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S. Bellaire
File No: SP12-007254

TO:	CHAIR AND MEMBERS PLANNING AND ENVIROMENT COMMITTEE MEETING
FROM:	GEORGE KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 1525053 ONTARIO LIMITED 602 FIRST STREET PUBLIC SITE PLAN MEETING MAY 7, 2012 after 4:00 PM

RECOMMENDATION

That on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of 1525053 Ontario Limited relating to the property located at 602 First Street:

- a) On behalf of the Approval Authority, the Planning and Environment Committee **BE REQUESTED** to conduct a public meeting and **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval to permit one single detached dwelling;
- b) Council **SUPPORTS** the Approval Authority granting approval of the attached site plan and elevations; and,
- c) the applicant **BE ADVISED** that the Director, Development Finance has projected claims and revenues information shown below.

CLAIMS AND REVENUE INFORMATION

The Director of Development Finance has projected the following claims and revenue information:

	<u>Estimated Revenue</u>	<u>Estimated Claims</u>
Urban Works Charges	\$6,627.00	\$NIL
City Services Charges	\$16,450.00	\$NIL
TOTAL	\$23,077.00	\$NIL

PURPOSE AND EFFECT OF RECOMMENDED ACTION

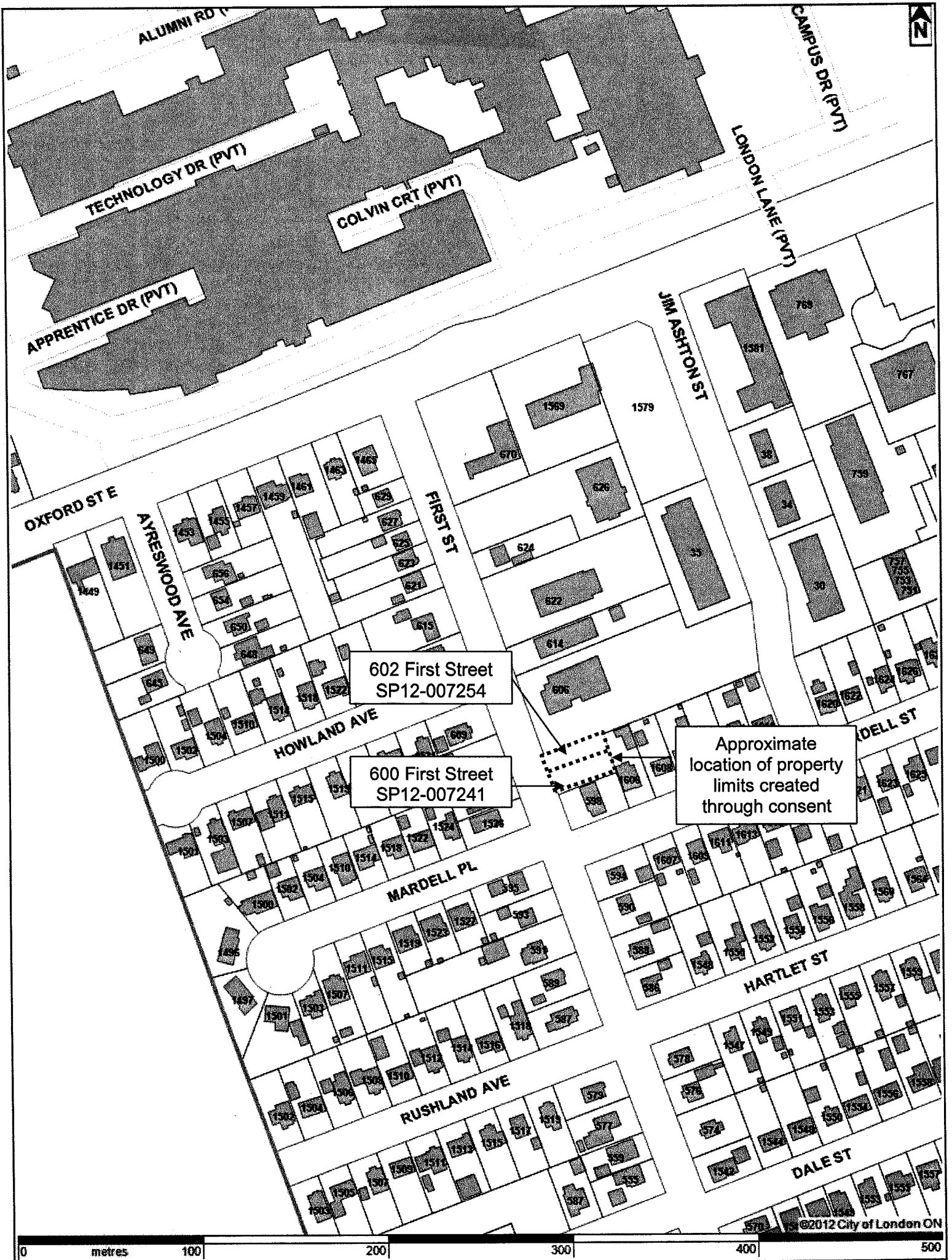
The purpose of this application is to obtain site plan approval for a single detached dwelling on a lot to be created on lands known municipally as 602 First Street. The application for site plan approval has been made in order to satisfy a condition of the London Consent Authority

The submitted site plan conforms with the Residential R1 (R1-6) Zone and the decision of the Committee of Adjustment (A.133/11). The proposed elevations have been reviewed by the City's Community Planning and Urban Design Section and has been accepted. Development of the lands in conformity with the zoning by-law as varied and as shown on the attached elevations will result in the construction of a single detached dwelling that is in keeping with the character of the area.

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Location Map



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APPLICATION DETAILS

Date Application Accepted: March 16, 2012	Agent: Ralph Citro
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REQUESTED ACTION: Conduct a public meeting and report to the Approval Authority the public responses on the proposed site plan, elevations and conditions for site plan approval in order to fulfil a condition of the London Consent Authority.

SITE CHARACTERISTICS:		
	Existing Parcel	Lands to be Severed
Land Use	Single detached dwelling, detached garage	Single detached dwelling
Frontage	21.946 m	10.973 m
Depth	33.5 m	33.5 m
Area	736.9 m ²	368.5 m ²
Shape	Rectangular	Rectangular
Location of Parking	North side of dwelling	South side of dwelling

- SURROUNDING LAND USES:**
- **North** – Light Industrial / Office Building
 - **South** – Single Detached Dwelling
 - **East** – Single Detached Dwelling
 - **West** – Single Detached Dwellings

OFFICIAL PLAN DESIGNATION: Low Density Residential
EXISTING ZONING: - Residential R1 (R1-6)

BACKGROUND

Application for Consent to Sever:

On October 25, 2011, an Application for Consent to Sever was received by the City of London for 600 First Street. The request was to sever the existing lot into two lots identical in size with 11 m frontage. Notice of the application was circulated to area residents on October 28, 2011 and published in the Living in the City section of the London Free Press on October 29, 2011. On December 5, 2011, the City of London Consent Authority issued a Provisional Consent Decision and conditions no. 7 and no. 8 were as follows:

7. *The applicant shall obtain a minor variance, to address the deficiencies on the severed and retained lands. The final reference plan describing the parts to be created shall be consistent with the Minor Variance decision and shall be in full force and effect prior to the issuance of a certificate.*

8. *The applicant shall apply for site plan approval in accordance with section 3.2.3.5. of the Official Plan, including a public site plan meeting. The site plan shall be submitted to the Development Planning Division and Site Plan approval must be granted and be in effect prior to the issuance of a consent certificate.*

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There were no appeals to the decision of the Consent Authority.

An application for Site Plan was accepted on March 16, 2012. The application was circulated and no concerns were received at the time this report was completed from circulated agencies/departments.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

None

PUBLIC LIAISON:	On March 20, 2012, Notice of the Application for Site Plan Approval were sent out to area property owners within 120 metres of the subject lands and Notice of the Application was published in the Living in the City section of the London Free Press on March 24, 2012. On April 17, Notice of the Public Meeting for Site Plan Approval was sent out to area property owners within 120 metres of the subject lands and Notice of the Public Meeting for Site Plan Approval was published in the Living in the City section of the London Free Press on April 21, 2012.	1 response
Nature of Liaison: Same as Requested Action		
Response:		
One response was received to the Notice of Application. The respondent is opposed to the development and did not want to bring additional student housing into the area as there are problems with noise, safety, and garbage.		

ANALYSIS

Description of the Site Plan

The Owner is proposing to sever the lands known municipally as 600 First Street into two lots measuring 10.973 m by 33.5 m each. Both lots will contain a proposed single detached dwelling. One single detached dwelling and detached garage is currently located on the existing lots and will have to be demolished to accommodate the new single detached dwellings. 602 First Street proposes a driveway at the north end of the property measuring 2.7m wide. The exterior of the residence is proposed to be bricked on all sides. The exterior materials are in keeping with the vast majority of homes on First Street which are either vinyl sided, bricked, or a combination of the two materials.

Municipal services including water, storm, and sanitary are available on First Street. There are sidewalks on First Street and a sidewalk connection to the front door of the dwelling is proposed with this application along with a deciduous tree in the front yard to enhance the public realm.

Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

The subject lands are within the Urban Growth Boundary and designated Low Density Residential. The Provincial Policy Statement (PPS) contains policies promoting intensification, encouraging the efficient use of resources, and optimizing the infrastructure and public services. The proposed site plan to allow for the erection of a single detached dwelling on full municipal services is consistent with the Building Strong Communities policies of the PPS. The PPS also contains policies regarding the Wise Use and Management of Resources and Protection of

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Public Health and Safety. The Wise Use and Management of Resources and Protection of Public Health and Safety policies are not applicable to this application. The proposed site plan application is considered to be consistent with the Provincial Policy Statement.

Areas designated Low Density Residential in the Official Plan are primarily intended for low rise, low density forms of housing. Residential intensification, which by definition includes infill development including lot creation, is allowed within the Low Density Residential designation subject to a public meeting on the site plan (policy 3.2.3.5.) It is this policy the London Consent Authority considered when making a public meeting of site plan approval a condition of the consent. The Official Plan also contains policies for new development to be on full municipal services. With the tools available through the Application for Consent, the Application for Site Plan Approval and the Application for Building Permit, future development of these lands will be on full municipal services and will be in conformity with the Low Density Residential policies of the Official Plan.

Does the Plan Conform to the Residential R1-6 Zoning?

Lands zoned Residential R1 (R1-6) require a minimum lot frontage of 15 m and a minimum lot area of 450 m². The proposed lot required a minor variance which was obtained on December 13, 2011 (A.133/11) to permit the lot with a lot frontage of 11 m and lot area of 368 m². The submitted site plan indicates the lot frontage as 10.973 m and the lot area of 367.70 m². Section 1.9.2 of the Zoning By-law titled Measurements indicates that all measurements of length or area used in the Zoning By-law shall be subject to the normal rules of rounding numbers. This indicates that for a whole number, measurements of 0.5 and greater shall be rounded upward to the next whole unit.

The R1-6 Zone also contains regulations regarding minimum setbacks; front, rear and interior; maximum lot coverage, maximum height, maximum parking area coverage, and maximum number of units per lot. The proposed single detached dwelling on the proposed lot was reviewed against the regulations of the R1-6 Zone and the General Provisions and conforms to the requirements. Development of the lands as proposed is considered good infill development.

What were the conditions of the Provisional Consent?

The London Consent Authority imposed a total of 12 conditions when it issued its Provisional Decision on December 5, 2011. The majority of the conditions were administrative such as the length of time permitted to fulfil the conditions, providing the 2 paper copies of the reference plan, the requirement that the Consent Certificate fee (\$200) be paid at the time of issuance of the Certificate and that the transaction be completed 6 months after issuance of the Certificate. Other conditions imposed by the Consent Authority deal with financial matters. These conditions require the payment of cash-in-lieu of parkland dedication for the proposed lots, the applicant to pay cash-in-lieu for street planting purposes and the applicant to pay in full all financial obligations/encumbrances owing to the City. Both the administrative and financial conditions are standard conditions. Lastly, the Consent Authority imposed a condition requiring the applicant apply for site plan approval, including a public meeting. The Condition requires Site Plan Approval to be granted and in effect prior to the issuance of a Certificate. This condition is in accordance with policy 3.2.3.5 of the Official Plan.

The proposed lot municipal address will be finalized through the Site Plan approval process.

The applicant has until December 5, 2012 to fulfil all the conditions of the Provisional Decision and upon receipt of a resolution from the May 22nd Council meeting, it is expected a Development Agreement will be forwarded to the applicant in late May or early June.

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Is the Site Plan Compatible with Adjacent Properties and Appropriate for the Development of the Lands?

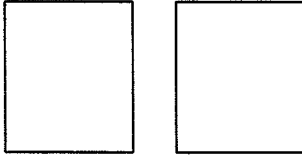
The subject land currently contains a single detached dwelling and detached garage on a larger property. Properties in the area contain single detached dwelling and detached garages on lots that range from approximately 15 m frontage to approximately 20 m frontage. Severing the lands to allow for the creation of an 11 m frontage lot will maintain the general character of the lots of the area. The proposed single detached dwelling conforms to the regulations of the Residential R1 (R1-6) Zone as varied.

The site plan as submitted is in conformity with the Site Plan Control By-law and with the decision of the Committee of Adjustment.

Proposed Site Plan Agreement

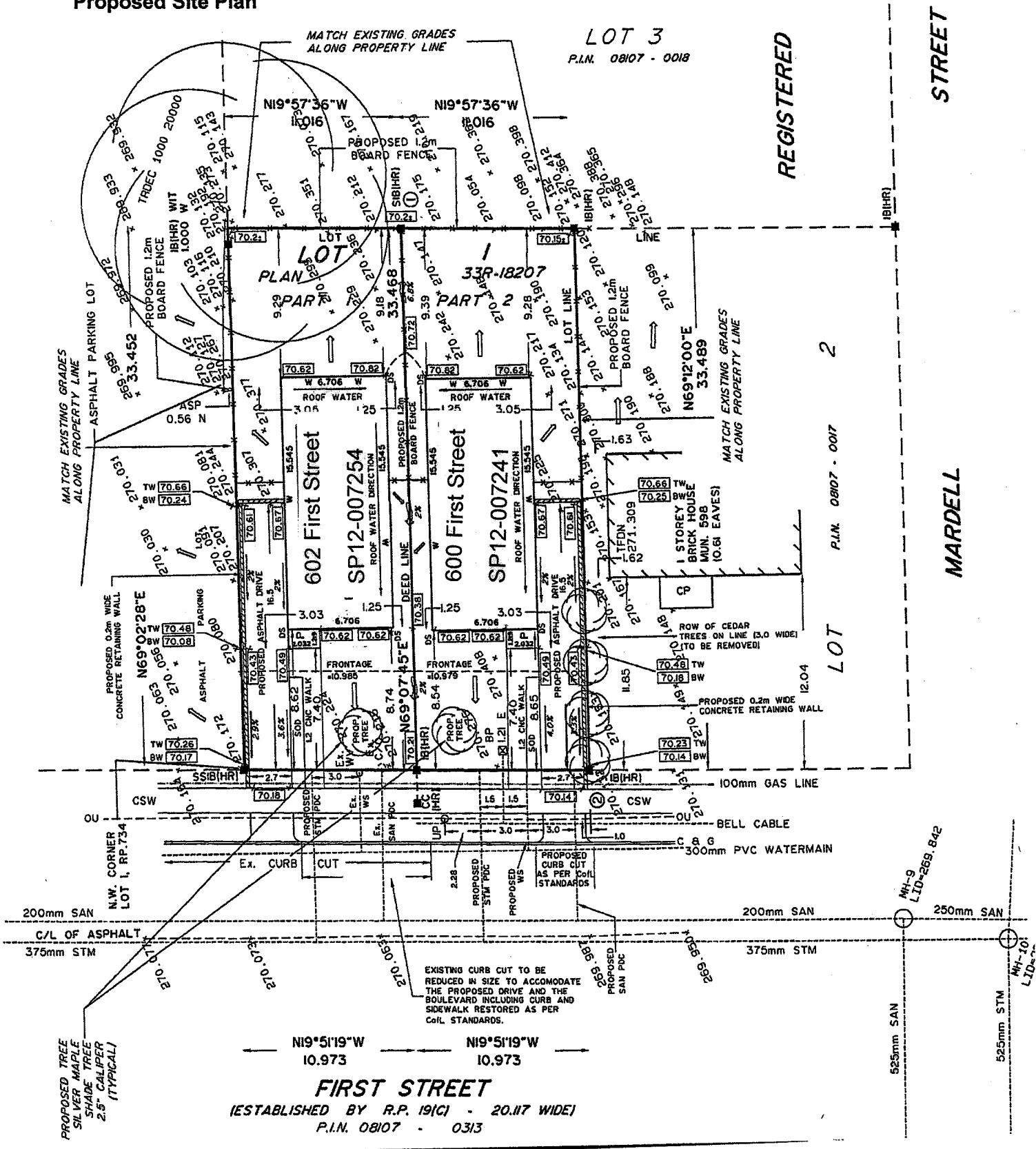
To implement the acceptance of the submitted Site Plan and elevations, a Site Plan Development Agreement incorporating the Site Plan, Servicing/Grading Plan and the elevations is required.

It is standard practice to require a separate security with Development Agreements. If a site is not constructed as shown on the approved drawing, having a security provides the City a mechanism to complete any deficiencies. In only a few instances has the City had to cash the security to complete works. For past site plans associated with single detached dwellings, staff has advised the Committee it does not believe a separate security is required and the Committee has not directed otherwise. As this application is for a single detached dwelling, it is not recommended a security be required with the Development Agreement.



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Proposed Site Plan



N19°51'19"W 10.973 N19°51'19"W 10.973
FIRST STREET
(ESTABLISHED BY R.P. 19(C) - 20.17 WIDE)
P.L.N. 08107 - 0313

SITE DATA

ITEM	G	PROPOSED SINGLE DETACHED DWELLING UNIT		
		REQUIRED	Mun. No. 600	PROPOSED
1. ZONES		R1-6	Mun. No. 600 R1-6	Mun. No. 602 R1-6
2. LOT AREA (sq.m.) (MIN.)		450	368.050 *****	367.700 *****
3. LOT FRONTAGE (m) (MIN.)		15.0	10.979 *****	10.985 *****
4. FRONT YARD (m) (MIN.)-LOCAL ST. MAIN BUILDING GARAGE		5.0 6.0	8.54 N/A	8.82 N/A
5. INTERIOR SIDE YARD (m) (MIN.)		1.2 - 1 STOREY	1.25	1.25
		1.8 - 2 STOREY	N/A	N/A
		NO ATTACHED GARAGE 1 SIDEYARD = 3.0	3.03	3.03
6. REAR YARD (m) (MIN.)		7.0	9.28	9.18
7. LOT COVERAGE (%) (MAX.)		40	164.237(sq.m.) 28.32	104.237(sq.m.) 28.35
B. HEIGHT (m) (MAX.)		10.5	6±	6±
9. PARKING AREA COVERAGE (%) (MAX.)		15	44.615(sq.m.) 12.12	44.485(sq.m.) 12.10
		1 SPOT PER UNIT (MIN.)	3	3

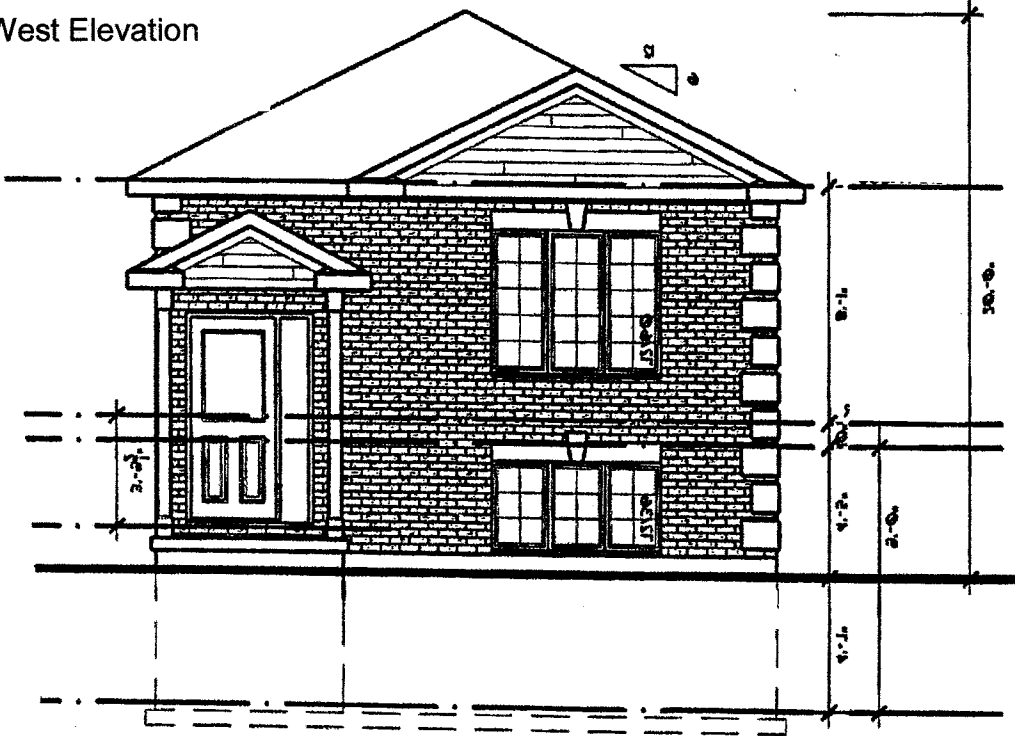
***** MINOR VARIANCE A.133/11



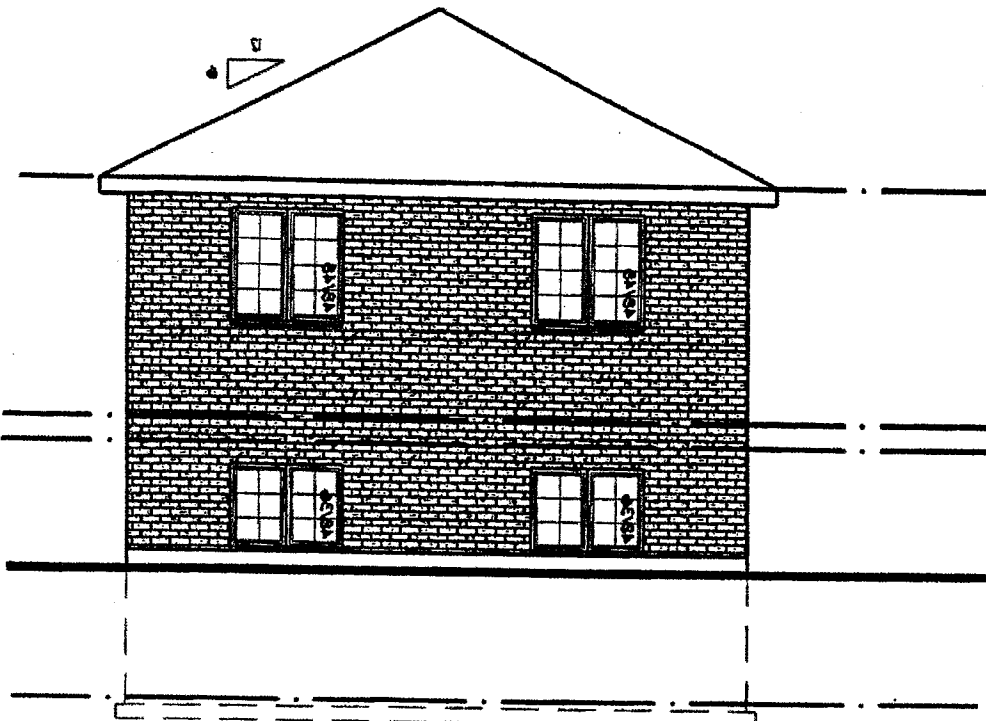
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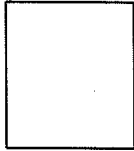
Proposed East and West Elevation

West Elevation



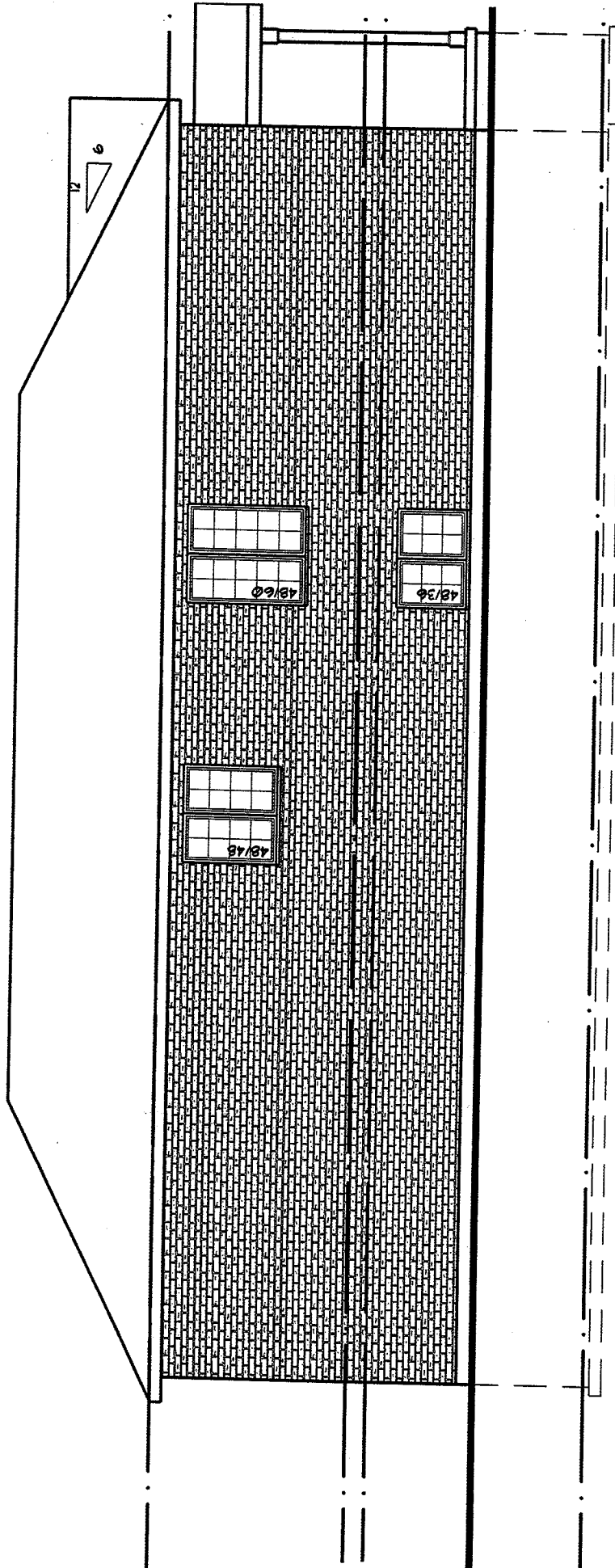
East Elevation

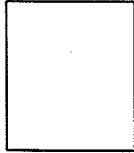
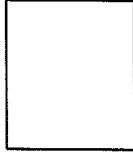




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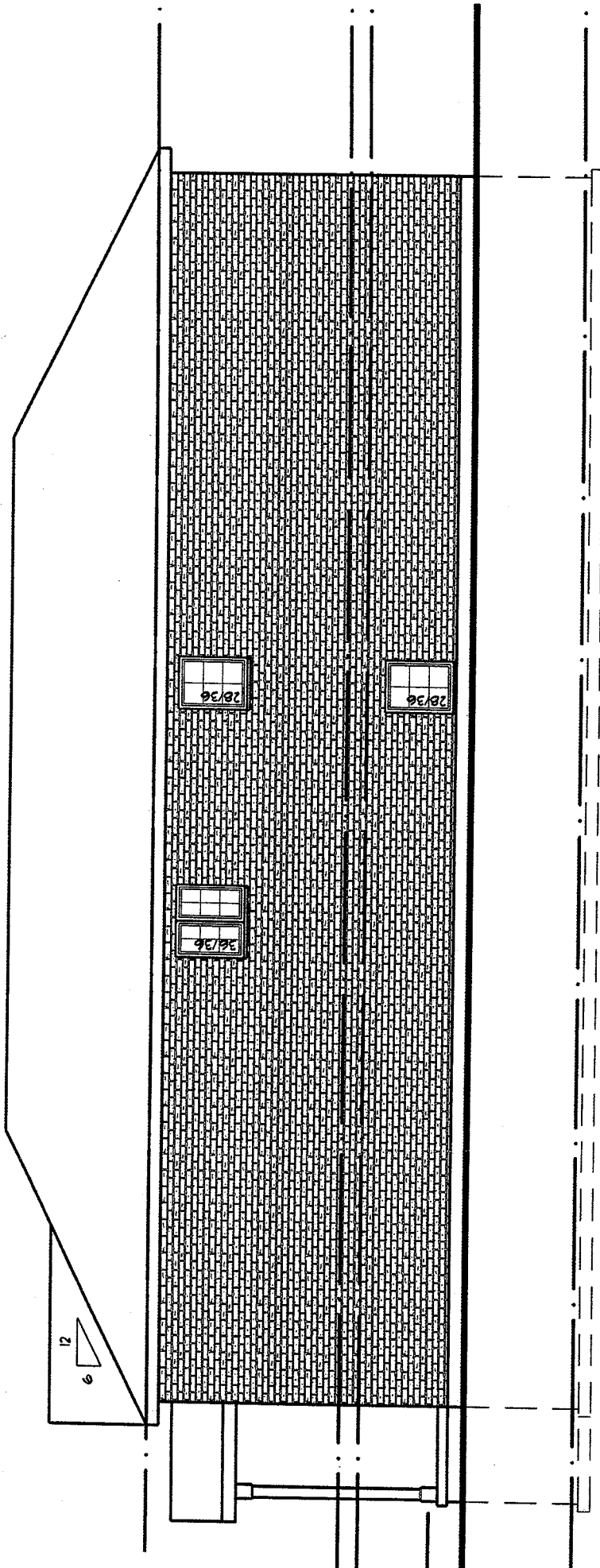
Proposed North Elevation





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Proposed South Elevation







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CONCLUSION

The proposed site plan has been reviewed against the Provincial Policy Statement, the applicable Official Plan policies, Zoning By-law Z.-1 as varied and the Site Plan Control Manual and has been determined to be in conformity with the applicable policies and regulations. The proposed site plan and elevations will result in development that represents a good infill proposal. Development of the lands in accordance with the submitted site plan and elevations is considered good land use planning and is recommended for approval.

PREPARED BY:	RECOMMENDED BY:
	
SARA BELLAIRE, OALA CSLA LANDSCAPE PLANNER DEVELOPMENT PLANNING	JEFF LEUNISSEN, MCIP RPP MANAGER OF DEVELOPMENT PLANNING (TEAM EAST)
REVIEWED BY:	SUBMITTED BY:
	
D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	GEORGE KOTSIFAS, P.Eng DIRECTOR OF BUILDING CONTROL and CHIEF BUILDING OFFICIAL

April 23, 2012

JL/SB

c: John Braam, Acting Executive Director, PEES Department

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Bibliography of Information and Materials

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.

City of London, Notice of Application, March 20, 2012.

City of London, Living in the City – Saturday, March 24, 2012.

City of London, Notice of Site Plan Public Meeting, April 17, 2012.

City of London, Living in the City – Saturday, April 21, 2012.

City of London, Site Plan By-law C.P.-1455-451

City of London, Committee of Adjustment Decision - File No. A.133/11

Provincial Policy Statement, March 1, 2005

City of London, Notice of Provisional Consent Decision – File No. B.057/11

City of London, Site Plan Application, SP12-007254