximum height of 3-storeys for properties fronting on a Neighbourhood Connector. The existing building is 2 storeys in height and given no alterations to the building are proposed as part of this application, staff are satisfied that the subject site continues to be an appropriate shape and size to accommodate the proposed apartment building. Additionally, servicing is available for the proposed number of units and no concerns were raised by City staff and agencies regarding traffic, noise, parking or other negative impacts.

### **4.3** Form

Within the Neighbourhoods Place Type, and in accordance with the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of site layout, access points, driveways, landscaping, amenity areas, building location and parking, building and main entrance orientation, building line and setback from the street, height transitions with adjacent development, and massing (TLP 953\_ 2, a. to f.).

The proposed form is consistent with the Neighbourhoods Place Type policies and the City Design Policies. Given no new development to the site are proposed, staff are satisfied that the recommended amendment is in conformity with the Form policies of The London Plan (TLP 840\_4).

### 4.4 Zoning Provisions

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Residential R3 (R3-1) Zone to a Residential R3/Residential R8 Special Provision (R3-1/R8-3(\_)) Zone. The following summarizes the special provisions that have been proposed by the applicant and are recommended by staff.

- 1. Recognize the existing lot area of 953m2, whereas 1,000m2 is required.
- 2. Recognize the existing lot frontage of 21.9 metres, whereas 25.0 metres is required.
- 3. Recognize the existing front yard setback of 6.0 metres, whereas 6 metres (19.7 feet) plus 1 metre (3.3 feet) per 10 metres (32.8 feet) of main building height or fraction thereof above the first 3.0 metres (9.8 feet) is required.

- 3. Recognize the existing interior side yard setback of 1.5 metres, whereas 1.2 metres (3.9 feet) per 3.0metres (9.8 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet) is required.
- 4. Recognize the existing driveway width of 3.0 metres, whereas 6.0 metres is required.

Given the site has existed with the current built form and site configuration for an extended period of time and has achieved a level of compatibility within the surrounding context, staff have no concerns recognizing these existing conditions through the proposed Zoning By-law amendment.

### Conclusion

The applicant has requested to amend the Official Plan, The London Plan, by adding a new policy to the Specific Policies for the Neighbourhoods Place Type and by adding the subject lands to Map 7 to permit an apartment building within the existing building as a permitted use. The applicant has also requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R3 (R3-1) Zone to a Residential R3/Residential R8 Special Provision (R3-1/R8-3(\_)) Zone. Staff are recommending approval of the requested Official Plan amendment and Zoning By-law amendment, with the requested special provisions.

The recommended action is consistent with the PPS 2024, conforms to The London Plan, and will permit the conversion of the existing fourplex to a 6-unit apartment building, an increase of two (2) units.

Prepared by: Alanna Riley, MCIP, RPP

**Senior Planner, Planning Implementation** 

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** 

Copy:

Britt O'Hagan, Manager, Current Development Mike Corby, Manager, Site Plans

Brent Lambert, Manager, Development Engineering

# Appendix A – Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office) 2025

By-law No. C.P.-XXXX-

A by-law to amend the Official Plan, The London Plan for the City of London, 2016 relating to 629 Base Line Road East

The Municipal Council of The Corporation of the City of London enacts as follows:

- 1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan, The London Plan for the City of London Planning Area 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
- 2. This Amendment shall come into effect in accordance with subsection 17(27) or 17(27.1) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on January 21 2025, subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan Mayor

Michael Schulthess City Clerk

First Reading – January 21, 2025 Second Reading – January 21, 2025 Third Reading – January 21, 2025

# AMENDMENT NO. to the OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

### A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas - of the City of London to permit an apartment building with 6 units.

### **LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 629 Base Line Road East in the City of London.

### B. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the *PPS 2024*, which encourages residential intensification (PPS Section 1.b)2), an efficient use of land, and a diversified mix of uses (PPS Section 2.3.1.2). The recommended amendment conforms to *The London Plan*, including, but not limited to the evaluation criteria for Specific Policy Areas, and the Neighbourhoods Place Type policies. The recommended amendment would permit residential intensification that is appropriate for the existing and planned context of the site and surrounding neighbourhood.

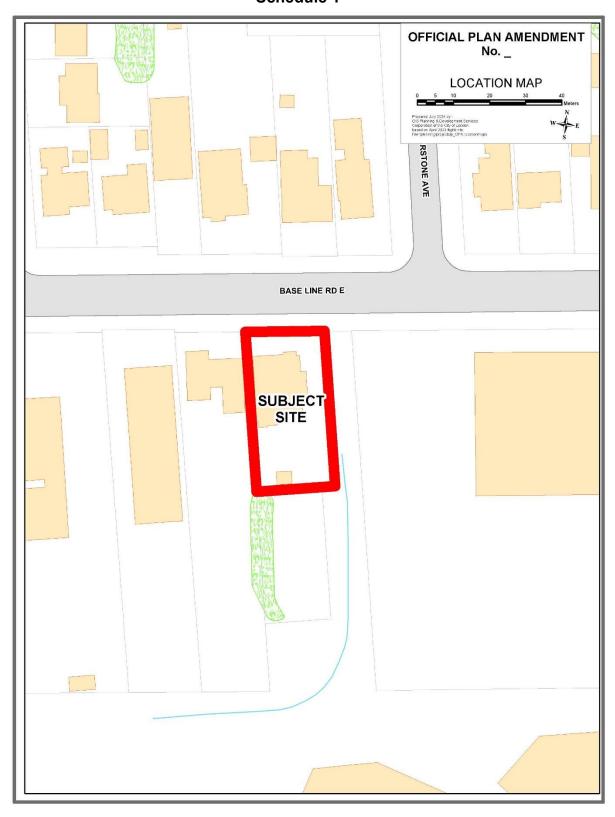
### C. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

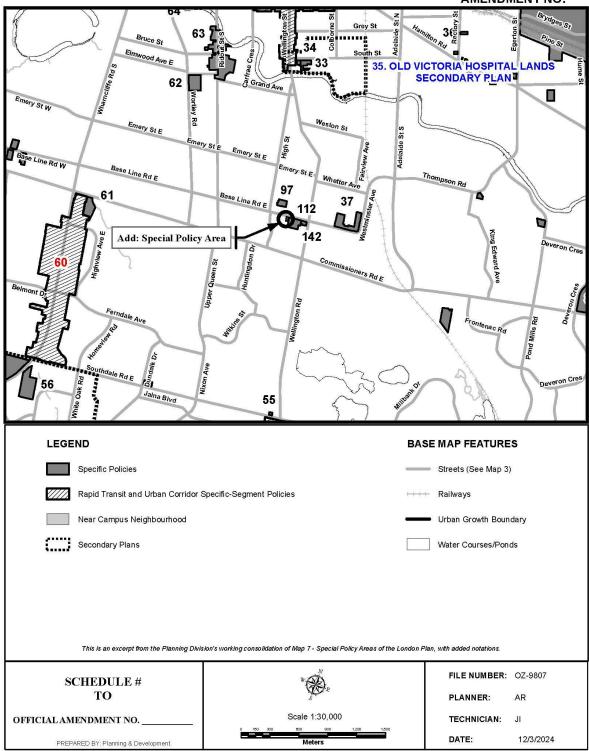
1.	Specific Policies for the Neighbourhoods Place Type of Official Plan, The London Plan, for the City of London is amended by adding the following:
	() 629 Base Line Road East
	In the Neighbourhoods Place Type at 629 Base Line Road East, an apartment building with a total of 6 units may be permitted within the existing building.

2. Map 7 – Specific Policy Areas, to the Official Plan, The London Plan, for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 629 Base Line Road East in the City of London, as indicated on "Schedule 1" attached hereto.

"Schedule 1"



### **AMENDMENT NO:**



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## **Appendix B – Zoning By-law Amendment**

Bill No.(number to be inserted by Clerk's Office) 2025

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 629 Base Line Road East

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 629 Base Line Rd E as shown on the attached map **FROM** Residential R3 (R3-1) Zone to a Residential R3/Residential R8 Special Provision (R3-1/R8-3(\_)) Zone.
- Section Number 12.4 of the Residential R8-4 Zone is amended by adding the following Special Provisions:

R8-3(\_) 629 Base Line Road East

- a. Regulations
  - i) Lot Frontage Mminimum) 953.0 metres squared
  - ii) Lot Frontage (Minimum) 21.9 metres
  - iii) Front Yard Depth (Minimum) 6.0 metres
  - iv) Interior Side Yard Depth (Minimum) 1.5 metres
  - v) Driveway Width (Minimum) 3.0 metres
- 3. This Amendment shall come into effect in accordance with Section 34 of the *Planning Act*, *R.S.O. 1990*, c. P13, either upon the date of the passage of this bylaw or as otherwise provided by the said section.

PASSED in Open Council on January 21, 2025, subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan Mayor

Michael Schulthess City Clerk

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



# **Appendix C - Site and Development Summary**

## A. Site Information and Context

### **Site Statistics**

Current Land Use	Residential
Frontage	21.9 metres
Area	953 m2
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

# **Surrounding Land Uses**

North	single detached dwellings, mid-rise buildings and institutional
East	a retirement home, commercial and a proposed 23-storey apartment building
South	commercial
West	single detached dwellings, mid-rise buildings and institutional

# **Proximity to Nearest Amenities**

Major Intersection	Base Line Rd E and Wellington Rd, 180 metres
Dedicated cycling infrastructure	Base Line Rd E – bike lane, 0 metres
London Transit stop	East of site on Base Line Rd E – LTC stop, 140 metres
Public open space	Rowntree Park, 408 metres
Commercial area/use	Base Line Rd E and Welling Rd, 300 metres
Food store	Metro, 100 metres
Community/recreation amenity	Farquhars, 1,350 metres

# **B. Planning Information and Request**

# **Current Planning Information**

Current Place Type	Neighbourhoods Place Type fronting a Neigbourhood Connector
Current Special Policies	N/A
Current Zoning	Residential R3 (R3-1) Zone

# **Requested Designation and Zone**

Requested Place Type	N/A
Requested Special Policies	Specific Policy
Requested Zoning	Residential R3/Residential/R8 Special Provision (R3-1/R8-3(_)) Zone

# **Requested Special Provisions**

Regulation (R8-4)	Required	Proposed
Lot Area (minimum)	1,000m2	953m2 (as existing)
Lot Frontage	25.0 metres	21.9 metres (as existing)
Front Yard Setback (minimum)	6.0 metres (19.7 feet) plus 1.0 metres (3.3 feet) per 10.0metres (32.8 feet) of main	6.0 metres (as existing)

Regulation (R8-4)	Required	Proposed
	building height or fraction thereof above the first 3.0 metres (9.8 feet)	
Interior Side Yard Setback (minimum)	1.2 metres (3.9 feet) per 3.0metres (9.8 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet)	1.5 metres (as existing)
Driveway Width (minimum)	6.0 metres	3.0 metres (as existing)

# **C.** Development Proposal Summary

### **Development Overview**

The applicant is proposing to convert the existing two-storey fourplex to a 6-unit apartment building by adding two (2) new dwelling units to the finished lower level of the existing building. Landscaped areas, an outdoor amenity space, and five (5) surface parking spaces. Access is proposed via the existing driveway from Base Line Road East.

## **Proposal Statistics**

Land use	Residential
Form	Apartment building
Height	2 storeys
Residential units	6
Density	65 uph
Building coverage	35%
Landscape open space	30 %
New use being added to the local	No
community	

### **Mobility**

Parking spaces	5 surface parking spaces
Vehicle parking ratio	0.5 spaces per unit
Secured bike parking ratio	N/A
Connection from the site to a public sidewalk	Yes

### **Environmental Impact**

Tree removals	0
Tree plantings	0
Tree Protection Area	No
Loss of natural heritage features	N/A
Species at Risk Habitat loss	N/A
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	N/A
Green building features	Unknown

# **Appendix D – Internal and Agency Comments**

Upper Thames River Conservation Authority - Received November 25, 2024

 The subject lands are not affected by any regulations (Ontario Regulation 41/24) made pursuant to Section 28 of the Conservation Authorities Act.

Site Plan - Not Required

Heritage - Received November 20, 2024

No concerns

**Urban Design - Received November 19, 2024** 

Considering no expansion, enlargement, or significant exterior modifications to the existing building is proposed, there are no zoning related comments for this application.

This application would not proceed through the Site Plan Approval process given the overall unit count, however, **Urban Design recommends the following site design matters be considered:** 

- 1. Ensure there is a pedestrian connection from the proposed units entrances to the parking area and the public sidewalks along Base Line Road. TLP 268, 255
- 2. 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

Ecology – Received December 2, 2024 No concerns.

## Appendix E - Relevant Background

## Zoning By-law No. Z.-1 - Zoning Excerpt

