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File No: Z-8151  
Planner: A. MacLean

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: COBBLESTONE GATE LAND CORP.  160 SUNNINGDALE ROAD WEST  PUBLIC PARTICIPATION MEETING ON APRIL 23, 2013</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager, Development Planning based on the application of Cobblestone Gate Land Corp. relating to the property located at 160 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on April 30, 2013 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 (h. h-100 R1-6) Zone which permits single detached dwellings with an interior sideyard setback of 1.2 metres for a one storey dwelling plus 0.6 metres for each storey above one storey **TO** a Holding Residential R1 Special Provisions (h. h-100 R1-6(4)) Zone which permits single detached dwellings with a 1.2 metre interior sideyard setback regardless of the number of storeys.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**39T-11504/Z-OZ-7991 – January 2011 - Report to PEC on Draft Plan of Subdivision and associated Official Plan and Zoning By-law amendments.**

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this zoning change is to allow for the development of single detached dwellings with an interior sideyard setback of 1.2 metres (3.9 feet) regardless of the number of storeys.

<b>RATIONALE</b>
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1. The recommended R1-6(4) Zone provides flexibility to builders and will provide more choice in house styles for future home owners.
2. The reduced setback requirement will not have a significant impact on present or future land uses in this area.
3. The recommended zone change is appropriate and represents sound land use planning.

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**BACKGROUND**

<b>Date Application Accepted:</b> February 22, 2013.	<b>Agent:</b> Craig Linton
<b>REQUESTED ACTION:</b> Change Zoning By-law Z.-1 from a R1-6 Zone which permits single detached dwellings with an interior sideyard setback of 1.2 metres for a one storey dwelling plus 0.6 metres for each storey above one storey to a R1 Special Provisions (R1-6(4)) Zone which permits single detached dwellings with a 1.2 metre interior sideyard setback regardless of the number of storeys.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> - vacant</li> <li>• <b>Frontage</b> – 256.1 metres (840 feet)</li> <li>• <b>Depth</b> – 530.6 metres (17,408 feet)</li> <li>• <b>Area</b> – 14.1 hectares (34.8 acres)</li> <li>• <b>Shape</b> - square</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> – future high density residential</li> <li>• <b>South</b> – single detached dwellings, St Catherine of Sienna Elementary School</li> <li>• <b>East</b> – vacant land; apartment building</li> <li>• <b>West</b> - future single detached dwellings</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to map)
<ul style="list-style-type: none"> <li>• Low Density Residential</li> </ul>
<b>EXISTING ZONING:</b> (refer to map)
<ul style="list-style-type: none"> <li>• Residential R1-6</li> </ul>

**PLANNING HISTORY**

The subject lands form part of the Tricar Developments Plan of Subdivision which was draft approved in 2012. The zoning which applies to these lands also came into effect at the time the plan was draft approved.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

None.

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<b>PUBLIC LIAISON:</b>	On February 17, 2013 the Notice of Application was letters were sent to 41 surrounding land owners. Notice of the application was also published in "The Londoner" on March 7, 2013.	None.
<b>Nature of Liaison:</b> Change Zoning By-law Z.-1 from a R1-6 Zone which permits single detached dwellings with an interior sideyard setback of 1.2 metres for a one storey dwelling plus 0.6 metres for each storey above one storey to a R1 Special Provisions (R1-6(4)) Zone which permits single detached dwellings with a 1.2 metre interior sideyard setback regardless of the number of storeys		
<b>Responses:</b> None.		

<b>ANALYSIS</b>
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The applicant has requested an amendment to the zoning of the subject lands to allow for the development of single detached homes with a 1.2 metres sideyard setback regardless of the number of stories. The applicant has noted that this zone change is intended to provide for flexibility in house design and will also ensure a strong visual street presence.

The sideyard setback for houses constructed within Residential R1-6 to R1-11 zones is 1.2 metres for a one storey dwelling plus 0.6 metres per storey above one storey. If there is no garage attached to the structure, the setback on one side is 3 metres (to allow for parking in the sideyard). The main reason for sideyard setbacks relates to the allowable area of unprotected openings(windows) permitted on a wall as regulated by the Ontario Building Code. Unprotected openings are permitted provided a minimum setback of 1.2 metres to the property line is provided. As the setback increases the total area of unprotected openings may increase. Sideyard setbacks are also important to ensure that there is a reasonable amount of space provided between dwellings for light, air movement and access, and to provide for an aesthetically pleasing streetscape. There have been a number of applications in recent years to allow for a sideyard setback of 1.2 metres regardless of the number of storeys of the dwelling.

A reduced setback will allow for a slightly wider two storey dwelling and increase the flexibility that home builders have to satisfy market demand. The reduced standard can also result in a more functional rear yard as two storey dwellings are more likely to have a lower lot coverage than one storey dwellings. As a result, the proposed reduction in sideyard setback would be minimal and should not cause a significant visual impact on the amount of green space.

The applicant has requested that the R1-6(4) zone apply to approximately half of the lots within this draft plan, many of which abut the R1-5 Zone which permits a 1.2 metre setback regardless of the number of stories(see location map). The proposed development of these lots will be compatible with surrounding land uses and will not negatively impact present or future land uses in this area.

<b>CONCLUSION</b>
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The proposed zone change will not have a negative impact on the development of these lands or abutting land uses. The recommended zoning has been applied to other areas of the City in order to provide for more choice and flexibility for home owners and builders. The recommended zone is appropriate and represents sound land use planning.

Agenda Item #    Page #

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<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED and CONCURRED BY:</b>
<b>ALLISTER MACLEAN</b> MANAGER – DEVELOPMENT PLANNING	<b>TERRY GRAWAY</b> <b>MANAGER-DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>
<b>SUBMITTED BY:</b>	
<b>G. KOTSIFAS, P.ENG</b> <b>MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>	

April 17, 2013  
AM/am  
"Attach."

Agenda Item # Page #

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**Responses to Public Liaison Letter and Publication in “Living in the City”**

**Telephone**

None.

**Written**

None.

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**File No: Z-8151  
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Bill No. (number to be inserted by Clerk's Office)  
insert year

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 160 Sunningdale Road West.

WHEREAS Cobblestone Land Corp has applied to rezone an area of land located at 160 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 160 Sunningdale Road West, as shown on the attached map, from a Holding Residential R1 (h. h-100 R1-6) Zone to a Holding Residential R1 Special Provision (h. h-100 R1-6(4)) Zone.

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 subsection 34(21) 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 subsection.

PASSED in Open Council on April 30, 2013.

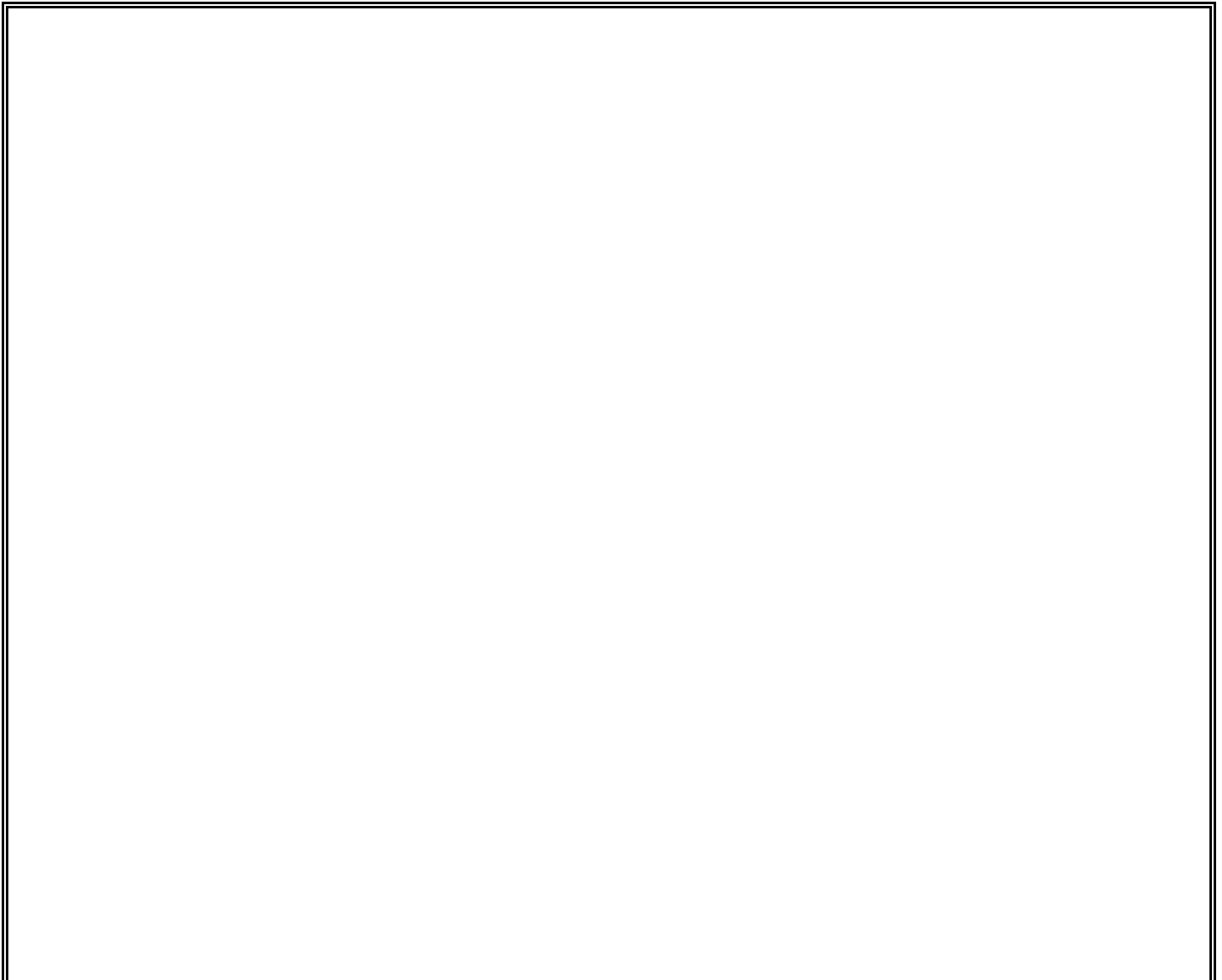
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - April 30, 2013  
Second Reading – April 30, 2013  
Third Reading - April 30, 2013

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**AMENDMENT TO SCHEDULE "A"**



Technician:

Date Prepared:

File Number/Planner:

Scale: 1:5000

Site:



**North**

