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File: Z-8231
Planner: A-B Watson

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: STEPHEN & JANET FOSTER 1193 SUNNINGDALE ROAD EAST PUBLIC PARTICIPATION MEETING ON NOVEMBER 26, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Stephen & Janet Foster relating to the property located at 1193 Sunningdale Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 3, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R1 (R1-14) Zone **TO** a Residential R1 (R1-8) Zone on the northern portion of the subject site **AND** a Residential R1 (R1-13) Zone on the remainder of the site.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Zoning By-law amendment is to permit development on three (3) proposed new single-detached residential lots fronting on Savannah Drive and recognize the existing dwelling on the remaining lot which fronts Sunningdale Road East.

RATIONALE

1. The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2005*, which promote healthy, livable and safe communities by accommodating residential intensification which makes efficient use of land and infrastructure within a developed area;
2. The recommended amendment is consistent with the City of London Official Plan relating to Multi Family, Medium density residential policies and objectives;
3. The recommended Zoning By-law amendments conform to the Multi-Family, Medium Density Residential designation policies of the Official Plan;
4. The recommended amendment facilitated an acceptable level of residential intensification in the form of single detached dwelling lots that are compatible with the land pattern in the area.

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LOCATION MAP	LEGEND
Subject Site: 1193 Sunningdale Rd E Applicant: Stephen Foster File Number: Z-8231 Planner: Amanda-Brea Watson Created By: Amanda-Brea Watson Date: 2013-05-10 Scale: 1:2500	<ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings 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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BACKGROUND

Date Application Accepted: September 6, 2013	Agent: Jay McGuffin
<p>REQUESTED ACTION: Change Zoning By-law Z.-1 FROM a Residential R1 (R1-14) Zone which permits a Single Detached Dwelling on lots with a minimum frontage of 30 metres and an area of at least 2,000m², TO a Residential R1 (R1-8) Zone, fronting Sunningdale Road East, which permits Single Detached Dwellings on lots with a minimum frontage of 15 metres and an area of at least 600m² AND a Residential R1 (R1-13) Zone, fronting Savannah Drive, which permits Single Detached Dwellings on lots with a minimum frontage of 9 metres and an area of at least 270m².</p>	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Residential R1 (R1-14) • Frontage - 32 metres • Depth - 110 metres • Area – 0.35 hectares • Shape - Rectangular

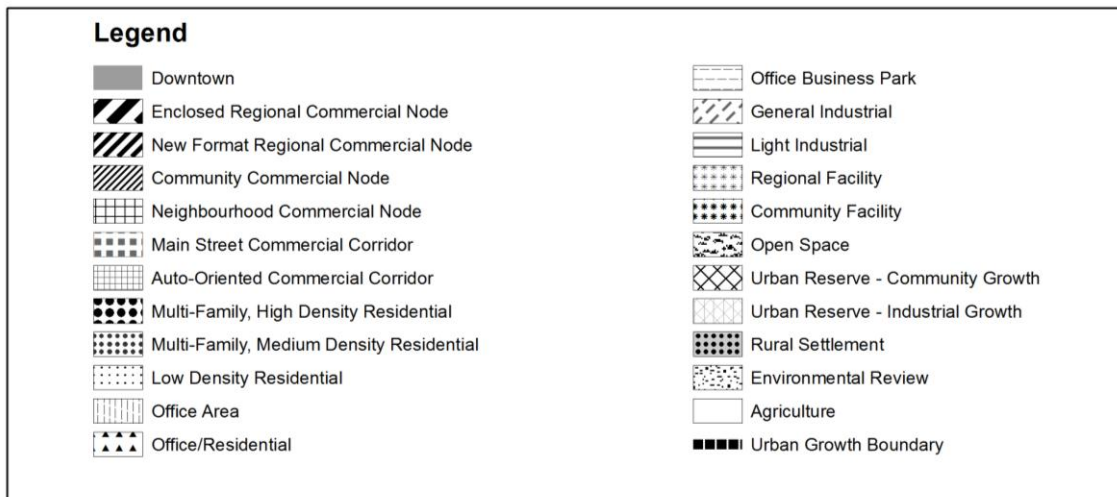
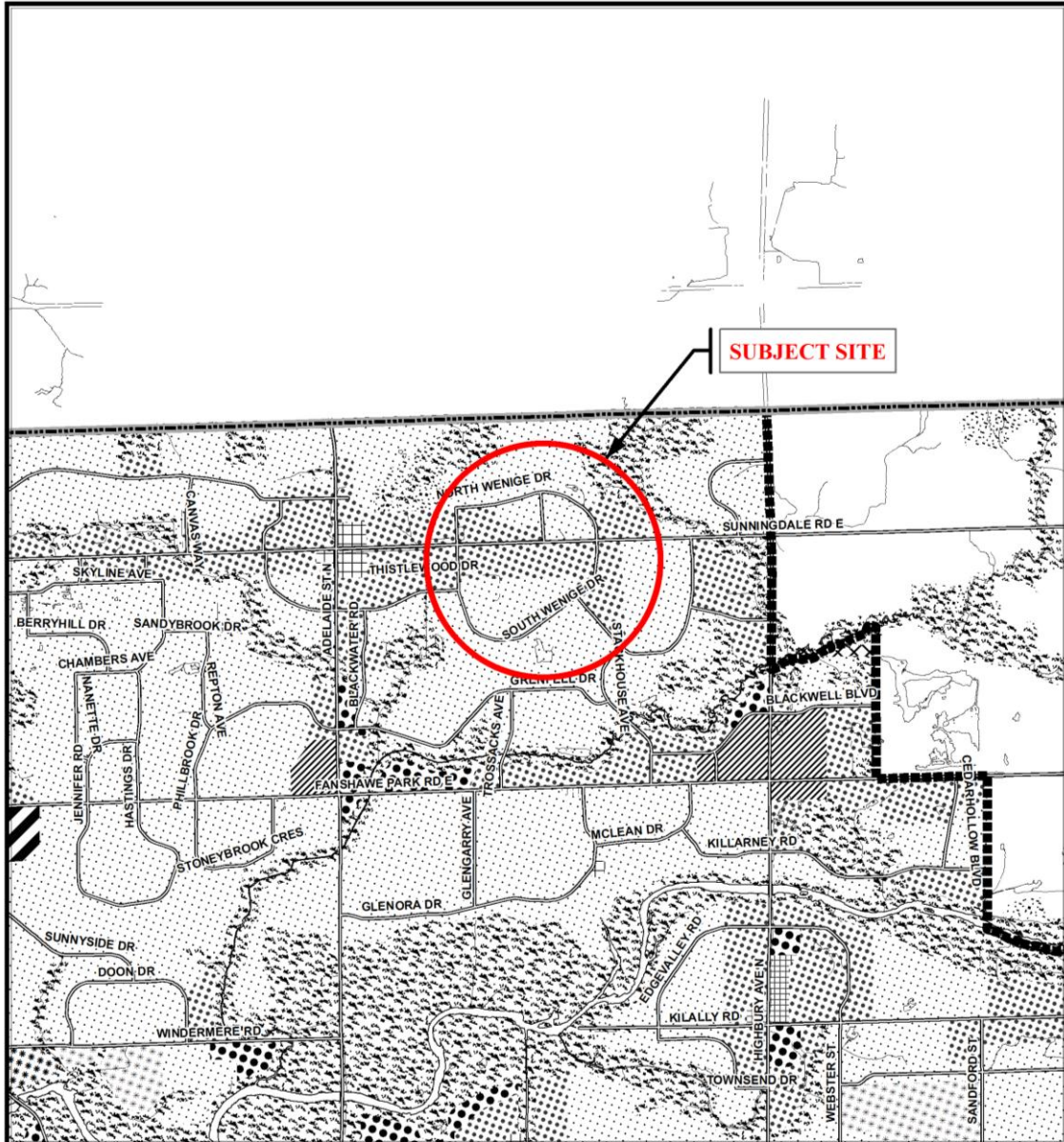
SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Single Detached Dwellings (R1-3) • South - Single Detached Dwellings (R1-13 /R1-13(1)) • East - Single Detached Dwellings (R1-14 and R1-13) • West - Single Detached Dwellings (R1-8 and R1-13(1))

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Multi-family, medium density residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Residential R1 (R1-14)

PLANNING HISTORY

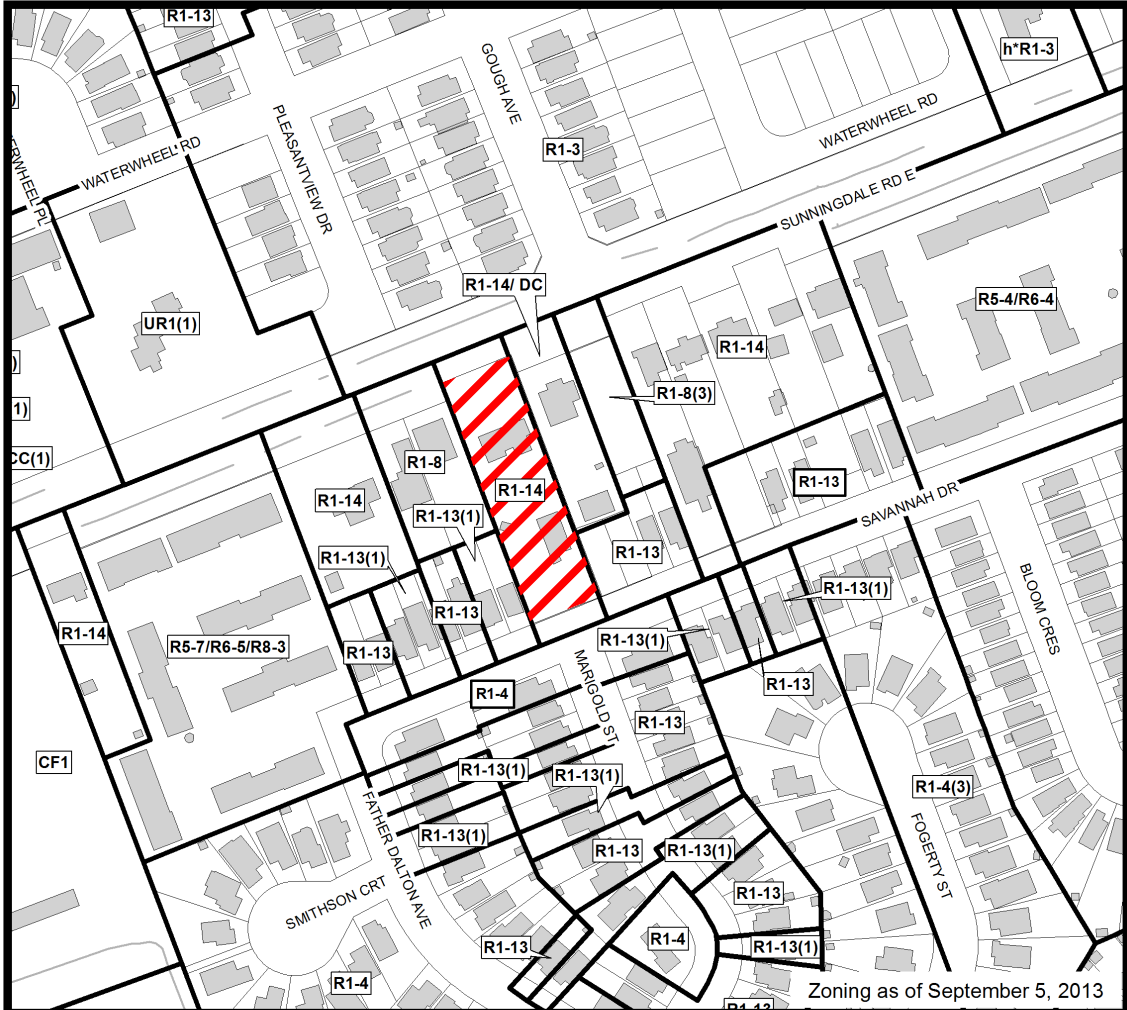
August 2013 - Request, made by Jay McGuffin of Montheith Brown Planning Consultants, on behalf of the current land owner, Stephen Foster, (B.033/13) to retain an existing residential use at 1193 Sunningdale Road East with a lot area of 1894m², and sever the rear (south) portion to create three proposed single detached residential lots, on Savannah Drive, with lot areas of 394.7m², 480.7m² and 494.8m² respectively. A condition of the provisional consent requires that the proposed lots are in conformity with the zoning by-law.

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<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 Scale 1:30,000 0 150 300 450 600 750 900 1050 1200 1350 1500 Meters	<p>FILE NUMBER: Z-8231</p> <p>PLANNER: AW</p> <p>TECHNICIAN: CK</p> <p>DATE: 2013/09/11</p>
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Zoning as of September 5, 2013



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-14

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

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING 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-8231

AW

MAP PREPARED:

2013/09/10

CK

1:2,500

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 Meters

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Wastewater and Drainage Engineering Division

WADE has no comment.

Urban Forestry

Urban Forestry has no comments for the rezoning of this property.

Stormwater

No comments received

Water

No comments received

London Hydro

No objection to this proposal.

PUBLIC LIAISON:	On September 18, 2013, Notice of Application was sent to 163 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 September 19, 2013. A "Possible Land Use Change" sign was also posted on the site.	Zero (0) replies were received
Nature of Liaison: Possible amendment to change Zoning By-law Z.-1 FROM a Residential R1 (R1-14) Zone which permits a Single Detached Dwelling on lots with a minimum frontage of 30 metres and an area of at least 2,000m ² , TO a Residential R1 (R1-8) Zone, fronting Sunningdale Road East, which permits Single Detached Dwellings on lots with a minimum frontage of 15 metres and an area of at least 600m ² AND a Residential R1 (R1-13) Zone, fronting Savannah Drive, which permits Single Detached Dwellings on lots with a minimum frontage of 9 metres and an area of at least 270m ² .		
Responses: N/A		

ANALYSIS

Subject Site:

The subject site, known as 1193 Sunningdale Road East, is located on the south side of Sunningdale Road East with direct access onto that road. The site is rectangular in shape and is bound by Savannah Drive to the south and single detached residential lots on both the east and west. The site is part of a Multi-Family, Medium Density Residential designation fronting the Sunningdale Road East corridor. The subject site presently has an approximate area of 0.35 hectares and contains an existing single family dwelling, quonset hut and two smaller accessory sheds.

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Figure 1 – Existing House located at 1193 Sunningdale Road East



Figure 2 – View of 1193 Sunningdale Road East from Savannah Drive



Figure 3 – View facing southwest along Savannah Drive



Figure 4 – 1224 and 1226 Savannah Drive

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**File: Z-8231
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Nature of Application:

The intent of this application is to change the zoning to facilitate a consent application and permit development on three (3) new single-detached residential lots fronting on Savannah Drive and recognize the existing dwelling on the remaining lot which fronts Sunningdale Road East.

Provincial Policy Statement:

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. 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 residential, employment and other land uses; and. Promoting cost effective development standards to minimize land consumption and servicing costs.

The proposed rezoning will allow for the development of three (3) newly created residential lots located within an established area and can be adequately serviced by the municipality.

The proposal conforms with section 1.1.3 which directs that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. The PPS recommends that land use patterns within settlement areas shall be based on: densities which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities; and minimize negative impacts to air quality and climate change, and promote energy efficiency.

The Zoning By-law amendments, to allow the resultant reduced lots, conditionally approved through consent application B.033/13, allow for the efficient use of land, infrastructure and public service facilities.

The proposal also conforms with Section 1.4 of the PPS which specifically addresses housing. The subject site has appropriate levels of infrastructure and public service facilities to provide densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.

Official Plan

The Official Plan contains Council's objectives and policies to guide the short-term and long term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

This proposal does not require any amendments to the Official Plan. The subject site and surrounding area is designated Multi-Family Medium, Density Residential in the Official Plan which allows for a range of low and medium density forms of residential development.

3.2.3.1 Definition

Residential Intensification refers to the development of a property, site or area at a higher density than currently exists on the site through:

- i) redevelopment, including the redevelopment of brownfield sites;*
- ii) the development of vacant and/or underutilized lots within previously developed areas;*
- iii) infill development, including lot creation;*
- iv) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and,*
- v) the conversion or expansion of existing residential buildings to create new residential units or accommodation.*

The effect of consent application (B.033/13) is the creation of three (3) new lots. In accordance with the Official Plan this is deemed to be Residential Intensification as it results in a higher density than currently exists through "lot creation".

The Official Plan recognizes that Residential Intensification may be permitted through an amendment to the Zoning By-law. The proponent completed a detailed Neighbourhood

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Character Statement as part of the Zoning By-law amendment application. The document includes an inventory of the design characteristics of structures and the natural environment within the neighbourhood which provides a compatibility of the proposed residential intensification project. The Neighbourhood Character Statement clearly demonstrates that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood. The requested Residential R1 (R1-13) Zone to be applied to the lands fronting Savannah Drive are consistent with the neighbouring lands to both the east and west.

3.3.1 Permitted Uses

The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings. Zoning on individual sites would not normally allow for the full range of permitted uses.

The proposed residential zones conform to the intent of the applicable objectives and policies, and will implement the Official Plan designation. The newly created lots provide a development envelop suitable for single-detached dwellings which are in keeping with the neighbourhood lot fabric.

3.2.3.5. Public Site Plan Review and Urban Design

- i. Residential intensification proposals will be subject to a public site plan process... with the exception of the instances as described below:*
 - a) Where a residential intensification project would require an application under the Planning Act that includes public notice and consultation such as a zoning by-law amendment, consent or minor variance application, a separate public site plan review will not be required.*

In accordance with the Official Plan, the Notice of Public Meeting circulated for the proposed Zoning By-law amendment included a statement that the residential intensification site plan matters contemplated by the Official Plan shall be addressed as part of this application process. The public has been invited to comment on site plan matters as part of their response to the application.

Zoning Bylaw

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important that all three criteria of use, intensity and form must be considered and deemed to be appropriate for the approval of any development proposal.

5.1 General Purpose of the R1 Zone

The R1 Zone is the most restrictive residential zone, and provides for and regulates single detached dwellings. There is no main Residential R1 Zone variation as the zone is restricted to only single detached dwelling units. Zone variations R1-4 to R1-9 are zones to be applied to most suburban single dwelling developments. The R1-13 Zone variation deals specifically with small lot single detached dwellings in suburban areas of the City.

Generally speaking the R1 Zone is the most restrictive residential zone, and provides for and regulates single detached dwellings. In order to provide for a range of lot sizes and dwelling styles there are variations of the zone based on site requirements. The requested (R1-8) Zone, for the newly created lots fronting Savannah Drive, is applied to most suburban single dwelling developments while the requested (R1-13) Zone variation, for the retained parcel, deals specifically with small lot single detached dwellings in suburban areas of the City.

The subject site is currently zoned Residential (R1-14), which permits a single detached dwelling with a frontage of 30 metres and a lot area of 2,000 square metres. The applicant has

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requested a Residential (R1-8) Zone for the retained parcel fronting on Sunningdale, which permits single detached dwellings on lots with a minimum frontage of 15 metres and a lot area of at least 600 square metres; and a Residential (R1-13) Zone for the three new lots fronting on Savannah Drive, which permits single detached dwellings on lots with a minimum frontage of 9 metres and an area of at least 270 square metres.

The proposed uses, lot configurations and potential building envelopes are consistent with those in the surrounding neighbourhood. The Zoning By-law amendment will allow for the development of three new dwellings, all of which are generally consistent with use, form and intensity of surrounding development. As previously described, Public Site Plan will not be required, as the public have been invited to comment on matters through the Zoning By-law amendment and consent processes.

CONCLUSION

The recommended Zoning By-law amendment is consistent with the *Provincial Policy Statement, 2005* as it promotes a healthy community, efficiently uses land, is appropriate, efficiently uses infrastructure and public services, and prevents land consumption. The amendment conforms to relevant policies of the Official Plan for Residential Intensification on lands designated Multi-Family, Medium Density Residential as it allows for the development of three new dwellings on underutilized lands within an established residential neighbourhood.

The amendment complies with the intent and direction of the Zoning By-law by utilizing appropriate Residential R1 Zone variations in order to provide for a range of lot sizes and dwelling styles based on site requirements.

The amendment represents sound land use planning as it allows for appropriate Residential Intensification that is in keeping with the residential character of the neighbourhood. The lot configuration is compatible with the surrounding area and is in keeping with the land patterns existing along both Sunningdale Road East and Savannah Drive. The recommended zones permit the existing single detached dwelling on the retained parcel fronting Sunningdale Road as well as the development of new single detached dwellings on the parcels fronting Savannah Drive all of which are consistent with the form of development in the area. It should however be noted that the review considered only the building envelopes on the newly created lots. There are no design details for the houses; therefore there is no assurance that when single detached dwellings are constructed they will have the same aesthetic or architectural style of those existing along Savannah Drive.

PREPARED BY:	REVIEWED BY:
AMANDA-BREA WATSON, MCIP, RPP PLANNER II, COMMUNITY PLANNING AND DESIGN	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN
SUBMITTED BY:	RECOMMENDED BY:
JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN	JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

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Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
NONE	NONE

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File: Z-8231
Planner: A-B Watson

Bibliography of Information and Materials
Z-8231

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Jay McGuffin, August 14, 2013

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.

Monteith Brown Planning Consultants. *Land Use Planning & Justification Report*, August 2013.

Correspondence: (all located in City of London File No. Z-8231 unless otherwise stated)

City of London –

Postma, R., City of London Urban Forestry. Email to A-B Watson. October 1, 2013

Moore, R., City of London Wastewater and Drainage Engineering Division. Email to A-B Watson. October 1, 2013

Departments and Agencies -

Dalrymple, D., London Hydro. Memo to A-B. Watson. September 23, 2013.

Other:

Site visit October 15, 2013 and photographs of the same date.

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Planner: A-B Watson**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1193
Sunningdale Road East.

WHEREAS Jay McGuffin has applied to rezone an area of land located at 1193 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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 1193 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A103, from a Residential R1 (R1-14) Zone to a Residential R1 (R1-8) and Residential R1 (R1-13) Zone.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on December 3, 2013.

Joe Fontana
Mayor

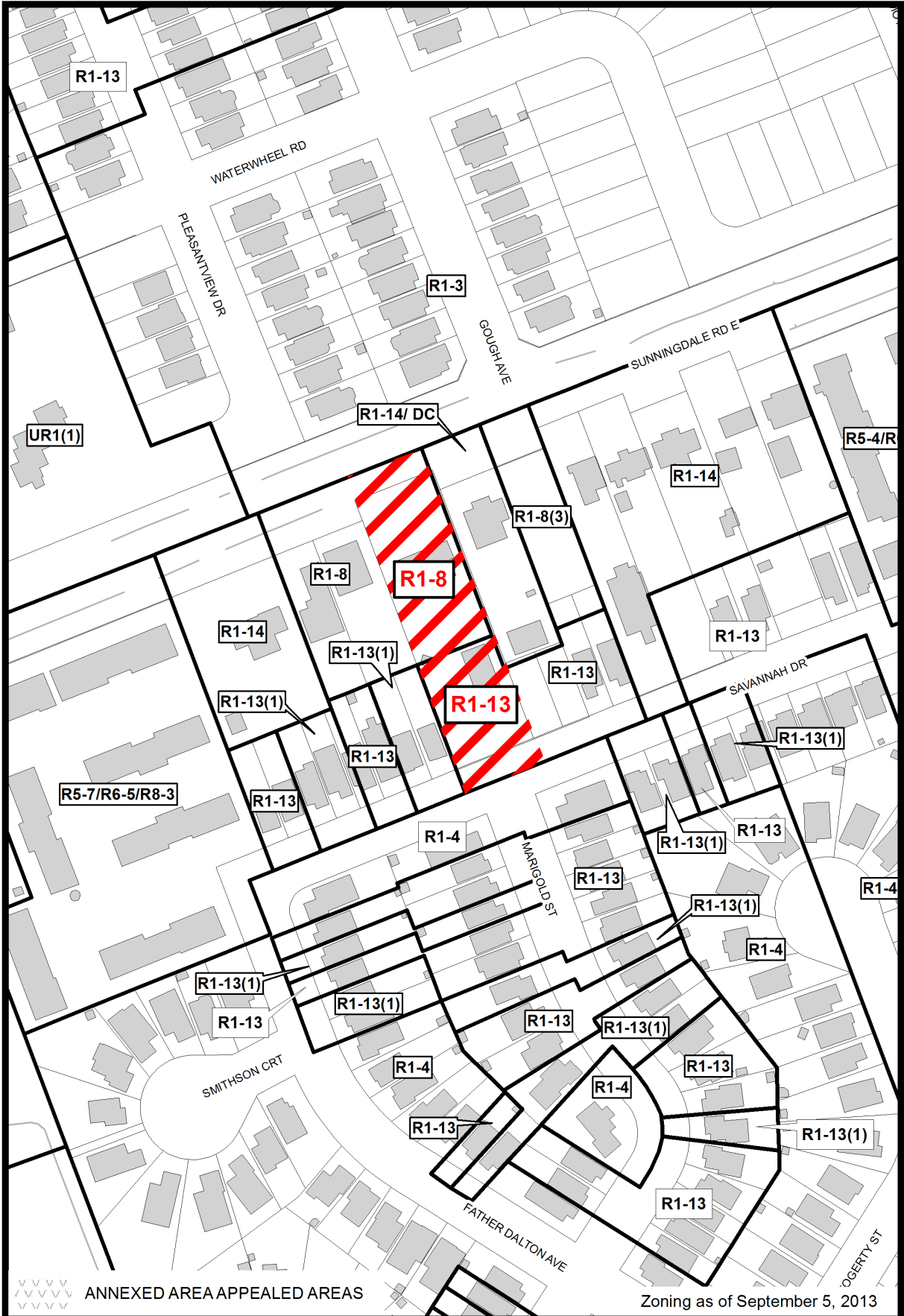
Catharine Saunders
City Clerk

First Reading	- December 3, 2013
Second Reading	- December 3, 2013
Third Reading	- December 3, 2013


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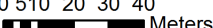
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-8231
 Planner: AW
 Date Prepared: 2013/09/11
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,800

0 510 20 30 40
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File: Z-8231
Planner: A-B Watson

Appendix "B"
Proposed Concept Plan for Subject Lands

