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S. Bellaire
File No: SP12-007186

TO:	CHAIR AND MEMBERS PLANNING AND ENVIROMENT COMMITTEE MEETING
FROM:	GEORGE KOTSIFAS DIRECTOR OF DEVELOPMENT AND COMPLIANCE DIVISION AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: KAP HOLDINGS INC. 186-188 HURON STREET, 2 AUDREY AVENUE PUBLIC SITE PLAN MEETING MAY 28, 2012 after 4:30 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 KAP HOLDINGS INC relating to the property located at 186-188 Huron Street, 2 Audrey Avenue:

- 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 **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for a single detached dwelling; 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 186-188 Huron Street and 2 Audrey Avenue. 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 to the Residential R1 Special Provision (R1-5(3)) Zone. Development of the lands is in conformity with the zoning by-law as shown on the attached site plan will result in the construction of a single detached dwelling.

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

B.60/11; Report to the Planning and Environment Committee to direct the City Solicitor's Office, the Development Approvals Business Unit and the City's Planning Division to provide legal and planning representation at the Ontario Municipal Board Hearing to support the position of the Provisional Decision conditions imposed by the Consent Authority. February 6, 2012.

OZ-7912; Report to the Built and Natural Environment Committee to amend the Official Plan designation of the lands from Low Density Residential to a Policy for Specific Area (Chapter 10) to permit stacked townhouses with a maximum of 56 bedrooms in addition to the permitted uses in the Low Density Residential designation was recommended for refusal. September 26, 2011.

OZ-6997; Report to the Planning Committee to amend the Official Plan Section 3.5.9 to allow for the construction of two triplex dwellings facing Huron Street and a Zoning By-law to change the zoning of the property from a Residential R1 Special Provision (R1-5(3)) Zone which permits single detached dwellings to a Residential R2 (R2-6) Zone to permit single detached, semi-detached, duplex and converted dwellings (2 units max.); and to a Residential R3 (R3-4) Zone to permit single detached, semi-detached, duplex, triplex, and converted dwellings (3 units max.) was recommended for refusal. December 12, 2005.

APPLICATION DETAILS	
Date Application Accepted: March 16, 2012	Agent: Arnon Kaplansky
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.	

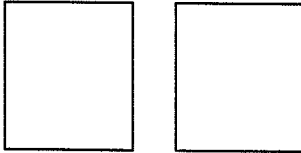
SITE CHARACTERISTICS:		
	Existing Parcels	Lands to be Severed
Land Use	Single detached dwellings	Single detached dwelling
Frontage	186 Huron Street – 13.41 m 188 Huron Street – 15.33 m 2 Audrey Avenue – 13.26 m	13.26 m
Depth	186 Huron Street – 40.68 m 188 Huron Street – 40.68 m 2 Audrey Avenue – 31.71 m	31.71 m
Area	186 Huron Street – 545.51 m ² 188 Huron Street – 623.62 m ² 2 Audrey Avenue – 420.47 m ²	420.47 m ²
Shape	Rectangular	Rectangular
Location of Parking	186 Huron Street – North side of dwelling 188 Huron Street – West side of dwelling 2 Audrey Avenue – East side of dwelling	South side of dwelling

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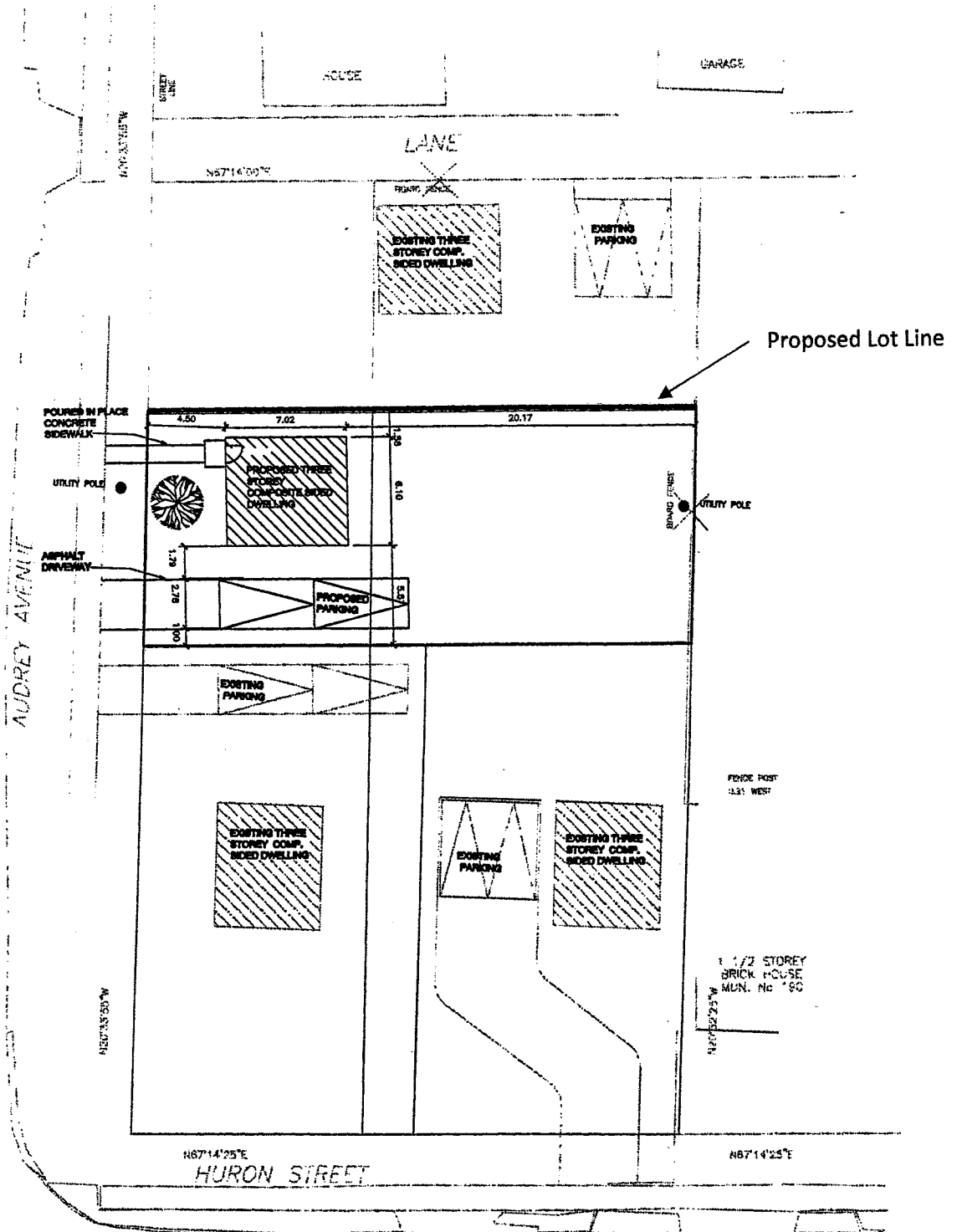
Location Map





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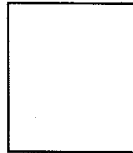
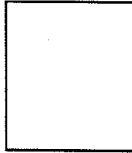
Proposed Site Plan



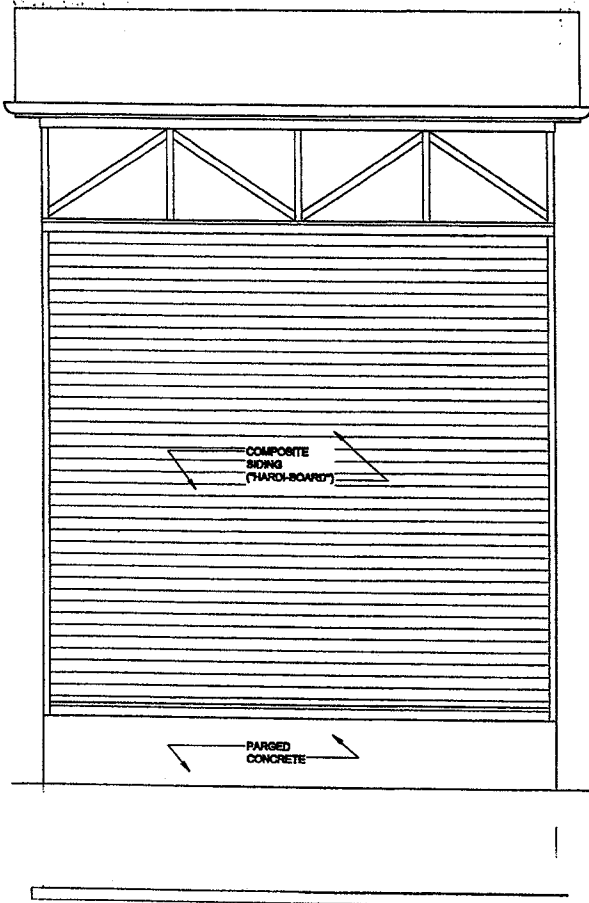
PROPOSED SITE PLAN
SCALE - 1 : 200 metric

ZONING BY-LAW AMENDMENT
The current zoning on this property is Residential zone R1-800, single detached dwelling unit.

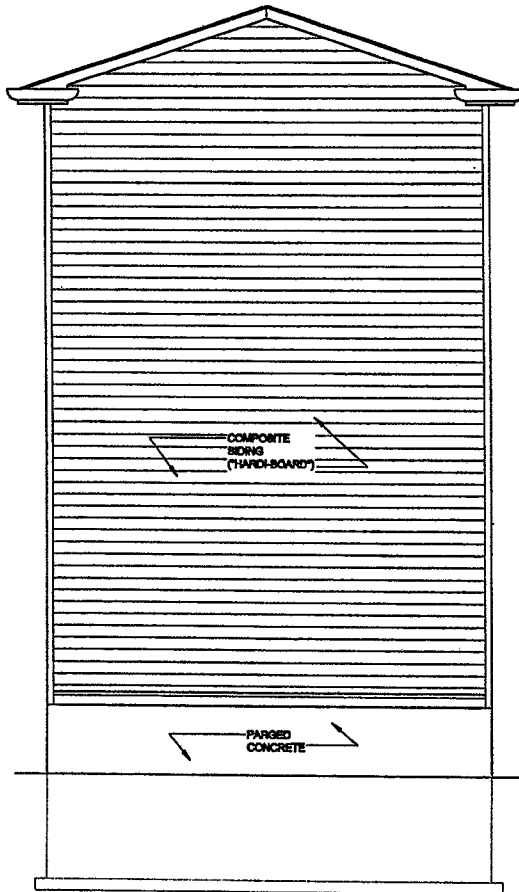
SITE DATA:		SITE DATA:		SITE DATA:	
SITE AREA	418.06 sq. m.	RESIDENTIAL TYPE	SINGLE DETACHED	ZONE	CONVERTED R1-800
COVERAGE	42.8 sq. m. 10.2 %	LOT AREA (sq) MINIMUM	418 sq. m.	LOT AREA (sq) MINIMUM	418.06 sq. m.
GROSS FLOOR AREA	171.28 sq. m.	LOT FRONTAGE MINIMUM	12 m	LOT FRONTAGE MINIMUM	12.000 m
BUILDING HT.	8.75 m. (3 STOREYS)	FRONT AND EXTERIOR SIDE YARD	4.6 m	FRONT AND EXTERIOR SIDE YARD	4.6 m
SINGLE DETACHED DWELLING (2 bedrooms maximum)		REAR YARD DEPTH	0.6 m	REAR YARD DEPTH	20.77 m
PARKING PROVIDED	2	INTERIOR SIDE YARD DEPTH	1.2 m	INTERIOR SIDE YARD DEPTH	1.20 m - 8.87 m
PARKING AREA	45.3 sq. m., 10.75 %	LOT COVERAGE	48 %	LOT COVERAGE	92.2 %
DRIVENWAY	144 sq. m., 34.5 %	HEIGHT (BUILDING)	15.8 m	HEIGHT (BUILDING)	8.75 m
LANDSCAPED OPEN SPACE	248.9 sq. m., 59.5 %	PARKING AREA COVERAGE	10 %	PARKING AREA COVERAGE	10.75 %
		GROSS FLOOR AREA (MAXIMUM)	209 sq. m.	GROSS FLOOR AREA (MAXIMUM)	171.28 sq. m.
		FLOOR AREA RATIO	48 %	FLOOR AREA RATIO	41.28 %



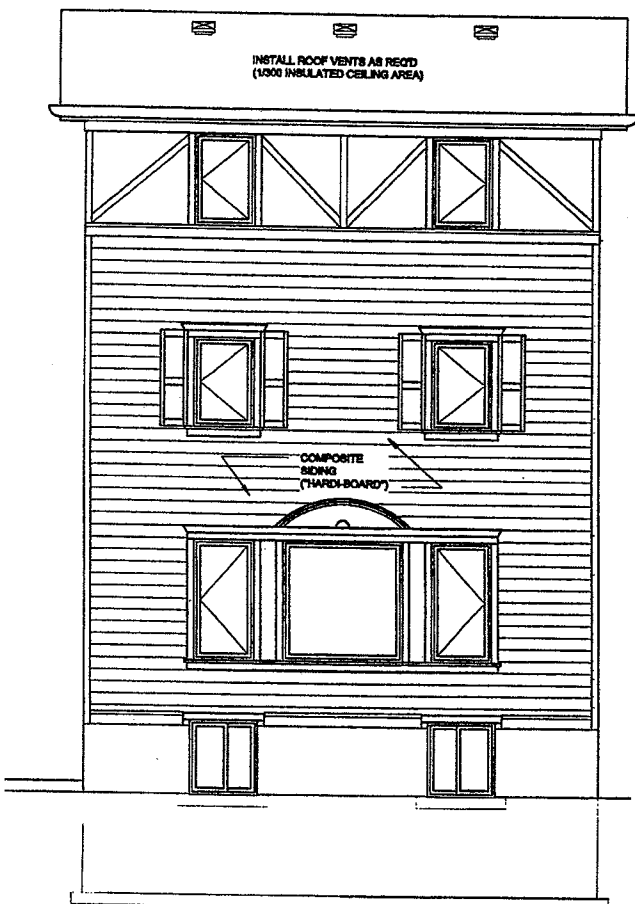
Proposed Elevations



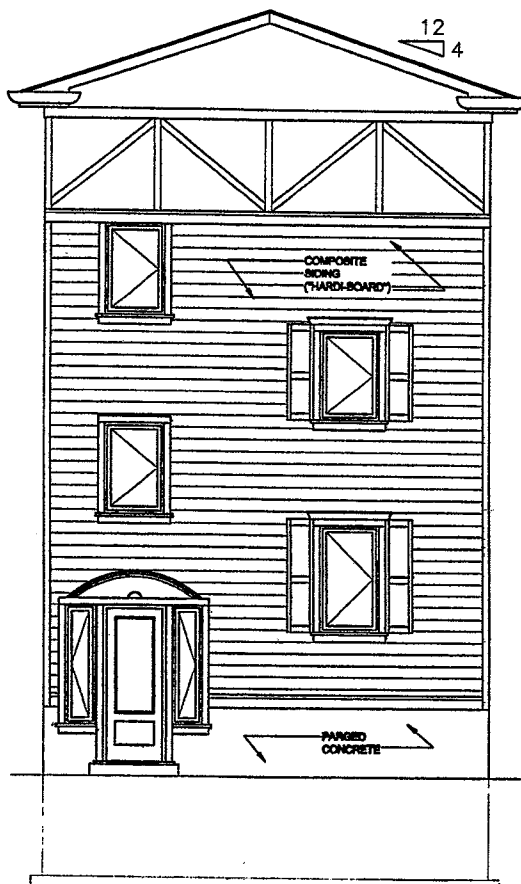
SOUTH ELEVATION
SCALE - 1 : 50 metric



WEST ELEVATION
SCALE - 1 : 50 metric



NORTH ELEVATION
SCALE - 1 : 50 metric



EAST ELEVATION
SCALE - 1 : 50 metric

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SURROUNDING LAND USES:

- North – Single Detached Dwellings
- South – Single Detached Dwellings
- East – Single Detached Dwellings
- West – Single Detached Dwellings

OFFICIAL PLAN DESIGNATION: Low Density Residential

EXISTING ZONING: - Residential R1 Special Provision R1-5(3)

BACKGROUND

PLANNING HISTORY

188 Huron Street – Request to Create 2 Residential Lots – November 1994

On December 21, 1994, the London Committee of Adjustment issued a Final Decision for 188 Huron Street refusing to grant variances that would facilitate the severance of this single residential lot into 2 residential lots (see figure 1 below).

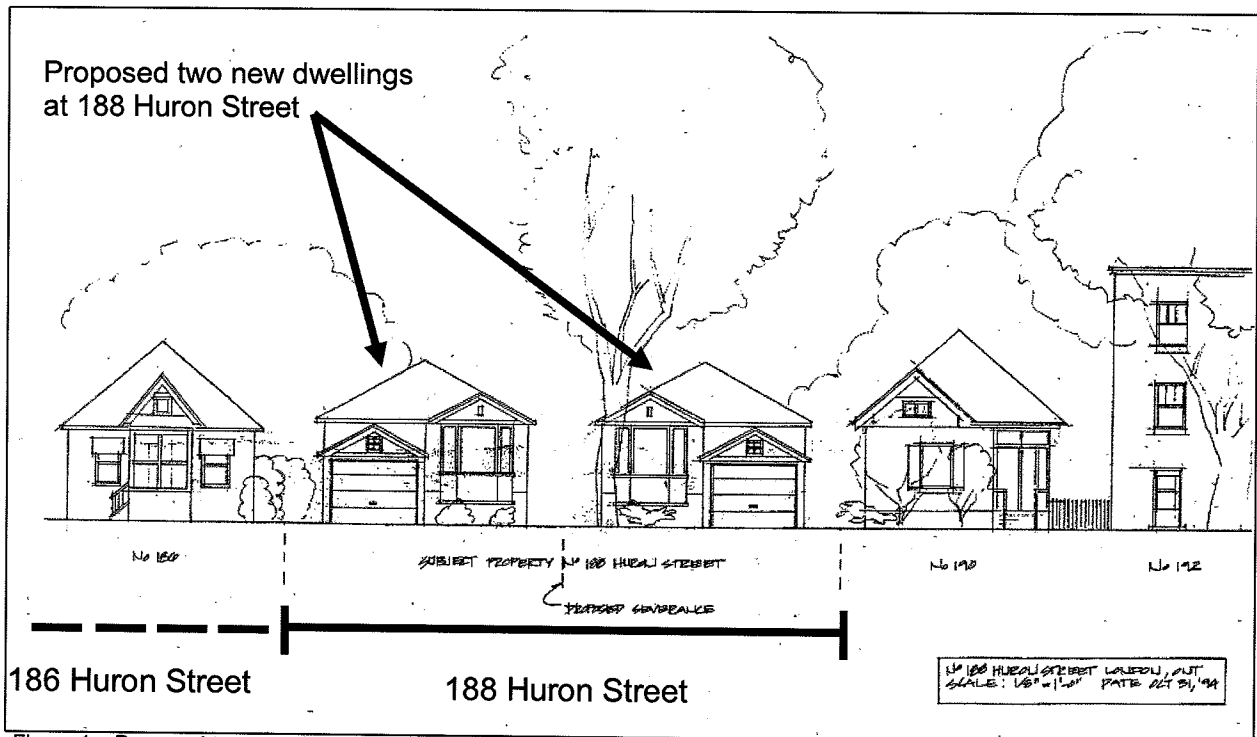


Figure 1 – Proposed two new dwellings at 188 Huron Street

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186-188 Huron Street – Request to Create 4 Residential Lots – July-August 2005

On August 8, 2005, the London Consent Authority issued a Notice of Final Decision for the lands at 186 and 188 Huron Street to conditionally grant consent (severance) for the creation of four residential lots (see figure 2 below).

On August 8th, 2006, the consent for the lands at 186 and 188 Huron Street lapsed as a result of the conditions remaining unfulfilled.

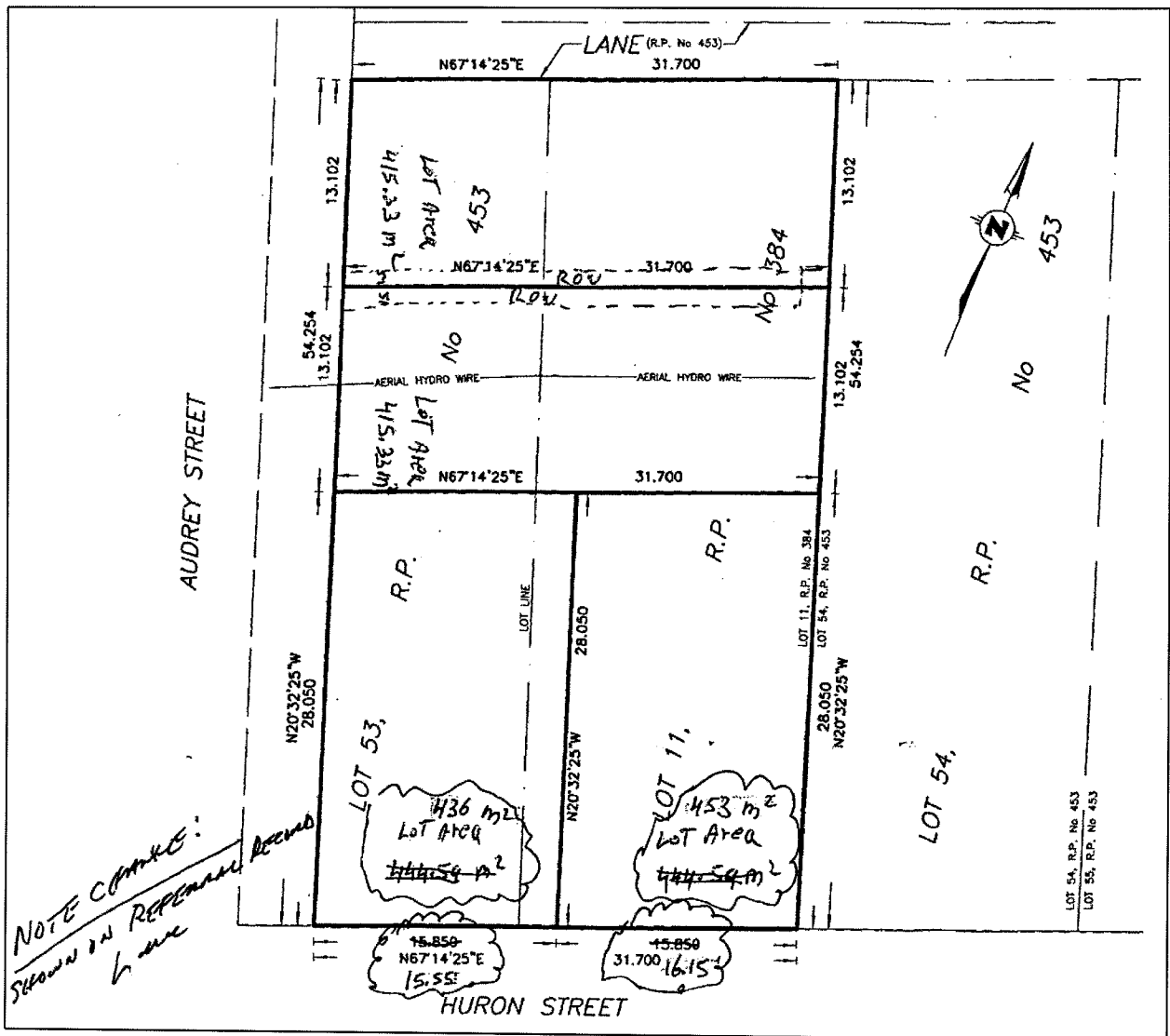


Figure 2 – Proposed lot fabric of 4 new residential lots

Application for Official Plan & Zoning By-law Amendment – September-December 2005

In September 2005, the applicant submitted requests to amend the Official Plan and Zoning By-law to permit the development of 2 duplexes and 2 triplexes on the newly approved lots.

Planning Staff recommended refusal of the requested amendments and on December 19, 2005 Council resolved that the requested Official Plan and Zoning By-law amendments be refused.

On March 3, 2006, the solicitor for the applicant appealed to the Ontario Municipal Board (OMB) Council's refusal to amend the Official Plan and Zoning By-law.

On August 4th, 2006 the OMB dismissed the appeals, thereby upholding Council's decision.

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186-188 Huron Street – Request to Create 3 Residential Lots – December 2006-April 2007

On April 17, 2007, the London Consent Authority issued a Notice of Final Decision for the lands at 186 and 188 Huron Street to conditionally grant consent (severance) for the creation of three residential lots (see figure 3 below).

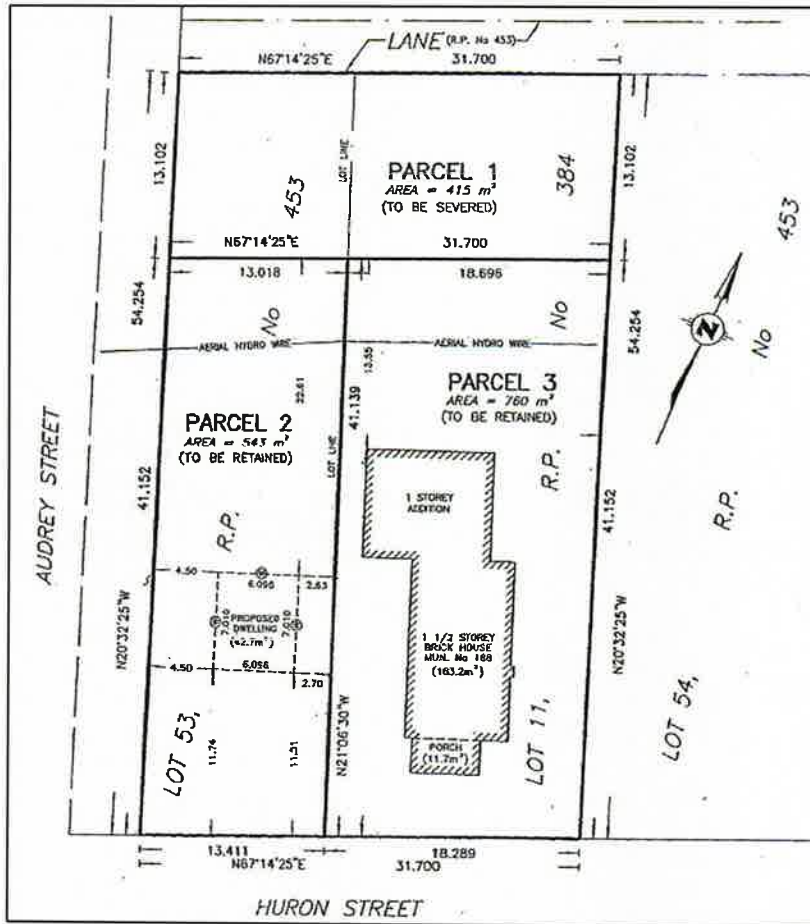


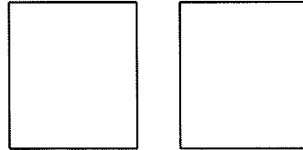
Figure 3 – Proposed lot fabric of 3 new residential lots

Building Construction – October 2006-April 2007

Between October 2006 - April 2007 a total of 3 building permits were issued for the construction of 1 single detached dwelling on each of the newly created lots (see figure 4 below).

Figure 4 – Existing single detached dwellings (view facing north at the terminus of Saint George Street)





Request to Create Additional Residential Lot & Request for Minor Variances – June 2007

On June 25, 2007, the London Consent Authority issued a Notice of Final Decision for the lands at 186 and 188 Huron Street and 2 Audrey Avenue to refuse the consent (severance) for the creation of an additional residential lot (for a total of 4 residential lots) between the dwellings at 186 and 188 Huron Street (see 'B' in figure 5 below) as well as a right-of-way and servicing easement from Audrey Avenue along the rear of the Huron Street lots to accommodate a parking area associated with all of the existing and proposed structures as well as for potential future development.

On June 25th, 2007 a Notice of Decision was issued by the London Committee of Adjustment refusing the requested minor variances.

On July 6, 2007, the solicitor for the applicant appealed to the Ontario Municipal Board (OMB) the refusal to grant consent to sever as well as the refusal to grant the accompanying minor variances required to create the new residential lot.

The OMB dismissed the appeals, thereby upholding the decisions of the London Consent Authority as well as the London Committee of Adjustment.

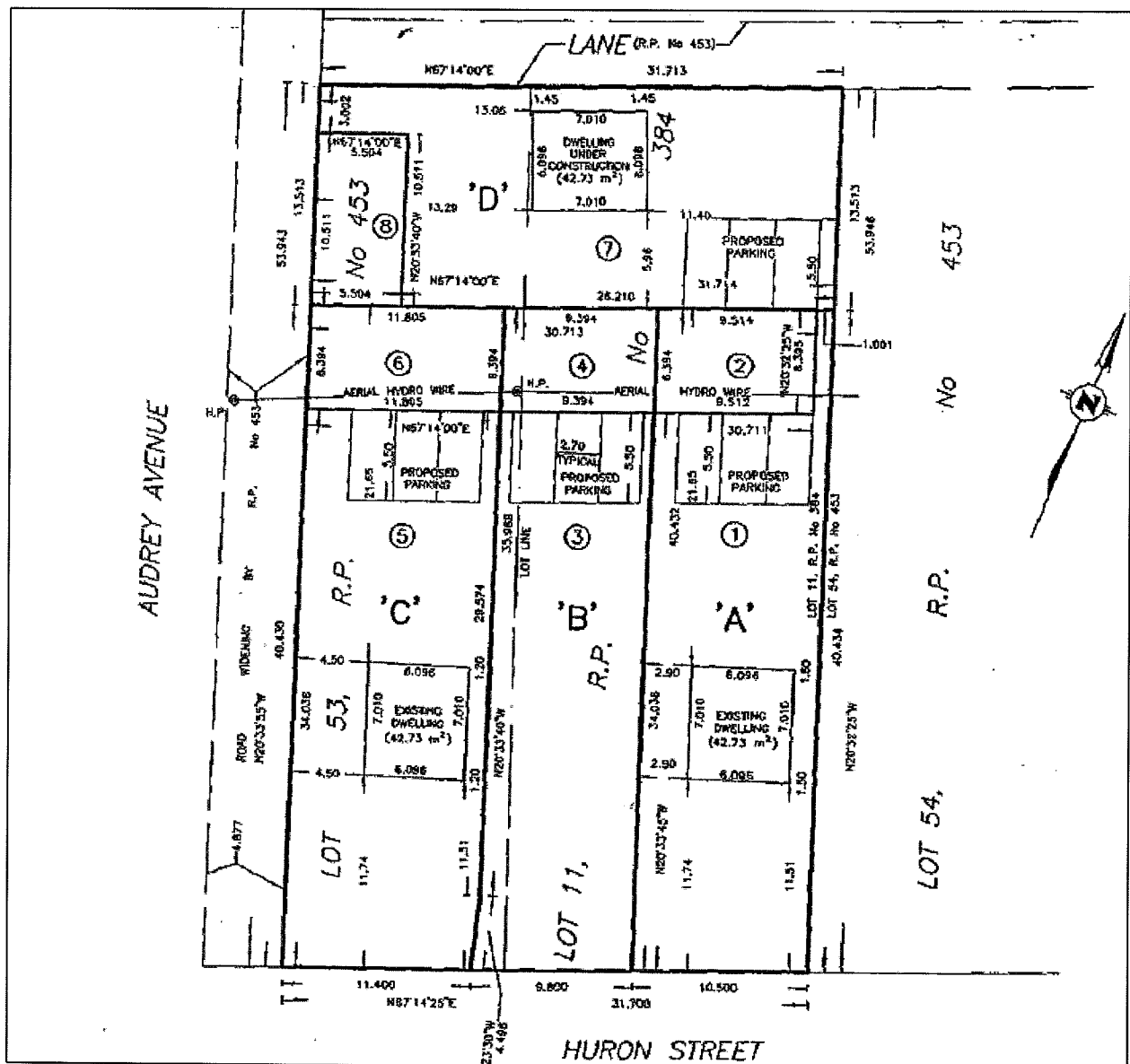


Figure 5 – Proposed lot fabric of 1 new additional residential lot (depicted as lot 'B')

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Application for Official Plan & Zoning By-law Amendment – May – October 2011

In May 2011, the applicant submitted requests to amend the Official Plan and Zoning By-law to permit stacked townhouses with a maximum of 56 bedrooms in addition to the permitted uses in the Low Density Residential designation and to change the Zoning By-law to a Residential R5 Special Provision (R5-7()) Zone to permit Cluster Stacked Townhouse dwellings subject to special provisions.



Figure 6 – Proposed Huron Street elevations (foreground) and Audrey Avenue elevations (background)

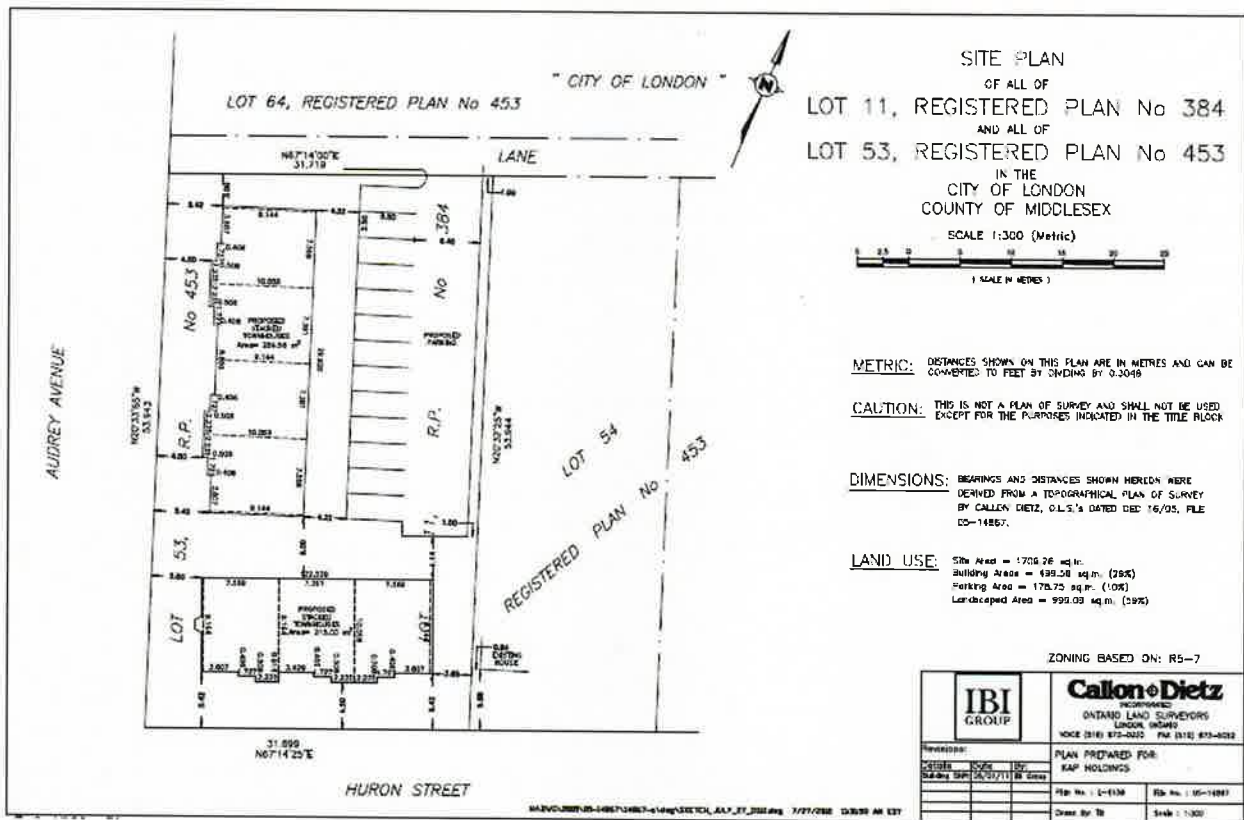


Figure 7 – Conceptual Site Plan proposed for the subject site

Planning Staff recommended refusal of the requested amendments and on October 3, 2011 Council resolved that the requested Official Plan and Zoning By-law amendments be refused.

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Application for Consent to Sever:

On November 7, 2011, an Application for Consent to Sever was received by the City of London for 186-188 Huron St, 2 Audrey Ave. The request was to sever 5.01m² and convey to 2 Audrey Avenue for an existing single detached dwelling; sever 420.26m² for a future single detached dwelling; and sever 84.78m² and convey to 186 Huron Street for an existing single detached dwelling. Notice of the application was published in the Living in the City section of the London Free Press on November 12, 2011 and circulated to area residents on November 14, 2011. On December 22, 2011, the City of London Consent Authority issued a Provisional Consent Decision and condition no. 7 was as follows:

7. The applicant shall apply for site plan approval for Parcel 2 in accordance with section 3.2.3.5. of the Official Plan, including a public site plan meeting. As part of a complete site plan application the applicant shall include a character statement and urban design brief, which shall be submitted to the satisfaction of the Development Planning Division. A Development Agreement shall be entered into and security provided prior to the issuance of the certificate.

The applicant has appealed condition 7 of the Consent Authority. At the Ontario Municipal Board, on May 7th, 2012, the applicant requested the OMB meeting be deferred pending the outcome of the Public Site Plan meeting. The City did not support this request. In an oral decision issued on May 7th, the Ontario Municipal Board dismissed the appeal.

An application for Site Plan was accepted on March 16, 2012. The application was circulated and comments from circulated agencies/departments are outlined below.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Urban Design

The Planning Division's City Planning & Research, Community Planning & Urban Design reviewed the documents for the site plan application and provided the following comments:

Please note the following excerpts from the December 22, 2011 Notice of Provisional Consent Decision (B.060/11) which applies to the proposed new property:

7. The owner shall apply for site plan approval for Parcel 2 in accordance with section 3.2.3.5. of the Official Plan including a public site plan meeting. As part of a complete site plan application the applicant shall include a character statement and urban design brief, which shall be submitted to the satisfaction of the Development Planning Division. A Development Agreement shall be entered into and security provided prior to the issuance of the certificate.

The City notes that section 3.2.3.5. of the Official Plan identifies site plan evaluation criteria which apply to residential intensification proposals. We have reviewed the "Statement of Neighbourhood Character" submitted by the applicant. This document should contain adequate information to satisfy the content requirements listed in s.3.7.3.1 (a) of the Official Plan. It is unclear from the Statement text whether the description of the "neighbourhood" includes the area within 120 metres of the subject site. Indeed all the photos and the majority of the text describe dwellings in the immediate vicinity of the subject lands. We maintain that it is necessary for the Statement to establish the neighbourhood character within 120m of the subject site as this addresses the February 4, 2009 conclusion of the OMB in Case PL070569 that "a neighbourhood as contemplated by the Official Plan is larger than the immediate abutting properties". Also, we agree with this OMB conclusion that "the built form recently constructed on the site is not in keeping with the character of the built form in the area." Therefore, we must disagree with the Statement claiming that "the proposed building, in relation to the buildings on the north, south and east (192 Huron) will be a good fit to the neighbourhood and for the site."

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Preliminary comments were provided to the applicant for the site plan pre-consultation, addressing some of the applicable site plan evaluation criteria in Official Plan section 3.2.3.5, were intended to offer some basic methods for how the proposed built form could address features and conditions prevalent beyond the abutting properties in the (wider) neighbourhood character. These included:

- Move the building to the east to line up with the Audrey Avenue frontage.
- Indicate the location of the front door and show a pedestrian connection from the sidewalk to the front entrance.
- Provide a porch for the front entrance.
- Provide an articulated base for the building.
- Provide a sharper pitch to the roof.

These and other measures listed in s.3.7.3.1 (b) of the Official Plan are helpful in arriving at "compatibility" with the documented "neighbourhood character".

We have not received an urban design brief. We understand that the proposed lot cannot be created until this condition is met.

Urban Forestry

A tree protection plan is to be submitted by the developer to protect a newly planted boulevard tree (2008) as there is a proposed sidewalk extending from the house to the City sidewalk in close proximity to the tree.

Parks Planning

Please note the following excerpts from the December 22, 2011 Notice of Provisional Consent Decision (B.060/11) which applies to the proposed new property:

10. The owner shall provide cash-in-lieu of parkland dedication for the proposed severed lot pursuant to By-law CP-9. The amount owing is based on the lot frontage for the severed lot and is payable to the "City Treasurer" and delivered to the Development Planning Staff (6th floor, City Hall).

11. In accordance with the City of London's Tree Planting Guidelines and approved user fee, the owner shall pay to the City for street tree planting purposes, a fee based at \$25.00 per lineal metre of frontage on the severed parcel.

Servicing Related Comments

The Owner will be required to provide a Site Servicing/Lot Grading Plan and Sanitary Sewer Plan and Design by his professional engineer indicating the sanitary sewer extension on Audrey Avenue, required municipal services, road and boulevard restoration, existing and proposed grading and drainage, including overland flows, sediment and erosion control notes etc. for review and acceptance by the City Engineer.

The above noted plan is to address but not be limited to the following matters:

Wastewater comments:

- A new sanitary private drain connection is to be constructed and located in accordance with City of London Standard SW-7.0 and to the satisfaction of the City Engineer.
- Extend the sanitary sewer on Audrey Avenue to the satisfaction of the City Engineer and at no cost to the City. This will require an agreement, Plans and Design by the

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Owner's professional engineer including security and an ECA all to the approval and satisfaction of the City Engineer.

Stormwater Management comments:

- A new storm private drain connection is to be constructed and located in accordance with City of London Standard SW-7.0 and to the satisfaction of the City Engineer.
- The owner shall be required to comply with the City's Drainage By-law WM-4, to ensure that stormwater runoff from the subject site will not cause any adverse effects to these lands and adjacent lands.
- The Site Servicing/Lot Grading Plan is to indicate the location of the proposed sump pump discharge and overland flows.
- There is an existing catch basin located in the northwest corner of the subject site. This catch basin will require proper sediment control measures during construction activity. Any grading of the subject site is to ensure existing drainage of adjacent and surrounding properties is not obstructed to this catch basin.

Water Engineering comments:

- A new water service is to be constructed and located in accordance with City of London Standard SW-7.0.
- Water Servicing is also to be in accordance with regulations of the City's Water Operations Division. The Owner is therefore advised to contact the Water Operations Division for direction prior to the construction of water servicing.

Transportation Planning and Design

The Transportation Planning & Design Division has reviewed the revised site plan for 186-188 Huron St & 2 Audrey Ave and has no concern with creation of two driveways on Audrey Ave. A portion of the existing driveway for 186 Huron Street is on the new lot which will require the driveway to be relocated southerly. This will necessitate the driveway to circumvent an existing tree on private property and the relocation of an existing tree on the Audrey Ave Boulevard. The site plan will need to be modified to show the relocation of the driveway to avoid these trees.

Note: the applicant has not submitted a Site Servicing/Lot Grading Plan and Sanitary Sewer Plan and Design for the proposed development at this time addressing the above-noted Servicing Related comments. It is the applicant's intention to complete the Site Plan Public process before investing in the completion of this drawing. The applicant is aware that submission of Site Servicing/Lot Grading Plan and Sanitary Sewer Plan after the public meeting will delay the processing of this application.

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PUBLIC LIAISON:	<p>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 May 2, 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 May 12, 2012</p>	15 responses
Nature of Liaison: Same as Requested Action		
Response: 15 Responses Received (See Appendix "A")		
15 Opposed to the proposed application. Reasons cited in opposition include:		
<ul style="list-style-type: none"> • Residents were concerned about the neighbourhood impacts that may result from the proposed development including safety, noise and garbage. • Concerns were raised about the lack of an on-site property manager. • Residents were concerned about the impact to the character and composition of the Broughdale Community and believe it is a further degradation of the neighbourhood and associated neighbourhood values. • Opposition to the aesthetics of the proposed building and streetscape. • Residents claim that the proposed single family dwelling is not in keeping with the character of the neighbourhood and would not be lived in by a "family." • Opposition to more students living in the neighbourhood. • Request for have more tall plantings on the boulevard and within the property boundaries to reduce the visual impact of these buildings. • Concerns about the over-intensification of the subject site. • Concerns surrounding this area being filled with students and having outcomes similar to the March 2011 occurrences Fleming Drive. • Residents believe this application does not fit with the intent of the City's Official Plan. 		

ANALYSIS

Description of the Site Plan

The Owner is proposing to sever 5.01m² and convey to 2 Audrey Avenue for an existing single detached dwelling; sever 420.26m² for a future single detached dwelling; and sever 84.78m² and convey to 186 Huron Street for an existing single detached dwelling. The new lot will contain a proposed single detached dwelling in areas of the existing lots that are currently landscape open space. The new development proposes a driveway at the south end of the property measuring 2.78m wide. The exterior of the residence is proposed to be composite siding ("Hardi-board") on all sides. The exterior materials are the same as the single detached dwellings at 186 - 188 Huron Street and 2 Audrey Avenue however are different from the homes in the surrounding neighbourhood.

Municipal services including water and storm are available on Audrey Avenue. A sanitary sewer will need to be extended on Audrey Avenue to accommodate the proposed development at no cost to the City. There is an existing sidewalk on Audrey Avenue and a sidewalk connection to the front door of the dwelling which faces the street is proposed with this application along with a deciduous tree in the front yard.

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

The subject land currently contains the landscape open space of three adjacent properties. Properties in the area contain single detached dwelling and detached garages on lots that range from approximately 9 m frontage to approximately 20 m frontage. Severing the lands to allow

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for the creation of a 13.103 m frontage lot will maintain the general character of the lots of the area. However, alterations to the proposed building location and design could achieve a greater degree of compatibility with the neighbourhood.

A review of the City of London’s Placemaking Guidelines (2007) provides some direction on the principles of streetscape design, complimentary building scales/types, and pleasant walking environments which would complement the character of the existing neighbourhood. The Urban Design section’s review of the proposed development offered examples of elements which would help create a development that provides a better fit with the existing character of the neighbourhood within 120 meters of the subject site. These elements included:

- Move the building to the east slightly to line up with other building along the Audrey Avenue frontage.
- Indicate the location of the front door and show a pedestrian connection from the sidewalk to the front entrance.
- Provide a porch for the front entrance.
- Provide an articulated base for the building.
- Provide a sharper pitch to the roof.

A building which incorporates the above-mentioned items would create a development with a more complimentary building type and streetscape environment.

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. In this respect, 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 profile, 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.

Section 3.2.3.3 of the Official Plan requires the applicant to submit a Neighbourhood Character Statement which was submitted with the application. The statement was reviewed by the Urban Design Section and deemed to be inappropriate for the following reasons:

- The document does not contain adequate information to satisfy the context requirements listed in s.3.7.3.1 (a); and,
- The text and photos contained in this document describe the dwellings in the immediate vicinity of the subject lands and do not appear to include the area within 120 metres of the subject site.

Section 3.2.3.2 of the Official Plan requires the development of infill housing projects to recognize the scale of adjacent land uses and reflect the character of the area. As described in prior sections of this report, the proposed development does not reflect the character of the neighbourhood.

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Section 3.2.3.4 of the Official Plan require the applicant to provide an adequately detailed statement of the compatibility of the neighbourhood, where it is clearly demonstrated that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, massing and architectural treatments. Section 3.7.3.1 of the Official Plan provide an outline of what a Neighbourhood Character Statement and it shall include "an area consisting of 120 m radius from the site". The Neighbourhood Character Statement submitted with the application does not access the proposal in the larger neighbourhood context as required by the Official Plan and therefore the submission is not in conformity with Section 3.7.3.1. of the Official Plan .

Based on the submitted Neighbourhood Character Statement not containing information on the broader neighbourhood and that no Urban Design Brief was submitted, as required by the Condition of Consent, it is not possible to confirm the proposal is sensitive to, and compatible with, the existing surrounding neighbourhood as required by Section 3.2.3.4. the Official Plan.

Section 3.2.3.5 Public Site Plan Review and Urban Design provides a number of principles when considering residential intensification proposals. With some revisions to the site plan; additional elements added/modifications to the building in accordance with the principles outlined in 3.2.3.5 and submission of a complete Neighbourhood Character Statement, it would be possible to satisfy the Residential Intensification policies of the Official Plan.

Does the Plan Conform to the Residential R1-5(3) Zoning?

Lands zoned Residential R1 (R1-5(3)) require a minimum lot frontage of 12 m and a minimum lot area of 415 m². The submitted site plan indicates the lot frontage as 13.103 m and the lot area of 415.49 m².

The R1-5(3) 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 R1-5(3) Zone and the General Provisions and conforms to the requirements.

What were the conditions of the Provisional Consent?

The London Consent Authority imposed a total of 15 conditions when it issued its Provisional Decision on December 22, 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; re-assigning the even side of Audrey Avenue to accommodate the new parcel; the payment of cash-in-lieu of parkland dedication for the proposed lot, the payment 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, character statement, and urban design brief. 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 applicant has submitted a neighbourhood character statement but as noted above, it does not review the larger area surrounding the site in conformity with the Official Plan. In addition, the condition requires submission of an Urban Design Brief and none was submitted. A revised Neighbourhood Character Statement and an Urban Design Brief are required before this condition is satisfied.

The applicant appealed the Provisional Decision of the Consent Authority on the basis and their condition was specifically related to condition No. 7. A hearing on the appeal of Consent

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Application B.060 /11 was heard by the Ontario Municipal Board on May 7, 2012. In an oral Decision the Board dismissed the appeal. The applicant has one year from the granting of the Provisional Consent to fulfil the conditions.

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.

Public Comments

The vast majority of public comments focussed on the impact to the character and composition of the neighbourhood this proposed building would have as there is opposition to the aesthetics of the proposed building and associated streetscape. The public is also concerned that the proposed building form is only suitable for students to live in and would not result in a family moving into the neighbourhood.

CONCLUSION

- Proposed Site Plan meets the R1-5(3) Zoning By-law
- Condition 7 of the Provisional Consent Decision (B.060/11) required the applicant to submit a character statement and urban design brief.
- Submitted "Statement of Neighbourhood Character" describes dwellings in the immediate vicinity of the subject lands. The Official Plan states Neighbourhood Character Statements shall include a minimum of 120 m from the site. The submitted neighbourhood character did not review the area 120m of the subject site and is not in conformity with the Official Plan.
- At the time of the writing of this report, an urban design brief has not been submitted as required by the London Consent Authority
- The proposed development is not in keeping with the character of the built form in the area/neighbourhood
- During the site plan consultation process, a number of comments pertaining to the development were offered to the applicant by the Urban Design department as outlined in the Significant Department Comments section of this report which have not been incorporated into the latest proposal
- A tree protection plan to protect a newly planted boulevard trees is required to be submitted by the applicant
- A Site Servicing/Lot Grading Plan and Sanitary Sewer Plan and Design is required to be submitted by the applicant
- The application proposes 2 driveways on Audrey Ave. The site plan will need to be modified to show the relocation of the proposed driveways to avoid existing trees on private property and the City Boulevard.

The Development Services section is not in a position to recommend approval of the submitted site plan for the following reasons:

- The proposed development does not meet several requirements as identified in the Official Plan including:
 - Section 3.2.3.2 Density and Form
 - Section 3.2.3.3. Neighbourhood Character Statement

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- Section 3.2.3.4 Compatibility of Proposed Residential Intensification Development
- Section 3.2.3.5 Public Site Plan Review and Urban Design
- Section 3.7.3.1 Residential Intensification
- The urban design brief is outstanding

PREPARED BY:	RECOMMENDED BY:
	
SARA BELLAIRE, OALA CSLA LANDSCAPE PLANNER DEVELOPMENT SERVICES	JEFF LEUNISSEN, MCIP RPP MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
REVIEWED BY:	SUBMITTED BY:
	
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May 17, 2012

JL/SB

c: John Braam, Acting Executive Director, PEES Department

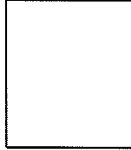
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Summary of Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
Joseph Stepaniuk 555 Saint George St	Joseph Stepaniuk 555 Saint George St Requests for more tall trees on City Boulevard
Beth Srahulek 161 Broughdale Ave Objects to proposal	
	David Clarke and Johanna Engel Clarke 195 Huron Street Objections include: aesthetics of proposed building, proposal not in keeping with character of neighbourhood and not fit for family to live in leading to more student housing, maximum level of intensification has long been reached
	Irene Thompson 163 Broughdale Ave Objections include: more students living in the area and to the aesthetics of the proposal.
Jackie Faquhar	Jackie Faquhar Objections include: aesthetics, disregard for neighbourhood
	Michael Smith and Sarah McGeen 550 Saint George St Oppositions include: proposal not in keeping with character of neighbourhood, aesthetics concerns, and over-intensification
	Wyn and Robert Gidney 551 Saint George St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns
	Marjorie Cunningham 554 Saint George St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns
	Marilyn Gregory 545 Saint George St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns
	Marg Houston 180 Regent St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns



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	<p>Evelyn Jenkins 192 Regent St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns</p>
	<p>Mary Stover and Peter Frank 552 Saint George St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns</p>
	<p>Richard Yake 190 Regent St Objections include: impacts to the neighbourhood including noise, traffic, property standards and over-intensification of the site, aesthetics of the proposal, concerns over student housing, and the applicant is unresponsive to neighbourhood concerns</p>
	<p>Betty Duffield 369 Saint George St Objections include: aesthetics of proposed building and streetscape, intensification of site for students</p>

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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, May 2, 2012.

City of London, Living in the City – Saturday, May 12, 2012.

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

Provincial Policy Statement, March 1, 2005

City of London, Notice of Provisional Consent Decision – File No. B.060/11

City of London, Site Plan Application, SP12-007186

City of London, Report to the Built and Natural Environment Committee – File No. OZ-7912,
September 26, 2011