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**File No: Z-8440
Planner: Craig Smith**

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: AUBURN DEVELOPMENT INC. 2155 AND 2253 RICHMOND STREET (39T-04513) PUBLIC PARTICIPATION MEETING ON FEBRUARY 2, 2015

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Auburn Development Inc. relating to a portion of the property located at 2155 and 2253 Richmond Street (draft plan 39T-04513), the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 9, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Residential R1 (h*h-100*h-114*R1-4) Zone, a Holding Residential R1 (h*h-100*R1-4) Zone and a Residential R1 (R1-4) Zone which permits single detached dwellings on lots with a minimum lot frontage of 12 metres, minimum lot area of 360 square metres and maximum height of 9 metres, **TO** a Holding Residential R1 (h*h-100*h-114*R1-5) Zone a Holding Residential R1 (h*h-100*R1-5) Zone and a Residential R1 (R1-5) Zone which permits single detached dwellings on lots with a minimum lot frontage of 12 metres, minimum lot area of 415 square metres and maximum height of 10.5 metres.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- June 17, 2008** - 39T-04503/Z-6717 - Report to Planning Committee on Draft Plan of Subdivision and Z-1 Zoning By-law amendments.
- May 29, 2011**- Report to Council on three (3) year draft plan approval extension.
- June 10, 2013**- Report to Council on three (3) year draft plan approval extension.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

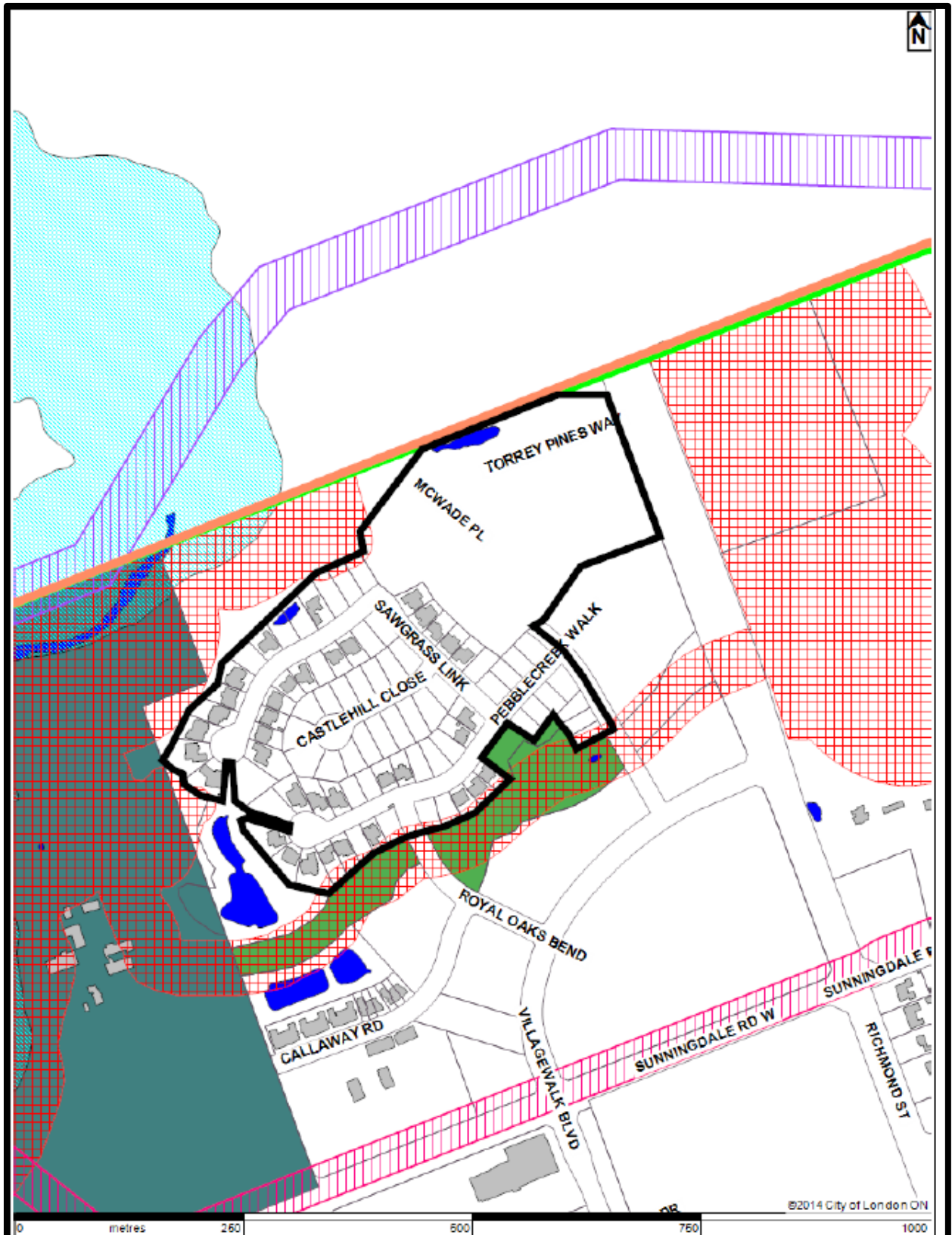
The purpose and effect of the requested Zoning By-law amendment is to allow for the construction of single detached dwellings with a maximum height of 10.5 metres.

RATIONALE

- i) The proposed change is consistent with the Provincial Policy Statement.
- ii) The proposed change is consistent with the Official Plan.
- iii) The proposed change will not negatively impact existing adjacent development.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 2253 Richmond St Applicant: Auburn Developments Inc. File Number: Z-8440 Planner: Craig Smith Created By: Craig Smith Date: 2014-12-02 Scale: 1:5000</p> <p style="text-align: center;">Corporation of the City of London Prepared By: Planning and Development</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings 123 Address Numbers
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BACKGROUND

Date Application Accepted: December 1, 2014	Agent: Steve Stapleton
REQUESTED ACTION: The purpose and effect of the requested Zoning By-law amendment is to allow for the construction of single detached dwellings with a maximum height of 10.5 metres	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – single detached dwellings • Frontage – varied • Depth – varied • Area – 5.66 ha • Shape – irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Open Space • South –future residential • East –future residential • West – future residential

OFFICIAL PLAN DESIGNATION: (refer to map)
<ul style="list-style-type: none"> • Schedule A - Low Density Residential
EXISTING ZONING: (refer to map)
<ul style="list-style-type: none"> • Residential R1 (R1-4) Zone.

PLANNING HISTORY

The application for Draft Plan of Subdivision Approval was accepted on December 22, 2004. Draft Approval and the implementing Zoning was granted on July 4th, 2008.

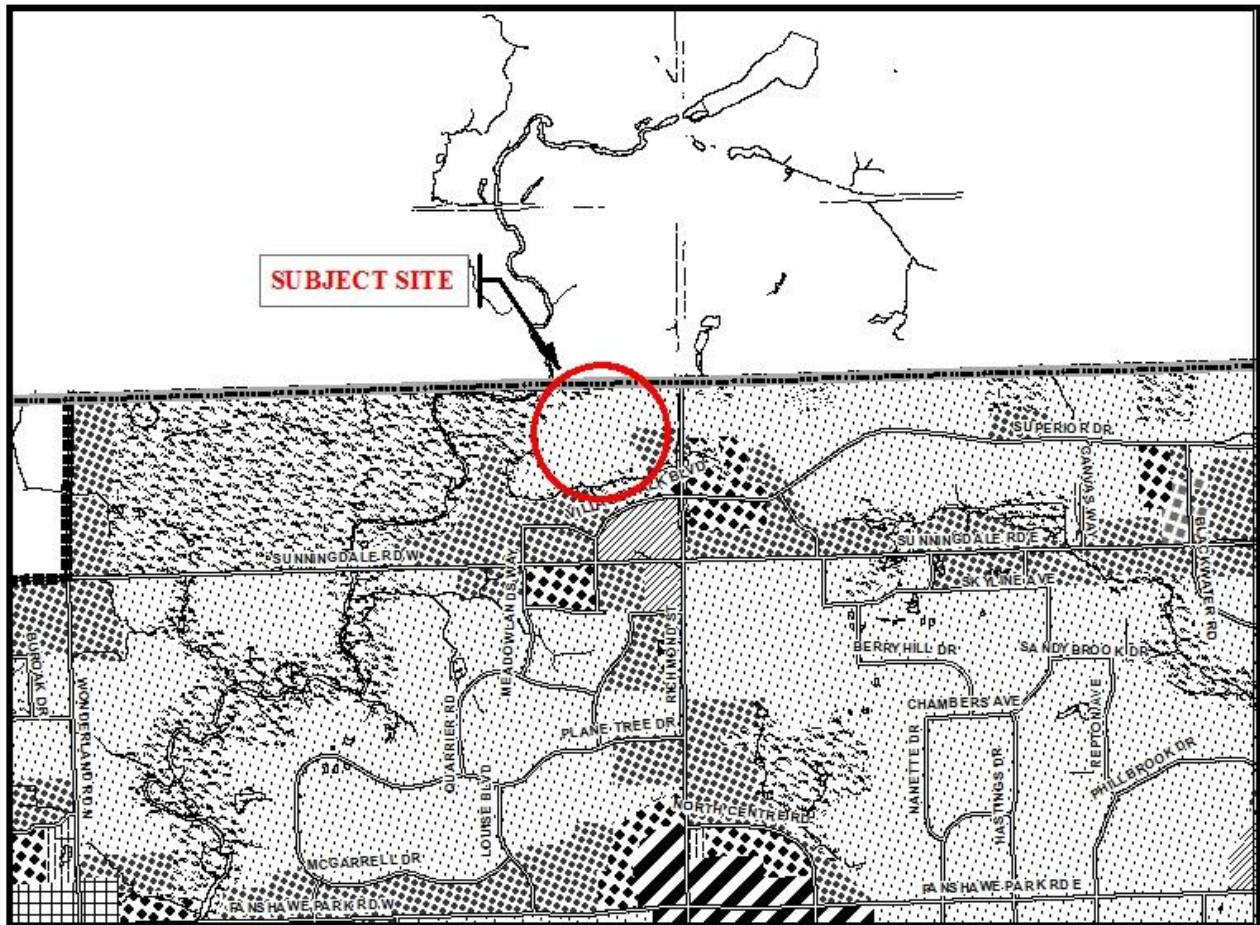
On May 9, 2011 City Council requested that the Approval Authority approve the request for the revision to the draft plan and to the three year extension of the draft plan of subdivision approval for this subdivision.

Phase 1 (south-westerly portion) of this draft plan was registered on September 19, 2011 (33M-633).

On June 10, 2014 City Council requested that the Approval Authority approve the request for a three year extension of the draft plan of subdivision approval. The current lapse date is July 4, 2017.

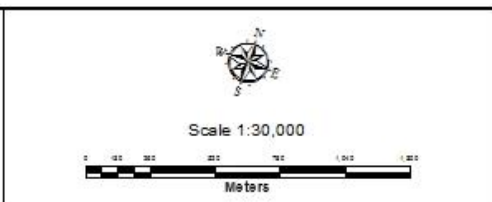
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Legend	
	Downtown
	Wonderland Road Community Enterprise Corridor
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial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

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

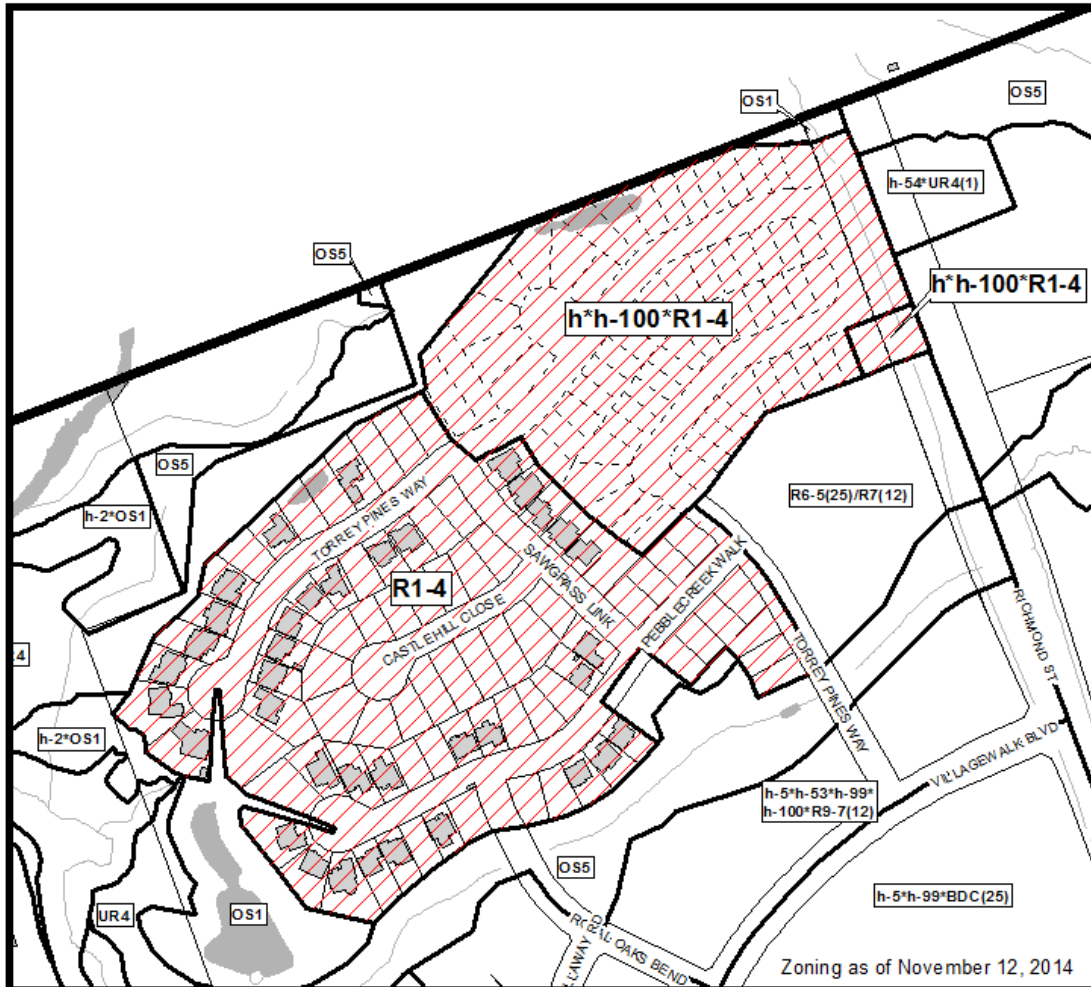


FILE NUMBER: Z-8440
 PLANNER: CS
 TECHNICIAN: TJS
 DATE: 2015/01/05

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x11_with_SWAP.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p>	<p>FILE NO: Z-8440 CS</p>
<p>ZONING BY-LAW NO. Z-1 SCHEDULE A</p>	<p>MAP PREPARED: 2015/01/21 TJS</p>
<p>THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>	<p>1:4,000 0 20 40 80 120 160 Meters</p>

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

EES

The City of London’s Environmental and Engineering Services Department has not identified any concerns with respect to the aforementioned Zoning By-Law amendment application.

Upper Thames River Conservation Authority (UTRCA)

No objection to the application.

PUBLIC LIAISON:	On December 2, 2014 the Notice of Application was sent to all property owners within 120 m of the subject site. Notice of the application was also published in “The Londoner” on December 10, 2014.	No replies received.
Nature of Liaison: The purpose and effect of this zoning change would permit the development of a single detached dwelling on the subject site. FROM a Holding Residential R1 (h*h-100*h-114*R1-4) Zone, a Holding Residential R1 (h*h-100*R1-4) Zone and a Residential R1 (R1-4) Zone which permits single detached dwellings on lots with a minimum lot frontage of 12 metres, minimum lot area of 360 square metres and maximum height of 9 metres, TO a Holding Residential R1 (h*h-100*h-114*R1-5) Zone a Holding Residential R1 (h*h-100*R1-5) Zone and a Residential R1 (R1-5) Zone which permits single detached dwellings on lots with a minimum lot frontage of 12 metres, minimum lot area of 415 square metres and maximum height of 10.5 metres.		
Responses: No responses.		

ANALYSIS

Subject site

The subject site is approx. 5.6 ha in size and is located on the northwest corner of Richmond Street and Sunningdale Road West. The lands were draft approved and zoned to permit single detached dwellings in 2008. The draft plan of subdivision approved in 2008 had 169 single detached lots with lot frontages that ranged between 14 to 18 metres.

Due to the architectural design of the roofs of the single detached dwellings currently being constructed (high peaks, multi gabled) in this subdivision, the required 9m maximum height as required by the existing zone has been difficult for the home builders to meet. In this subdivision there are also many lots that have grading to permit “walk-out” style single detached dwellings. As the height is measured from the average grade this further impacts the ability of the home builders to meet the 9m height requirement. As a result the developer has requested that the zoning regulation be amended to allow for an increase in height from 9m to 10.5m

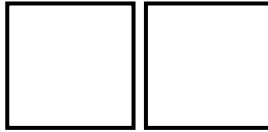
Does the proposed change conform to the Provincial Policy Statement?

The proposed amendment will allow single detached dwellings with a maximum height to 10.5m where 9m maximum currently is permitted. The proposed amendment is consistent with the Provincial Policy Statement.

Does the proposed change conform to the City’s Official Plan?

These lands are currently designated as “Low Density Residential” on Schedule A of the Official Plan, which permits single detached, semi-detached and duplex dwellings as the main uses.

Any change to the zoning by-law requires evaluation using the criteria found under 3.7.2. of the Official Plan - Planning Impact Analysis.



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The proposed single detached dwelling zoning is compatible with the existing and proposed single detached dwelling uses in the surrounding area. The Residential R1-5 Zone proposed for this site will permit a maximum height of 10.5 metres whereas 9m maximum currently exists for a single detached dwelling. The balance of the zoning requirements are substantively the same or greater than the existing Residential R1-4 Zone (see below chart).

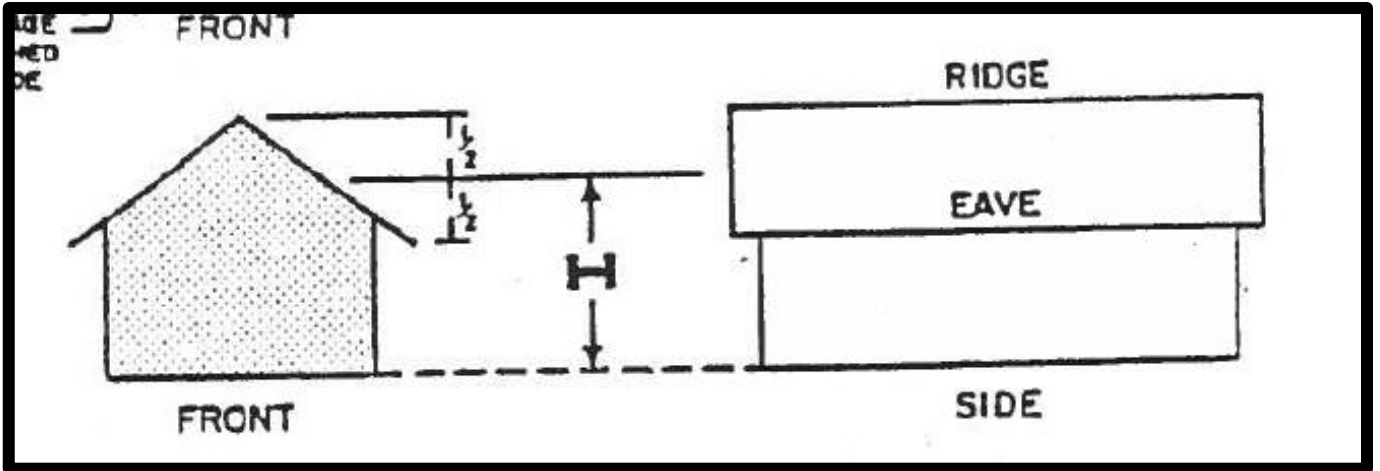
Excerpt from Table 5.3 Residential R1 Zone Regulations for R1 Zone Variations

REGULATIONS		Existing Residential R1-4	Proposed Residential R1-5
PERMITTED USES		Single Detached Dwellings	Single Detached Dwellings
LOT AREA (m ²) MINIMUM		360m ²	415m ²
LOT FRONTAGE (M) MINIMUM		12 metres	12 metres
FRONT YARD SETBACK (M) MINIMUM	LOCAL STREET AND SECONDARY COLLECTOR MAIN BUILDING	4.5 metres	5 metres
	LOCAL STREET AND SECONDARY COLLECTOR GARAGE	6 metres	6 metres
	PRIMARY COLLECTOR	6 metres	6 metres
REAR YARD DEPTH (M) MINIMUM		6 metres	7 metres
INTERIOR SIDE YARD SETBACKS (M) MINIMUM		1.2 metres (3.9 feet); except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet)	1.2 metres (3.9 feet); except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet)
LANSCAPED OPEN SPACE (%) MINIMUM		35%	35%
LOT COVERAGE (%) MAXIMUM		40%	40%
HEIGHT (m) MAXIMUM		9m	10.5m

The City of London Zoning By-law Z.-1 defines Building Height for a single detached dwelling as the vertical dimension between the (average) grade of such building or structure and in the case of a gabled, hip, gambrel or one-slope roof, the average level between eaves and ridge (see illustration below).

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The amendment will allow a maximum 10.5m height that will allow for the continuation of the construction of the existing form of single detached dwellings in this subdivision without the necessity of further planning applications such as minor variances.

The lots sizes and lot frontages meet the minimum requirements of the proposed zone. The proposed amendment will allow for the continuation of construction of the same single detached dwelling form as exists. The proposed amendment will allow for the continuation of development that is compatible with surrounding land uses and will not negatively impact the proposed development on present and future land uses in the area.

Overall, this application meets the criteria and conforms to the Official Plan.

CONCLUSION

The subject lands are designated Low Density Residential and have been identified for single detached residential dwellings. The proposed zone change will not have a negative impact on the development of these lands or abutting land uses. The recommended zone meets the criteria of the Official Plan, is appropriate and represents sound land use planning.

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RECOMMENDED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER DEVELOPMENT PLANNING	ALLISTER MCLEAN MANAGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP RPP MANAGER DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

January 22, 2015

JCS/

"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2014\Z-8440 - 2253 Richmond Street (CS)\PEC ReportZ-8440.docx

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**File No: Z-8440
Planner: Craig Smith**

Bibliography

Request for Approval:

Application - City of London Zoning By-law Amendment Application Form, completed by Auburn Development Inc, submitted December 1, 2014.

Reference Documents:

City of London. Official Plan, June 19, 1989, as amended.

City of London. Zoning By-law No. Z.-1, May 21, 1991 , as amended.

Ministry of Municipal Affairs and Housing. Provincial Policy Statement, 2014.

Province of Ontario. The Planning Act. R.S.O 1990

Correspondence:

*all located in City of London File No. Z-8440 unless otherwise stated and summarized in the report.

*all other reports located in City of London File No. Z-8440 unless otherwise stated.

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Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2155 and 2253 Richmond Street (draft plan 39T-04513)

WHEREAS Auburn Development Inc. has applied to rezone the property located at 2155 and 2253 Richmond Street (draft plan 39T-04513), 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2155 and 2253 Richmond Street (draft plan 39T-04513), as shown on the attached map, from a Holding Residential R1 (h*h-100*h-114*R1-4) Zone, a Holding Residential R1 (h*h-100*R1-4) Zone and a Residential R1 (R1-4) Zone to a Holding Residential R1 (h*h-100*h-114*R1-5) Zone, a Holding Residential R1 (h*h-100*R1-5) Zone and a Residential R1 (R1-5) 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. P. 13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on February 9, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - February 9, 2015
Second Reading - February 9, 2015
Third Reading - February 9, 2015

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

