

то:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING
FROM:	GEORGE KOTSIFAS, P.Eng MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 1873739 ONTARIO LTD. (KAIZEN HOMES) 433 HYDE PARK ROAD PUBLIC SITE PLAN MEETING MAY 7, 2013

RECOMMENDATION

That on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the Site Plan approval application by 1873739 Ontario Ltd. relating to the property located at 433 Hyde Park Road:

- a) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval; and
- b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for two (2) townhouse buildings containing nine (9) residential units in total proposed at 433 Hyde Park Road.
- c) The Applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenue information in the attached Appendix "A."

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommendation is to seek public feedback for the proposed nine (9) townhomes and have Council advise the Approval Authority of any issues raised at the Planning and Environment Committee that should be addressed prior to approval.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Z-6572 – Report to Planning Committee on Rezoning Application for 427, 433, 445. 449, 455 Hyde Park Road – April 2004

RATIONALE

The proposed site plan conforms to the current zoning and staff are prepared to recommend to the Approval Authority that the Site Plan be approved subject to incorporating any matters to be considered arising from the public meeting. Any recommendation to approve would also be subject to the approval of the site servicing plans, site grading plans, building elevations, landscape plans & tree preservation plans by city staff.

Agenda Item #	Page #

APPLICATION DETAILS		
Date Application Accepted: March12, 2013	Agent: Michelle Doornbosch (Zelinka Priamo Ltd)	

SITE CHARACTERISTICS:

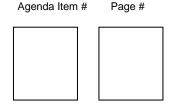
- Current Land Use Single Family Residential
- Frontage 30.48 m (100 ft)
- **Depth** 383 m (1257 ft)
- **Area** 0.369 hectares (2.47 acres)
- **Shape** rectangular

SURROUNDING LAND USES:

- North cluster townhomes
- South single detached dwelling/ cluster townhomes
- **East** single detached dwellings
- West open space (Hazelden Park)

OFFICIAL PLAN DESIGNATION:

Low Density Residential: permits single detached dwellings, semi-detached dwellings, duplex dwellings and multiple attached dwellings such as rowhouses or cluster houses up to 30 units per hectare which are at a low-rise, low coverage scale.



EXISTING ZONING: h-5. R5-1(4)

This R5 Zone provides for and regulates medium density residential development in the form of cluster townhouses

Permitted Uses: Cluster townhouse dwellings, cluster stacked townhouse dwellings

Lot Area (min): 0.20 hectares

Height (max): 7.0 m

Lot Frontage (Hyde Park Road) (min): 30.0

Front Yard Setback (West): 6.0 m

Interior Side Yard (North): 6.0 m

Exterior Side Yard (South): 6.0 m

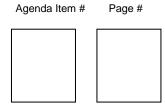
Rear Yard Depth (East): 7.0 m

Landscape Open Space (min): 42%

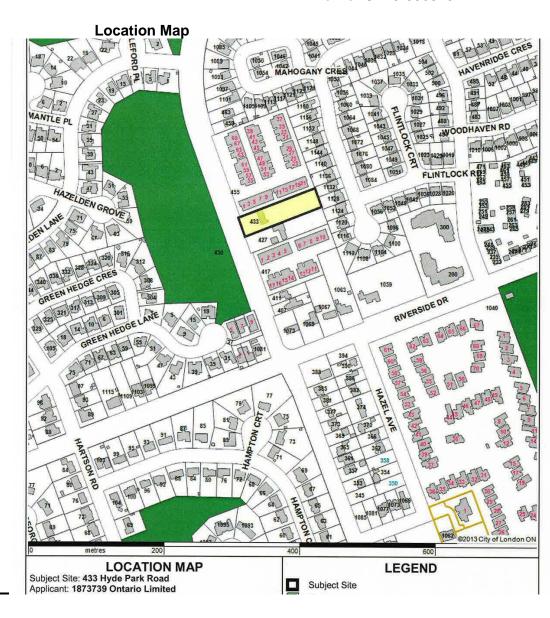
Lot Coverage (max): 38 %

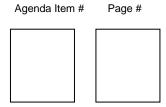
Density (max): 35 units per hectare

Parking: 1.5 off-street spaces per unit

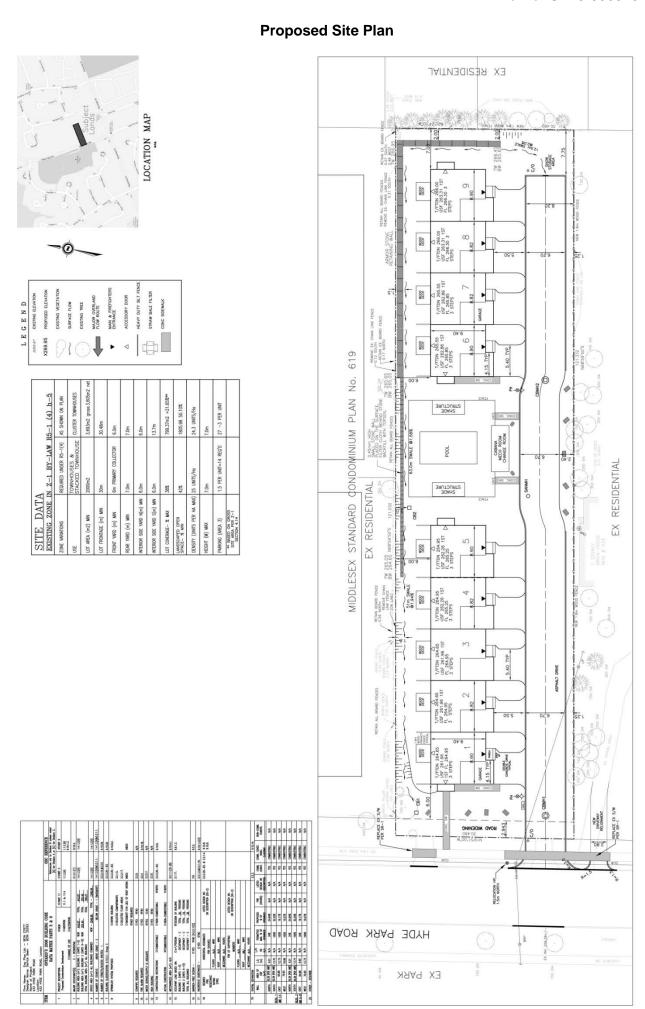


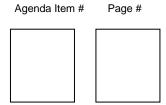
E. Conway File No: SP13-006840





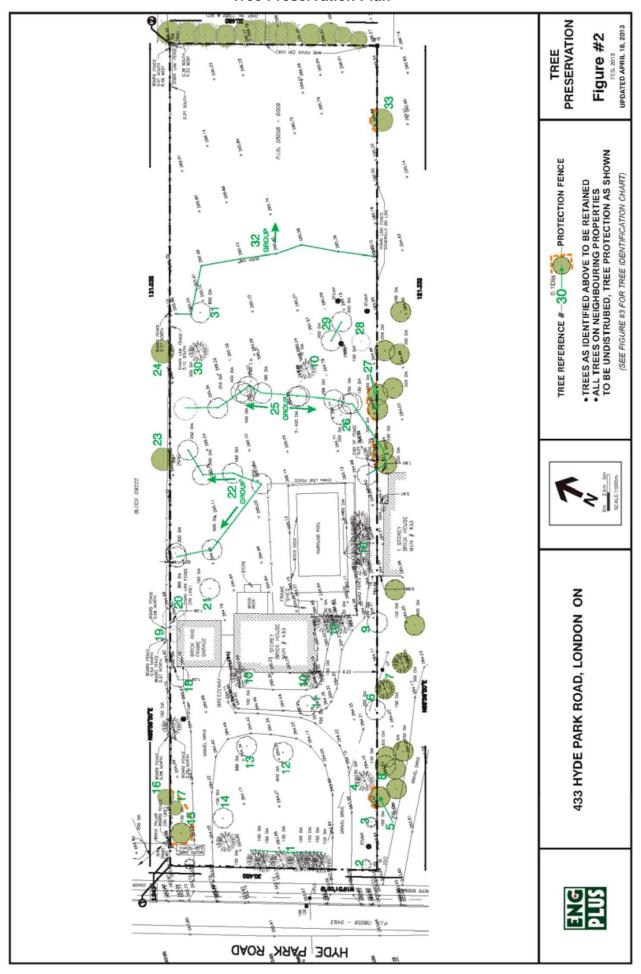
E. Conway File No: SP13-006840

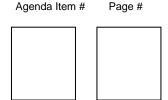




E. Conway File No: SP13-006840

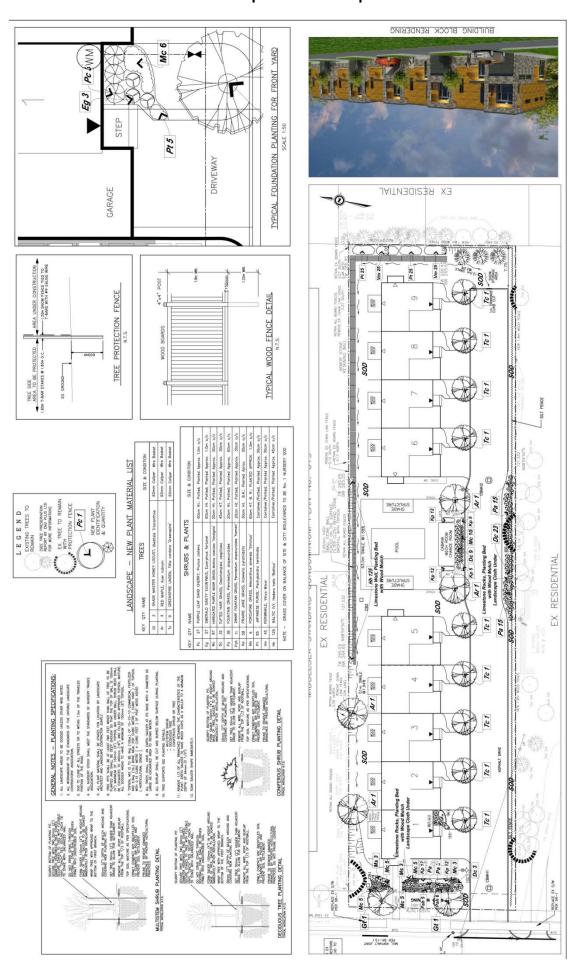
Tree Preservation Plan

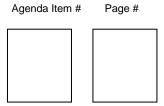




E. Conway File No: SP13-006840

Proposed Landscape Plan

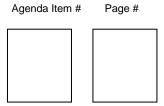




E. Conway File No: SP13-006840

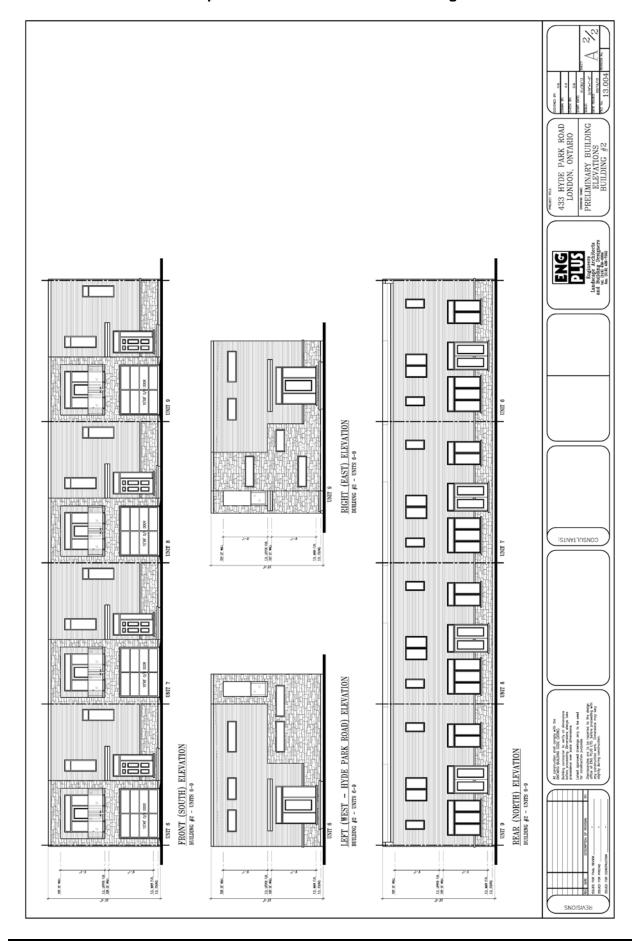
Proposed Elevations - Western Building

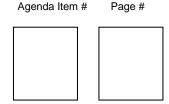




E. Conway File No: SP13-006840

Proposed Elevations - Eastern Building





Conceptual Rendering



BUILDING BLOCK RENDERING

BACKGROUND

This property was rezoned in April 2004 as part of a City initiated Zoning By-law amendment for the properties located at 411, 427, and 433 Hyde Park Road and 1059-1073 Riverside Dr. The rezoning changed the property from a Residential R1 (R1-10) Zone, which permitted single detached dwellings to a Holding Residential R5 Special Provision (h.5.R5-1(4)) Zone to permit cluster townhouses and cluster stacked townhouses at a maximum density of 25 units per hectare, a maximum height of 7m, a maximum lot coverage of 30%, a minimum lot frontage of 30m, minimum landscaped open space of 45% and subject to a holding provision for a site plan public meeting. The intent of the amendment was to ensure an appropriate form of development would occur within the existing neighbourhood.

Holding Provisions

The subject lands are zoned with the h-5 holding provision.

The h-5 holding provision is applied to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the *Planning Act, R.S.O. 1990, c. P.13,* prior to the removal of the "h-5" symbol.

A future report will be presented to the Planning and Environment Committee for the removal of the holding provisions once all conditions have been satisfied and the development agreement has been entered into.

Agenda item #	Page #

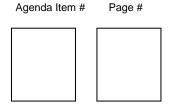
SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

None.

a private driveway.

	On March 20, 2013, a notice of Site Plan Application was sent out to area residents.	Ten replies have been heard to date
PUBLIC LIAISON:	On March 27, 2013, a revised notice of Site Plan Application was sent out to area residents.	
	On April 4, 2013 a notice of Neighbourhood Meeting was sent out to area residents by the applicant's agent to provide an opportunity for comments and concerns to be raised directly with the applicant.	
	On April 22, 2013 - a Neighbourhood Meeting was hosted by the applicant at Oakridge Presbyterian Church – 970 Oxford Street W.	(April 26 2013)
	On April 15, 2013, a notice of Public Meeting was sent out to area residents.	
	On April 25, 2013, Notice of application and notice of public meeting was placed in the Londoner.	

Nature of Liaison: Seeking site plan approval for nine (9) cluster townhomes that front on to



Summary Responses (see Appendix "B" for names and contact information):

Traffic Impact - concerns were raised over the increased volume of traffic on Hyde Park Road and the challenges of heading south to Riverside Dr.

Traffic impact was a concern at the rezoning as well & at that time, the anticipated 300 additional traffic movements between all properties being rezoned did not exceed the 8500 vehicles per day expected along Hyde Park Road. The proposal requires only one vehicular access to Hyde Park Rd for all nine townhouses and will provide for a potential future joint access with 427 Hyde Park Rd if/when the owner elects to intensify their property.

Parking - concerns were raised over the lack of visitor parking proposed and many advised that Hazeldon Park is already over parked in the summer and fears were raised that this development will only contribute to the problem.

The applicant is providing three vehicular parking spaces per unit when the Zoning By-law only requires 1.5/unit & the Site Plan Control Area By-law recommends one visitor parking space per every ten units.

Loss of Trees - many concerns were raised regarding the loss of mature vegetation in the area, reduction in habitat & loss of shade and privacy.

The tree preservation plan submitted recommended few opportunities for tree preservation internal to the property based on their proposal. The applicant is retaining all trees on adjacent properties and replanting trees internally where possible.

Opposed to the Use - opposition was stated to converting an older mature single family home into townhouses due to loss of character in the area and over intensifying the site.

The use is in compliance with the R5-1(4) zone and comparable uses exist in this area.

Loss of Privacy - several current residents at 455 Hyde Park Rd who share a mutual property line are concerned about the loss of their privacy in their backyards. Concerns were also raised about the second storey of the proposed buildings and the ability for future residents to see into the backyard of current residents of 455 Hyde Park Rd.

An existing 1.8 m tall wood fence & grade differences between the properties will help maintain an acceptable level of privacy between outdoor neighbours. The applicant was requested to provide large canopy shade trees along the north property line to one day provide a vertical plan screen between properties.

Designs of the Buildings - concerns were raised over the design of the buildings and how they are different from the existing character of the neighbourhood.

The applicant provided an urban design brief which included a neighbourhood character study and compatibility report. The proposal is comparable scale and use as existing dwellings in the area but they have chosen to use more contemporary building materials which were reviewed favourably but the Urban Design Peer Review Panel and Staff.

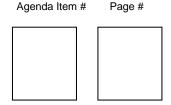
Attendance at the applicant initiated Neighborhood Meeting on April 22nd 2013 – See Appendix "C"

ANALYSIS

Description of the Site Plan

The proposed site plan contains two (2) cluster townhouse buildings with a shared access driveway located near the south property line. The western townhouse building is proposed with five (5) units and the eastern building contains four (4) units. Both buildings are two storey dwellings, each seven (7) metres in height.

The massing, scale & proposed use of the property is comparable to many developments in the area. However, the design of the buildings is unique compared to than the existing housing stock in the neighbourhood. The applicant is proposing flat roofs with wood and stone as external veneers in lieu of more traditional building materials in the area like wood, shingles and



vinyl siding. The application is proposing two large canopy shade trees along the Hyde Pak Road frontage and planting beds to soften the public versus private interface. There is a direct pedestrian access from the public sidewalk to the unit nearest to Hyde Park Road.

The proposed development requires the removal of almost all existing trees on the property. The driveway near the south property line has been shifted internally near the common amenity area in order to maintain the existing root zone for existing trees at 427 Hyde Park Rd. There are very few opportunities to save the existing vegetation based on the proposed density.

There is a common amenity area proposed between the two buildings with a pool, shade structures and changing facilities. This area is designed as a private amenity space for the nine units only and their guests. The area will be fenced in accordance with City requirements for pool security.

There is only one vehicular access to Hyde Park Rd provided for all nine units. Each unit contains one double car driveway and a single car garage. Visitor parking is not defined to a particular area but the surplus parking available at each unit should provide enough short term and temporary parking for guests. The common driveway between units may become a joint access for a future development at 427 Hyde Park Rd that will be negotiated and evaluated at the time of application.

Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

The subject lands are designated Low Density Residential. The proposed use is compatible with existing development in the area, has access to available services, will have minimal impact on the existing road network, is of a scale and height that is in keeping with other existing and proposed development in the area, and has incorporated buffering measures to lessen impacts on abutting properties. The proposed development is consistent with the Low Density policies in the Official Plan.

The PPS contains goals and objectives for land use planning in the Province. Generally, the promotion of intensification, the provision of a broad range of housing types and the use of existing infrastructure are fundamental policy directives in the PPS. Intensification is encouraged where it is considered appropriate. The proposed development is consistent with the Provincial Policy Statement.

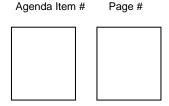
Does the proposal meet the Zoning by-law Regulations?

The proposal is in compliance with the regulations of the R5-1(4) zone, the general provisions of the Zoning By-law, and the Site Plan Control Area By-Law, subject to the removal of holding provisions. The holding provisions can only be removed after a public site plan meeting has been held and a development agreement has been entered into.

Is the Site Plan Compatible with Adjacent Properties?

The proposed development is compatible with the mix of housing forms both planned and existing within neighbourhood. Area residents to the north have advised that they have concerns over a loss of privacy. The applicant is of the opinion that the existing 1.8 m wood fence will adequately address these concerns. The applicant has agreed to provide large canopy shade trees along the north boundary to replace many of those lost due to proposed construction and create a semi-permeable plant screen between the two properties. In time, this will also provide neighbours to the north with shade in their backyards comparable to what is currently experienced.

The proposed driveway is oriented east-west; therefore the headlights of all vehicles accessing the property are oriented to the east and will shine toward the existing residences. A 1.8 m wood fence is proposed with coniferous trees planted in front to soften the impact of headlights and try to retain all light pollution internally. Lights on the buildings are oriented internally and



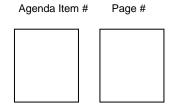
not expected to impact adjacent properties.

The property to the south (427 Hyde Park Rd) is probably the most affected by the proposal. The applicant is proposing a 1.8 m wood fence along the south property line to buffer the impacts of the driveway located close to their home. The applicant is also proposing to realign about 10 m of their existing driveway near the north boundary to avoid vehicular turning conflicts accessing and exiting Hyde Park Rd. The driveway meanders from its initial trajectory and shifts north to help preserve an adequate rooting zone for mature trees near the mutual property line. The proposed driveway may be used in future as a joint access between both properties to limit the traffic impact on Hyde Park Rd.

The proposal implements the R5-1(4) special zone applied in 2004 while optimizing the density & restrictions. The buildings are a unique in their design while remaining comparable in scale & intensity to other cluster housing projects in the area.

CONCLUSION

The proposed site plan conforms to the Zoning By-law & Site Plan Control Area By-law. Staff are prepared to recommend approval to the Approval Authority subject to incorporating any matters to be considered arising from the public meeting and City Council. The proposed plans and drawings can be recommended to the Approval Authority subject to the approval of the site servicing plans, site grading plans, building elevations, landscape plans & tree preservation plans by city staff.



PREPARED BY:	REVIEWED BY:
ERIC CONWAY, LANDSCAPE PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN, MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
RECOMMENDED BY:	SUBMITTED BY:
TERRY GRAWEY, MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P.Eng MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

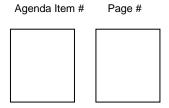
April 26, 2013

c:

1873739 Ontario Ltd. c/o Michelle Doorbosch Zelinka Priamo Ltd. 318 Wellington Rd, London ON N6C 4P4

Fax: 519 474 2284

Y:\Shared\Site Plan.Section\SitePlan.Section\2013 Compiled Site Plan Files\Hyde Park 433 (EC)\PEC\433 Hyde Parl Road - PEC Report - Draft (EC).docx



Bibliography of Information and Materials

Reference Documents:

City of London. Official Plan, June 19, 1989, as amended.

City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended.

City of London, Notice of Application, March 20, 2013

City of London, Revised Notice of Application, March 26, 2013

City of London, Notice of Public Meeting, April 15, 2013

City of London, Site Plan By-law C.P.-1455-451

Notice of Public Meeting, Londoner, Thursday April 25, 2012

Provincial Policy Statement, March 1, 2005

Agenda item	# [aye #

Appendix "A"

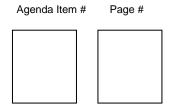
Related Estimated Costs and Revenues

433 Hyde Park Road

Fortuna 1 October 711 to Account	
Estimated Costs – This Agreement	
Claims from Urban Works Reserve Fund – General	Nil
Stormwater Management	Nil
Capital Expense	Nil
Other	Nil
Total	Nil
Estimated Revenues - This Agreement (2013 rates)	
CSRF	\$109,800
UWRF	\$42,705
Total	\$152,505

- Estimated Revenues are calculated using 2013 DC rates. The revenue estimates includes DC cost recovery for "soft services" (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
- 2. The revenues and costs in the table above are not directly comparable. This development, like others in the area, also relies on the recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this development and surrounding areas are not reported above, though the revenue for those service components is included in the "Estimated Revenues This Agreement" section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a "citywide" approach to recovery of costs of growth any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.
- 3. Actual development charges will be determined at the time of application for a building permit and may include a credit for the demolition of the existing building.

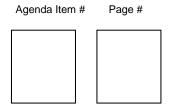
Reviewed By:
Peter Christiaans Director, Development Finance



Appendix "B"

Responses to Public Liaison Letter and Publication in the Londoner

<u>Telephone</u>	<u>Written</u>
Judy Meyet, 519 657 0185 David Lee, 519 200 6548 Ian Mitchell. 519 471 4170	Elizabeth Wagstaff, Unit 15, 455 Hyde Park Road
	Claude & Susanne Ouimet , Unit 11, 455 Hyde Park Road
	Barry McCarthy, Unit 21, 455 Hyde Park Road
	lan and Phyllis Mitchell, 1069 Riverside Drive
	Mark Hantiuk, Unit 2, 455 Hyde Park Road
	Marg Fisher, Unit 6, 417 Hyde Park Rd
	Marzban J. Austin,5 Green Hedge Lane, 472-1416
	Joel Farrell, 427 Hyde Park Road,

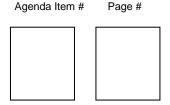


Appendix "C"

Attendance at Neighbourhood Meeting for 433 Hyde Park Road

970 Oxford St W - Oakridge Presbyterian Church - April 22, 2013

Our same of Olevela Outres of	44 AFE I bada David Dal	E40 470 0000
Susanne & Claude Ouimet	11 – 455 Hyde Park Rd	519 472 0868
Judy Myatt	407 Hyde Park Rd	519 657 0185
Ian Mitchell	1069 Riversider Dr	519 471 4170
Nancy Johnson	15 - 417 Hyde Park Rd	519 657 2003
Brenda Hall	3 - 417 Hyde Park Rd	519 657 5277
Betty Wagstaff	51 - 455 Hyde Park Rd	519 474 3804
Marion Thomas	33 - 455 Hyde Park Rd	519 471 8009
Marg Fisher	6 - 417 Hyde Park Rd	519 472 2018
Brita Simelan	8 – 417 Hyde Park Rd	519 850 0665
Robert	8 – 417 Hyde Park Rd	519 850 0665
Barry McCarthy	21- 455 Hyde Park Rd	905 648 7616
Linda Vaessen	9 – 455 Hyde Park Rd	519 933 6860
Joel Farrell	1120 Mahogany Rd	519 636 8002



Appendix "D"

Letter from Ms. Wagstaff

Elizabeth Wagstaff

Unit 15, 455 Hyde Park Road London, ON, N6H 3R9

April 2, 2013

I wish to register my objection to the proposed construction of 9 cluster homes at the 433 Hyde Park Road.

From an environmental and aesthetic point of view, I am surprised London City Council would give consideration to this proposal. At the present time this lot has one single family home and the area at the back of the home is just a wonderful oasis of mature trees. I am against destruction of these mature trees which is a small nature reserve attracting many birds and wildlife including deer, rabbits, squirrels and chipmunks. As more and more land in the city is being development for construction, more and more trees are being destroyed. London is known as the Forest City, but with the explosion of development and construction this name will not apply for much longer.

At the present time traffic along Hyde Park Road gets busier each week, and another entrance onto it will make it even harder for anyone to cross the road, which at this point is single traffic in each direction. Bui9lding 9 houses is likely to create possibly 18 more cares exiting onto the road, and this will be increased with visitors to the homes. In the summer time many cars are parked along Hyde Park Road by parents bringing their children to plan sports on the parkland. Increasing the number of vehicles exiting and entering onto Hyde Park Road is going to make it more dangerous, as the parked vehicles reduce the width of the road for traffic.

The lot in question is very narrow and the proposed houses are being squeezed in. There are condos surrounding the lot, occupied mainly by senior citizens and to construct two storey cluster homes will further congest the area.

When this property was sold in 2012, the purchaser obviously bought is with the intention of building on the land and making money, and not with the intent of residing there. No consideration has been given to the persons living adjacent to the proposed houses. No one will have any privacy including the occupants of the proposed dwellings.

I feel approval of this proposed development is being sought without any thought to what is being destroyed and cannot be replaced. Everyone is concerned about air quality and pollution of the environment, yet here the benefits from trees are being ignored. More pollution will result from more houses being squeezed into this small area. There already seems o be an overabundance of homes available for purchase in the City.

Yours truly,

Elizabeth Wagstaff