

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic Development  
**Subject:** 991 Sunningdale Road West  
**Public Participation Meeting Date:** June 20, 2022

### Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Nasser and Suzan Aljarousha relating to the property located at 991 Sunningdale Road West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal council meeting to be held on July 5, 2022 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Agricultural AG1 Zone **TO** a Holding Agricultural AG1 Special Provision (h-18\*AG1( )) Zone.

### Executive Summary

#### Summary of Request

The request is for approval of a zone change from an Agricultural (AG1) Zone to an Agricultural AG1 Special Provision (AG1( )) Zone to facilitate the development of a single detached dwelling. A holding provision is recommended to ensure that any archaeological matters have been addressed in advance of development or site alteration.

#### Purpose and Effect of Recommended Action

The purpose and effect of this zoning change is to permit a single detached non-agricultural dwelling as an additional permitted use. This amendment includes special provisions to recognize a lot area of 2,103m<sup>2</sup> (whereas 40 hectares is required) and a lot frontage of 45.8m (whereas a minimum of 200m is required); to permit an east and west interior side yard depth of 10.6m and 13.8m, respectively, and a rear yard depth of 14.5m (whereas a minimum of 15m is required); and permit a front setback of 7.2m from the ultimate road allowance (whereas a minimum of 15m is required).

#### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Farmland Place Type, Our Strategy, our Tools, and other applicable London Plan policies.
3. The recommended amendment conforms to the in-force of the 1989 Official Plan, including but not limited to the Agricultural designation.
4. The recommended amendment facilitates the development of a single detached non-agricultural dwelling which is appropriate and compatible with existing and future land uses in the surrounding area.

### Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

# Analysis

## 1.0 Background Information

### 1.1 Property Description

The subject lands are located outside of the Urban Growth Boundary on the north side of Sunningdale Road West, approximately 500m east of Wonderland Road North in the Fox Hollow Planning District.

The subject lands were previously occupied by a single detached dwelling which was recently demolished for the development of a new single detached dwelling. Surrounding land uses include single detached dwellings to the east and west, townhouses to the south, and agricultural lands to the north.

The subject lands have an area of 2,103m<sup>2</sup> and frontage of 45.8m along Sunningdale Road West. The subject lands are generally flat in topography and contains multiple mature trees along the west interior and rear property lines.



Figure 1. Google street view of the subject lands and previously existing single detached dwelling (demolished), facing north from Sunningdale Road West (June, 2021)



Figure 2. View of the subject lands, facing north from Sunningdale Road West (May, 2022)



Figure 3. View of the subject lands, facing northeast from Sunningdale Road West (May, 2022)

## 1.2 Current Planning Information

- The London Plan Place Type – Farmland
- Official Plan Designation – Agricultural
- Existing Zoning – Agricultural (AG1) Zone

## 1.3 Site Characteristics

- Current Land Use – Vacant (previously non-conforming use)
- Frontage – 45.8m
- Depth – 45.8m
- Area – 2,103m<sup>2</sup>
- Shape – square

## 1.4 Surrounding Land Uses

- North – Agricultural
- East – Single detached dwellings
- South – Townhouse dwellings
- West – Single detached dwelling

## 1.5 Location Map



### LOCATION MAP

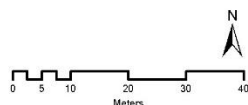
Subject Site: 991 Sunningdale Road West

File Number: Z-9472

Planner: Joanne Lee

Date: 2022/17/05

Corporation of the City of London  
Prepared By: Planning and Development



Scale 1:1000

### Legend

-  Subject Site
-  Assessment Parcels
-  Buildings
-  Driveways/ParkingLots

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The owner has requested to rezone the subject lands to facilitate the development of a single detached non-agricultural dwelling. The proposed development will retain the existing boundary trees located along the west and north property lines.

The subject lands were previously occupied by the existing single detached dwelling that had existed since 1970s. The existing dwelling was treated as legal non-conforming, however, was demolished which leads to the removal of the existing foundation and therefore loses its legal non-conforming status. To facilitate the development of a new single detached dwelling on a new foundation, a zoning by-law amendment is required.

### 2.2 Requested Amendment

The recommended amendment is to rezone the subject lands to an Agricultural AG1 Special Provision (AG1(\_)) which will add a single detached non-agricultural dwelling as an additional permitted use and allow special provisions, including:

- A lot area of 2,103 square metres whereas a lot area of 40 hectares is required.
- A lot frontage of 45.8 metres whereas a lot frontage of 200 metres is required.
- An east and west interior side yard depth of 10.6 metres and 13.8 metres, respectively, a minimum interior side yard depth of 15 metres is required.
- A rear yard depth of 14.5 metres whereas a minimum rear yard depth of 15 metres is required.
- A front setback of 7.2 metres from the ultimate road allowance whereas a minimum of 15 metres is required.

### 2.3 Community Engagement (see more detail in Appendix B)

No responses were received from the public.

### 2.4 Policy Context

*Provincial Policy Statement, 2020*

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1.4.1 of the PPS encourages healthy, integrated and viable rural areas to be supported by promoting regeneration and encouraging the conservation and redevelopment of existing rural housing stock on rural lands. Rural areas may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas (1.1.4).

The subject lands are located within prime agricultural area of London. The PPS requires the protection of prime agricultural areas for long-term agricultural use and permits agricultural uses, agriculture-related uses, and on-farm diversified uses in prime agricultural areas (2.3.1, 2.3.3.1).

*The London Plan*

At the time the application was submitted The *London Plan* was Council adopted and approved by the Ministry with modifications with the majority of which was in force and effect. The *London Plan* policies under appeal at the time of the application which were considered in force and effect for the review of this application are indicated with an asterisk (\*) throughout this report.

The London Plan provides Key Directions (54\_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years.

Given the nature of the proposed development outside of the Urban Growth Boundary, Key Direction #8 Make Wise Planning Decision provides the most applicable direction in this context and includes:

1. Ensure that all planning decisions and municipal projects conform with *The London Plan* and are consistent with the *Provincial Policy Statement*.
2. Plan for sustainability – balance economic environmental, and social considerations in all planning decisions.
3. Think “big picture” and long-term when making planning decisions – consider the implications of a short-term and/or site-specific planning decision within the context of this broader view.
8. Avoid current and future land use conflicts – mitigate conflicts where they cannot be avoided.
9. Ensure new development is a good fit within the context of an existing neighbourhood.

The subject lands are located within the Farmland Place Type with frontage on a Civic Boulevard as identified on Map 1 – Place Types\* and Map 3 – Street Classifications. An excerpt from The London Plan Map 1 – Place Types\* is found at Appendix D. The Farmland Place Type is the prime agricultural area of London and is intended to protect and maintain farm practices to support a healthy, productive and innovative agricultural industry (1179).

#### *1989 Official Plan*

The subject lands are designated Agricultural in accordance with Schedule ‘A’ of the 1989 Official Plan, where agriculture and farm-related activities are the predominant land use. An excerpt from Land Use Schedule ‘A’ is found at Appendix D. The Agricultural designation recognizes the need for a long-term commitment and is intended to minimize the loss of prime agricultural land to non-farm development and prohibit the introduction of land uses that are incompatible with or may potentially constrain farm operations.

#### *Zoning By-law Z.-1*

The subject lands are zoned Agricultural (AG1). The Agricultural Zone is applied to agricultural and farmland areas. The AG1 Zone variation permits a wide range of non-intensive agricultural uses (45.1). A zoning map excerpt from the Zoning By-law Z.-1 is found at Appendix D.

### **3.0 Key Issues and Considerations**

#### **3.1 Issue and consideration #1: Use**

##### *Provincial Policy Statement*

While agricultural uses, agriculture-related uses and on-farm diversified uses are permitted in prime agricultural areas, the PPS encourages non-agricultural uses provided impacts from these uses on surrounding agricultural operations and lands are mitigated to the extent feasible (2.3.3.1, 2.3.6.2).

##### *The London Plan and 1989 Official Plan*

The subject lands are located within the Farmland Place Type in The London Plan and are designated Agricultural in the 1989 Official Plan. Both the Farmland Place Type and Agricultural designation apply to lands outside the Urban Growth Boundary and permit a broad range of agricultural uses, including the principal farm residence and secondary farm dwelling units that may be required for the farm operation (The London Plan, 1182; 1989 Official Plan, 9.2.1, 9.2.2).

The creation of non-farm residential lots in the agricultural area are discouraged, while single detached dwellings on existing lots of record are permitted (The London Plan, 1180, 1182\_2; 1989 Official Plan, 9.1.1, 9.2.9). The London Plan may permit residential uses on existing lot of record subject to a zoning by-law amendment, provided it does not create conflicts with farming operations or adjacent natural heritage features (1190).

Consistent with the PPS, both the London Plan and the 1989 Official Plan permits any new non-agricultural uses provided their impacts on surrounding agricultural operations and lands are mitigated (The London Plan, 1180; 1989 Official Plan, 9.1.1).

Based on a review of the surrounding land uses Staff have identified that the abutting agricultural lots are of similar size and shape and are occupied by single detached non-agricultural dwellings and while south of the subject lands are townhouses. The subject lands have also accommodated an existing single detached dwelling for more than 40 years. The proposed single detached dwelling on the existing lot of record conforms to the London Plan and 1989 Official Plan as the proposed use will have no new impacts on the surrounding agricultural lands and can be considered more compatible use with adjacent residential (legal conforming) uses than the currently permitted agricultural uses.

#### *Zoning By-law No. Z.-1*

The AG1 Zone variation permits a wide range of non-intensive agricultural uses, including agricultural uses, farm dwelling, and kennels (45.1, 45.2.1). Residential dwellings are not permitted in the AG1 Zone, unless they are existing residential dwellings on a lot of record (45.3.2). As a result of the demolition of the existing single detached dwelling, the residential use is no longer recognized as legal conforming as per Section 45.3.2. As such, a special provision is required to permit a single detached dwelling as an additional permitted use.

### **3.2 Issue and consideration #2: Minimum Distance Separation (MDS) Setbacks**

#### *Provincial Policy Statement*

The PPS requires that new land uses in prime agricultural areas shall comply with the minimum distance separation formulae (2.3.3.3). The provincial Minimum Distance Separation (MDS) Implementation Guidelines and Formulae is intended to minimize land use conflicts and nuisance complaints related to odour from livestock facilities.

#### *The London Plan and 1989 Official Plan*

Consistent with the PPS, the London Plan requires any development on lands outside of the Urban Growth Boundary meet the required odour setbacks in accordance with the provincial MDS Implementation Guidelines and Formulae (1773). Further, all types of development on all existing lots of record are required to comply with the MDS I requirements (The London Plan, 1775\_4; 1989 Official Plan, 9.2.10). Residential uses on existing lots of record are subject to MDS I setback at a time of a zoning by-law amendment and prior to the issuance of a building permit (The London Plan, 1191).

#### *Zoning By-law Z.-1*

For the Agricultural Zone, all new agricultural and non-agricultural uses require compliance with the appropriate MDS formula as determined by the Ministry of Agriculture, Food and rural Affairs guidelines (45.3.8)

The MDS Implementation Guidelines and Formulae provides that all existing livestock facility within a 750 distance of a proposed Type A land use and a 1,500m distance of a proposed Type B land use shall be investigated to undertake MDS I setback calculations where warranted (#6). Type A land uses are characterized by a lower density of human occupancy, habitation or activity, including dwellings on existing lots outside a settlement area (#33).

An MDS I setback also applies to all building permit applications for dwellings on existing lots and all proposed amendments to rezone land to permit development in prime agricultural areas and rural lands zoned for agricultural use (#7, #10). This also includes those to allow site-specific exceptions which add non-agricultural uses or residential uses to the list of agricultural uses already permitted on a lot.

The proposed single detached dwelling is classified as a Type A land use. No existing livestock facilities are located within 750m of the proposed single detached dwelling. Accordingly, there are no issues with respect to the proposed non-agricultural use and the Minimum Distance Separation Formula.

### **3.3 Issue and consideration #3: Intensity and Form**

#### *The London Plan*

Within the Farmland Place Type, residential uses are required to be limited to existing lots of record and encouraged to locate in the urban portion of the city to prevent establishment of estate lots (1213\_3). These uses are also to be grouped to minimize points of access to the street (1213\_2, 1216\_3).

The proposed single detached dwelling is grouped with the abutting existing single detached dwellings on Sunningdale Road West and will not result in any transportation conflict on the street. The proposed development will result in a single detached dwelling that is a good fit within the existing and planned context of the surrounding area.

### **3.4 Issue and consideration #4: Reduced lot area and lot frontage**

#### *The London Plan and 1989 Official Plan*

The minimum farm parcel size of 40 hectares is established through the Zoning By-law to encourage the retention or consolidation of farm parcels so that farms are of a sufficient size to promote efficient operations and responsible environment management and to maintain long term viability and flexibility. It is recognized that there are existing properties in the Agricultural designation that do not meet the minimum farm parcel size (The London Plan, 1215; 1989 Official Plan, 9.2.9). The 1989 Official Plan provides further direction which allows for single detached dwellings on undersized lots within the Agricultural designation. Single detached dwellings are subject to:

- i) *An adequate and potable water supply is available or can be made available on the site subject to the approval of the authority having jurisdiction.*
- ii) *The lot size is sufficient and the soil are suitable to support an individual on-site waste disposal system subject to the approval of the authority having jurisdiction.*

The subject lands have been proven to accommodate all on-site servicing and to be of sufficient size and configuration to accommodate a single detached dwelling. The subject lands are serviced by municipal water and private on-site services. No additional services are required for the proposed single detached dwelling. The subject lands have a frontage which is very similar to those of the neighbouring single detached dwellings.

While the reduced lot size of 2,103m<sup>2</sup> satisfies the criteria above for single detached dwellings, the lot must satisfy all regulations for the Agricultural AG1 zone variation as a result of the loss of legal non-conforming status. Special provisions are required to recognize the reduced lot area, whereas a minimum of 40 ha is required, and a lot frontage of 45.8m, whereas a minimum of 200m is required.

### **3.5 Issue and consideration #5: Reduced yard depths**

In order to facilitate the development of a new single detached dwelling, additional special provisions are required to permit a reduced east and west interior side yard depth of 10.6 metres and 13.8 metres, respectively, and a rear yard depth of 14.5 metres whereas a minimum yard depth of 15 metre is required for the Agricultural AG1 Zone variation. The special provisions also include a reduced setback of 7.2 metres from the ultimate road allowance whereas a minimum of 15 metres is required.

#### *West interior side yard depth*

The applicant is proposing to locate the single detached dwelling to the centre of lot providing an adequate setback to the west. The previous single detached dwelling was located closer to the abutting single detached dwelling to the west.

Additionally, a number of mature trees are lined along the west property line. These trees will be retained based on the proposed setback and will help screen the abutting single detached dwelling to the west. Staff are of the opinion that a reduced west interior side yard depth is appropriate.

#### *East interior side yard depth*



Currently, there are an existing board-on-board fence and small trees located along the east property line, as shown in Figure 4 below. To further mitigate potential privacy impacts, the applicant is proposing to locate a garage to the east limiting any privacy concerns and potential oversight into the rear yard of the abutting property. Staff are of the opinion that a reduced east interior side yard depth will not result in significant impacts on the abutting single detached dwelling to the east.



Figure 4. View of subject lands and east abutting single detached dwelling, facing east from Sunningdale Road West.

#### *Rear yard depth*

To the north, there are agricultural lands. The existing trees are currently lined along the rear property line and will be retained. The reduced rear yard depth is not expected to introduce any potential land use conflicts between the proposed single detached dwelling and the surrounding uses.

#### *Front setback from ultimate road allowance*

The Zoning By-law provides yard requirements adjacent to the Arterial and Collector roads measured from the limit of the required or the existing road allowance, whichever is the greater (4.21). The intent of the regulation ensures that adequate distance is provided in the event of future road widening.

Sunningdale Road West is an arterial road and has an ultimate road allowance requirement of 18m from the centre line. In the AG1 Zone variation, a minimum front yard depth of 15m is required from the ultimate road allowance. The applicant has requested a reduced front yard setback of 7.2m from the ultimate road allowance.

Through the application review process, Urban Design staff has indicated that there is no formal streetwall established on the north side of Sunningdale Road West, and therefore have no concern over the reduced setback. The reduced front setback is not expected to have any significant impacts on the character of the streetscape along Sunningdale Road West and detract from the overall character of the agricultural area. The proposed single detached dwelling will not result in potential encroachment into the ultimate road allowance of Sunningdale Road West and an appropriate setback will be maintained.

### **3.6 Issue and consideration #6: Archaeological Potential**

The subject lands are identified as having archaeological potential. Archaeological staff has indicated that the proposed scope of work will result in soil disturbance due to the construction of a single detached dwelling on the lands. As a result, an archaeological assessment is required for the entire property in accordance with the Provincial Policy Statement and the London Plan. A Stage 1-2 Archaeological Assessment is recommended.

### *The Provincial Policy Statement*

Section 2.6.2. of the Provincial Policy Statement requires the completion of an archaeological assessment prior to development or site alteration in areas of archaeological potential.

### *The London Plan*

The London Plan requires an archaeological assessment where a proposal involves development or site alteration, and if it is determined through the application of the Archaeological Management Plan model that any part of a subject area possesses archaeological resource potential or known archaeological resources (616).

The requested zoning includes the h-18 holding provision to require an archaeological assessment completed and accepted by the Ministry of Heritage, Sport, Tourism and Culture Industries prior to any development on site. The holding provision will ensure that the subject lands are assessed for the presence of archaeological resources to the satisfaction of the City. The h-18 holding provision states:

*The proponent shall retain a consultant archaeologist, licensed by the Ministry of Heritage, Sport, Tourism and Culture industries (MHSTCI) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of the London Plan.*

*All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MTCS has accepted them into the Public Registry.*

*Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted on site.*

*No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MHSTCI compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied. (Z.-1-192784)*

## Conclusion

The recommended zoning amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan and 1989 Official Plan. The recommended amendment would facilitate the development of a single detached non-agricultural dwelling that is considered more appropriate and compatible with existing and future land uses in the surrounding area.

The recommended holding provision will ensure that an archaeological assessment is undertaken to assess the subject lands and mitigate adverse impacts to any archaeological resources found before development or site alteration can occur on the lands.

**Prepared by:** Joanne Lee  
Planner I, Long Range Planning and Research

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

**Recommended by:** Gregg Barrett, AICP  
Director, Planning and Development

**Submitted By:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

June 13, 2022  
JL/jl

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## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1-22\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 991  
Sunningdale Road West

WHEREAS Nasser and Suzan Aljarousha have applied to rezone an area of land located at 991 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 991 Sunningdale Road West, as shown on the attached map comprising part of Key Map No. A101, from an Agricultural AG1 Zone to a Holding Agricultural AG1 Special Provision (h-18\*AG1( )) Zone.
- 2) Section 45.4 a) of the Agricultural AG1 Zone is amended by adding the following Special Provision:

)	AG1( )	991 Sunningdale Road West	
	a)	Additional Permitted Use:	
		i) Single detached dwelling	
	b)	Regulation[s]	
		i) Lot area (Minimum)	0.21 hectares (2,103m <sup>2</sup> )
		ii) Lot Frontage (Minimum)	45.8 metres (150.2 feet)
		iii) Interior Side Yard Depth (west)	13.8 metres (45.2 feet)
		iv) Interior Side Yard Depth (east)	10.6 metres (34.7 feet)
		v) Rear Yard Depth	14.5 metres (47.5 feet)
		vi) Front Setback from ultimate road allowance	7.2 metres (23.6 feet)

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.

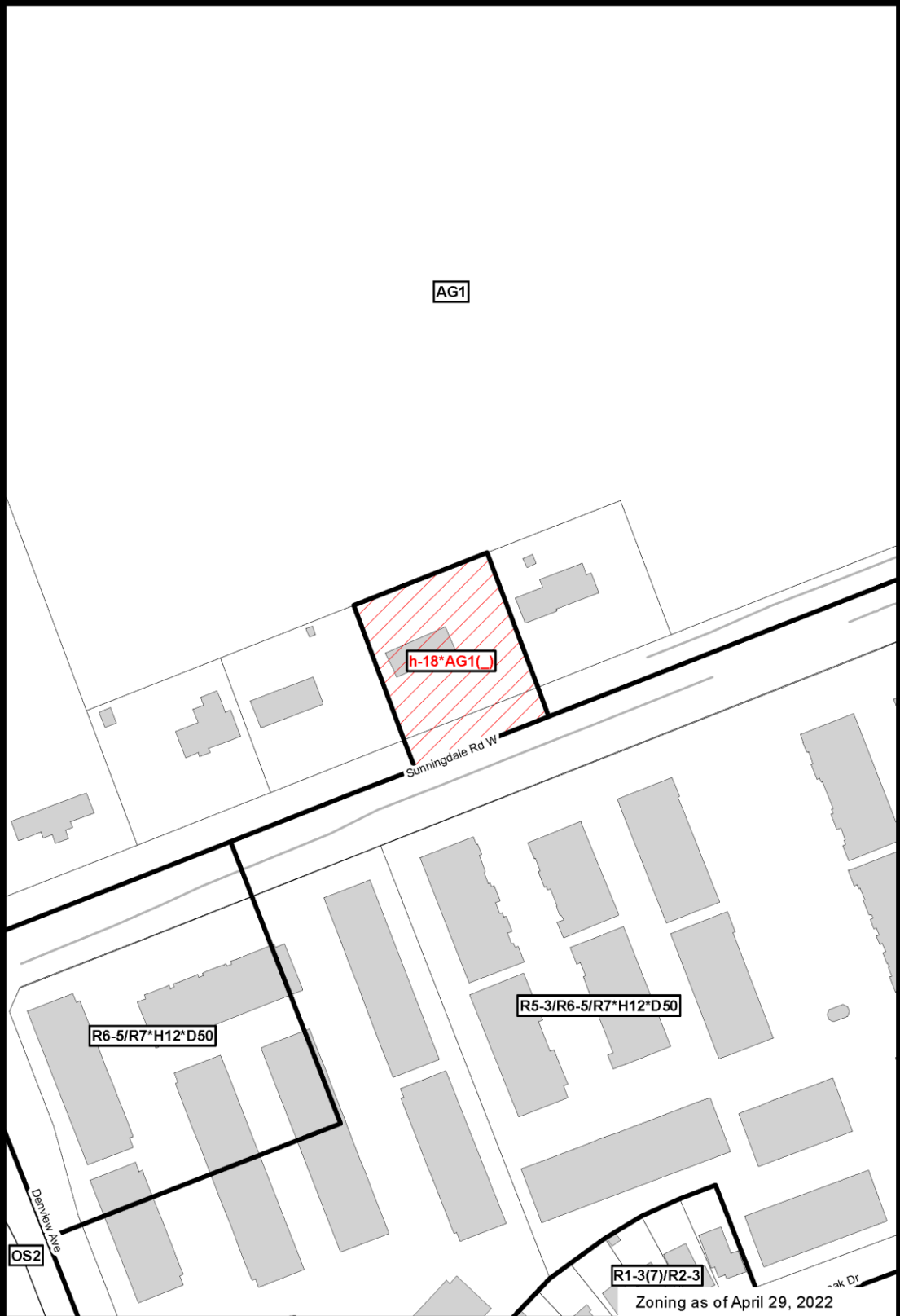
PASSED in Open Council on July 5, 2022.

Ed Holder  
Mayor


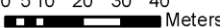

Michael Schulthess  
City Clerk

First Reading – July 5, 2022  
Second Reading – July 5, 2022  
Third Reading – July 5, 2022

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



Zoning as of April 29, 2022

<p>File Number: Z-9472 Planner: JL Date Prepared: 2022/05/17 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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## Appendix B – Community Engagement

### Community Engagement

**Public Liaison:** On February 23, 2022, Notice of Application was sent to 136 property owners in the surrounding area. A Planning application sign was also posted on site. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 24, 2022. A Notice of Public Meeting was published in *The Londoner* on June 2, 2022.

**Responses:** no responses received

**Nature of Liaison:** Application to change the zoning from an Agricultural (AG1) Zone to an Agricultural Special Provision (AG1(\_)) Zone to permit a single detached non-agricultural dwelling as an additional permitted use; to recognize a lot area of 2,103m<sup>2</sup> whereas a minimum of 4,000m<sup>2</sup> is required; to recognize a lot frontage of 45.8m whereas a minimum of 200m is required; to permit an east and west interior side yard depth of 10.6m and 13.8m, respectively, and a rear yard depth of 14.5m whereas a minimum yard depth of 15m is required; and to permit a setback of 7.2m from the ultimate road allowance whereas a minimum of 20m is required.

### Agency or Departmental Comments

*Archaeological, March 9, 2022*

**Z-9472 – 991 Sunningdale Road West**

infill/intensification; new single family detached dwelling

#### Major issues identified

Archaeological potential at 991 Sunningdale Road W is identified on the City's Archaeological Mapping. The proposed scope of work will result in soil disturbance due to the construction of single detached dwelling on the property.

#### Related policy

Per Policy 616 of *The London Plan*, “[a]n archaeological assessment is required where a proposal involves development or site alteration, and if it is determined through the application of the Archaeological Management Plan model that any part of a subject area possesses archaeological resource potential or known archaeological resources.”

#### Conditions of ZBA approval – heritage planning

- Archaeological Assessment Stage 1-2 – entire property

*If an archaeological assessment has already been completed and received a compliance letter from the Ministry, the compliance letter along with the assessment report may be submitted for review to ensure they meet municipal requirements.*

#### Notes:

- The proponent shall retain a consultant archaeologist, licensed by the Ministry of Heritage, Sport, Tourism, and Culture Industries under the provisions of the *Ontario Heritage Act* (R.S.O. 1990 as amended) to carry out a minimum of a Stage 1-2 archaeological assessment and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4).
- The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.
- All archaeological assessment reports will to be submitted to the City of London once the Ministry of Heritage, Sport, Tourism and Culture Industries has accepted them into the Public Registry; both a hard copy and PDF format of archaeological reports should be submitted to Current Development.

- No soil disturbance arising from demolition, construction, or any other activity shall take place on the property prior to Current Development receiving the Ministry of Heritage, Sport, Tourism, and Culture Industries compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.
- It is an offence under Section 48 and 69 of the *Ontario Heritage Act* for any party other than a consultant archaeologist to make alterations to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from an archaeological site.
- Should previously undocumented (i.e. unknown or deeply buried) archaeological resources be discovered, they may be a new archaeological site and therefore be subject to Section 48(1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the *Ontario Heritage Act*. Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48(1) of the *Ontario Heritage Act* and may not be altered, or have artifacts removed from them, except by a person holding an archaeological license.
- If human remains/or a grave site is discovered, the proponent or person discovering the human remains and/or grave site must cease alteration of the site immediately. The *Funerals, Burials and Cremation Services Act* requires that any person discovering human remains must immediately notify the police or coroner and the Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, Ontario Ministry of Government and Consumer Services.

Transportation, March 9, 2022

Transportation has no comments to provide at this time.

Urban Design, April 14, 2022

- As there is no formal streetwall established on the side of Sunningdale Road West, there is no UD comment or concern over the new proposed setback in question.
- Attached garages shall not contain garage doors that occupy more than 50% of the unit width AND shall not project beyond the façade of the dwelling or the façade of any porch.



## Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

### *Provincial Policy Statement, 2020*

- 1.1.4 – Rural Areas in Municipalities
  - 1.1.4.1 – Healthy, integrated and viable rural areas
- 2.3.1 – Prime agricultural areas
  - 2.3.3.1 – Permitted uses in prime agricultural areas
  - 2.3.3.3 – new land uses in prime agricultural areas subject to minimum distance separation
  - 2.3.6.1 – non-agricultural uses in prime agricultural areas
  - 2.3.6.2 – impacts of non-agricultural uses
- 2.6.2 – archaeology
- 2.6.4 – archaeological management plans
- 2.6.5 – indigenous communities interests

### *The London Plan*

- 615 – First Nations monitors for Stage 2 and 3 archaeological assessments
- 616 – archaeological assessment required for development and site alteration
- 1179 – Farmland Place Type and prime agricultural area
- 1180 – Functions of Farmland Place Type
- 1181 – Vision of Farmland Place Type
- 1182 – Permitted uses in Farmland Place Type
- 1190 – Residential dwellings on existing lots of record
- 1191 – Compliance with minimum distance separation
- 1213 – Intensity of development in Farmland Place Type
- 1215 – Existing farmland lots
- 1216 – Form of development in Farmland Place Type
- 1773 – Minimum distance separation
- 1775 – Minimum distance separation I setback requirements

### *1989 Official Plan*

- 9.1.1 – Objectives for Agricultural designation
- 9.2.1 – Primary permitted uses in Agricultural designation
- 9.2.2 – Secondary permitted uses in Agricultural designation
- 9.2.9 – Existing agricultural lots
- 9.2.10 – Minimum distance separation requirements

### *Zoning By-law Z.-1*

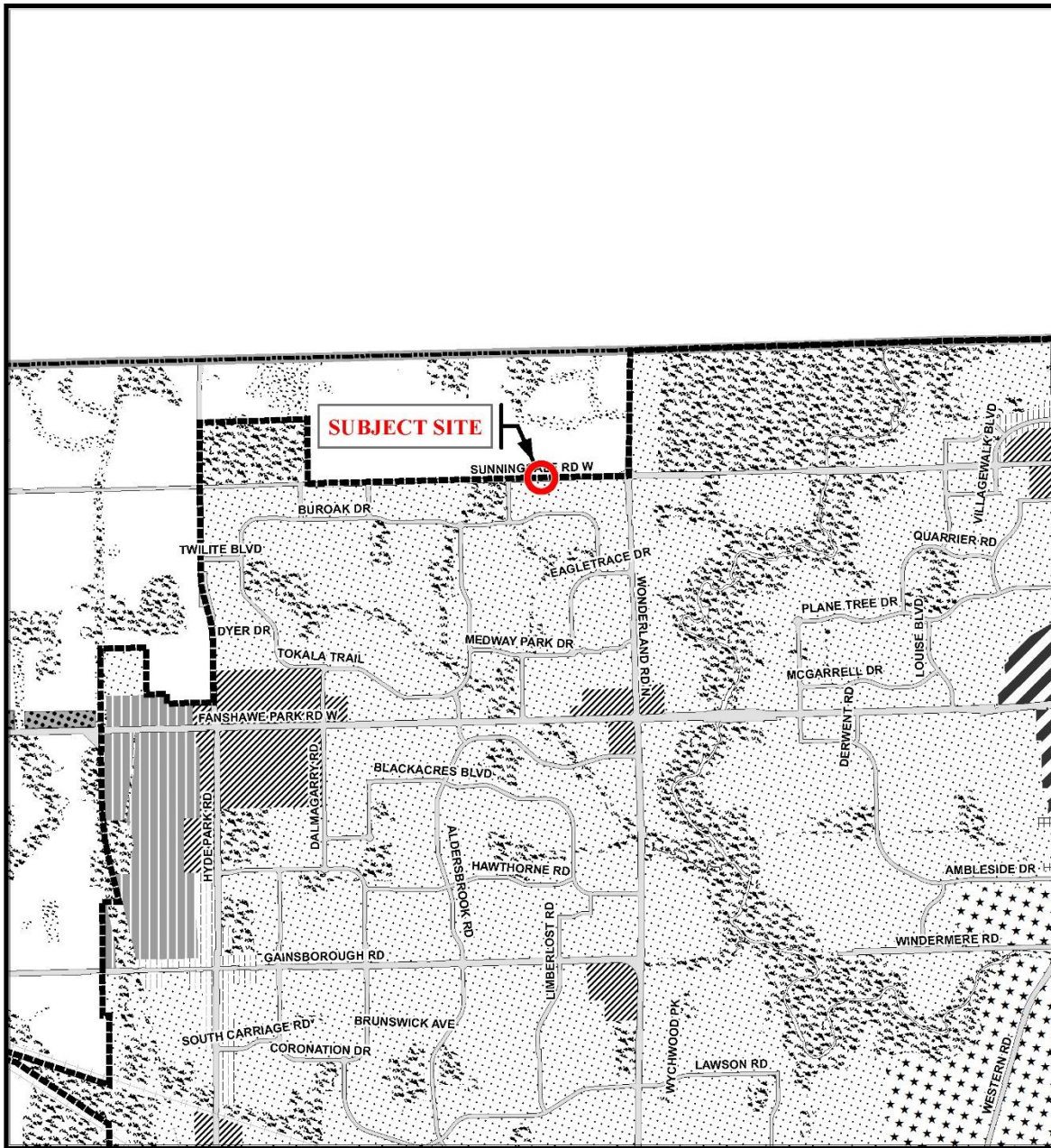
- 4.21 – Road allowance requirements
- 45.1 – General purpose of Agricultural Zone
  - 45.2.1 – Permitted uses in AG1 Zone
  - 45.3.1 – Existing agricultural lots
  - 45.3.2 – Existing single detached non-agricultural dwellings
  - 45.3.8 – Minimum distance separation

### *Minimum Distance Separation (MDS) Implementation Guidelines and Formulae*

- #6 – Required investigation distances for MDS
- #7 – MDS I setbacks for building permits on existing lots
- #10 – MDS I setbacks for zoning by-law amendments
- #11 – MDS setbacks for reconstruction
- #33 – Type A land uses (less sensitive)
- #40 – Measurement of MDS setbacks for development and dwellings

# Appendix D – Relevant Background

## The London Plan – Map 1 – Place Types



### Legend

- |                        |                          |   |
|------------------------|--------------------------|---|
| Downtown               | Future Community Growth  | Environmental Review                    |
| Transit Village        | Heavy Industrial         | Farmland                                |
| Shopping Area          | Light Industrial         | Rural Neighbourhood                     |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor         | Commercial Industrial    | Urban Growth Boundary                   |
| Main Street            | Institutional            |   |
| Neighbourhood          | Green Space              |   |

*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



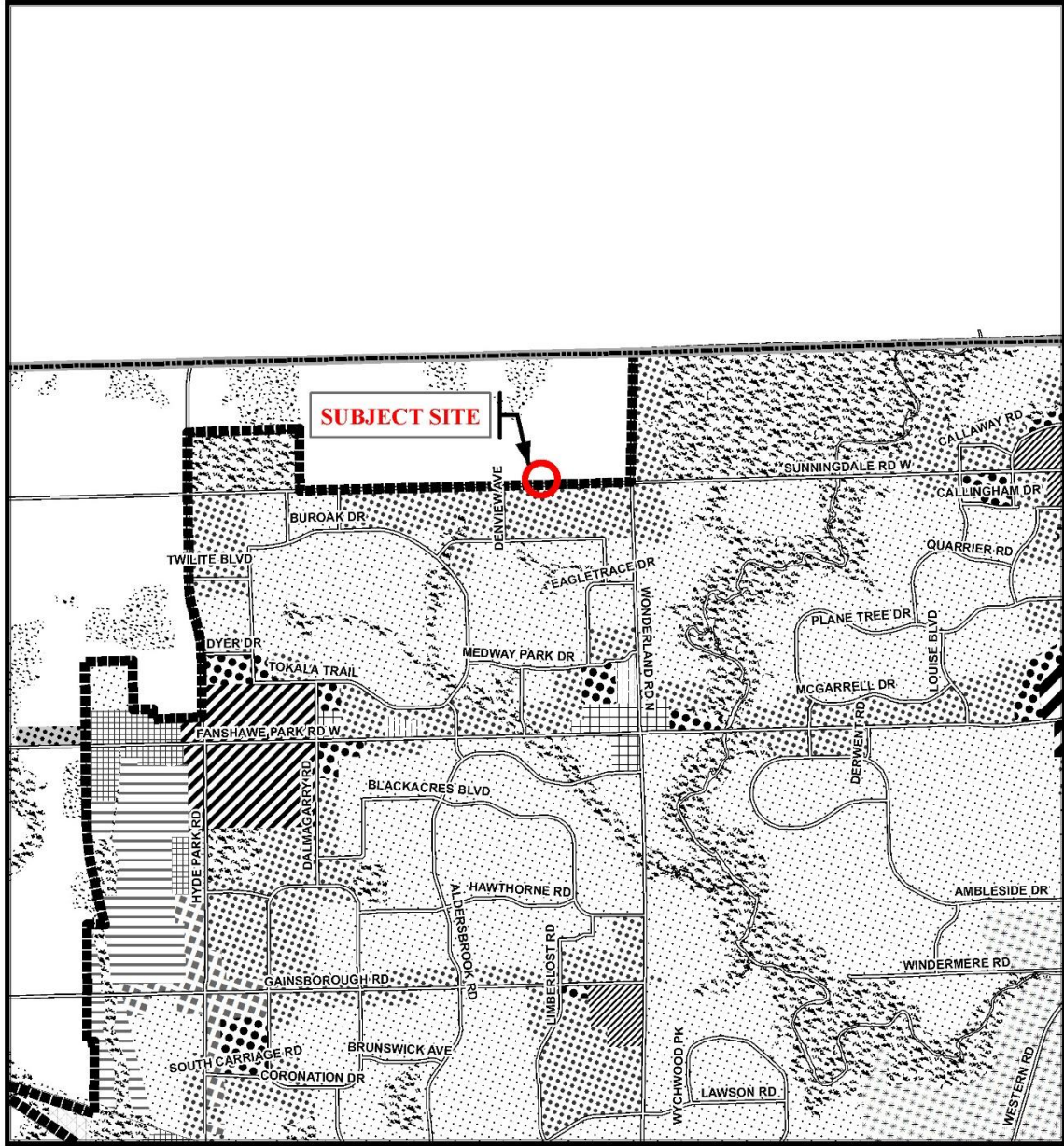
File Number: Z-9472

Planner: JL

Technician: RC

Date: May 17, 2022

# 1989 Official Plan – Schedule A – Land Use

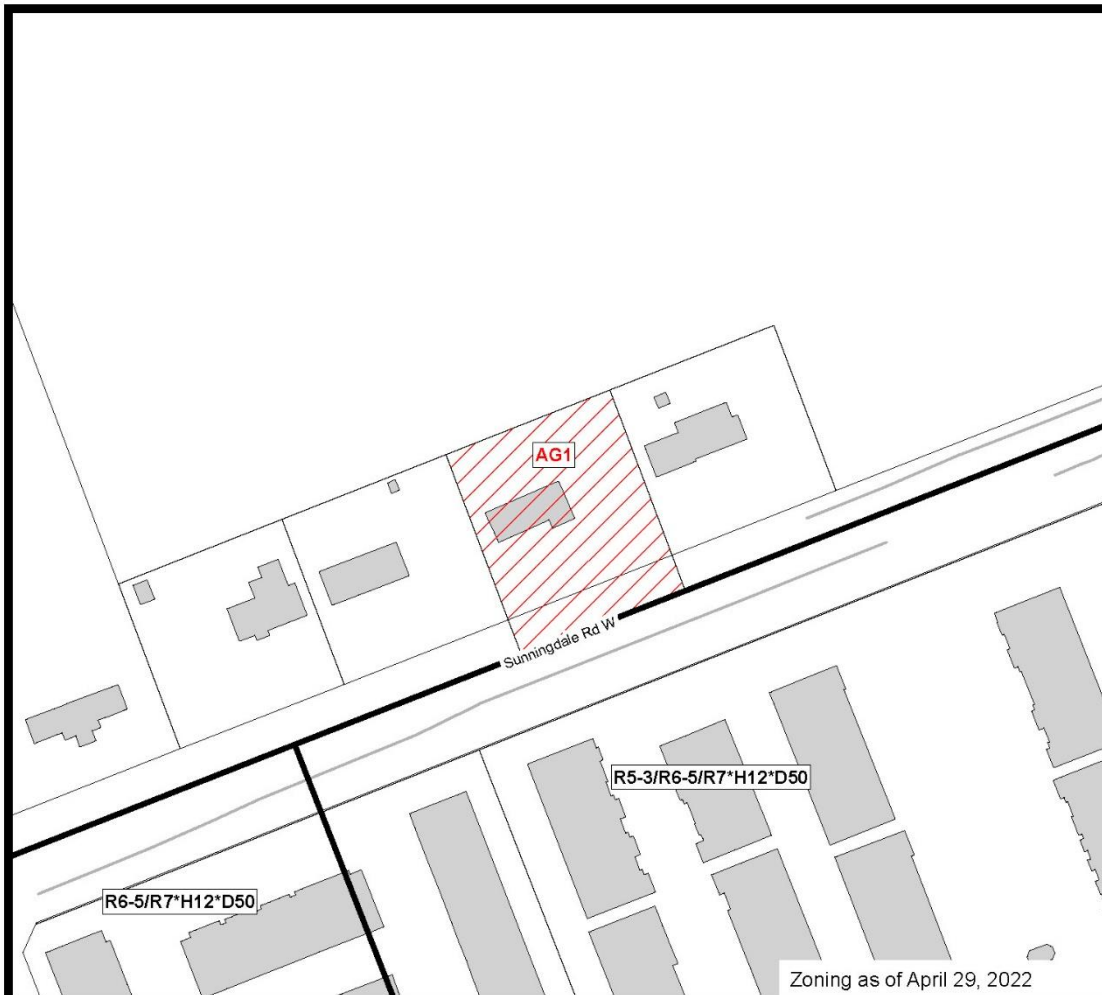


Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services  <b>OFFICIAL PLAN SCHEDULE A</b>                  - LAND USE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 310 620 930 1,240 1,550</p> <p>Meters</p>	<p>FILE NUMBER: Z-9472</p> <p>PLANNER: JL</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/05/17</p>
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PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consol00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

# Zoning By-law Z.-1 – Zoning excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            | OS - OPEN SPACE                   |
| R7 - SENIOR'S HOUSING                     | CR - COMMERCIAL RECREATION        |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | ER - ENVIRONMENTAL REVIEW         |
| R9 - MEDIUM TO HIGH DENSITY APTS.         |                                   |
| R10 - HIGH DENSITY APARTMENTS             | OB - OFFICE BUSINESS PARK         |
| R11 - LODGING HOUSE                       | LI - LIGHT INDUSTRIAL             |
| DA - DOWNTOWN AREA                        | GI - GENERAL INDUSTRIAL           |
| RSA - REGIONAL SHOPPING AREA              | HI - HEAVY INDUSTRIAL             |
| CSA - COMMUNITY SHOPPING AREA             | EX - RESOURCE EXTRACTIVE          |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | UR - URBAN RESERVE                |
| BDC - BUSINESS DISTRICT COMMERCIAL        |                                   |
| AC - ARTERIAL COMMERCIAL                  | AG - AGRICULTURAL                 |
| HS - HIGHWAY SERVICE COMMERCIAL           | AGC - AGRICULTURAL COMMERCIAL     |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL               | TGS - TEMPORARY GARDEN SUITE      |
| SS - AUTOMOBILE SERVICE STATION           | RT - RAIL TRANSPORTATION          |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL |                                   |
| OR - OFFICE/RESIDENTIAL                   | "h" - HOLDING SYMBOL              |
| OC - OFFICE CONVERSION                    | "D" - DENSITY SYMBOL              |
| RO - RESTRICTED OFFICE                    | "H" - HEIGHT SYMBOL               |
| OF - OFFICE                               | "B" - BONUS SYMBOL                |
|   | "T" - TEMPORARY USE SYMBOL        |

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9472

JL

MAP PREPARED:

2022/05/17

RC

1:1,500

0 5 10 20 30 40  
Meters