



VIA EMAIL

June 3, 2020

Mayor Holder & Members of Council
City of London
300 Dufferin Street
London, ON
N6A 4L9

Attention: Ms. Cathy Saunders, City Clerk

**Re: Request for Council Resolution, under section 45(1.4) of the Planning Act, R.S.O. 1990, c.P.13
Application for Minor Variance
Royal Premier Homes
307 Fanshawe Park Road East**

Our File: RPH/LON/18-01

On behalf of Royal Premier Homes, Zelinka Priamo Limited seeks to obtain approval from the Municipal Council to submit a Minor Variance application for the property known as 307 Fanshawe Park Road East ("subject lands"). The Minor Variance Application is only required to address a technical non-compliance relating to the zoning definition for "Stacked Townhouses" as it applies to Building B of the approved development. **All aspects of the approved development, including unit count, density, building height, setbacks and parking, remain unchanged.**

Planning History

The Municipal Council at its meeting held on October 1, 2019, enacted By-Law Z.-1-192791 to amend Schedule "A" to By-law No. Z.-1, as amended, to change the zoning applicable to the lands located at 307 Fanshawe Park Road East, from Holding Residential R1/Bonus (h-5*h-54*h-89*R1-8*B-15) Zone TO a Holding Residential R5 Special Provision (h-5*h-54*h-89*R5-7(*)) Zone.

On October 4, 2019, the Applicant submitted a Request for Site Plan Consultation for the approved townhouse development.

On November 11, 2019, the Applicant submitted to the Urban Design Review Peer Panel a package of materials relating to the future Application for Site Plan Approval for the approved townhouse development.

On April 24, 2020, the Applicant submitted the Application for Site Plan Approval for the approved townhouse development (File Number SPC 19-154). Please note that this

Application for Site Plan Approval will be subject to a future public site plan review process. On May 22, 2020, Staff circulation comments regarding the Application for Site Plan Control Approval were provided. The comments stated (amongst other matters) that “Relief to the zoning permissions is required to permit the building form as proposed (Building B stacked 3 units high, whereas the definition of “Stacked Townhouse” is limited to 2).”

Proposed development

The development remains unchanged from that which was approved by Council in October 2019.

The approved development comprises a 3-storey, back-to-back, stacked-townhouse building containing 24 units (with units 2 levels high) fronting Fanshawe Park Road (Building A), and a 2-storey townhouse building containing 18 units (with units 3 levels high) at the rear of the property (Building B), for a total of 42 units on the site. A total of fifty-three (53) surface parking spaces (at a rate of 1.25 spaces per unit) are provided. Copies of the latest site plan, building elevations and floor plans are attached to this letter.

It is important to note that as part of the submission materials for the approved Zoning Bylaw Amendment Application, floor plans for both Building A and B were provided. **These floor plans have not changed.** Unfortunately, neither City Staff nor the Applicant were aware that the unit layout for Building B did not comply with the zoning definition for “Stacked Townhouse” at that time of approval, and an appropriate definition was omitted from site-specific by-law Z.-1-192791.

Zoning Bylaw

According to Section 2 (Definitions) of the By-law No. Z.-1, “Stacked Townhouse” “means a building designed to contain three or more dwelling units attached side by side, two units high, with each dwelling unit having a private entrance to grade level and a private open space area of any upper unit may utilize a portion of the roof of any lower unit...”

The building form of approved Building B does not technically comply with the above definition because the dwelling units are designed to be 3 levels high i.e. basement, first and second levels, rather than 2 units high.

Future Minor Variance Application

It is our opinion that the future Minor Variance Application, which would propose a zoning definition which permits dwelling units three levels high for Building B, will meet the 4 tests under of the Section 45(1) of the Planning Act.

It is considered that there will be no significant adverse impacts for neighbouring land uses as a result of granting this request or the proposed variance.

Based on the above, the proposed development, which remains unchanged from that which was approved by Council in October 2019, continues to be appropriate and represents sound land use planning principles consistent with the Provincial Policy Statement, the (1989) Official Plan, and the London Plan. The proposed development remains compatible with, and respects, the surrounding uses while at the same time responding to and achieving the goals of the Province of Ontario and the City of London as it relates to residential intensification and infill development in appropriate locations. **As such, we respectfully request that Council approve our request to submit a Minor variance application to address this technical zoning matter.**

If we can be of any assistance, please do not hesitate to contact the undersigned.

Yours very truly,

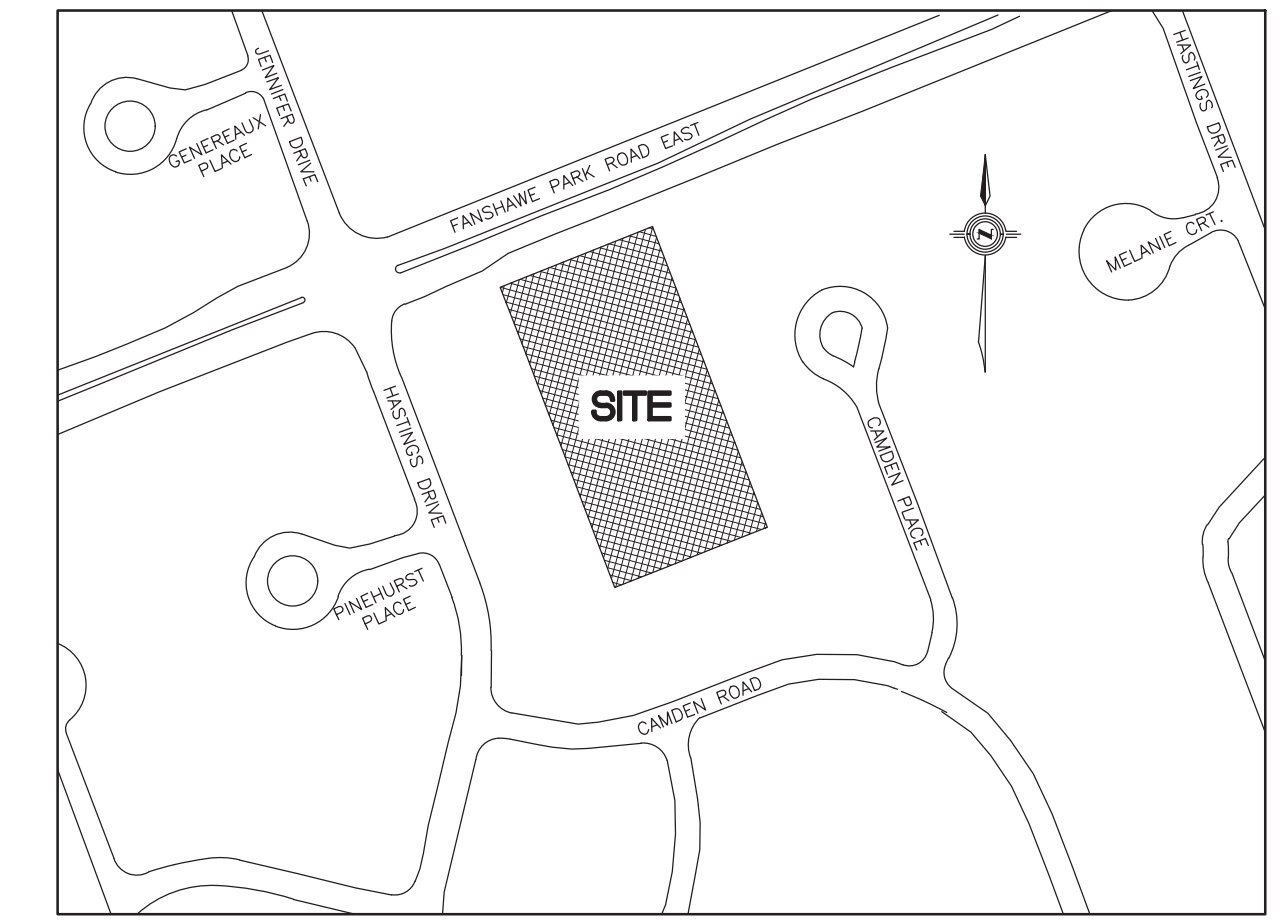
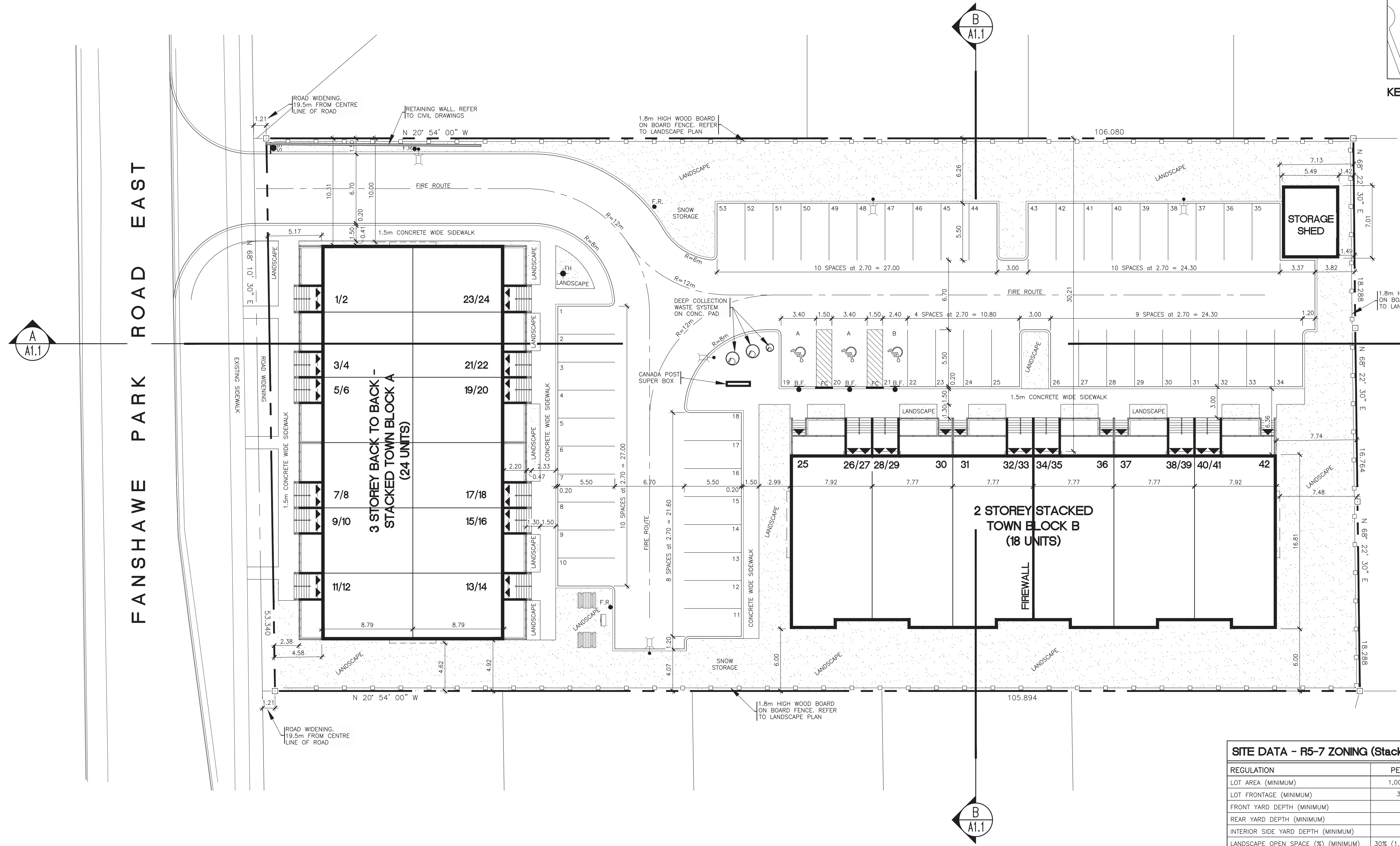
ZELINKA PRIAMO LTD.



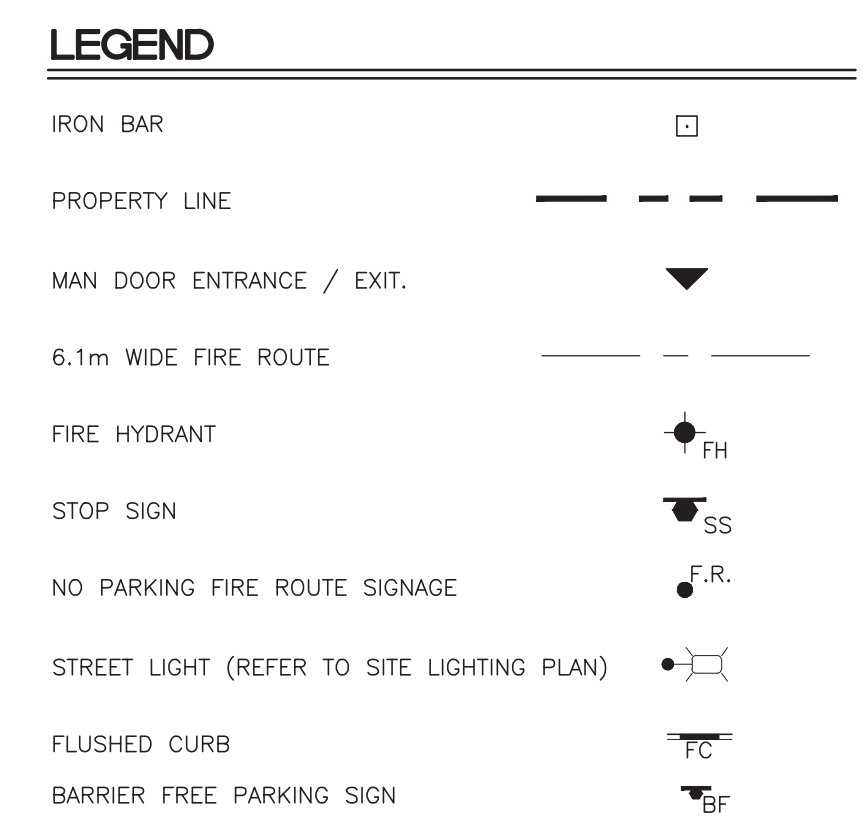
Dave Hannam, BRP, MCIP, RPP
Senior Associate

Cc: The client (Via Email)
Melissa Campbell, Manager, Development Planning (Current Planning) (Via Email)
Heather McNeely, Manager, Development Services (Site Plan) (via Email)
Meg Sundercock, Site Development Planner, Development Services (Via Email)

FANSHAWE PARK ROAD EAST

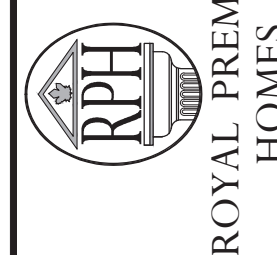


KEY MAP



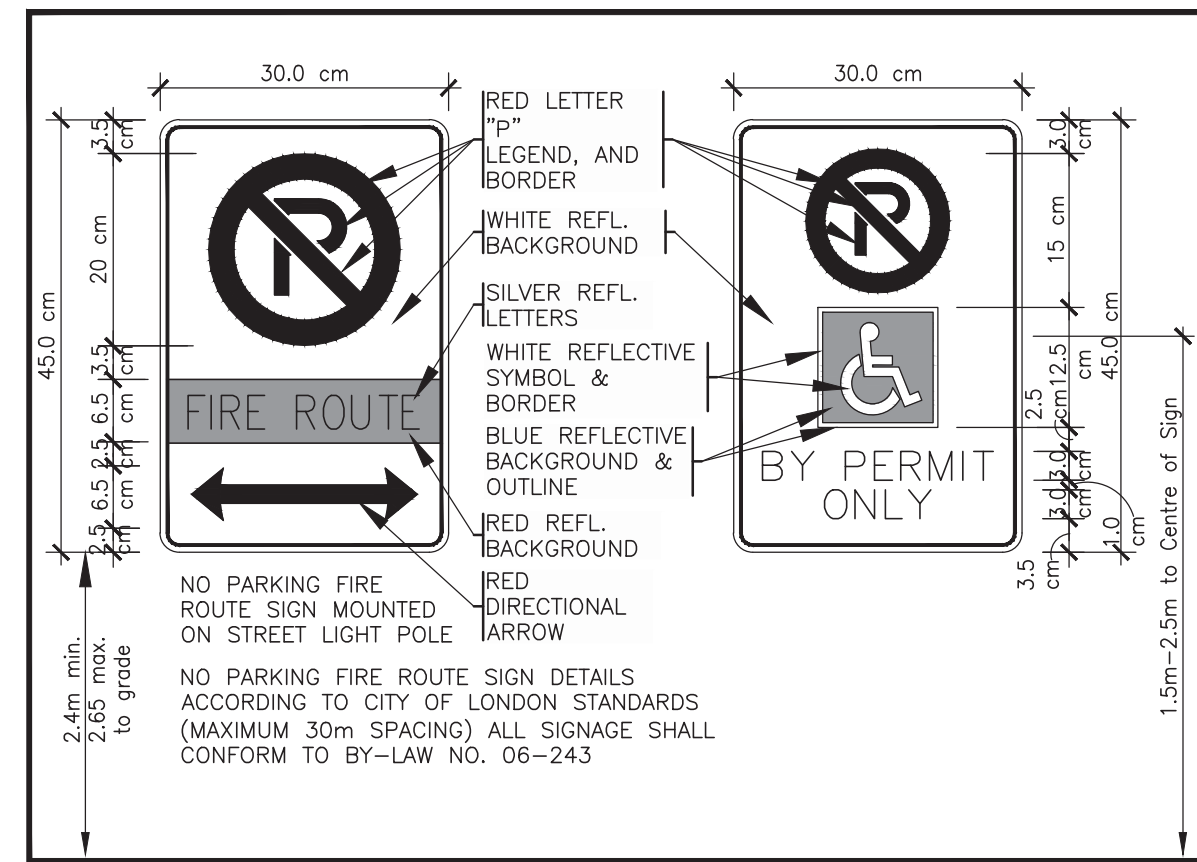
SITE DATA - R5-7 ZONING (Stacked Townhouses)		
REGULATION	PERMITTED	PROPOSED
LOT AREA (MINIMUM)	1,000 sq.m.	5,585.14 sq.m. (0.56ha)
LOT FRONTAGE (MINIMUM)	30.00 m	53.34 m
FRONT YARD DEPTH (MINIMUM)	4.58 m	4.58 m
REAR YARD DEPTH (MINIMUM)	6.00 m	7.74 m
INTERIOR SIDE YARD DEPTH (MINIMUM)	4.92 m	4.92m(WEST)/10.32m(EAST)
LANDSCAPE OPEN SPACE (%) (MINIMUM)	30% (1,984.20 sq.m)	36.8% (2,053.60 sq.m.)
LOT COVERAGE (%) (MAXIMUM)	45% (2,931.30 sq.m)	32.49% (1,814.67 sq.m.)
STORAGE GARAGE COVERAGE	10% (555.8 sq.m)	0.007% (37.16 sq.m.)
HEIGHT (MAXIMUM) FRONT 30m	12.0 m	11.92 m
HEIGHT (MAXIMUM) BALANCE OF SITE	10.0 m	9.45 m
DENSITY - UNITS per HECTARE (MAX.)	42 UNITS (75units/ha)	42 UNITS (75 units/ha)
OFF STREET PARKING SPACES (MAXIMUM)	1.25x42 = 53	53 SPACES
ACCESSIBLE PARKING (MINIMUM)	3 (2 TYPE 'A' AND 1 TYPE 'B')	3 (2 TYPE 'A' AND 1 TYPE 'B')
ACCESS TO DRIVEWAYS TO PARKING AREAS AND SPACES (MINIMUM)	6.70 m	6.70 m

UNIT MIX:
42 STACKED TOWNHOUSES

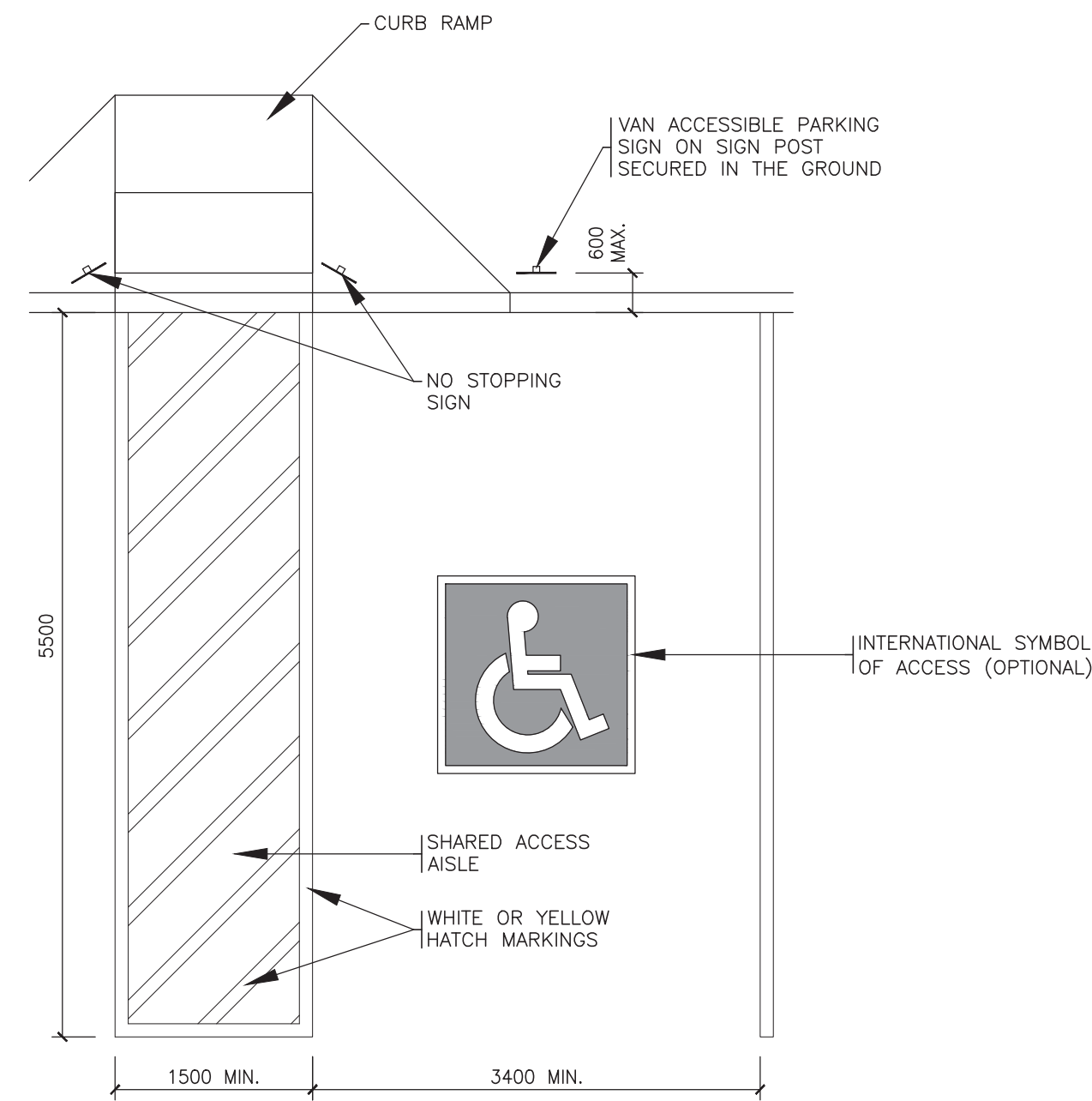


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PLOTTED: 2020-04-14 5:11 PM			
SCALE: 1:200			
DWN BY: KSR			
DATE: APRIL 2020			

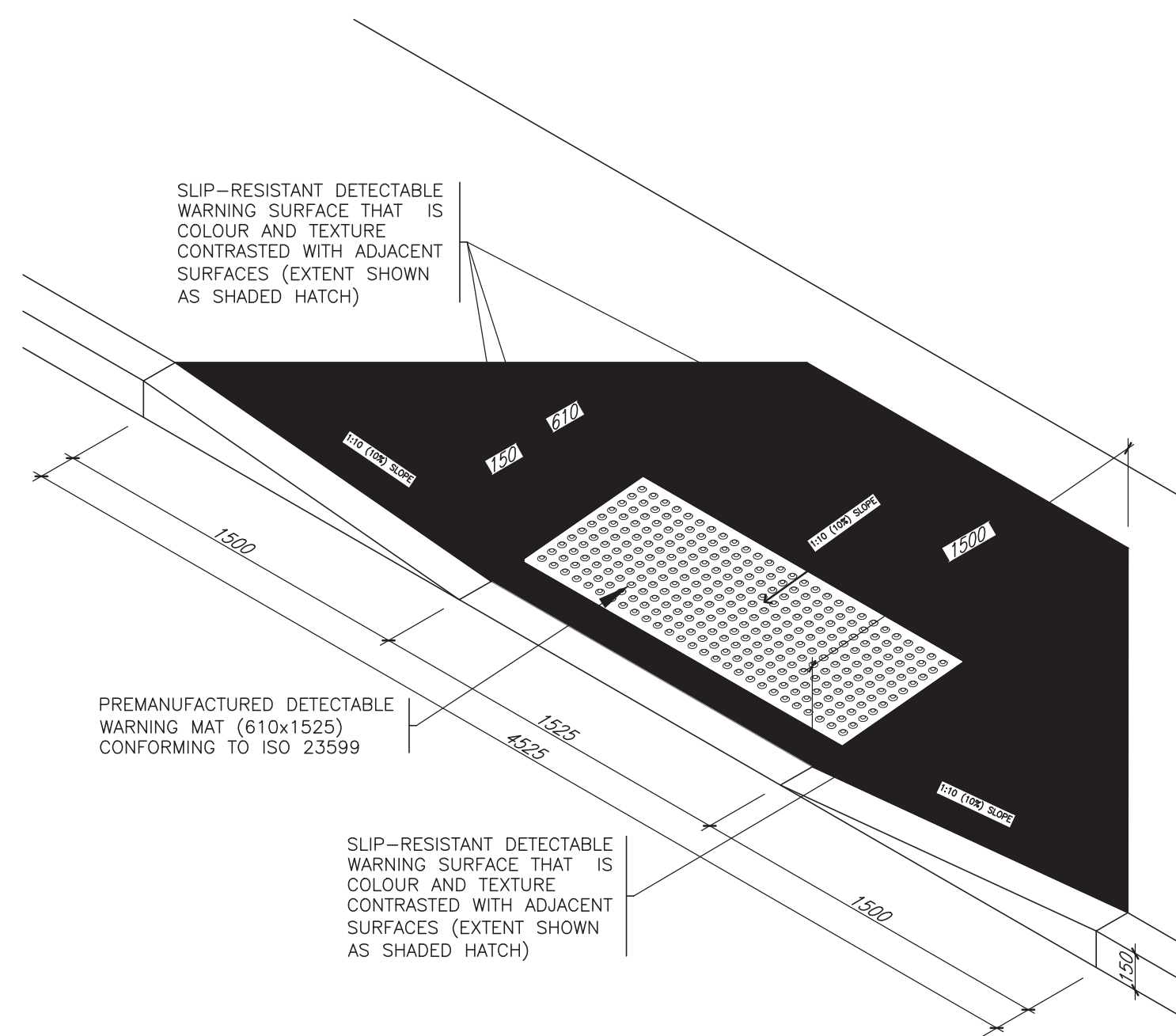
PROJECT: STACKED TOWNHOUSE DEVELOPMENT
307 FANSHAWE PARK ROAD, EAST, LONDON
TITLE: SITE PLAN



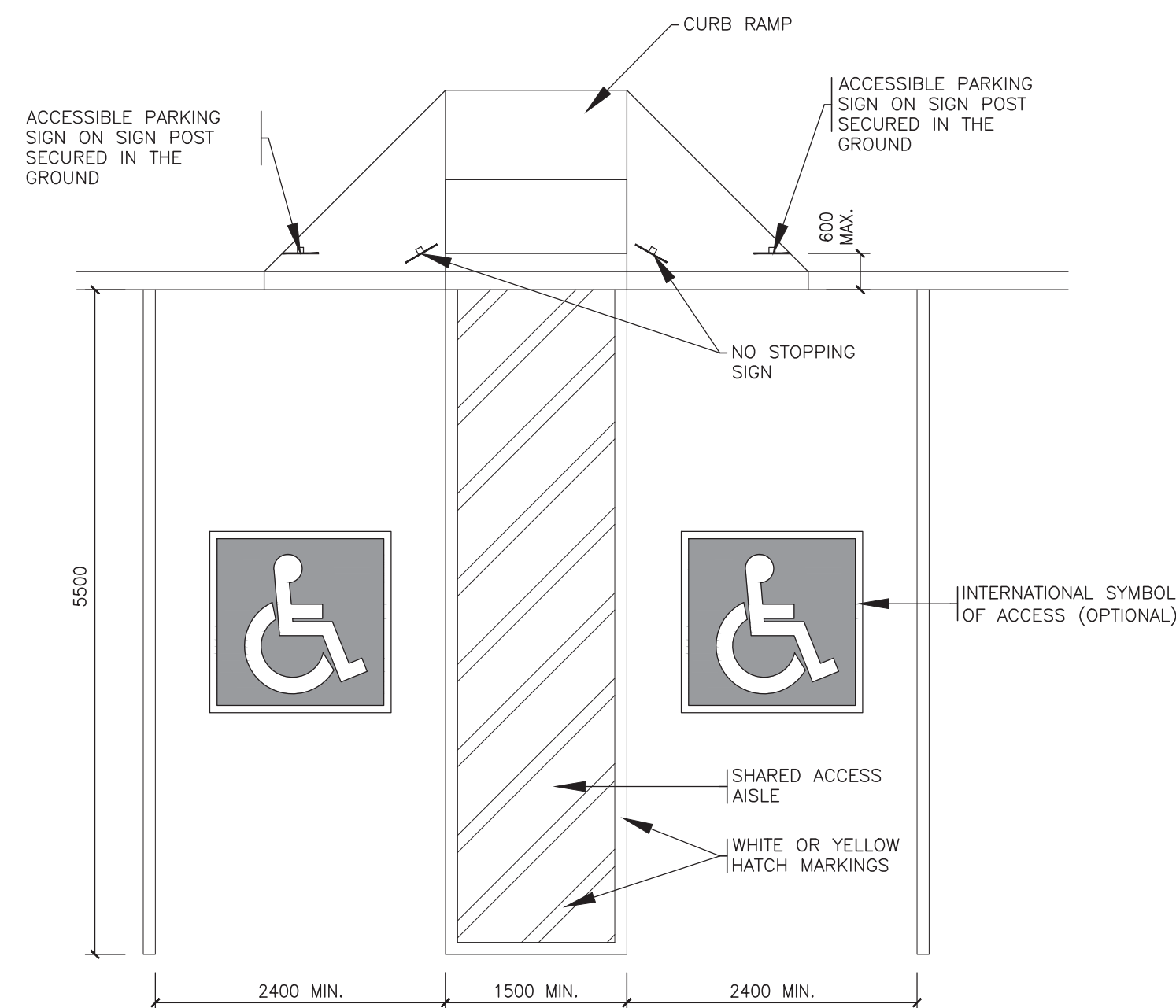
1 FIRE ROUTE + BARRIER FREE SIGN DETAIL
A1.2 N.T.S.



3 TYPE 'A' BARRIER FREE PARKING DETAILS
A1.2 N.T.S.



2 DROPPED CURB DETAIL
A1.2 N.T.S.



4 TYPE 'B' BARRIER FREE PARKING DETAILS
A1.2 N.T.S.

Ontario Building Code Data Matrix Part 3 and 9		OBC Reference								
1	PROJECT DESCRIPTION: BACK TO BACK STACKED TOWNHOUSES - BLOCK 'A'	NEW	PART 11							
2	MAJOR OCCUPANCY(S): GROUP C RESIDENTIAL	EXISTING: 0.0 m ² NEW: 669.65 m ² TOTAL: 669.65 m ²	3.1.2.1(1)							
3	BUILDING AREA(m ²)	EXISTING: 0.0m ² NEW: 2,040.01 m ² TOTAL: 2,040.01 m ²	1.1.3.2							
4	GROSS AREA(m ²)	EXISTING: 0.0m ² NEW: 2,040.01 m ² TOTAL: 2,040.01 m ²	1.1.3.2							
5	NUMBER OF STOREYS	ABOVE GRADE: 3 BELOW GRADE: 1	3.2.1.1 & 1.1.3.2							
6	NUMBER OF STREETS / FIRE FIGHTER ACCESS	3 STREETS	3.2.2.10 & 3.2.5							
7	BUILDING CLASSIFICATION	3.2.2.45 GROUP C UP TO 3 STOREYS	9.10.4							
8	SPRINKLER SYSTEM PROPOSED	ENTIRE BUILDING SELECTED COMPARTMENTS SELECTED FLOOR AREAS BASEMENT IN LIEU OF ROOF RATING NOT REQUIRED	3.2.2.20-83 3.2.1.5 3.2.2.17 INDEX							
9	STANDPIPE REQUIRED	YES NO	3.2.9							
10	FIRE ALARM REQUIRED	YES NO	3.2.4							
11	WATER SERVICE / SUPPLY IS ADEQUATE	YES NO	3.2.5.7							
12	HIGH BUILDING	YES NO	3.2.6							
13	CONSTRUCTION RESTRICTIONS	COMBUSTIBLE NON-COMBUSTIBLE BOTH	3.2.2.20-83							
14	MEZZANINE(S) AREA(m ²)	EXISTING AREA: N/A NEW AREA: N/A	---							
15	OCCUPANT LOAD BASED ON:	m ² /PERSON BY DESIGN OF BUILDING (BASED ON 2 PERSONS PER BEDROOM)	3.1.16							
16	BARRIER FREE DESIGN	YES NO (EXPLAIN)	3.8							
17	HAZARDOUS SUBSTANCES	YES NO	3.3.1.2 & 3.3.1.9							
18	REQUIRED FIRE RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES FRR (HOURS) FLOORS 45 MIN. ROOF N/A HOURS MEZZ N/A HOURS FRR OF SUPPORTING MEMBERS FLOORS 45 MIN. ROOF N/A HOURS MEZZ N/A HOURS	LISTED DESIGN No. OR DESCRIPTION (SG-2) OBC SB-3 (F21c) N/A N/A LISTED DESIGN No. OR DESCRIPTION (SG-2) OBC SB-3 (WE1WE2) NOT APPLICABLE NOT APPLICABLE							
19	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS		3.2.3.							
	WALL	AREA OF EBF (m ²)	L/D OR H/L	PERMITTED MAX. % OF OPENINGS	PROPOSED % OF OPENINGS	FRR (HOURS)	LISTED DESIGN OR DESCRIPTION	COMB. CONST.	COMB. CONST. NONC. CLADDING	NON-COMB. CONST.
	NORTH	38.03	13.59	<3.1	100	28.59	-	YES	-	-
	SOUTH	46.43	10.00	<3.1	100	12.71	-	YES	-	-
	WEST	46.43	4.62	<3.1	34.2	12.71	-	YES	-	-

5 O.B.C. MATRIX
A1.2

Ontario Building Code Data Matrix Part 9		OBC Reference								
1	PROJECT DESCRIPTION: STACKED TOWNHOUSES - BLOCK 'B'	NEW	PART 9							
2	MAJOR OCCUPANCY(S): GROUP C RESIDENTIAL	EXISTING: 0.0 m ² NEW: 386.8 m ² / SIDE (FIREWALL) TOTAL: 773.60 m ²	9.10.2							
3	BUILDING AREA(m ²)	EXISTING: 0.0m ² NEW: 2,329.66 m ² TOTAL: 2,329.66 m ²	1.1.3.2							
4	GROSS AREA(m ²)	EXISTING: 0.0m ² NEW: 2,329.66 m ² TOTAL: 2,329.66 m ²	1.1.3.2							
5	NUMBER OF STOREYS	ABOVE GRADE: 3 BELOW GRADE: 1	2.1.1.3							
6	NUMBER OF STREETS / FIRE FIGHTER ACCESS	2 STREETS	9.10.19							
7	BUILDING CLASSIFICATION	PART 9	9.10.4							
8	SPRINKLER SYSTEM PROPOSED	ENTIRE BUILDING SELECTED COMPARTMENTS SELECTED FLOOR AREAS BASEMENT IN LIEU OF ROOF RATING NOT REQUIRED	9.10.6							
9	STANDPIPE REQUIRED	YES NO	N/A							
10	FIRE ALARM REQUIRED	YES NO	9.10.17.2							
11	WATER SERVICE / SUPPLY IS ADEQUATE	YES NO	N/A							
12	HIGH BUILDING	YES NO	N/A							
13	CONSTRUCTION RESTRICTIONS	COMBUSTIBLE NON-COMBUSTIBLE BOTH	9.10.6							
14	MEZZANINE(S) AREA(m ²)	EXISTING AREA: N/A NEW AREA: N/A	---							
15	OCCUPANT LOAD BASED ON:	m ² /PERSON BY DESIGN OF BUILDING (BASED ON 2 PERSONS PER BEDROOM)	9.9.1.3							
16	BARRIER FREE DESIGN	YES NO	9.5.2							
17	HAZARDOUS SUBSTANCES	YES NO	9.10.1.3(4)							
18	REQUIRED FIRE RESISTANCE RATING (FRR)	HORIZONTAL ASSEMBLIES FRR (HOURS) FLOORS 45 MIN. ROOF N/A HOURS MEZZ N/A HOURS FRR OF SUPPORTING MEMBERS FLOORS 45 MIN. ROOF N/A HOURS MEZZ N/A HOURS	LISTED DESIGN No. OR DESCRIPTION (SG-2) OBC SB-3 (F21c) N/A N/A LISTED DESIGN No. OR DESCRIPTION (SG-2) OBC SB-3 (WE1WE2) NOT APPLICABLE NOT APPLICABLE							
19	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS		3.2.3.							
	WALL	AREA OF EBF (m ²)	L/D OR H/L	PERMITTED MAX. % OF OPENINGS	PROPOSED % OF OPENINGS	FRR (HOURS)	LISTED DESIGN OR DESCRIPTION	COMB. CONST.	COMB. CONST. NONC. CLADDING	NON-COMB. CONST.
	NORTH	47.4	13.59	-	100	14.6	-	YES	-	-
	SOUTH	47.4	7.48	-	81.5	14.6	-	YES	-	-
	EAST	25.6	30.21	-	100	30.22	-	YES	-	-
	WEST	22.4	6.00	-	100	22.12	-	YES	-	-

6 O.B.C. MATRIX
A1.2



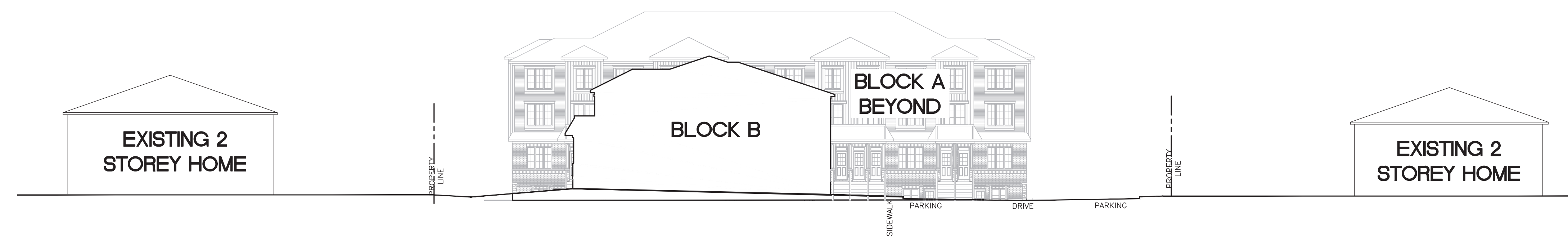
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DATE: APRIL 2020	DATE: APRIL 2020

PROJECT: STACKED TOWNHOUSE DEVELOPMENT	DATE: APRIL 2020
307 FANSHAW PARK ROAD, EAST, LONDON	DATE: APRIL 2020
BARRIER FREE DETAILS AND O.B.C. MATRIX	DATE: APRIL 2020

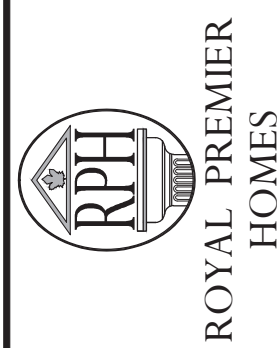
PROJECT: STACKED TOWNHOUSE DEVELOPMENT
307 FANSHAW PARK ROAD, EAST, LONDON
BARRIER FREE DETAILS AND O.B.C. MATRIX
SHEET No. **A1.2**



SITE CROSS SECTION 'A' (NORTH TO SOUTH)



SITE CROSS SECTION 'B' (EAST - WEST)



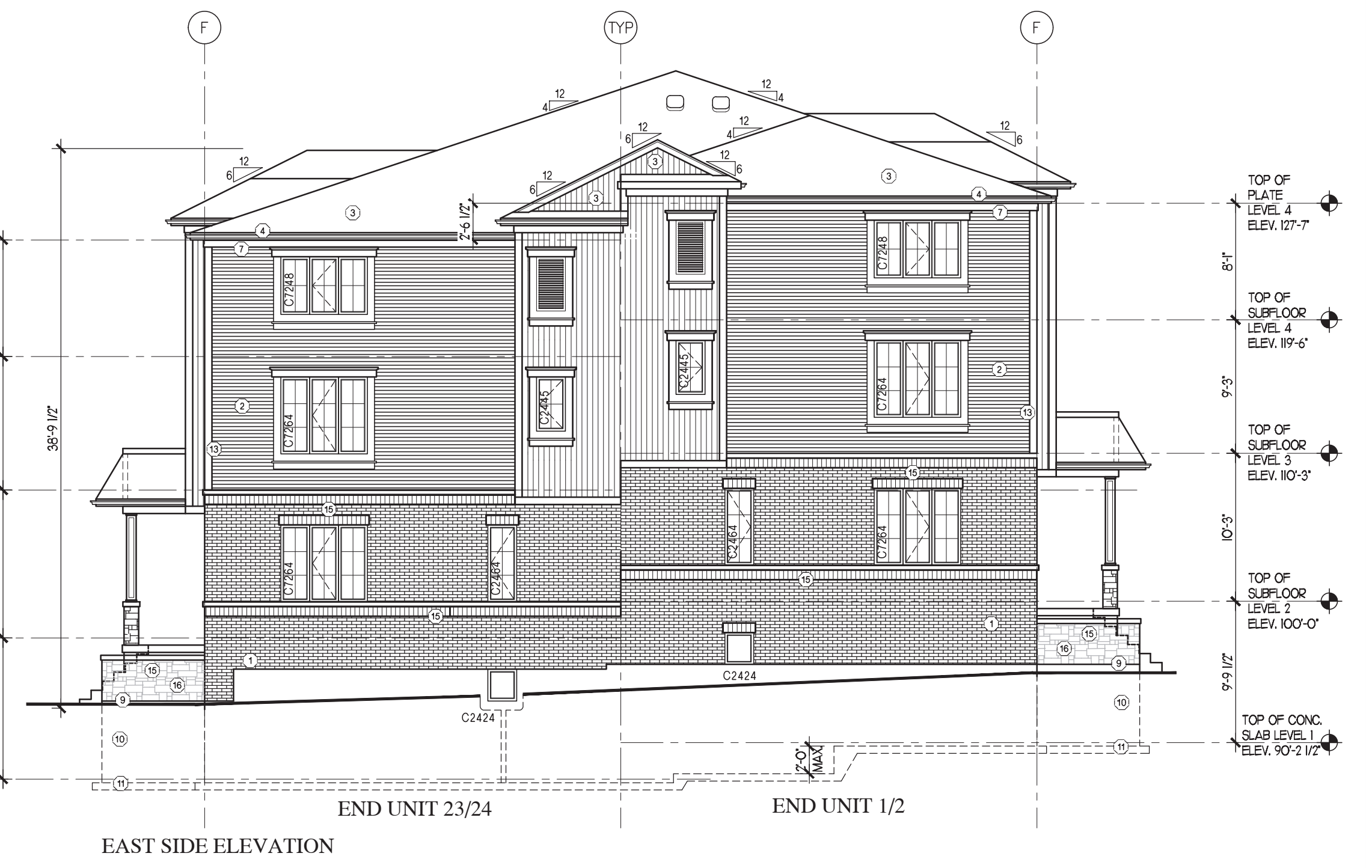
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PROJECT: STACKED TOWHOUSE DEVELOPMENT	
307 FANSHAWE PARK ROAD, EAST, LONDON	
TITLE: SITE SECTIONS	

FILE: FOLDER: BLOCK-J



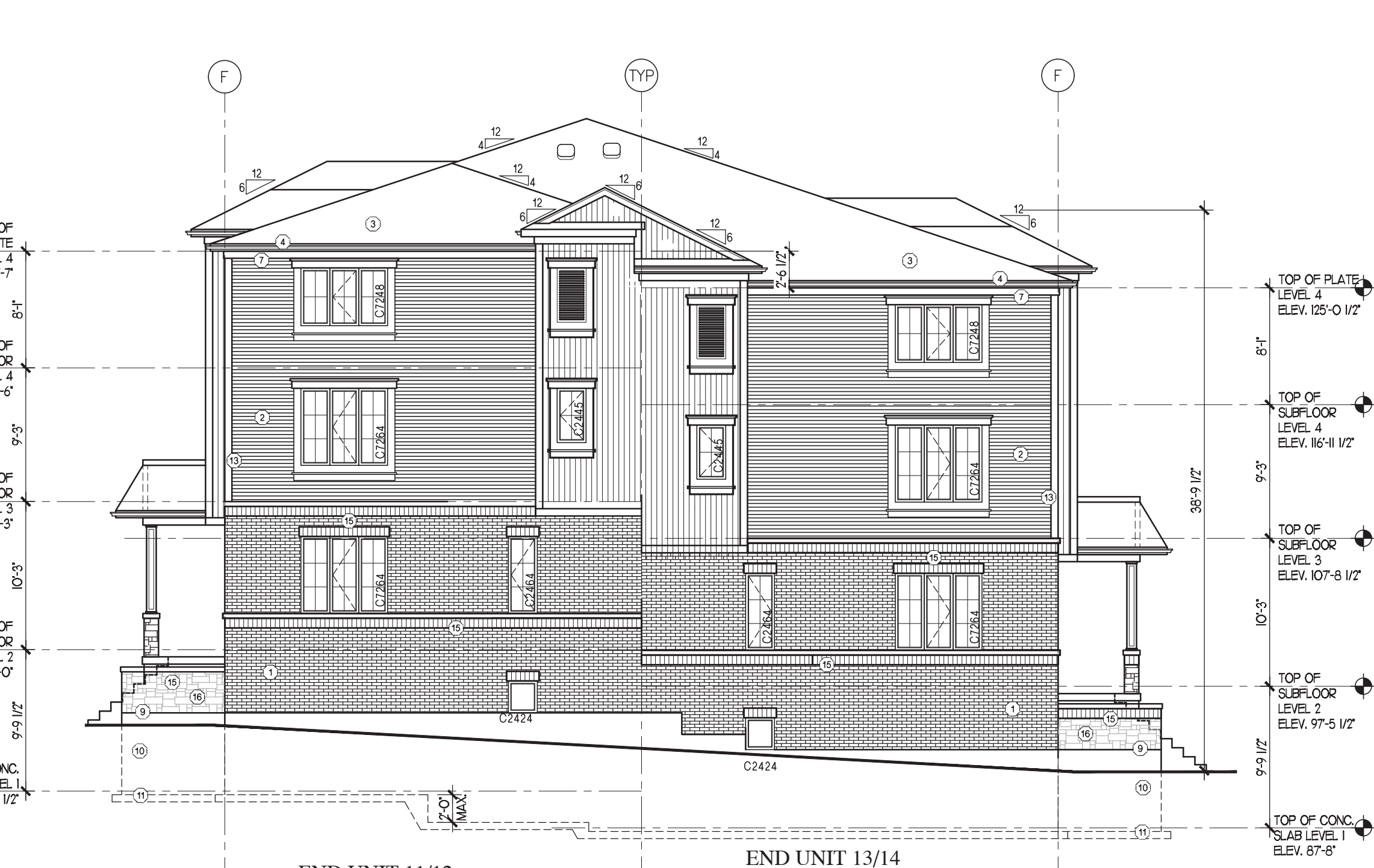
NORTH ELEVATION



EAST SIDE ELEVATION



SOUTH ELEVATION



WEST SIDE ELEVATION

MATERIAL LEGEND

- | | |
|---|-----------------------------|
| 1 BRICK VENEER | 11 CONCRETE FOOTING |
| 2 HORIZONTAL/VERTICAL SIDING | 12 72" HIGH PRIVACY FENCE |
| 3 ALUMINUM CLAD ROOF | 13 PREFINISHED 2"/6" BATTEN |
| 4 PREFINISHED ALUMINUM EAVESTROUGH, FASCIA AND SOFFIT | 14 ALUMINUM CLAD PORCH BEAM |
| 5 42" HIGH RAILING/GUARD | 15 BRICK SOLDER COURSE |
| 6 PREFINISHED 6" ALUMINUM FRIEZE BOARD | 16 STONE VENEER |
| 7 PREFINISHED 6" ALUMINUM FRIEZE BOARD | |
| 8 PRECAST CONCRETE ENTRY STEPS | |
| 9 FINISHED GRADE | |
| 10 CONCRETE FOUNDATION | |

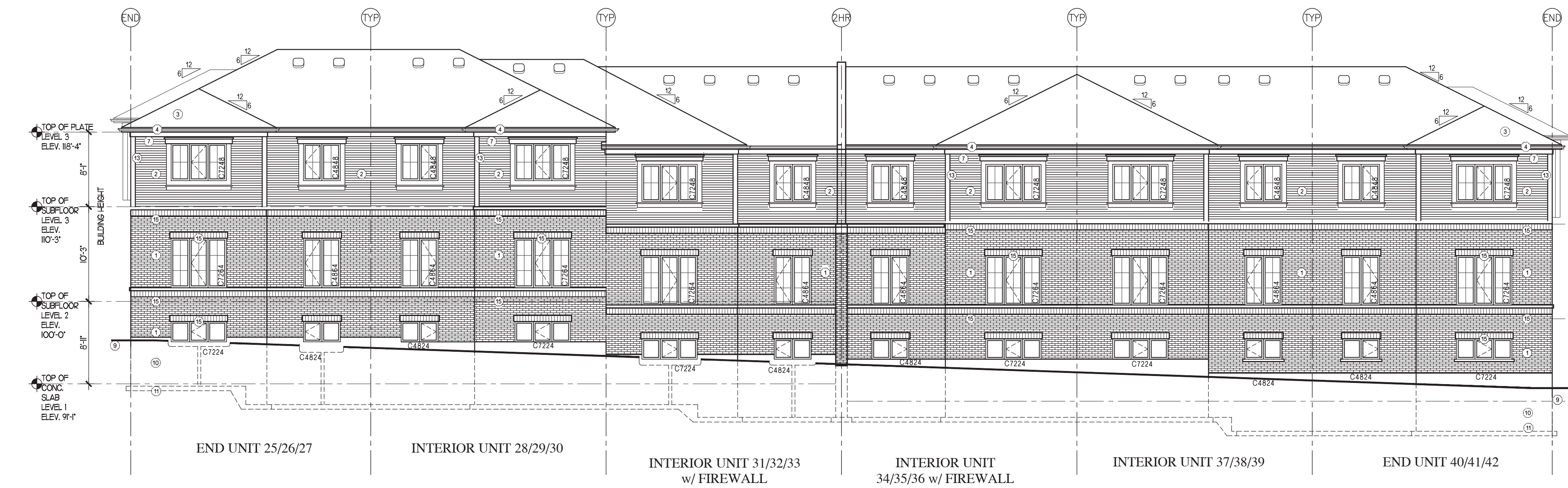


STATUS	DATE	NO.	REVISION

PROJECT: **STACKED TOWHOUSE DEVELOPMENT**
 307 FANSHAW PARK ROAD, EAST, LONDON
 TITLE: **BLOCK 'A' OVERALL ELEVATIONS**
 SHEET No. **A2.01**



EAST ELEVATION



WEST ELEVATION



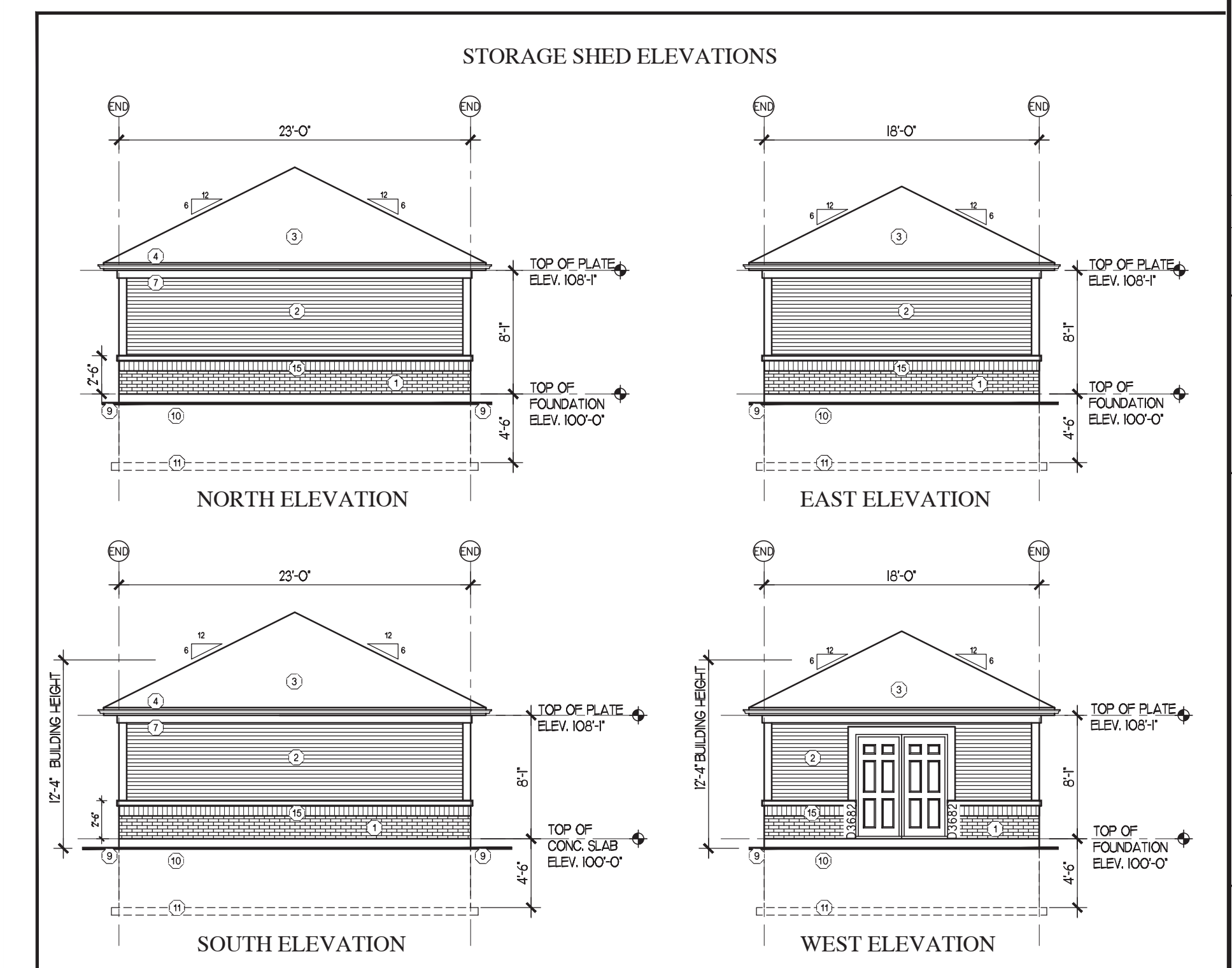
SOUTH ELEVATION



NORTH ELEVATION

MATERIAL LEGEND

- | | |
|---|-----------------------------|
| 1 BRICK VENEER | 11 CONCRETE FOOTING |
| 2 HORIZONTAL/VERTICAL SIDING | 12 72" HIGH PRIVACY FENCE |
| 3 ALUMINUM CLAD ROOF | 13 PREFINISHED 2"x6" BATTEN |
| 4 PREFINISHED ALUMINUM EAVESTROUGH, FASCIA AND SOFFIT | 14 ALUMINUM CLAD PORCH BEAM |
| 5 42" HIGH RAILING/GUARD | 15 BRICK SOLDER COURSE |
| 6 PREFINISHED 6" ALUMINUM FRIEZE BOARD | 16 STONE VENEER |
| 7 PRECAST CONCRETE ENTRY STEPS | |
| 8 FINISHED GRADE | |
| 9 CONCRETE FOUNDATION | |

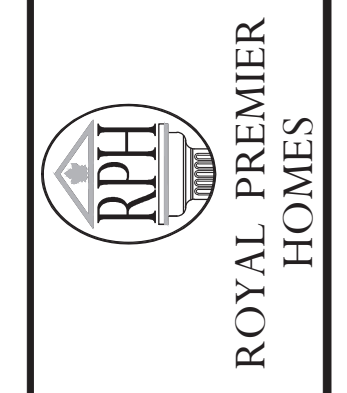


NORTH ELEVATION

EAST ELEVATION

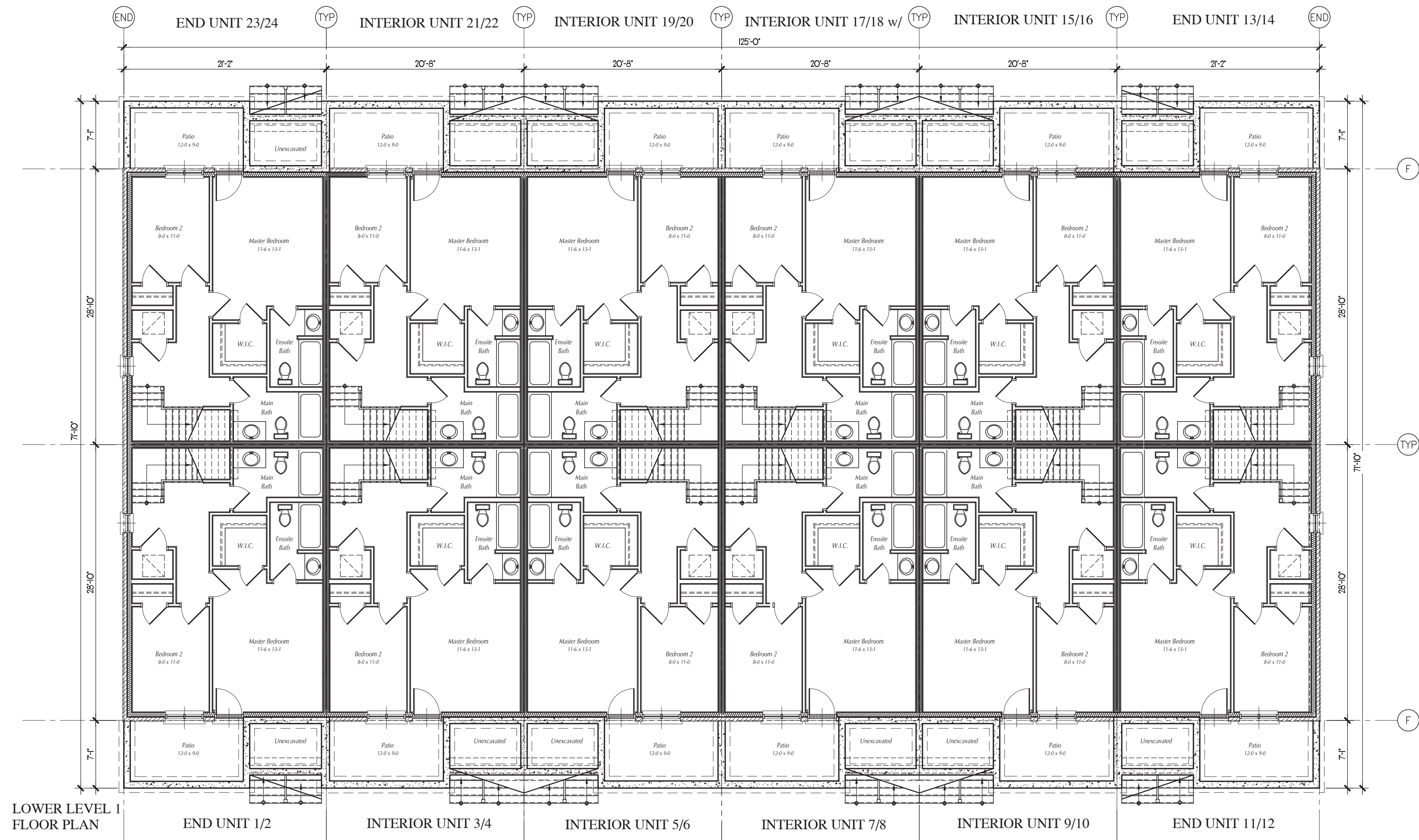
SOUTH ELEVATION

WEST ELEVATION

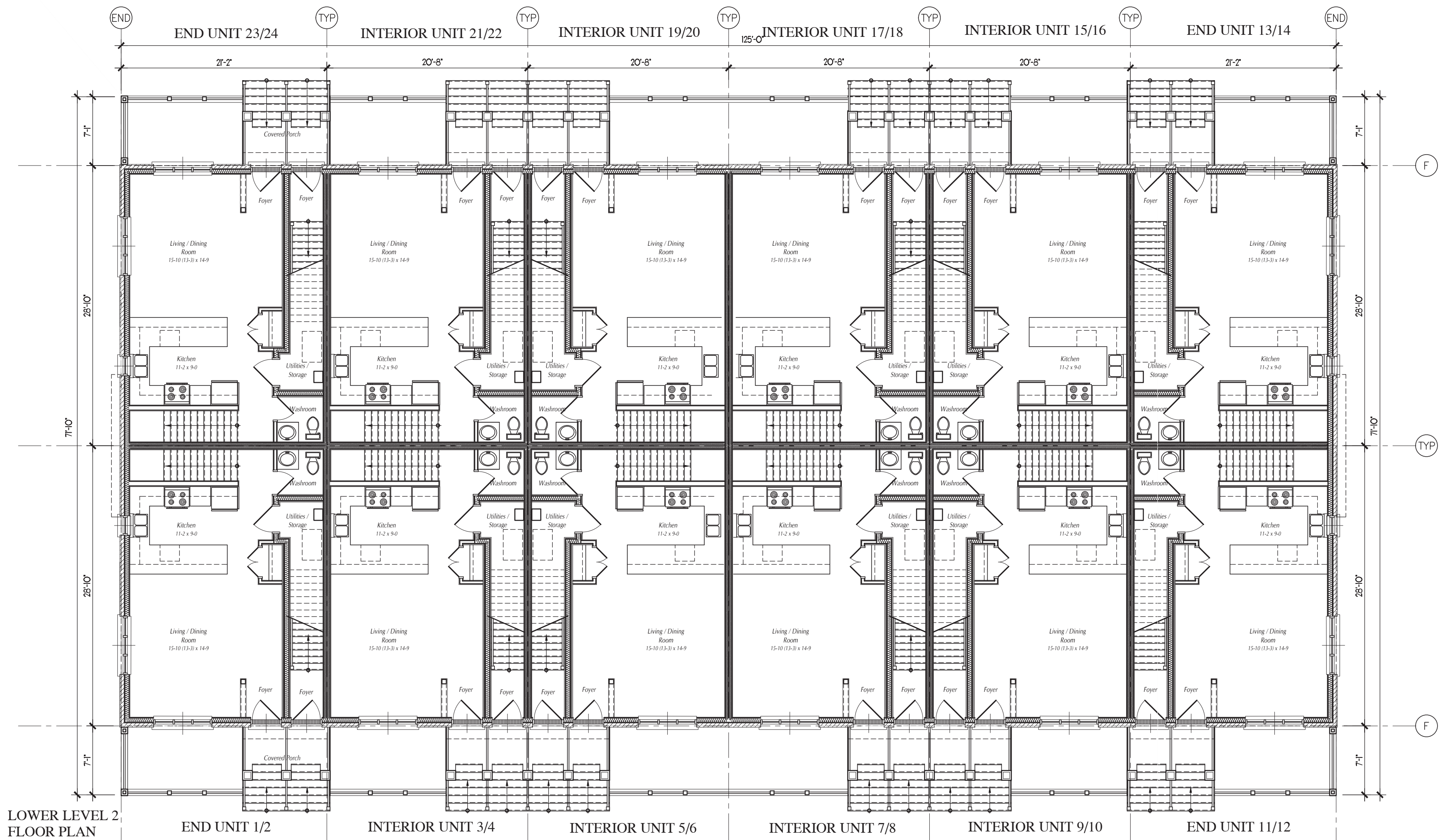


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PROJECT: STACKED TOWHOUSE DEVELOPMENT		
307 FANSHAW PARK ROAD, EAST, LONDON		
TITLE: BLOCK 'B' OVERALL ELEVATIONS		
SHEET No. A2.02		

FILE: FOLDER: BLOCK-J

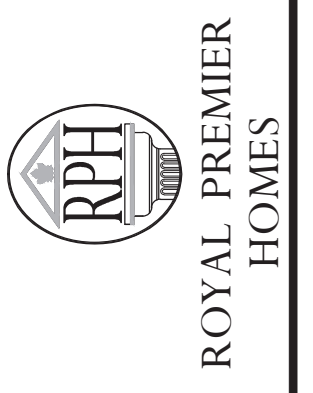
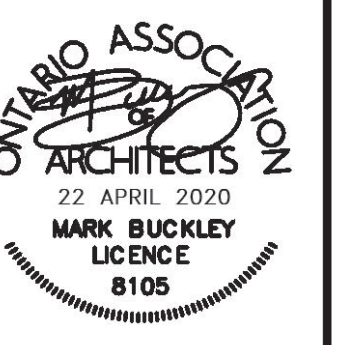


LOWER LEVEL 1
FLOOR PLAN



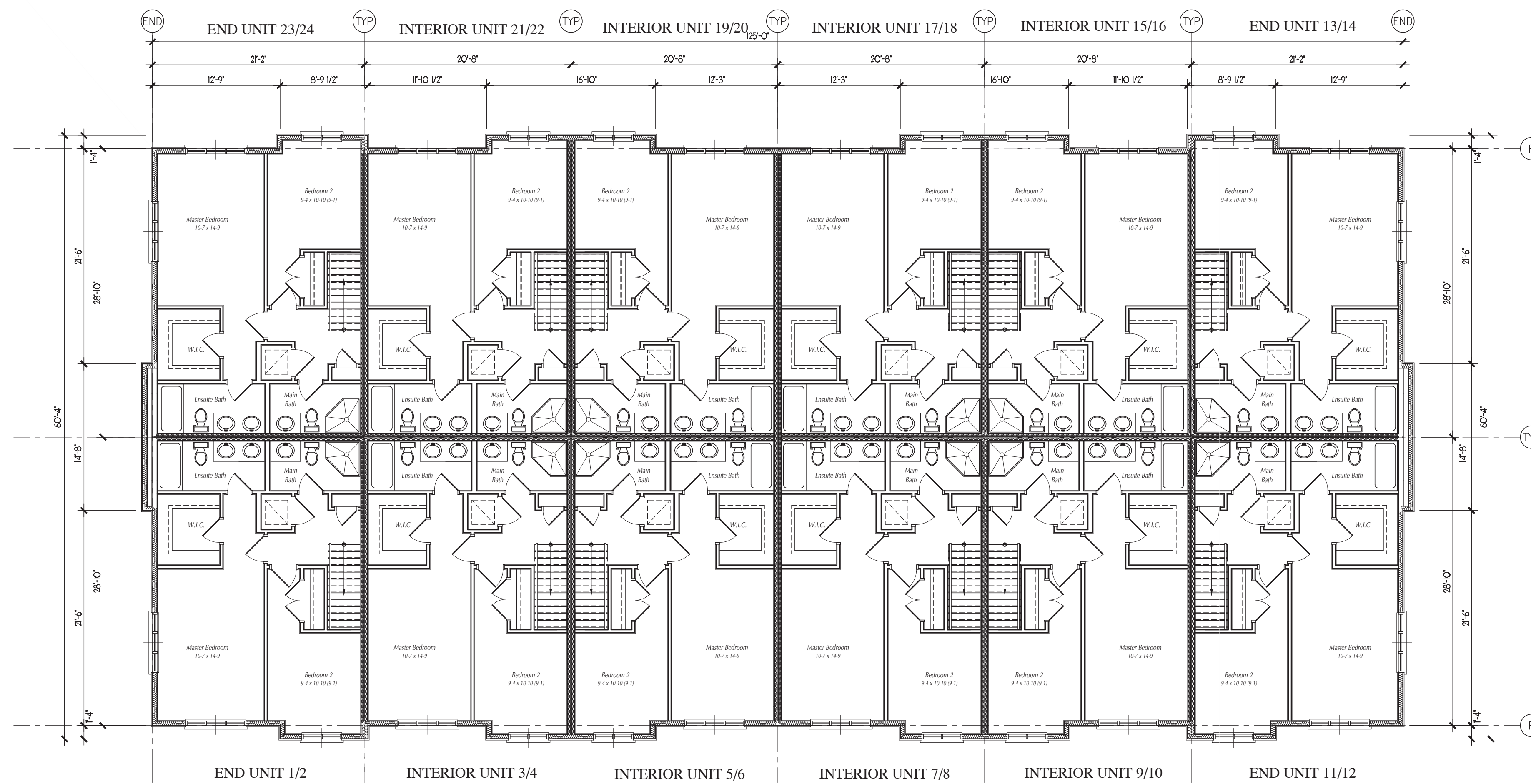
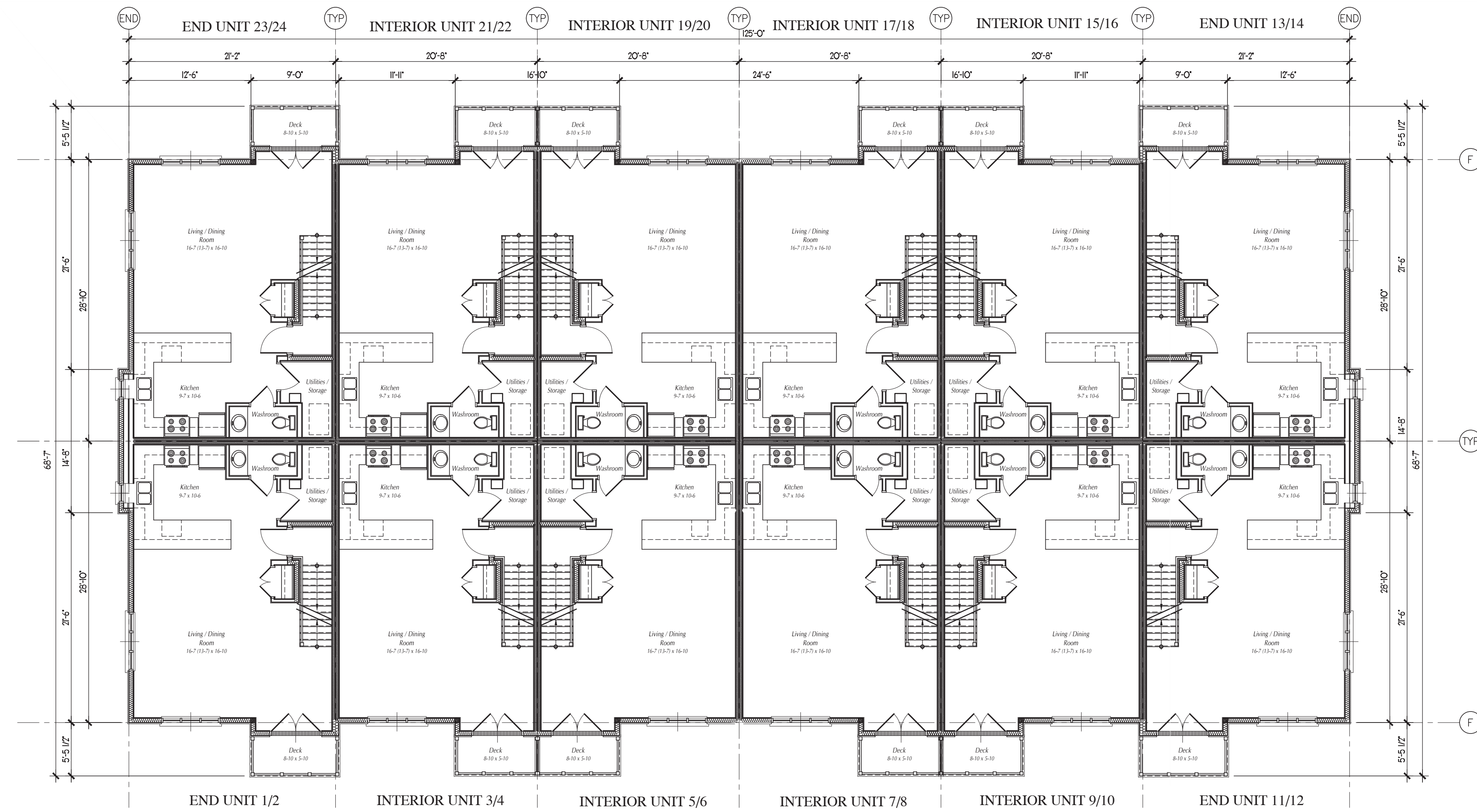
LOWER LEVEL 2
FLOOR PLAN

FILE: FOLDER: BLOCK-J



STATUS: SITE PLAN APPROVAL	NO.:	REVISION
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SCALE: 1/8" = 1'-0"	DATE:	
DWN BY: S.S.	DATE:	
DATE: APRIL 2020	DATE:	

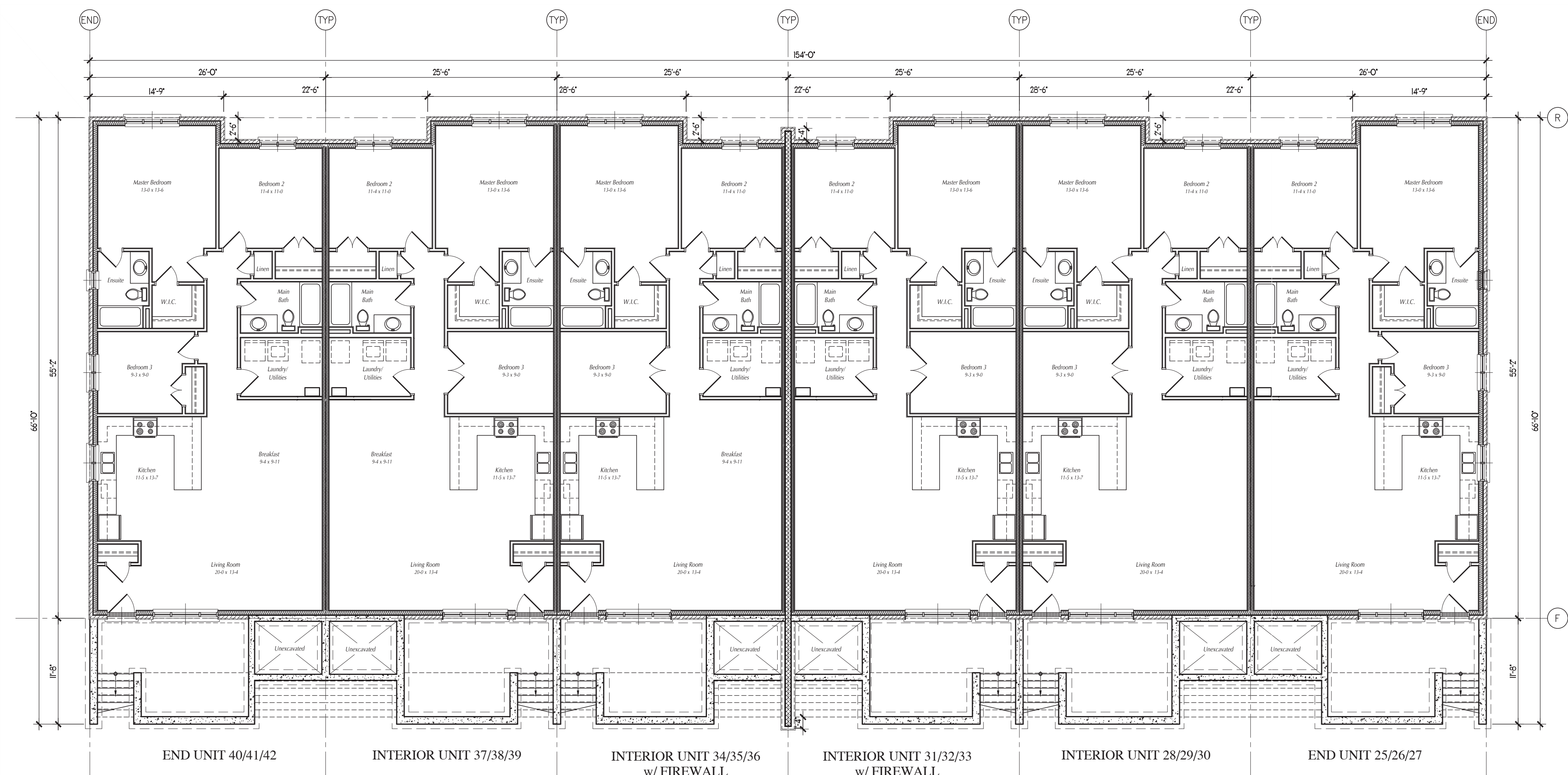
PROJECT: STACKED TOWHOUSE DEVELOPMENT
307 FANSHAW PARK ROAD, EAST, LONDON
TITLE: BLOCK 'A' OVERALL PLANS
SHEET No. **A2.03**



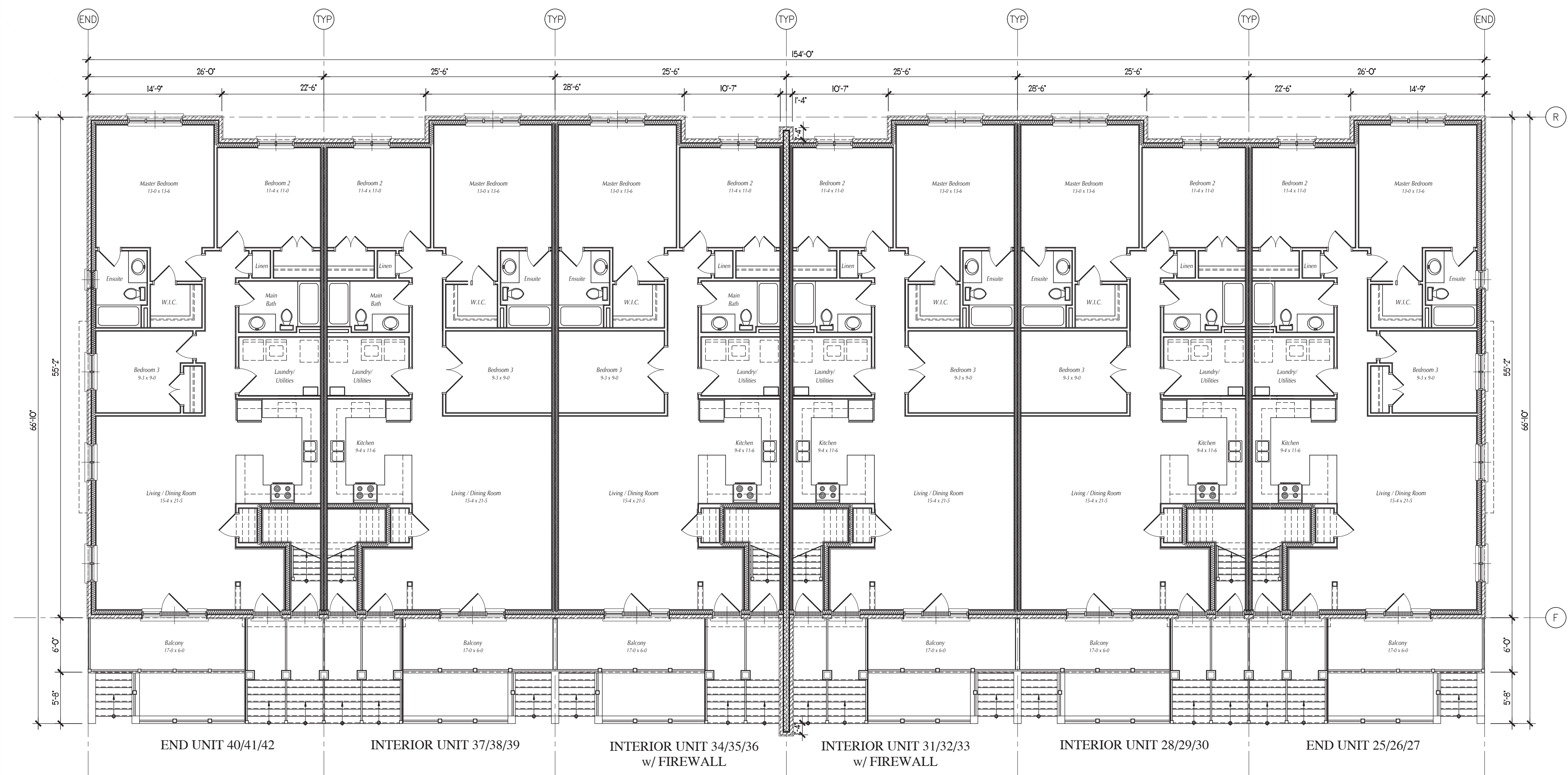
NO.	DATE	REVISION

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PLOTTED:	DATE: APRIL 2020
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DWN BY: S.S.	DATE: APRIL 2020

PROJECT: STACKED TOWHOUSE DEVELOPMENT
307 FANSHAW PARK ROAD, EAST, LONDON
TITLE: BLOCK 'A' OVERALL PLANS

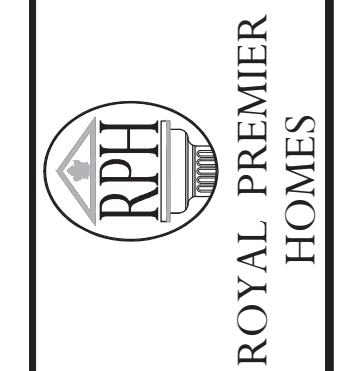


LEVEL 1 FLOOR PLAN



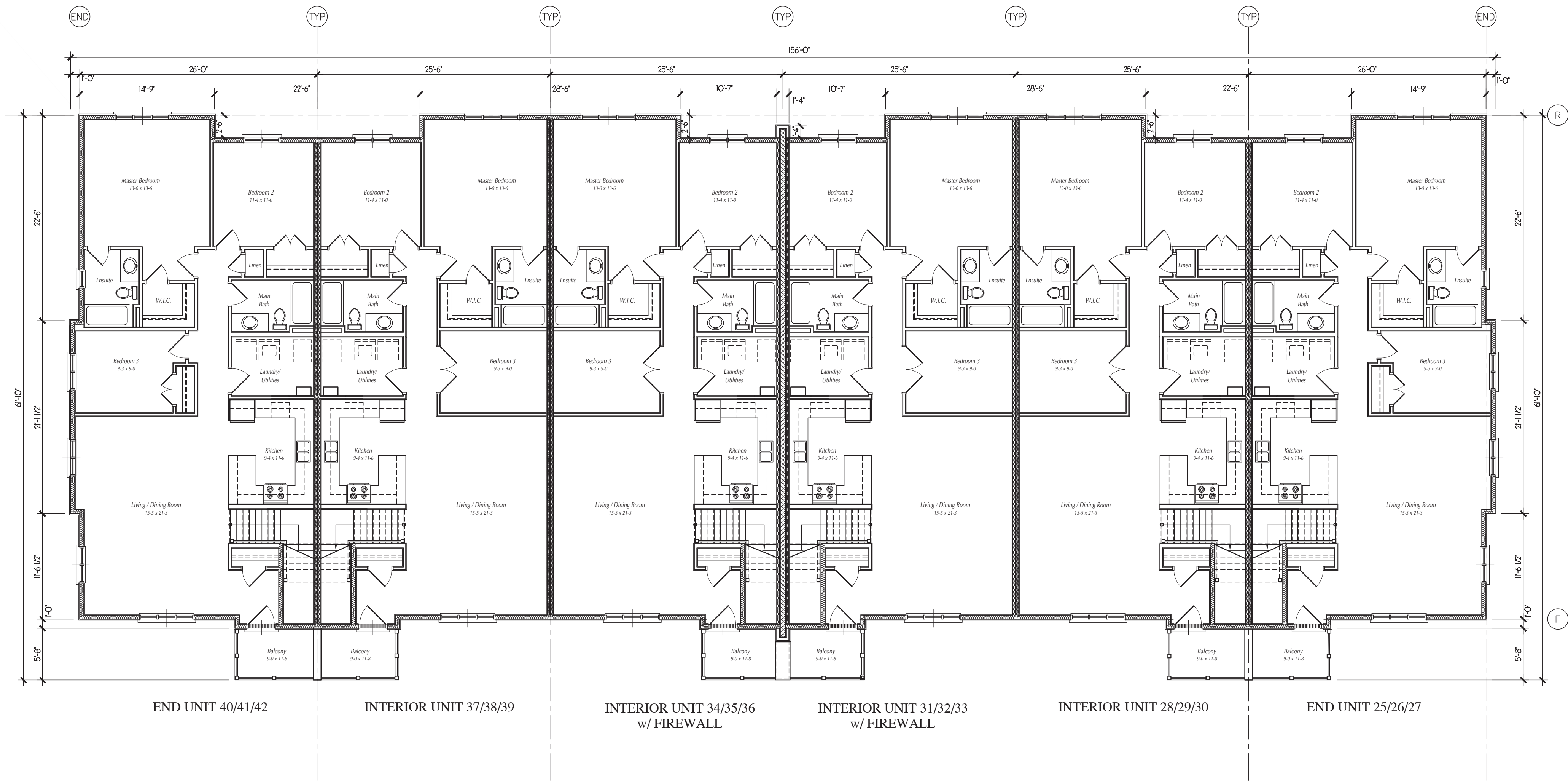
LEVEL 2 FLOOR PLAN

FILE: FOLDER: BLOCK-J



PROJECT	STACKED TOWHOUSE DEVELOPMENT
LOCATION	307 FANSHAW PARK ROAD, EAST, LONDON
TITLE	BLOCK 'B' OVERALL FLOOR PLANS
STATUS: SITE PLAN APPROVAL	
PLOTTED:	
SCALE:	1/8" = 1'-0"
DRAWN BY: E.S.	
DATE:	APRIL 2020
NO.	REVISION
DATE	

SHEET No. **A2.05**



STATUS	SITE PLAN APPROVAL	DATE	NO.	REVISION
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DWN BY	E.S.			
DATE	APRIL 2020			