

Bill No.115
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 660 Sunningdale Road East.

WHEREAS **Extra Realty Limited** has applied to rezone an area of land located at 660 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

NOW 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 660 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A102, **from** a Holding Residential R1 Special Provision (h•h-100•h-173•R1-5(11)) Zone, a Holding Residential R4 Special Provision (h•h-100•h-173•R4-2(1)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h•h-100•h-173•R5-2(15)/R6-4(16)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision (h•h-100•h-173•R5-2(16)/R6-4(17)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/R8 Special Provision (h•h-100•h-173•R5-4(16)/R6-5(36)/R8-4(25)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/R8 Special Provision (h•h-100•h-173•R5-4(17)/R6-5(34)/R8-4(26)) Zone, a Holding Residential R5 Special Provision/R6 Special Provision/R8 Special Provision (h•h-100•h-173•R5-6(9)/R6-5(38)/R8-4(27)) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(7)•H18•D75) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(8)•H18•D75) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(9)) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(10)) Zone, an Open Space (OS1) Zone, and an Open Space Special Provision (OS4(10)) Zone, **to** a Holding Residential R1 (h•h-100•h-173•R1-3) Zone, a Holding Residential R1 Special Provision (h•h-100•h-173)•R1-4(27)) Zone, a Holding Residential R1 Special Provision (h•h-100•h-173•R1-5(12)) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(7)•H18•D75) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(8)•H18•D75) Zone, a Holding Business District Commercial Special Provision/Temporary (h•h-100•h-173•BDC2(9)•H18/T(____)) Zone, a Holding Business District Commercial Special Provision (h•h-100•h-173•BDC2(10)•H18) Zone, an Open Space (OS1) Zone, and an Open Space Special Provision (OS4(10)) Zone.

2. Section 5.4 of the Residential R1 Zone to By-law No. Z.-1 is amended by deleting the current special provision R1-5(12) and replacing it with the following new special provision:

"12) R1-5(12)

(a)	Regulations	
i)	Front Yard Setback, Main Dwelling (Minimum):	3 metres (9.8 feet)
ii)	Front Yard Depth for Garages (Minimum.):	5.5 metres (18.0 feet)
iii)	Interior Side Yard Depth (Minimum):	1.2 metres (3.9 feet), except where there is no attached garage, then 3.0 metres (9.8 feet) is required on one side.
iv)	Rear Yard Setback From High Pressure Pipeline (Minimum)"	13.8 metres (45.3 feet)

3. Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(7) and replacing it with the following new special provision:

“7) BDC2(7)

(a) Prohibited Uses

- i) Dwelling Units on the ground floor

(b) Regulations

- i) Front & Exterior Side Yard Setback

(Minimum):	2 metres (6.6 feet)
(Maximum):	4 metres (13.1 feet)

- ii) All commercial and office uses are required to be in conjunction with dwelling units on the second floor or above.

- iii) All uses permitted in the BDC2 Zone, except for Dwelling Units, shall be restricted to the ground floor, at a maximum gross leasable floor area of 500 m² (5,382 ft²).

- iv) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.

- v) Notwithstanding the provisions of Section 2 “LOT LINE, FRONT”, the frontage for this lot will be deemed to be along the primary collector.”

4. Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(8) and replacing it with the following new special provision:

“8) BDC2(8)

(a) Prohibited Uses

- i) Dwelling Units on the ground floor

(b) Regulations for the existing buildings/barns as of the date of the passing of the by-law

- i) Front Yard Setback
(Minimum): 0 metres (0 feet)

- ii) Interior side yard
(Minimum) (south): 0 metres (0 feet)

- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.

- iv) The maximum gross floor area for specific individual uses in the BDC2(8) Zone variation shall be restricted to the floor area of the existing structures/barns (Block 48) as it exists at the date of the passing of this by-law.

(c) Regulations for new buildings

- i) Front Yard Setback
(Minimum): 2 metres (6.6 feet)

- ii) The maximum gross leasable floor area for specific individual uses within new structures in the BDC2(8) Zone variation shall be restricted to 250 m² (2,691 ft²).

- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.”

5. Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(9) and replacing it with the following new special provision:

“9) BDC2(9)

(a) Permitted Uses:

- i) Any uses permitted in the BDC2 zone variations with the exception of Dwelling Units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor;
- ii) Apartment Buildings, within a mixed-use building restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor fronting on the primary collector;

(b) Regulations

- i) Front & Exterior Side Yard Setback
(Minimum) 2 metres (6.6 feet)
(Maximum) 4 metres (13.1 feet)
- ii) Gross Leasable Floor Area
(Maximum) 3000 m² (32,292 ft²)
- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.
- iv) Notwithstanding the provisions of Section 2 “LOT LINE, FRONT”, the frontage for this lot will be deemed to be along the primary collector.”

6. Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by deleting the current special provision BDC2(10) and replacing it with the following new special provision:

“10) BDC2(10)

(a) Prohibited Uses

- i) Dwelling Units on the ground floor

(b) Regulations

- i) Front & Exterior Side Yard Setback
(Minimum) 2 metres (6.6 feet)
(Maximum) 4 metres (13.1 feet)
- ii) Gross Leasable Floor Area
(Maximum) 1000 m² (10,764 ft²)
- iii) The primary entrance for individual commercial/retail/office tenants shall oriented to the primary collector.
- iv) Notwithstanding the provisions of Section 2 “LOT LINE, FRONT”, the frontage for this lot will be deemed to be along the primary collector.”

7. Section Number 50.2 (71) of the Temporary (T) zone is amended by adding the following:

“T-()

Lands located at 660 Sunningdale Road East, the existing single detached dwelling structure, as it exists at the date of the passing of this by-law, located on Block 46 in draft approved plan 39T-09501, as shown on Key Map No. A102, may be used for any of the uses permitted within the BDC2 Zone, for a temporary period not exceeding three (3) years from the date of the passing of this by-law beginning March 1, 2018.”

8. 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.

9. This By-law shall come into force and be deemed to come into force in accordance with subsection 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on March 6, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

