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File No: Z-8046
Planner: N. Musicco

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: INSITES CONSULTING 1197 YORK STREET AND 1201-1203 YORK STREET JULY 23, 2012

RECOMMENDATION

That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, based on the application of Insites Consulting relating to the property located at 1197 York Street and 1201-1203 York Street: The proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting on July 24, 2012, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to change the zoning of the subject properties **FROM** a Residential R2 (R2-2) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (to a maximum of 2 units) **TO** a Residential R2 Special Provision (R2-2(*)) Zone for the lands at 1197 York Street to allow for maximum of 4 units within a converted dwelling with a minimum lot area of 520 m2, a minimum front yard depth of 2.7 meters, a minimum interior yard (east) of 1.9 meters, a minimum yard depth (west) of 0.7 meters and a maximum building height of 12 meters **and** a Residential Special Provision (R2-2(**)) Zone for the lands at 1201/1203 York Street to allow for a maximum of 4 units within a converted dwelling with a minimum lot area of 520 m2, a minimum front yard depth of 3.1 meters, a minimum interior yard (east) of 2.6 meters and a maximum building height of 12 meters and maximum parking area coverage of 25.4%.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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July 16, 2012 Report to Planning and Environment Committee – 1197 & 1201/1203 York Street
This report recommended that the requested Zoning By-law to permit two converted dwellings (maximum of four dwellings per unit) BE REFUSED. Council recommended that, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the application of Insites Consulting, relating to the property located at 1197 York Street and 1201-1203 York Street, **BE REFERRED** to the Civic Administration to submit a report at a future Planning and Environment Committee meeting that provides the proposed Zoning By-law Amendment in accordance with the application.

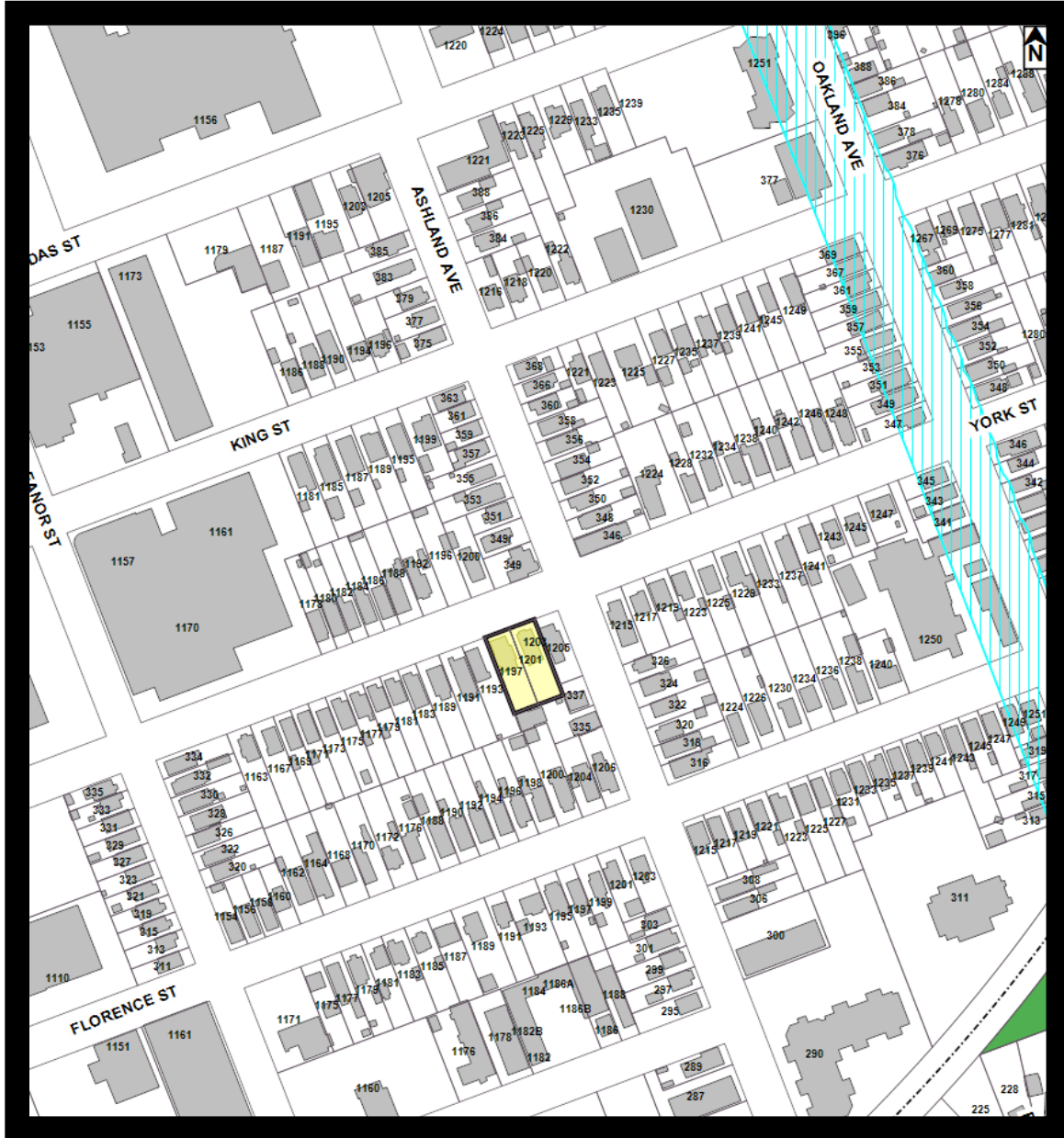
PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the proposed amendment is to allow for 4 units within a converted dwelling for the property located at 1197 York Street and 1201/1203 York Street.

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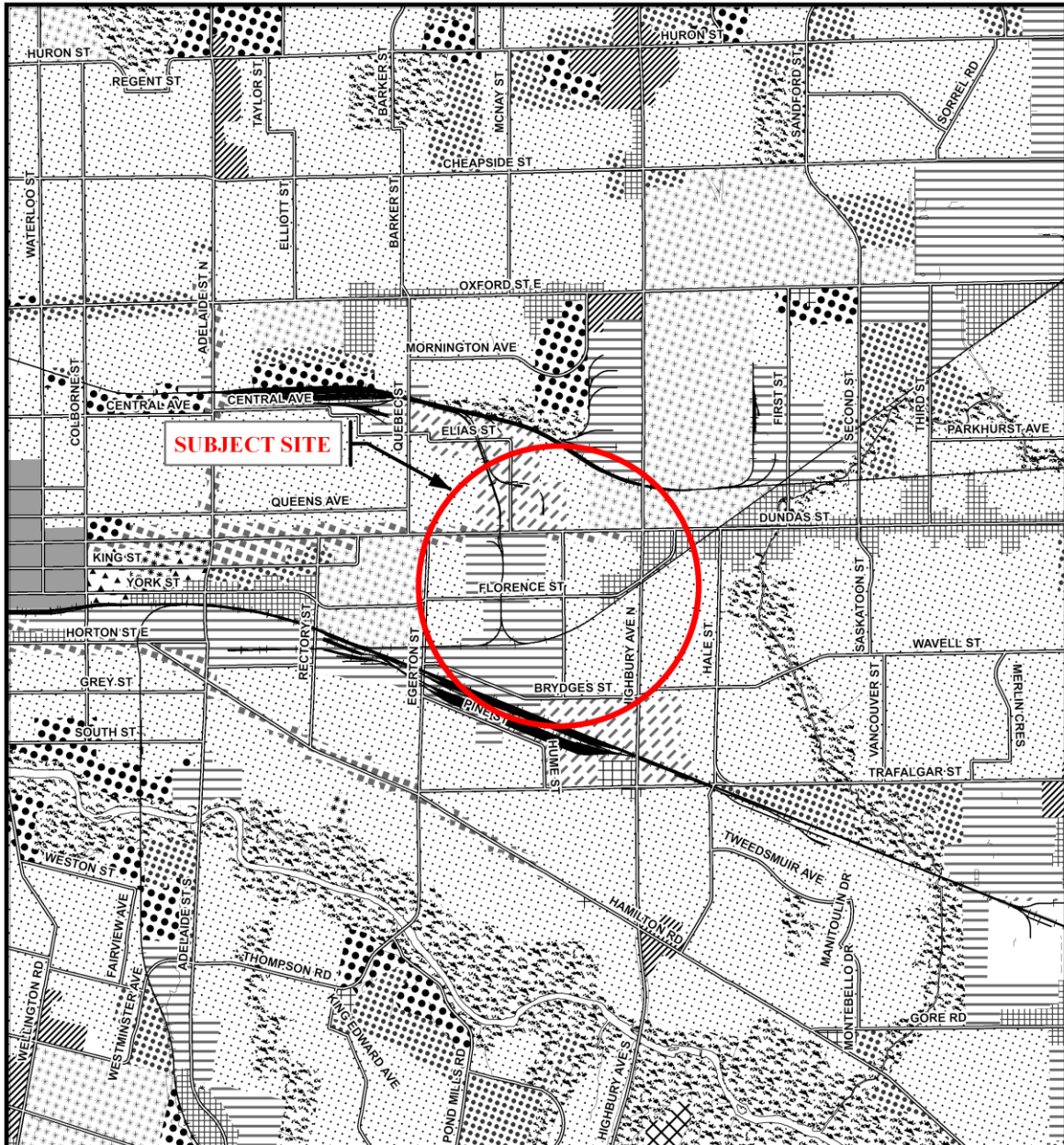
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LOCATION MAP



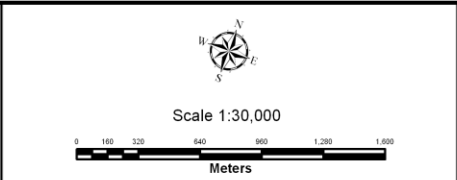
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Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density 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

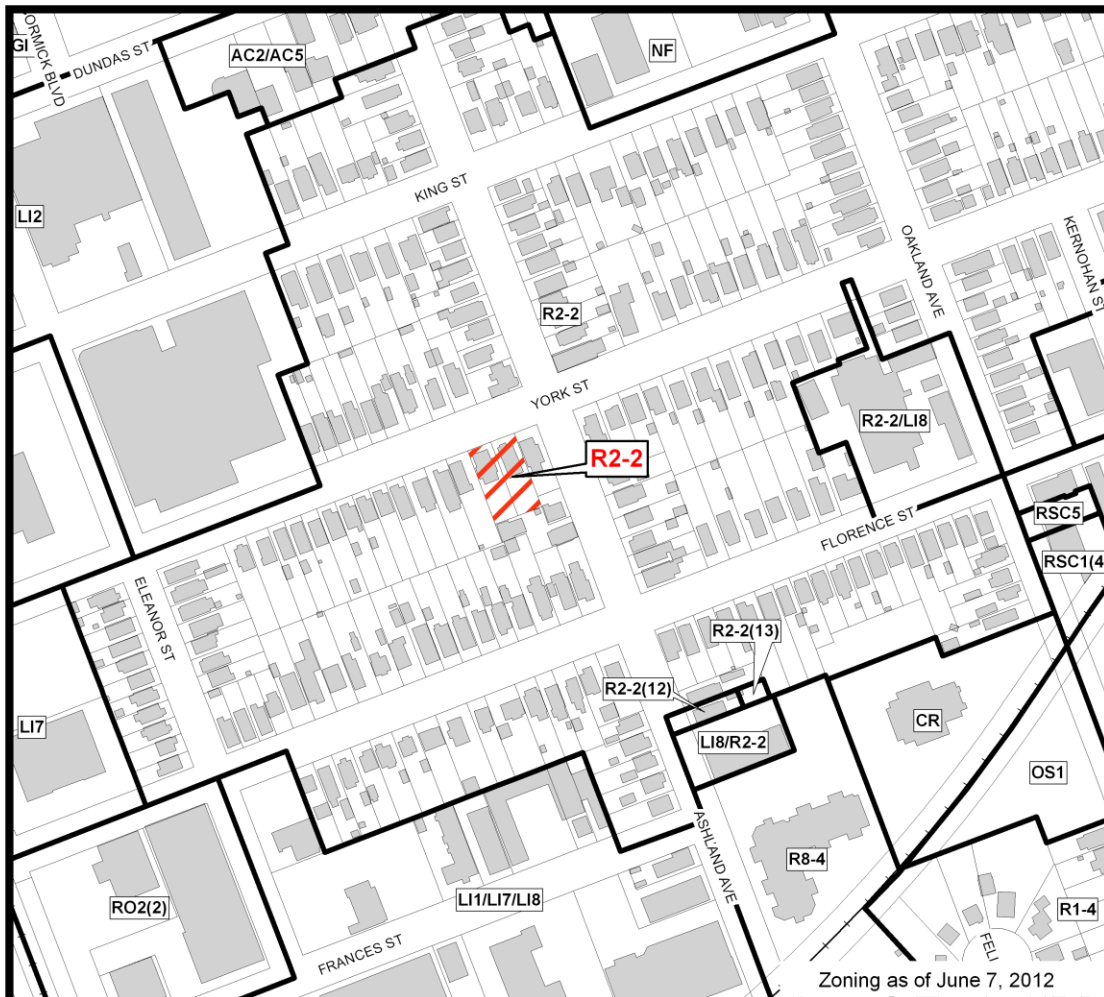
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8046
 PLANNER: NM
 TECHNICIAN: CK
 DATE: 2012/06/21

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-2

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

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

**ZONING
 BY-LAW NO. Z-1
 SCHEDULE A**



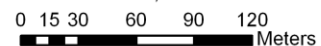
FILE NO:
 Z-8046

NM

MAP PREPARED:
 2012/06/21

CK

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BACKGROUND

Date Application Accepted: April 18, 2012	Agent: Insites Consulting (Ben Billings)
<p>REQUESTED ACTION: Possible amendment to the Zoning By-law Z.-1 FROM a Residential (R2-2) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (to a maximum of 2 units) TO a Residential Special Provision (R2-2()) Zone to allow for converted dwellings (maximum of four dwellings per unit) on lots having a minimum lot frontage of 12 meters and a minimum lot area of 520m2 and to recognize existing front yard, rear yard and interior yard setbacks.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Residential R2 zone containing two fourplex dwellings. • Frontage – 1197 York Street = 12.78 m. 1201-1203 York Street = 13.10 m. • Depth - 1197 York Street = 40.77 m. 1201-1203 York Street = 40.77 m. • Area - 1197 York Street = 521 m2 1201-1203 York Street = 534 m2 • Shape – Rectangular

<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Residential R2 uses single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (max. 2 units). • South - Residential R2 uses single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (max. 2 units). • East - Residential R2 uses single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (max. 2 units). • West - Residential R2 uses single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (max. 2 units).

<p>OFFICIAL PLAN DESIGNATION: Low Density Residential (refer to Official Plan Map)</p> <p>The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Residential Intensification may be permitted subject to the provisions of policy 3.2.3. Zoning on individual sites would not normally allow for the full range of permitted uses.</p>
<p>EXISTING ZONING: Residential R2 Zone (refer to Zoning Map)</p> <p>The R2 Zone variation provides for and regulates low density residential development in the form of single detached dwellings, semi-detached dwellings, duplex dwellings and two unit converted dwellings.</p>

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PLANNING HISTORY

On July 16, 2012, at a meeting of the Planning and Environment Committee, Planning Staff recommended that the proposed amendment to the Zoning By-law, as requested by the applicant, be refused.

Planning Staff's recommendation for refusal was based on the opinion that the requested amendment is not consistent with the policies of the Official Plan and the intent of the Residential R2 zone. Furthermore, the requested Zoning By-law amendment would constitute "spot" zoning, over intensification and is not considered appropriate in isolation from the surrounding neighbourhood. The Official Plan policies and zoning for this area are appropriate, promote neighbourhood stability and allow for some intensification and redevelopment of residential properties

On July 16, 2012, Municipal Council resolved:

That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the application of Insites Consulting, relating to the property located at 1197 York Street and 1201-1203 York Street, **BE REFERRED** to the Civic Administration to submit a report at a future Planning and Environment Committee meeting that provides the proposed Zoning By-law Amendment in accordance with the application, as submitted and to ensure that the proposed additional units meet with the requirements of the *Ontario Building Code*; it being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

Ben Billings, on behalf of the applicant – advising that the applicant is not asking for anything new; noting that some of the concerns expressed by the Civic Administration are spot zoning and how the proposed application will affect the neighbours; indicating that the building has been existing for many years with no impact on the neighbours; noting that the applicant is trying to regulate the zoning; advising that he provided a neighbourhood study to the Civic Administration; advising that the subject property has been there for decades; advising that he held community meetings and the neighbours expressed support for the application; indicating that the amendment demonstrates that only properties that are zoned to intensify will be able to do so; indicating that it is not spot zoning as the application has been expanded to include 1201-1203 York Street, as well as 1197 York Street; advising that the Official Plan requires applications to be submitted on a case by case basis; indicating that the study he completed follows the Provincial Policy Statement; and advising that this application provides nothing new and is not a complicated issue.

PREPARED BY:	SUBMITTED BY:
NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING AND URBAN DESIGN	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR OF LAND USE PLANNING & CITY PLANNER	

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2012

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1197 York Street and 1201/1203 York Street.

WHEREAS Insites Consulting has applied to rezone an area of land located at 1197 York Street and 1201/1203 York Street, 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 the lands located at 1197 York Street and 1201/1203 York Street, as shown on the attached map comprising part of Key Map No. 87 FROM a Residential R2 (R2-2) Zone TO a Residential R2Special Provision (R2-2(*)) Zone and a Residential Special Provision (R2-2(**)) Zone.

2. Section Number 6 of the Residential R2 Zone is amended by adding the following Special Provision:

6.4__ R2-2 (*) 1197 York Street

a) Regulations

- i) Number of Dwelling Units Within a Converted Dwelling (maximum) 4 units
- ii) Lot area (minimum) 520 m² (5597 ft)
- iii) Front yard depth (minimum) 2.7 meters (8.85 ft)
- iv) Interior yard depth (east) (minimum) 1.9 meters (6.23 ft)
- v) Interior yard depth (west) (minimum) 0.7 meters (2.29 ft)
- vi) Building Height (maximum) 12 meters (39.3 ft)

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R2-2(**) 1201/1203 York Street

- | | | |
|------|--|------------------------------|
| a) | Regulations | |
| i) | Number of Dwelling Units
Within a Converted Dwelling
(maximum) | 4 units |
| ii) | Lot area
(minimum) | 520 m ² (5597 ft) |
| iii) | Front yard depth
(minimum) | 3.1 meters (10.17 ft) |
| iv) | Interior yard depth (east)
(minimum) | 2.6 meters (8.5 ft) |
| v) | Building Height
(maximum) | 12 meters (39.3 ft) |
| vi) | Parking Area Coverage
(maximum) | 25.4 % |

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 July 24, 2012

Joe Fontana
 Mayor

Catharine Saunders
 City Clerk

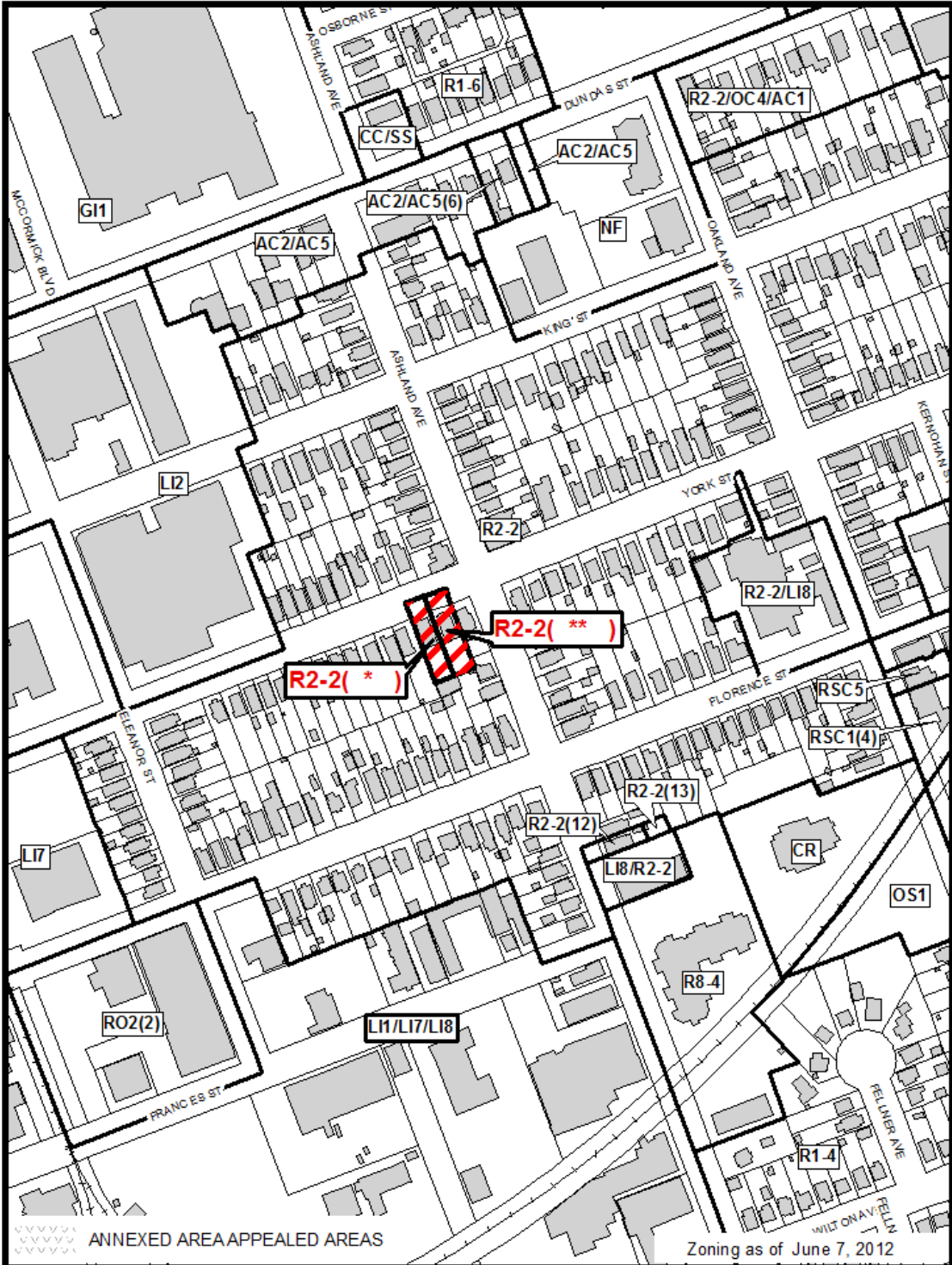
First Reading - July 24, 2012
 Second Reading - July 24, 2012
 Third Reading - July 24, 2012

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



ANNEXED AREA APPEALED AREAS

Zoning as of June 7, 2012

File Number: Z-8046
Planner: NM
Date Prepared: 2012/07/18
Technician: CK
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters

