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FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: FOXWOOD DEVELOPMENTS (LONDON) INC. 1602 SUNNINGDALE ROAD WEST PUBLIC PARTICIPATION MEETING ON MAY 9, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Foxwood Development (London) Inc. relating to the property located at 1602 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 17, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h*h-100*R1-4(26)) Zone which permits single detached lots with a minimum lot frontage of 12 metres, a minimum lot area of 360 sqm, a 3.0m minimum and 4.5m maximum front yard setback to a dwelling, a 6.0m minimum setback to a garage and a maximum lot coverage of 40% **TO** a Holding Residential R1 Special Provision (h*h-100*R1-4(*)) Zone which permits single detached lots with a minimum lot frontage of 12 metres, a minimum lot area of 360 sqm, a 4.5m minimum and a 7.5 m maximum front yard setback to a dwelling, a 5.5m minimum setback to a garage and a maximum lot coverage of 45%. Holding provisions are included to ensure that municipal services are provided and that a development agreement is entered into with the City.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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March 26, 2012 –public meeting relating to the Draft Plan of Subdivision, Official Plan & Zoning By-law Amendment (39T-11503/OZ-7985).

February 4, 2014- Report on the withdrawal of the appeal to the Ontario Municipal Board as submitted by Alan Patton on behalf of Old Oak Properties relating to draft plan of subdivision located at 1602 Sunningdale Road West.

September 8, 2015- Report to PEC removing Holding provision h and h-100 from the first phase of subdivision (33M-685).

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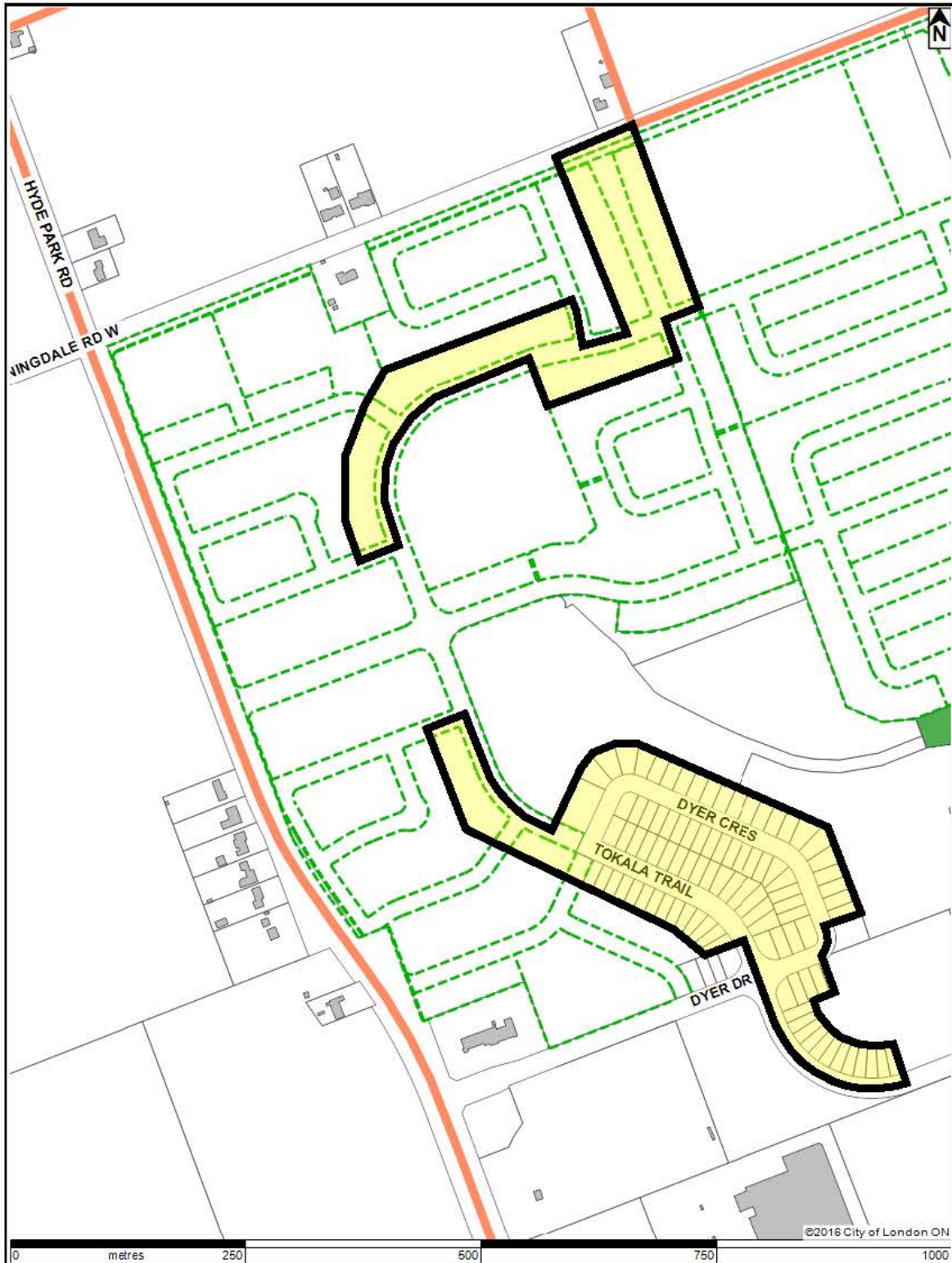
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LOCATION MAP

File Number: **N/A**
Created By: **James Scott**
Date: **2016-05-03**
Scale: **1:5000**

LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to allow for the subject lands to be developed for low density residential uses in the future.

RATIONALE

The proposed zoning amendment to allow for the subject lands to be developed for low density residential uses in the future is appropriate as:

1. The recommended amendment is consistent with the policies of the Provincial Policy Statement (2014);
2. The proposed amendment is consistent with the Low Density Residential policies of the City of London Official Plan;
3. The recommended amendment is consistent and compatible with the existing and proposed uses in the area; and
4. Holding provisions have been added to ensure that development agreements are entered into with the City of London to ensure compatibility with abutting residential uses.

BACKGROUND

Application Accepted: February 1, 2016	Applicant: Foxwood Development (London) Inc.
REQUESTED ACTION: Change Zoning By-law Z.-1 from a Holding Residential R1 Special Provision (h*h-100*R1-4(26)) Zone which permits single detached lots with a minimum lot frontage of 12 metres, a minimum lot area of 360 sqm, a 3.0m minimum and 4.5m maximum front yard setback to a dwelling, a 6.0m minimum setback to a garage and a maximum lot coverage of 40% to a Holding Residential R1 Special Provision (h*h-100*R1-4(*)) Zone which permits single detached lots with a minimum lot frontage of 12 metres, a minimum lot area of 360 sqm, a 4.5m minimum and a 7.5m maximum front yard setback to a dwelling, a 5.5m minimum setback to a garage and a maximum lot coverage of 45%. Holding provisions are included to ensure that municipal services are provided and that a development agreement is entered into with the City.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Vacant- future residential subdivision • Frontage - varied • Depth – varied • Area - approx. 47 ha

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SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Agricultural • South – Commercial • East - Vacant future single detached residential • West - Agricultural

OFFICIAL PLAN DESIGNATION: (refer to map on the following page)
<ul style="list-style-type: none"> • Low Density Residential

EXISTING ZONING: (refer to map on the following page)
<ul style="list-style-type: none"> • Holding Residential R1 Special Provision (h.h-100*R1-4 (26))

PLANNING HISTORY

On March 26, 2012 the Planning and Environment Committee (PEC) recommended approval of the Official Plan and Zoning By-law amendments to the Foxwood draft plan of subdivision (39T-11503) on the lands. This was subsequently supported by Municipal Council on April 10, 2012. These applications were appealed by Alan Patton on behalf of Old Oak Properties on May 16, 2012. A prehearing conference was held on January 11, 2013 to scope the issues and at that time Old Oak Properties withdrew their appeals. Zoning By-law amendment Z.-1-122100 was deemed to be in full force and effect at this time.

Zoning By-law Amendment Z.-1-122100 zoned the lots subject to this application as Holding Residential R1 Special Provision (h.h-100*R1-4 (26)).

On January 23, 2013, the City of London Approval Authority granted draft approval to the Foxwood plan of subdivision (39T-11503). Old Oak Properties subsequently appealed the draft plan approval.

On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal by Old Oak Developments was withdrawn. As per Section 51 (51) of the Planning Act, the draft approval lapse date for the Foxwood subdivision is June 26, 2016.

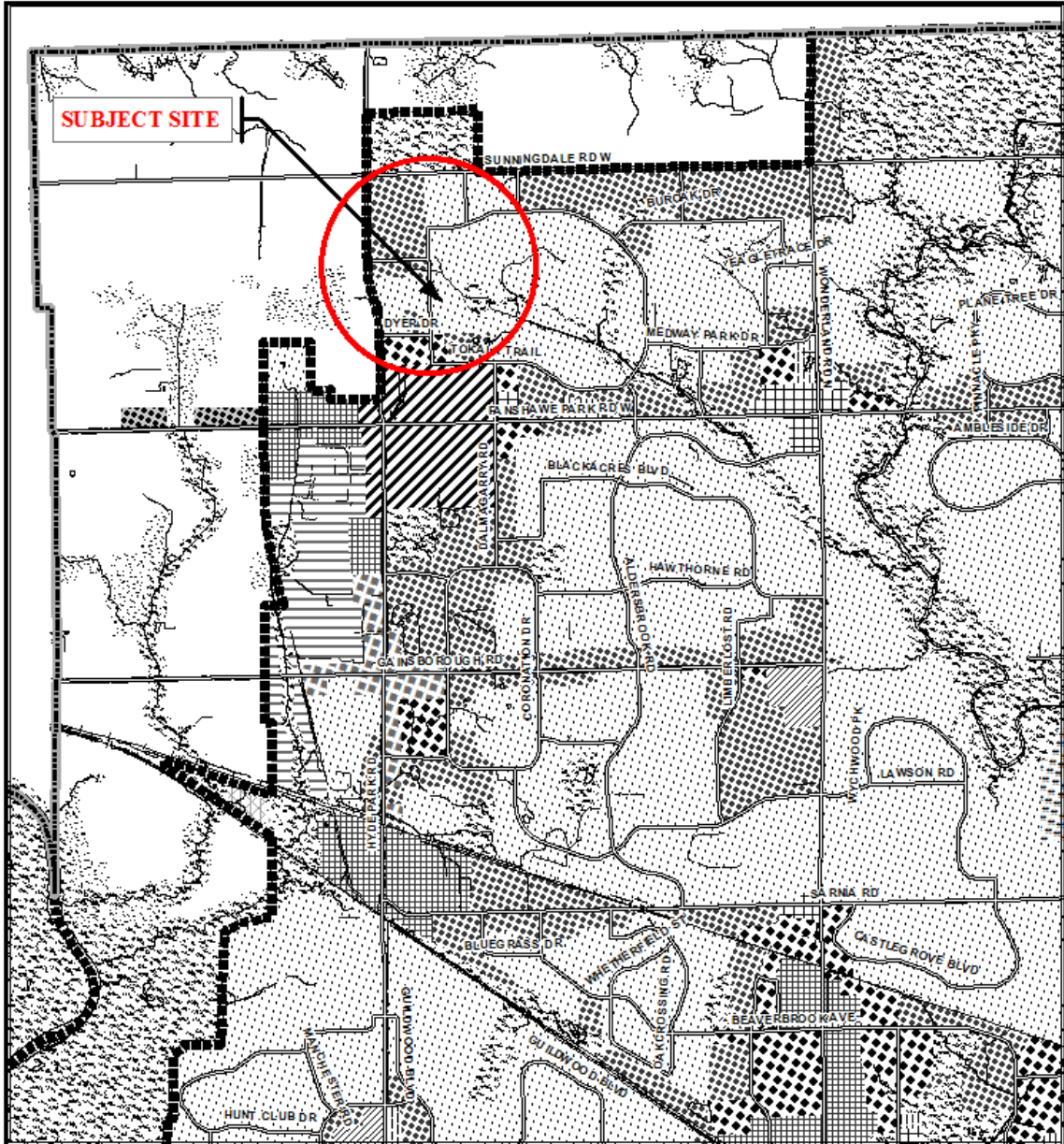
On September 14, 2015, Minor Variance (A.139/15) was granted for 3086, 3090 Tokala Trail & 1296, 1393, 1401, 1434 Dyer Crescent to permit:

1. a 7.5m front yard setback to the main building(s) whereas 4.5m is the maximum.
2. a 5.5m front yard setback to the garage(s) whereas 6.0m is the minimum.
3. a lot coverage of 45% whereas 40% is the maximum.

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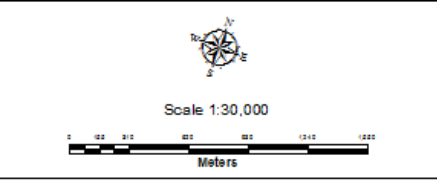
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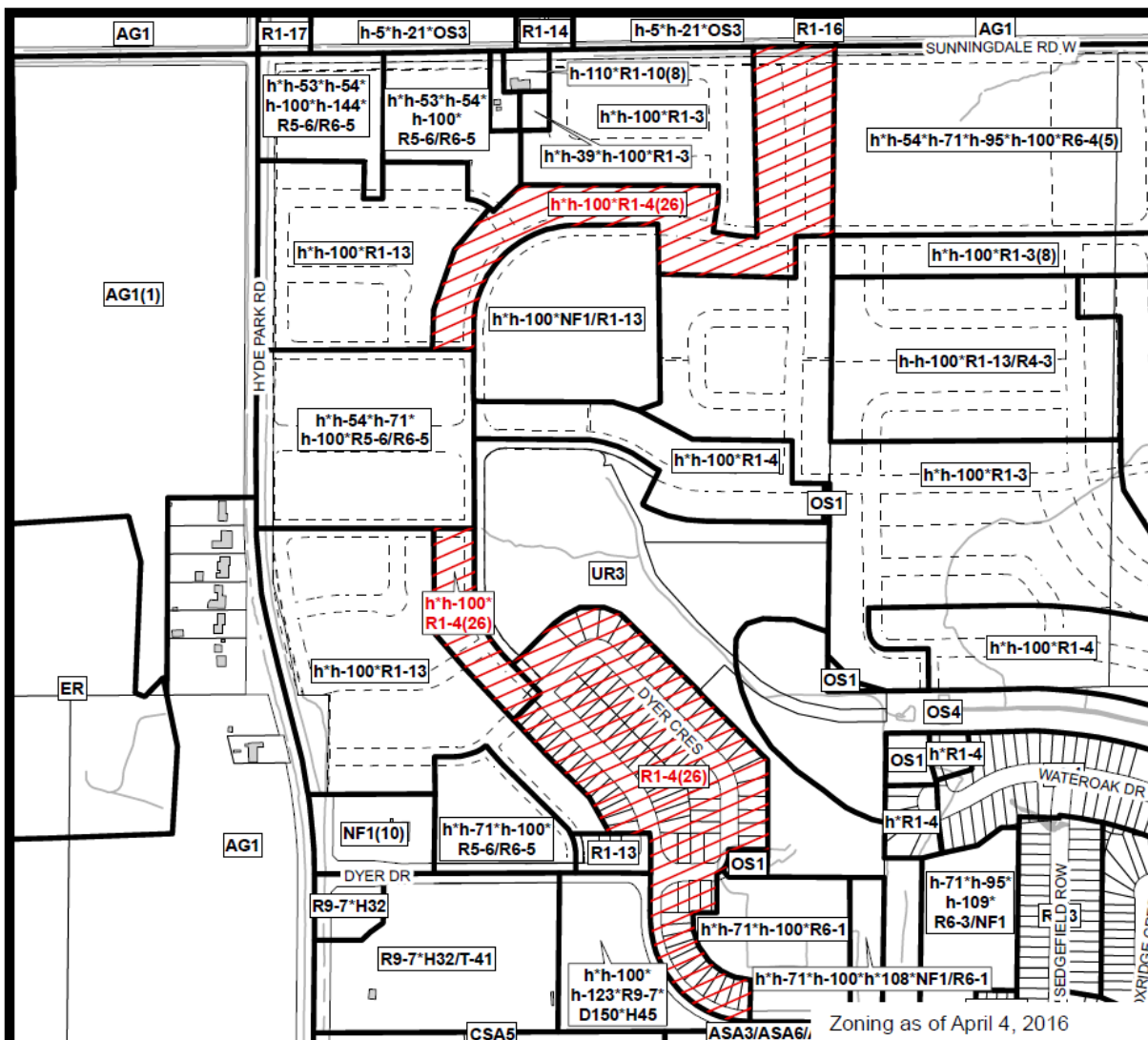
Legend

Downtown	Office/Residential
Wonderland Road Community Enterprise Corridor	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth
Multi-Family, Medium Density Residential	Rural Settlement
Low Density Residential	Environmental Review
Office Area	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: TZ-8592
 PLANNER: BT
 TECHNICIAN: MB
 DATE: 2016/03/30



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London Urban Design

Urban design staff have reviewed the Zoning By-Law Amendment application and are supportive of a proposed amendment with a maximum setback of 7.5m for the main building, given the applicant has worked with staff to ensure that porch structures will protrude beyond the main face of the building, ensuring the streetscape is less dominated by garages.

Note: the 7.5m maximum setback has been included in the proposed special provision.

Environment Engineering Review Department

Engineering staff have no objection to the above-noted application to amend the Zoning By-law.

PUBLIC LIAISON:	Notice mailed out to area property owners on February 11, 2016 and published in "Living in the City" on February 25, 2016.	No responses received
Responses: None		

ANALYSIS

Subject site

The subject site is located on the south side of Sunningdale Road West, east of Hyde Park Road. It is an approximately 47 hectare piece of land within an existing Foxwood Draft Approved Plan of Subdivision (39T-11503). The proposed amendment is on a portion of lands in this subdivision intended for single detached dwellings.

What is the nature of the proposed amendment?

The applicant has requested a zoning by-law amendment for the above-noted lands from a Holding Residential Special Provision (h*h-100*R1-4(26)) Zone which permits single detached lots with a minimum lot frontage of 12 metres, a minimum lot area of 360 sqm, a 3.0m minimum and 4.5m maximum front yard setback to a dwelling, a 6.0m minimum setback to a garage and a maximum lot coverage of 40% to a Holding Residential Special Provision (h*h-100*R1-4(*)) Zone which permits single detached lots with a minimum lot frontage of 12 metres, a minimum lot area of 360 sqm, a 4.5m minimum and 7.5m maximum front yard setback to a dwelling, a 5.5m minimum setback to a garage and a maximum lot coverage of 45%. Holding provisions are included to ensure that municipal services are provided and that a development agreement is entered into with the City.

The existing Residential R1 Special provision R1-4(26) requires:

- Front yard depth 3.0 m minimum for main building and 4.5 m maximum
- Front and exterior side 6.0 m yard depth for garages (minimum):

The proposed Residential R1 Special Provision R1-4 () requires:

- Front yard depth 4.5 m minimum for main building and 7.5 m maximum

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- Front yard depth 5.5 m minimum for garage: and
- Maximum lot coverage of 45%

Provincial Policy Statement (PPS)

The PPS promotes and directs efficient land use and development patterns. The proposed development is consistent with Section 1.0 Building Strong Communities and Section 3.0 Protecting Public Health and Safety as it:

- provides for a mix of residential development
- provides for intensification
- provides for redevelopment
- efficiently uses land and resources in the City of London

Official Plan Polices

The Foxhollow Community Plan designated the subject lands Low Density Residential designation to allow for single detached dwellings with a maximum density of 30 units per hectare.

Does Proposed Development Conform to the Official Plan?

The proposed amendment allows the lands to be developed with single detached dwellings and is consistent with the Low Density Residential designation. The proposed amendments are consistent with the zoning that currently exists on abutting lands in Low Density Residential designations.

Zoning

The lands are located within a Special Provision Residential R1 (R1-4(26)) Zone. These lands were zoned during the subdivision approval process in 2012. The intent of the zone was to discourage the construction of “snout” or garage dominated single detached dwelling forms. “Snout” houses are single detached dwellings where the garage dominates the front of the dwelling with the bulk of the habitable space including front entrances are located behind the garage. This form of development does not encourage street oriented development and pedestrian interaction. The Special Provision R1 (R1-4 (26)) Zone was only applied in the City of London to these lands. No other single detached dwellings in the City of London are subject to these regulations.

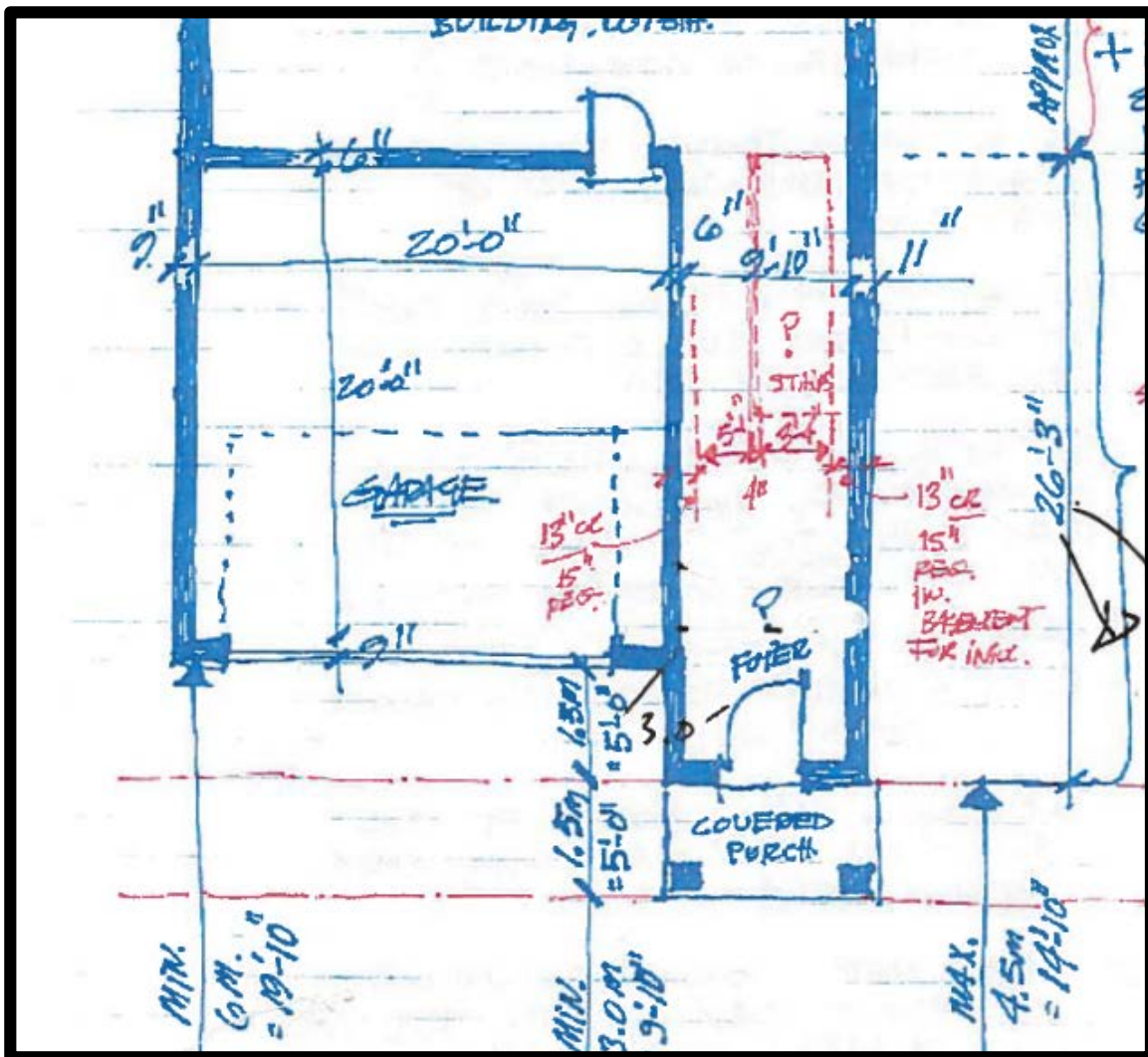
The applicant had met with Development Services staff and provided materials showing that the special provision zoning regulations can cause internal layout and design issues for builders. The diagram below provided by the applicant illustrates how the current setbacks result in the creation of a long, narrow entrance corridor within the dwellings.

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Floor Plan Provided by Applicant



To facilitate the construction of model homes in phase one of the Foxwood subdivision, the applicant requested a minor variance for six (6) lots subject to the Special Provision Residential R1 (R1-4 (26)) Zone regulations. The applicant requested a variance to allow single detached dwellings to be constructed with a 7.5m front yard setback to the main building(s) whereas 4.5m is the maximum; a 5.5m front yard setback to the garage(s) whereas 6.0m is the minimum; and a lot coverage of 45% whereas 40% is the maximum. The applicant obtained building permits and constructed dwelling units on these lots. The below photos were provided by the applicant that shows the resulting dwelling form.

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The proposed special provision requiring a 4.5m minimum and 7.5m maximum front yard setback to the dwelling unit and a 5.5m minimum setback to the garage will permit front porches to be 4.5 metres from the front property line. The maximum setback of 7.5m to the dwelling unit will not allow for the front entrances to be located greater than 2m behind the garage. The amendment will provide for porches that can be located closer to the street than the garage. This provides opportunities in which the primary feature of the dwellings are not just the garage, but rather is a mix of garage and entrance/porches. The proposed special provision will discourage the possibility of a continuous street-wall of garages. City of London Urban Design staff are supportive of the application provided that a maximum of 7.5m front yard setback to the dwelling is provided. The proposed amendment will allow a form of development that is consistent with the existing zoning that is permitted on the surrounding single detached residential lots and will not negatively impact the character of the neighbourhood.

The existing Residential R1 (R1-4) zone requires that lots have a maximum lot coverage of 40% for all structures including accessory buildings. The applicant is requesting a maximum lot coverage of 45% for all structures including accessory buildings. The Residential R1-4 Zone requires a minimum 35% landscaped open space, 1.2m interior side yard setbacks and a 6m rear yard setback. The intent of the 5% additional coverage is to allow for flexibility in the floor design to minimize the effect of the entrance corridor. The minimum lot size in the Residential R1-4 Zone is 360m². The existing maximum 40% lot coverage permits a maximum 144 m² (1550ft²) coverage on a 360m² lot. The proposed 45% maximum lot coverage would allow for 162m² (1740ft²) coverage on a 360m² lot, an approximate 18m² (190ft²) increase. The balance of the single detached zoned lands in this subdivision are zoned Residential R1 (R1-13). The Residential R1-13 zone permits a maximum 45% lot coverage and a 30% minimum landscaped open space albeit on a smaller minimum lot size (270m²).

The proposed maximum 45% lot coverage and the 35% minimum landscaped open space will ensure that an adequate area for amenity (green) space is provided. The applicant intends on meeting the requirements of the zone with regard to landscaped open space, interior and rear yard setbacks and parking area percentage. The proposed 45% maximum lot coverage is consistent with the form of development on the abutting single detached lots and will not cause any substantial impacts on abutting uses.

The proposed zone will allow for the property to be developed in keeping with the established single detached residential zoning currently existing on balance of the draft plan of subdivision (39T-11503).

Proposed Holding Residential R1 Special Provision (h*h-100*R1-4 () Zone

On September 15, 2015 Council removed the Holding Provisions h and h-100 from the first registered phase of subdivision (33M- 685). The lots outside of the first registered phase of the subdivision will be subject to holding provisions.

The proposed holding provisions require:

h- Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development

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h-100 Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

The proposed amendment will allow the lots to be developed in the future for single detached residential lots in keeping with the proposed development on the abutting lands subject to the requirements of the proposed holding provisions.

CONCLUSION

The proposed amendments are in conformity with the City of London Official Plan. The proposed amendment will permit development that is appropriate for the subject lands, and compatible with the surrounding land use pattern. These proposed amendments represent good land use planning and are recommended to Council for approval.

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

JCS/

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Bibliography of information and Materials – File Z-8587
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- Provincial Policy Statement, 2014
- City of London Official Plan
- Zoning By-law Z-1
- Zoning By-law amendment application, Foxwood Development (London) Inc. 2016
- Comments received from Engineering Services and Urban Design

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. Z.-1-16 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1602 Sunningdale Road West.

WHEREAS Foxwood Development (London) Inc. has applied to rezone an area of land located at 1602 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1602 Sunningdale Road West, as shown on the attached map from a Holding Residential R1 Special Provision (h*h-100*R1-4(26)) Zone to Holding Residential R1 Special Provision (h*h-100*R1-4(_)) Zone.

1) Section Number 5.4 of the Residential (R1-4) Zone is amended by adding the following Special Provision:

R1-4 (_)

a)	Regulations	
i)	Front Yard Setback To Dwelling (Maximum)	7.5 metres
ii)	Front Yard Setback To Dwelling (Minimum)	4.5 metres
iii)	Front Yard Setback To Garage (Minimum)	5.5 metres
iv)	Lot Coverage (Maximum)	45%

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.

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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 May 17, 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk

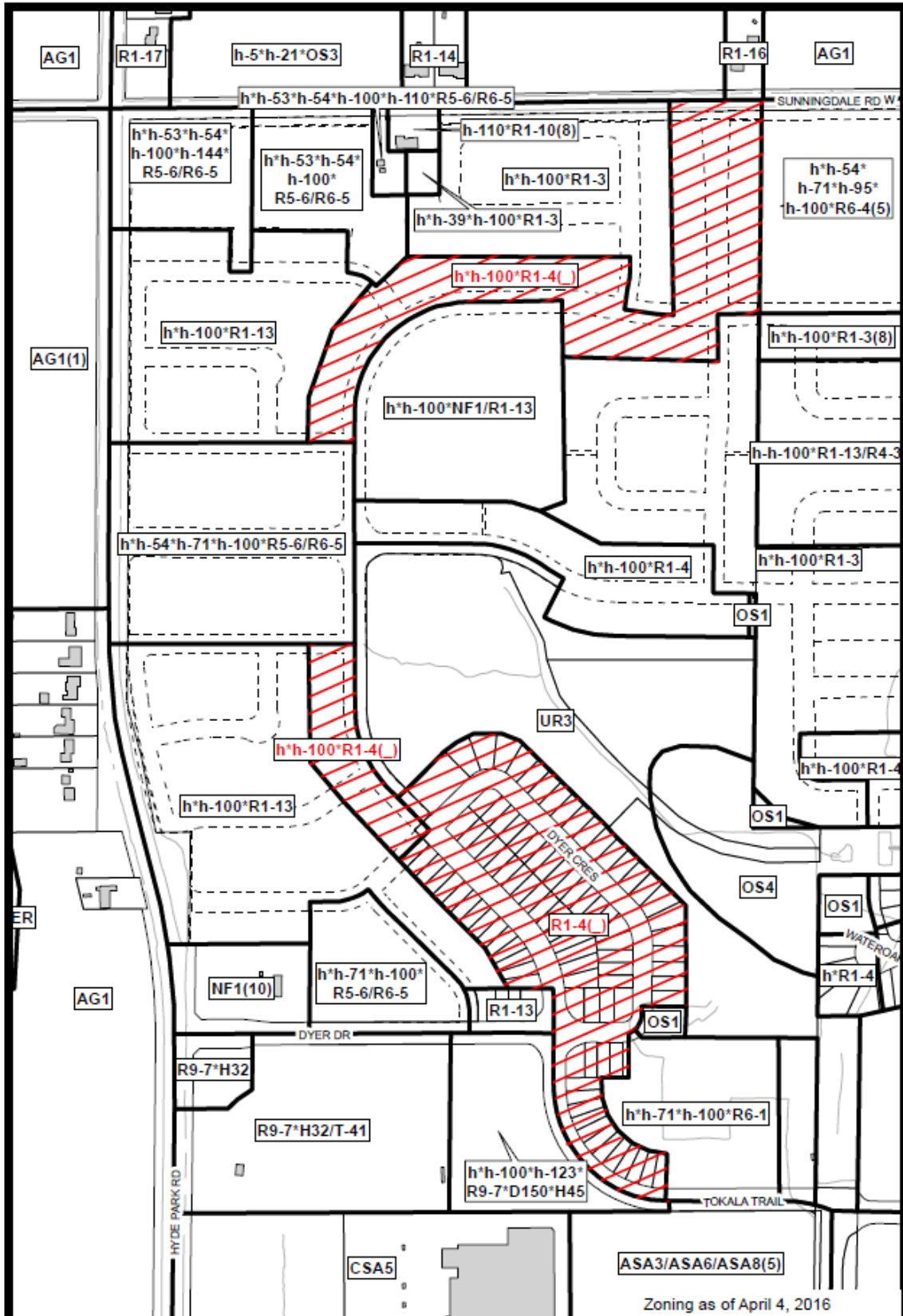
First Reading - May 17, 2016
Second Reading – May 17, 2016
Third Reading - May 17, 2016

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



Zoning as of April 4, 2016

File Number: Z-8587
 Planner: CS
 Date Prepared: April 11, 2016
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE

1:4,500

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 Meters