

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P.Eng.
Managing Director, Development & Compliance Services and
Chief Building Official
Subject: Application By: Landea Developments Inc.
1196 Sunningdale Road West
For: Zoning By-law Amendment (Z-8916)
Meeting on: September 10, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Landea Developments Inc. relating to the property located at 1196 Sunningdale Road West the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 18, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to change the zoning of the subject property **FROM** a Holding Residential R1 (h*h-100*R1-4) Zone and a Holding Residential R1 (h-h*-100*R1-13) Zone **TO** a Holding Residential R1 Special Provision (h-h-100*R1-4 (_)) Zone, Holding Residential R1 Special Provision (h-h-100*R1-4 (_)) Zone, Holding Residential R1 Special Provision (h-h-100*R1-4 (_)) Zone and a Holding Residential R1 Special Provision (h-h-100*R1-13 (_)) Zone.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this application is to permit single detached dwelling development with a maximum lot coverage of 45% where 40% maximum is permitted and a maximum height of 10.5 m where 9 m is permitted.

Rationale of Recommended Action

The proposed zoning amendment to allow for the subject lands to be developed for single detached dwelling uses with 45% coverage and 10.5 m maximum height is appropriate as:

1. The proposed development is consistent with the Provincial Policy Statement;
2. The proposed Zoning By-law Amendment provides for a form of residential development conforms with the Low Density Residential policies of the Official Plan;
3. The proposed Zoning By-law Amendment provides for a form of residential development that conforms with the Neighbourhood Place Type and Neighbourhood Street Classification policies of the London Plan; and
4. The proposed development is compatible with the surrounding residential development.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located on the south side of South Carriage Road and east of Hyde Park Road. The lands are currently vacant and have been draft approved for subdivision approval (39T-08502).

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhood
Existing Zoning – Holding Residential R1 (h*h-100*R1-4) Zone and a Holding Residential R1 (h-h*-100*R1-13)

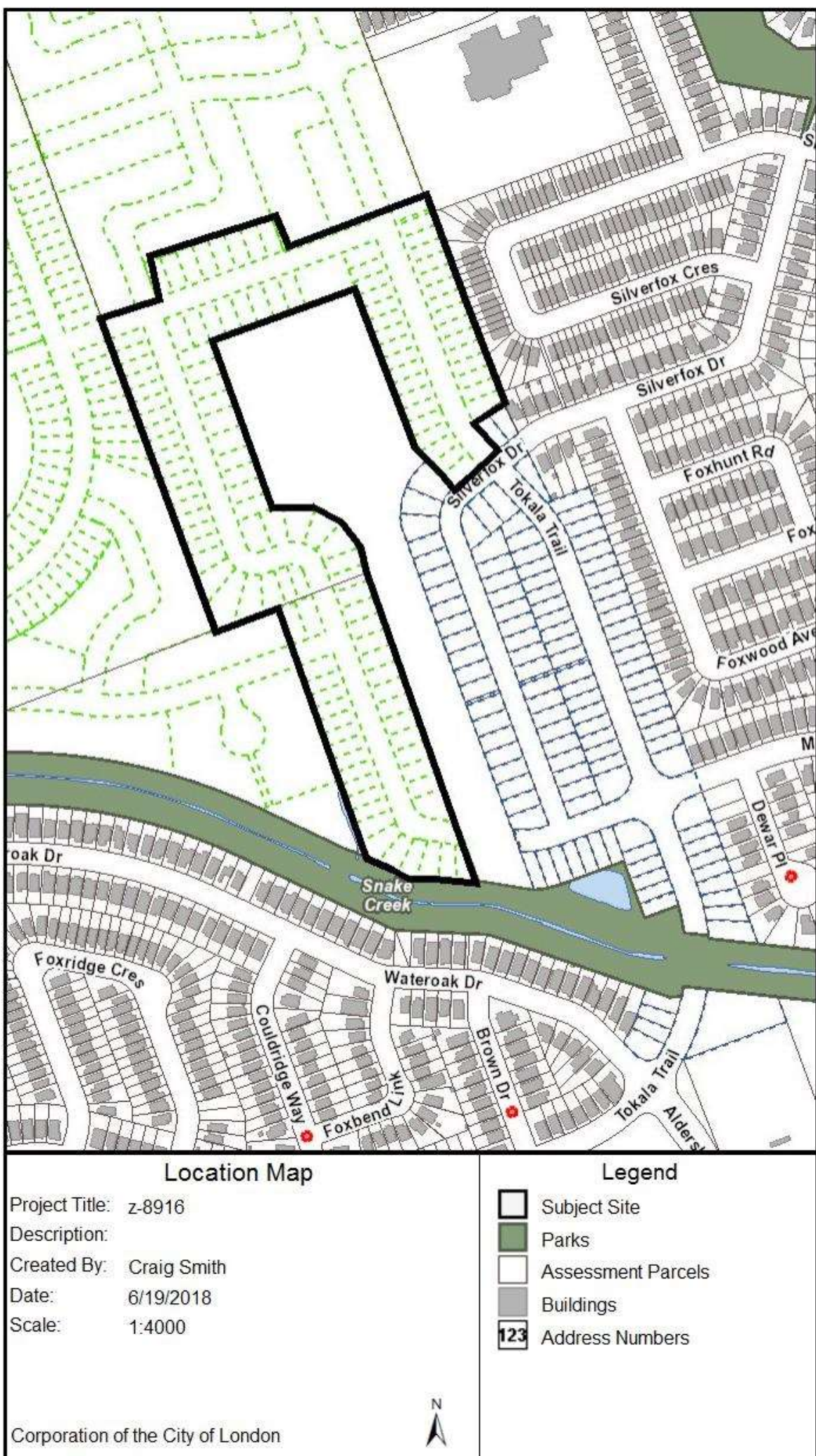
Site Characteristics

- Current Land Use – Vacant Residential
- Frontage – Varied
- Depth – Varied
- Area – approx. 2.ha
- Shape – irregular

1.3 Surrounding Land Uses

- North – Vacant low density residential
- East – Single detached dwellings
- South – Single detached dwellings
- West – Single detached dwellings

1.4 Location Map



2.0 Description of Proposal

2.1 Development Proposal

To permit single detached dwellings with a maximum lot coverage of 45% where 40% is currently permitted and a maximum height of 10.5 metres where 9 metres is currently permitted. See below proposed zoning amendment locations.

Proposed Zoning Amendments (See Attached Proposed Zoning Plan)

Area "A"

Amend the Z-1 Zoning By-law **FROM** a Residential R1 (R1-4) Zone **TO** a Residential R1 Special Provision (R1-4(_)) Zone to permit 45% maximum lot coverage for single detached dwellings.

Area "B"

Amend the Z-1 Zoning By-law **FROM** a Residential R1 (R1-4) Zone **TO** a Residential R1 Special Provision (R1- (_)) Zone to permit a single detached dwelling units with 45% maximum lot coverage and a maximum height of 10.5m.

Area "C"

Amend the Z-1 Zoning By-law **FROM** a Residential R1 (R1-4) Zone **TO** a Residential R1 (R1-4) Zone to permit single detached dwellings with a maximum height of 10.5m.

Area "D"

Amend the Z-1 Zoning By-law **FROM** a Residential R1 (R1-13)) Zone **TO** a Residential R1 Special Provision (R1-13 (_)) zone to permit single detached dwellings with a maximum height of 10.5m.

3.0 Revelant Background

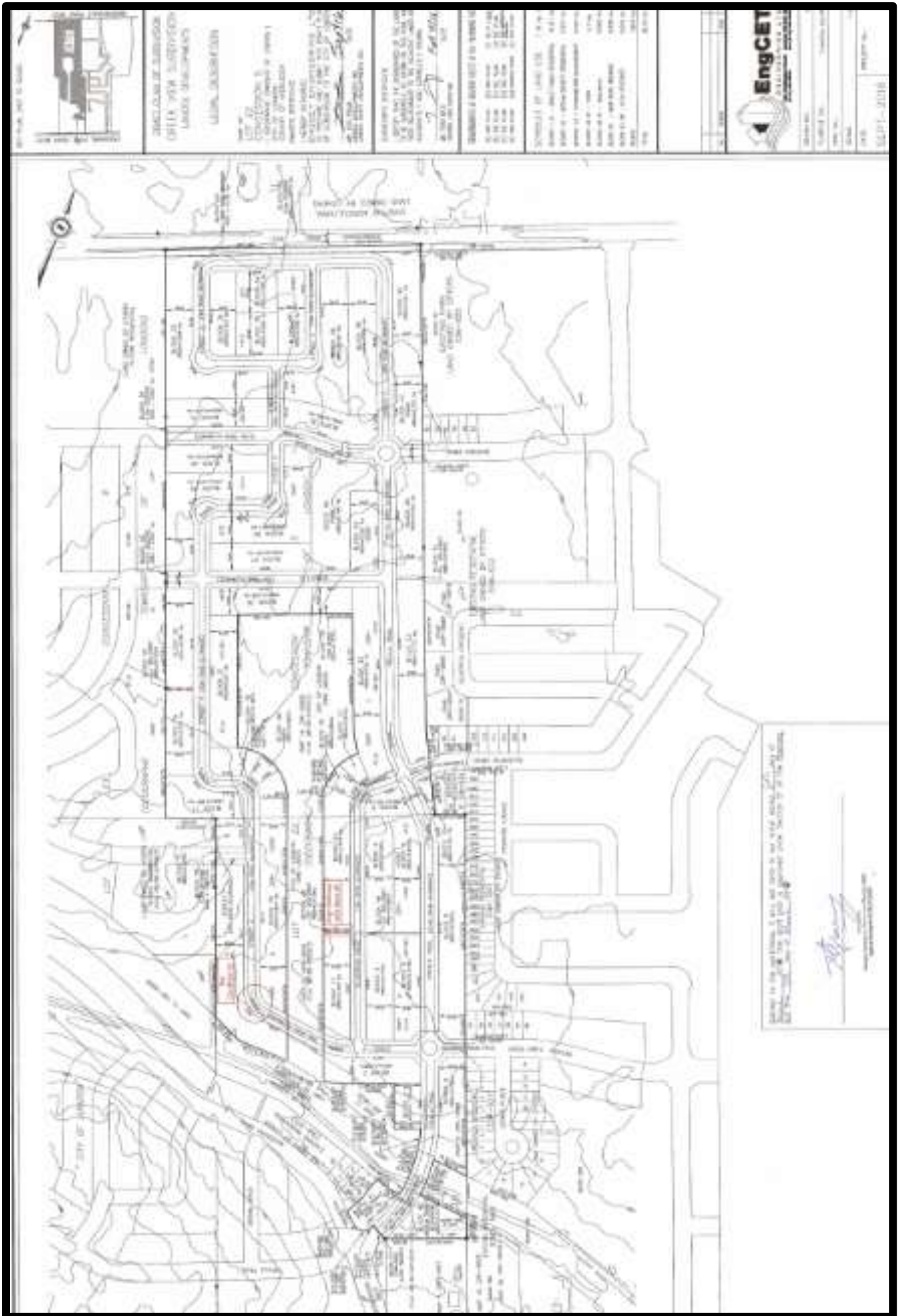
3.1 Planning History

Draft Plan of Subdivision applications for two plans of subdivision (39T-05511 and 39T-05512) and Zoning By-law Amendment applications (Z-6977 and Z-6979) were accepted in August 2005. The plans were draft approved and the current zoning was granted in October of 2009. Extensions were granted in 2012 and again in 2015. On March 6, 2017 the City of London Approval Authority granted the merger of both Draft Approved Plans of Subdivision into one (39T-05512) Draft Approved Plan of Subdivision. The draft approval expiry date is October 14, 2018.

On December 31, 2012 the first phase was registered as Plan 33M-652, which consisted of 48 single family lots, various part lots all served by four (4) new streets. On November 1, 2017 the second phase was registered as Plan 33M-729, which consisted of 111 single family lots and various part lots all served by three (3) new streets.

The Applicant is now in the process of registering this phase of this subdivision (known as Creekview Phase 3), which consists of 125 single detached lots.

Draft Plan Approval (2016)



3.2 Community Engagement (see more detail in Appendix B)

One response was received opposing the proposed amendment.

4.0 Key Issues and Considerations

The proposed Zoning Amendment was evaluated to determine whether it was compatible with the surrounding neighbourhood.

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; and
- efficiently uses land and resources in the City of London.

The London Plan

The following London Plan policy section have been considered in evaluating the proposed Zoning By-law Amendment:

1. Our Strategy.
3. City Building policies.
4. The policies of the place type in which the proposed subdivision is located.
6. Relevant secondary plans and specific policies.

The proposed single detached dwelling form was established in 2008. The existing Residential R1 zones were approved prior to detailed engineering design submissions and the current proposed building designs. The proposed Zoning By-law Amendment conforms to the following London Plan policies.

Our Strategy

59_ Build a mixed-use compact city

4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.
5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place

The proposed Zoning By-law Amendment to permit an additional 5% lot coverage and additional height will allow for forms of housing that takes advantage of the existing servicing and facilities. The proposed housing type (additional floor area) maintains the complete form of residential use and could allow for an opportunity of aging in place.

City Building Policies

193_ In all of the planning and development we do and the initiatives we take as a municipality, we will design for and foster:

1. A well-designed built form throughout the city.
2. Development that is designed to be a good fit and compatible within its context.

The proposed Zoning By-law Amendment will allow for a form of single detached dwellings that are designed and built within an area specifically designated for this form. The proposed Zoning By-law Amendment will allow for single detached dwellings that are designed to be compatible and a good fit within the existing single detached residential built form.

197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns and streetscapes.

201_ Existing landscapes and topographical features should be retained and integrated into new neighbourhoods.

The proposed Zoning By-law Amendment will allow for single detached dwellings that will allow an increase in height by using the existing topography and will maintain the street and lot pattern within the approved draft plan of subdivision.

Place Types

935_ the following intensity policies will apply within the Neighbourhoods Place Type.

Type. 3. Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space.

The proposed Zoning By-law Amendment will allow for single detached dwellings that are consistent with the Neighbourhood place type and street classification and their intended character, goals and functions as:

- it provides for attractive streetscapes, buildings, and public spaces
- it provides for a diversity of housing choices.
- it provides for landscaped open space, setbacks, minimum required parking that is consistent with the existing single detached dwellings; and
- the intensity of the development can be accommodated on the proposed lots.

Relevant Secondary Plans.

The Foxhollow Area Plan designated the subject lands Low Density Residential. This designation permits residential uses with a maximum density of 30 units per hectare.

The proposed Zoning By-law Amendment is consistent with the Foxhollow Area Plan. The Zoning By-law Amendment will permit the single detached residential form and 30 unit per hectare intensity as was considered in the approved area plan.

Official Plan Polices

The proposed development is consistent with the Low Density Residential designation as it:

- permits single detached dwellings with a maximum density of 30 units per hectare (uph)
- provides an appropriate mix of housing types and density within the subdivision
- maintains the single detached dwelling form at a scale and density that is compatible with the surround built form.

Planning Impact Analysis

Planning Impact Analysis under Section 3.7 in the Official Plan was used to evaluate this application for the proposed Zoning Amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses. The proposed Zoning Amendment is consistent with Section 3.7 as:

- it is compatible with the surrounding land uses and will not impact development on present and future land uses in the area;
- the size and shape of the parcels can accommodate the intensity of the proposed use; and,
- the proposed development is consistent with The London Plan, City's Official Plan and Zoning By-law.

Zoning

The lands are located within a Residential R1 (R1-4) and Residential R1 (R1-13) Zones. These lands were zoned during the subdivision approval process in 2008. The intent of the zones was to permit single detached dwelling development.

Coverage

The existing Residential R1 (R1-4) Zone requires a maximum lot coverage of 40% for all structures including accessory buildings, a maximum height of 9 metres and landscaped open space of 35% minimum. The existing Residential R1 (R1-13) Zone requires a

maximum 45% lot coverage, a maximum height of 9 metres and landscaped open space of 30% minimum.

The request for a maximum lot coverage of 45% in the Residential R1 (R1-4) Zone are for lots that are located in areas that are adjacent to the Residential R1 (R1-13) Zone. The proposed increase from 40% to 45% will allow for single detached dwellings that are consistent with the residential R1 (R1-13) Zoned lots that are of the same size (frontages 12m or greater, and 360m² in size or greater). The lots in the proposed Residential R1 Special Provision (R1-4 ()) Zone are still required to provide a minimum of 35% landscaped open space whereas the lands zoned Residential R1 (R1-13) require a minimum 30% landscaped open space..

The proposed maximum 45% lot coverage and the minimum 35% landscaped open space will ensure that an adequate area for amenity (green) space is provided. The applicant intends on meeting all other 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 45% maximum lot coverage amendment will allow for a variety of single detached housing forms on all lots in the subdivision (Zoned R1-4 or R1-13) that are compatible and comprehensive.

Height

The existing Residential R1 (R1-4) Zone and the Residential R1 (R1-13) permit a maximum height of 9 metres.

The proposed amendment for the increase of maximum height are for the lots that back onto the stormwater management open space areas. The grading for these lots at the road are similar to the grading for the balance of the subdivision at the road. A two storey home that is measured from the front elevation to the average mid-point of a sloped roof would comply with the existing zone on these lots. On the lots that back onto the stormwater management facility, the grade changes from the front of the lots to the back of the lots. This change in grading is large enough to expose the basement floor level to the exterior ground level in the rear yard; home owners can “walk out” of these basements and into the rear yard. Zoning By-law Z.-1 requires that height be measured from the average grade to the average mid-point of a sloped roof; because of the grade change of the lots that back onto the stormwater management facilities the applicant requires a special provision to permit a maximum height of 10.5m to allow two storey single detached dwellings on these lots.

Staff has reviewed the proposed zoning of the subject property. The proposed Zone will allow for development that is compatible with the zoning of surrounding lands and will not negatively impact future land uses in the area. The proposed amendment is appropriate and represents good land use planning.

Public Comment

One response was received opposing the proposed amendment:

- Single family homes are being used for multifamily uses;
- Additional coverage and heights will allow for more occupants in the single detached dwelling;
- More tree coverage should be promoted; and
- There will be additional traffic.

The proposed amendment would allow for single detached dwelling uses. The proposed amendment is for a small increase in floor area and additional height. All other requirements of the Residential R1 zone will be required to conform with the regulations including Section 5.2 of Zoning By-law Z.-1 which states: *No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any Residential R1 Zone variation for any use other than the following use:*

a) *A single detached dwelling.*

A single detached dwelling is defined as: *means a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home.*

There is no multifamily residential uses proposed on these lots. Any future requests for uses greater than a single detached dwelling will require compliance with all regulations of the City of London Zoning By-law Z.-1.

The impact and retention of tree coverage (open space) and the analysis of traffic impact by this development was determined during subdivision approval process. The increase in coverage does not include a reduction in the required landscaped open space minimum. The proposed amendment will not impact the approved subdivision plan including the established open spaces or road patterns.

Details regarding Community feedback and existing zoning are available in Appendix B and C of this report.

5.0 Conclusion

The proposed amendment is in conformity with The London Plan and 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.

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| Prepared and Recommended by: | C. Smith MCIP, RPP Senior Planner, Development Planning |
| Reviewed by: | Lou Pompilii, MCIP, RPP Manager, Development Planning |
| Concurred in by: | Paul Yeoman, RPP, PLE Director, Development Services |
| Submitted by: | George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official |
| Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services. | |

CC: Matt Feldberg, Manager, Development Services (Subdivisions) August 31, 2018

Appendix A

Bill No. (number to be inserted by Clerk's Office)
(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 1196
Sunningdale Road West.

WHEREAS Landea Developments Inc. has applied to rezone an area of land located at 1196 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 1196 Sunningdale Road West., as shown on the attached map from a Holding Residential R1 (h-h-100*R1-4) Zone and a Holding Residential R1 (h-h-100*R1-13) Zone to a Holding Residential R1 Special Provision (h-h-100*R1-4 ()) Zone, Holding Residential R1 Special Provision (h-h-100*R1-4 ()) Zone, Holding Residential R1 Special Provision (h-h-100*R1-4 ()) Zone and a Holding Residential R1 Special Provision (h-h-100*R1-13 ()) Zone.
- 2) Section Number 5.4 of the Residential R1-4 and R1-13 Zone is amended by adding the following Special Provision:
 -) R1-4 ()
 - a) Regulation[s]

| | |
|--------------|-----|
| Lot Coverage | 45% |
| Maximum | |
 -) R1-4 ()
 - a) Regulation[s]

| | |
|--------------|-------------|
| Lot Coverage | 45% |
| Maximum | |
| Height | 10.5 metres |
| Maximum | |
 -) R1-4 ()
 - a) Regulation[s]

- Height 10.5 metres
- Maximum
-) R1-13 ()
- a) Regulation[s]
- Height 10.5 metres
- Maximum

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.

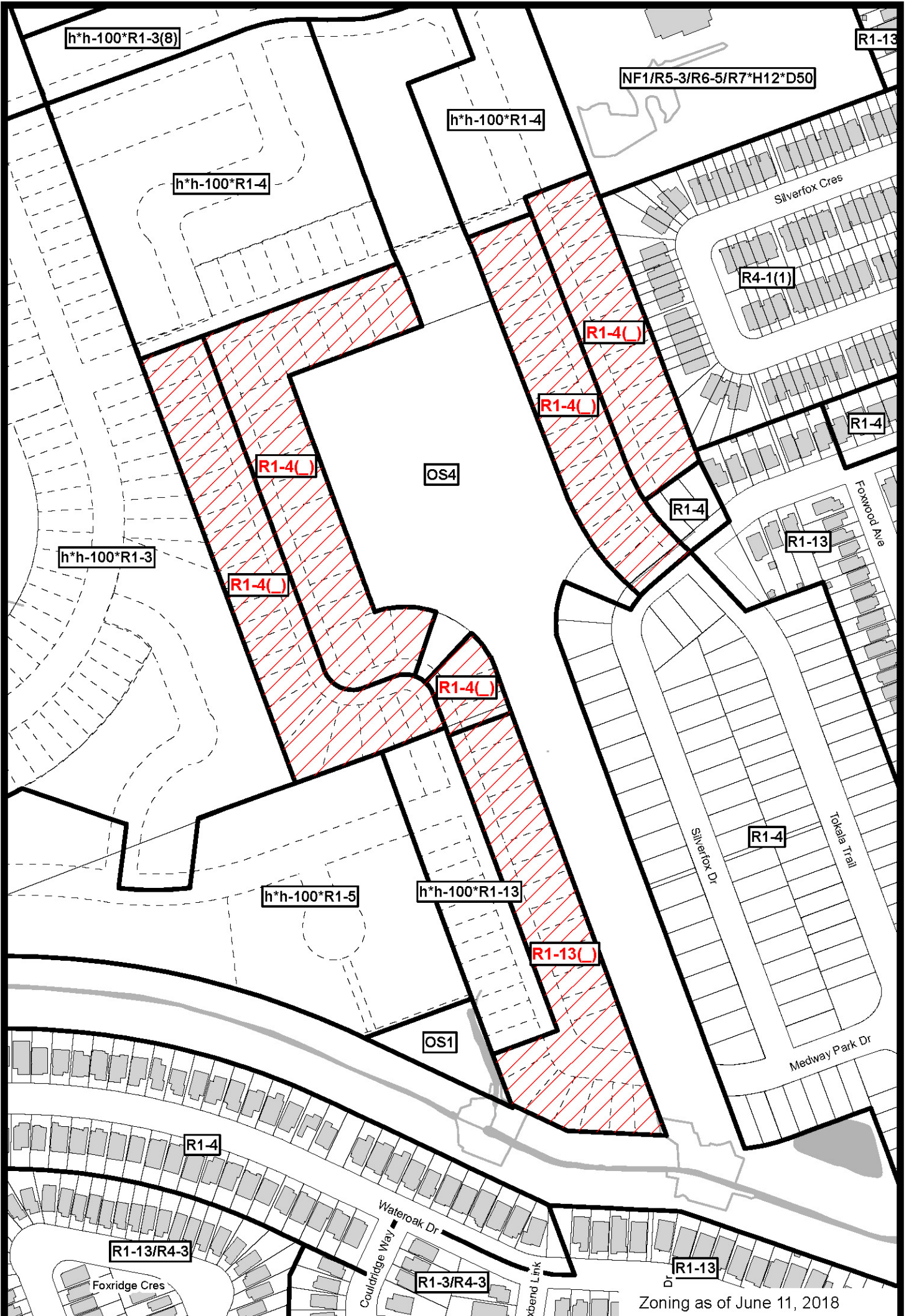
PASSED in Open Council on September 18, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 18, 2018
Second Reading – September 18, 2018
Third Reading – September 18, 2018

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



File Number: Z-8916

Planner: CS

Date Prepared: 2018/07/09

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On June 19, 2018 Notice of Application was sent to all property owners within 120m of the subject property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 5, 2018.

Nature of Liaison: The purpose and effect of this application is to permit the construction of single detached dwellings with a maximum lot coverage of 45% where 40% maximum is permitted and a maximum height of 10.5m where 9m is permitted

Responses: One.

I personally don't agree with amending the zoning in this subdivision. 40 percent and 9 meter height is more than adequate for a SINGLE family home. More and more it is becoming evident that individuals are buying homes but multiple families or extended families are occupying the property.

A two story home with two car garage at a 40% coverage of a 40 x100 foot lot would allow for a living space of approximately 4200 sq ft of space including the lower level. Increasing that to 45% of the same size lot would increase that to 4820 square feet of space. This would be for a typical subdivision lot. As the lot size goes up so would the proportions of the dwelling. Increasing the height to 12 meters could add another floor and potentially another 1800 sq ft on a typical lot bringing the grand total to 6620 sq ft of useable space. This seems to me like an awful lot of space for a typical family. If you consider the front and side required setbacks required by London this does not leave a lot for green space.

I would think that the Forest city would be promoting as much green space as possible. Every land developer I have noticed cuts down every tree possible to maximize lot size and profit. The trees that the city puts in on the boulevard will take 20 years to mature and there are options for the homeowners to decline if they wish.

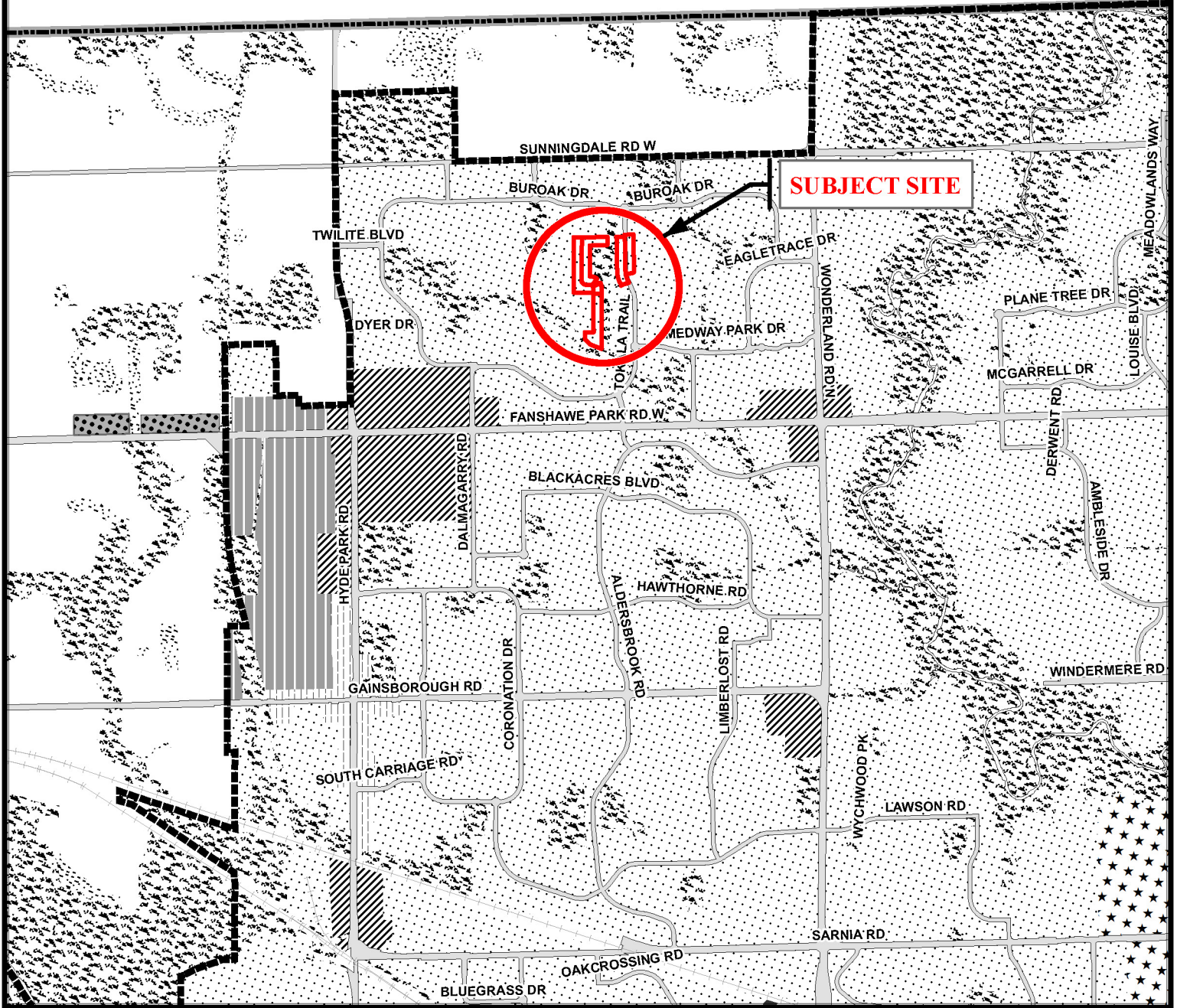
In short I do not like the idea of increasing the footprints of homes on development lots that have current zoning. It is not fair for developers to do this to homeowners in the area. If this sort of development is desired it should be laid out at the onset with input from all of the stakeholders. On the front of the communication it says the developer is requesting 12 m height but in the text of requested zoning it does not.

I would also like to ensure that Tokala trail is extended to the north to tie in with Burroak. Tokala and Silverfox drive are currently the shortcut for the public school and high school because there is currently no light at Fanshawe and Foxwood. The addition of all of these extra houses without will only increase the traffic flow on these streets.

*Sincerely
Randy and Cathy Beharriell*

Appendix C – Relevant Background

LONDON PLAN MAPPING EXCERPT



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



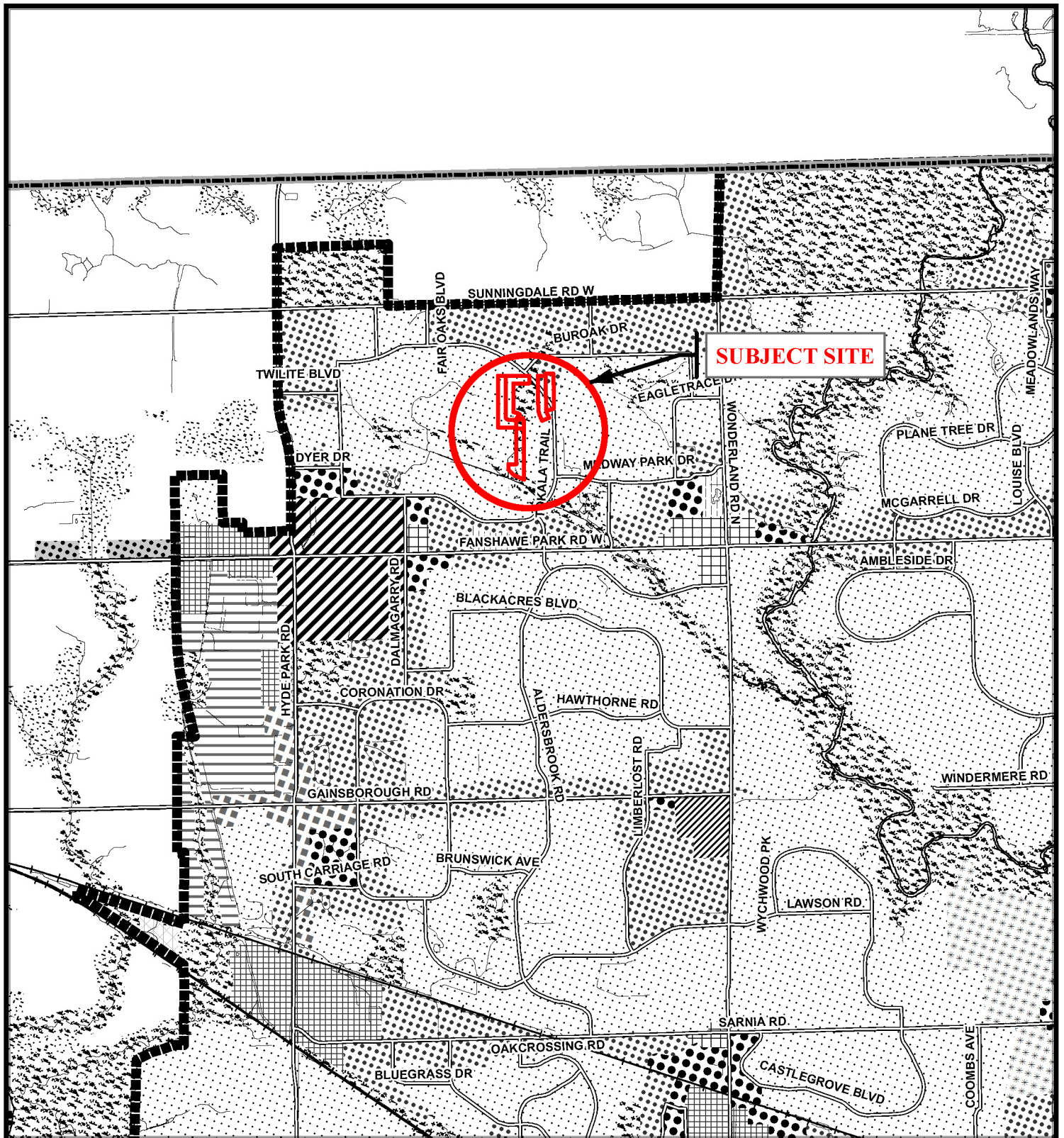
File Number: Z-8916

Planner: CS

Technician: rc

Date: July 9, 2018

OFFICIAL PLAN MAPPING EXCERPT



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 |

CITY OF LONDON

Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



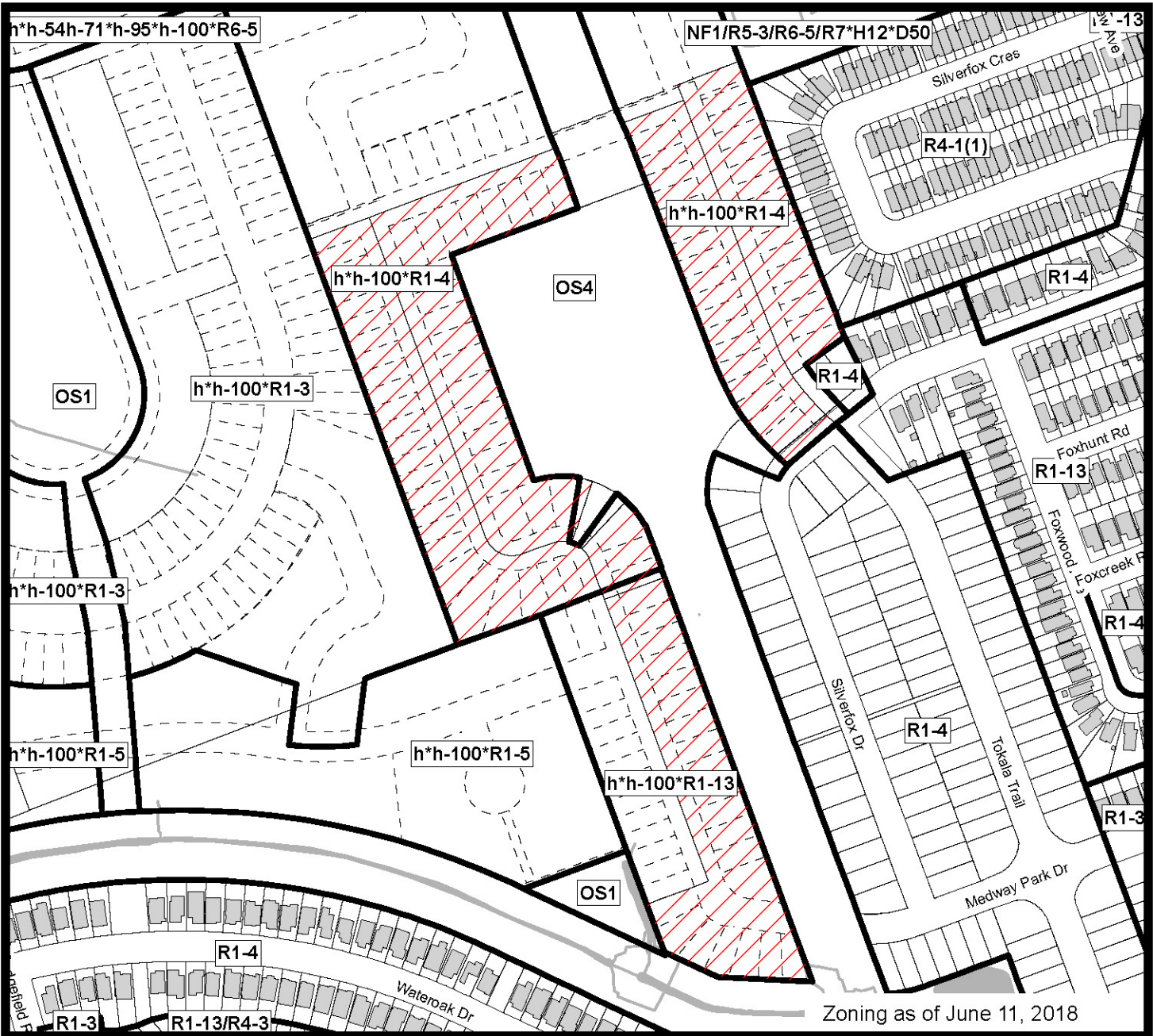
FILE NUMBER: Z-8916

PLANNER: CS

TECHNICIAN: rc

DATE: 2018/07/09

ZONING BY-LAW MAPPING EXCERPT



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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-8916

CS

MAP PREPARED:

2018/07/09

rc

1:4,000

0 25 50 100 150 200

Meters

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