



303 Richmond St., Suite 201
London, ON N6B 2H8

August 19, 2022

By email:

Chair Anna Hopkins; Members of City of London Planning and Environment Committee
City of London
300 Dufferin Avenue
PO Box 5035
London, ON N6A 4L9

Dear Chair Hopkins and Committee Members:

**Re: Zoning By-law Amendment Application (Z-9521)
3700 Colonel Talbot Road and 3645 Bostwick Road
W3 Lambeth Farms Inc (c/o York Developments)
City of London File: Z-9521**

We have reviewed the Planning and Economic Development report ('Planning Staff report') regarding our planning application for 3700 Colonel Talbot Road and 3645 Bostwick Road, and prepared for the Committee's August 22, 2022 meeting. This report recommends approval of a revised zoning structure for these lands to clarify the front yard setback requirements for residential units integrating front porches and garages. We are satisfied with the proposed refinements as set out in the Executive Summary; however we also request that the Committee consider a minor revision to the proposed Zoning By-law Amendment set out in Appendix A of the Planning Staff report.

Zoning By-law Amendment: Proposed Refinements

In addition to the modified front yard setback provisions identified in Appendix A, we respectfully request that the following site-specific zoning provision relating to garage positioning be revised in all instances where it has been applied to our property. This includes the 'Residential R1 (R1-3(23))' Zone variation referenced in the Planning Staff report (with emphasis added):

R1-3(23) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- v) **Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage."**

In effect, this regulation implements Section 20.5.3.9 iii) e) of the City's Southwest Area Plan (SWAP), which includes policies intended to minimize the potential for garage-dominated designs ('snout houses'). The referenced SWAP policy is presented below:

20.5.3.9 Urban Design

iii) Buildings and Site Design

- e) In residential areas, garages shall be designed so that they are not the dominant feature in the streetscape. In particular, attached garages shall not:
- **project beyond the façade of the dwelling or the façade (front face) of any porch; or**
 - contain garage doors that occupy more than 50% of the frontage of a lot unless the City is satisfied through the submission of detailed plans by the applicant that the garage doors can be appropriately integrated with the streetscape.

While we are supportive of this policy in principle, the ambiguous wording of the corresponding Zoning By-law regulation may result in a misinterpretation at the Building Permit stage. Specifically, we are concerned that City staff could interpret this regulation to require that the garage not project beyond the main building façade and the porch façade. Through this application review, we have received commentary from City staff indicating that this regulation is to read that the garage cannot be positioned in front of either the main building or the porch façade, whichever is closer. Notwithstanding, as this application is required to address uncertainty regarding another site-specific Zoning By-law interpretation, we are seeking to have this related matter clarified as part of this application process.

From our perspective, minor revisions to the Zoning By-law would help ensure that the correct interpretation of Section 20.5.3.9 iii) e) of the SWAP is applied going forward. To this end, we propose the following modification to all corresponding site-specific setback regulations applied to 3700 Colonel Talbot Road and 3645 Bostwick Road:

Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, whichever is closer to the front lot line, and shall not occupy more than 50% of lot frontage.

Alternative Zoning By-law Amendment

In light of these considerations, we request that the Planning and Environment Committee endorse our application, including the enclosed modifications to the proposed Zoning By-law Amendment (bolded and underlined). The requested modifications apply to all site-specific zone variations identified in the Planning Staff report.

Please note that David Ailles from our office intends to address this matter at the Committee's August 22nd public meeting. Our team is also available to assist in any way to address any questions you may have regarding the matters discussed. I may be contacted at 519-640-8968.

Respectfully submitted,

Ali Soufan
President, York Developments



Cc: L. Mottram, H. Lysynksi; City of London
Mayor E. Holder, Council Members; City of London

Enclosure:

1. Draft Zoning By-law Amendment

Appendix A (Alternative)

Appendix “A”

Bill No. (number to be inserted by
Clerk's Office)
(2022)

By-law No. Z.-1-22_____

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 3700 Colonel
Talbot Road and 3645 Bostwick Road.

WHEREAS MHBC Planning (Scott Allen) has applied to rezone lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road, 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) Section Number 5.4 c) of the Residential R1 Zone is amended by amending the following Special Provision to read as follows:

R1-3(23) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Main Dwelling
(Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback, Main Dwelling for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North)
(Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iii) Front Yard Setback, Garages
(Minimum): 6 metres (19.7 feet)
- iv) Interior Side Yard
(Minimum): 1.2 metres (3.9 feet)
- v) Lot Coverage
(Maximum): 45%
- vi) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.

- 2) Section Number 5.4 d) of the Residential R1 Zone is amended by amending the following Special Provision to read as follows:

R1-4(36) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Main Dwelling

- (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback, Garages
(Minimum): 6 metres (19.7 feet)
- iii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.

3) Section Number 6.4 a) of the Residential R2 Zone is amended by amending the following Special Provision to read as follows:

R2-1(17) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Main Dwelling
(Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback, Main Dwelling for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North)
(Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iii) Front Yard Setback, Garages
(Minimum): 6 metres (19.7 feet)
- iv) Interior Side Yard
(Minimum): 1.2 metres (3.9 feet)
- v) Lot Coverage
(Maximum): 45%
- vi) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.

4) Section Number 6.4 c) of the Residential R2 Zone is amended by amending the following Special Provision to read as follows:

R2-3(5) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Main Dwelling
(Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback, Main Dwelling for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North)
(Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iii) Front Yard Setback, Garages
(Minimum): 6 metres (19.7 feet)
- iv) Interior Side Yard
(Minimum): 1.2 metres (3.9 feet)

- v) Lot Coverage (Maximum): 45%
- vi) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.

5) Section Number 8.4 of the Residential R4 Zone is amended by amending the following Special Provision to read as follows:

R4-6(12) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Lot Frontage (Minimum): 7.0 metres (23.0 feet)
- ii) Front Yard Setback, Dwelling(s) (Minimum): 3 metres (9.8 feet)
- iii) Front Yard Setback, Dwelling(s) for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North) (Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iv) Front Yard Depth, Garages (Minimum): 6 metres (19.7 feet)
- v) Interior Side Yard (Minimum): 1.2 metres (3.9 feet)
- vi) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.
- vii) Driveway widths are limited to 3.5m (11.5 feet) per lot.

6) Section Number 10.4 e) of the Residential R6 Zone is amended by amending the following Special Provision to read as follows:

R6-5(62) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Dwelling(s) (Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback, Dwelling(s) fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North) (Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iii) Front Yard Depth, Garages (Minimum): 6 metres (19.7 feet)

- iv) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.
- v) Density
(Minimum): 30 units per hectare

7) Section Number 10.4 e) of the Residential R6 Zone is amended by amending the following Special Provision to read as follows:

R6-5(65) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Dwelling(s)
(Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback, Dwelling(s) fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North)
(Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iii) Front Yard Depth, Garages
(Minimum): 6 metres (19.7 feet)
- iv) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.
- v) Density
(Minimum): 30 units per hectare
(Maximum): 75 units per hectare
- vi) Provide built form along the OS1 Zone and orient the buildings to the open space by including individual unit doors or a main building entrance facing the open space.

8) Section Number 12.4 of the Residential R8 Zone is amended by amending the following Special Provision to read as follows:

R8-4(50) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback (Dwelling or Building)
(Minimum): 3 metres (9.8 feet)
- ii) Front Yard Setback (Dwelling or Building) fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North)
(Minimum): 3 metres (9.8 feet)
(Maximum): 6 metres (19.7 feet)
- iii) Front Yard Depth, Garages
(Minimum): 6 metres (19.7 feet)
- iv) Interior Side Yard
(Minimum): 1.2 metres (3.9 feet)
- Density
(Minimum): 30 units per hectare

(Maximum): 75 units per hectare

- v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, **whichever is closer to the front lot line**, and shall not occupy more than 50% of lot frontage.

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 6, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – September 6, 2022
Second Reading – September 6, 2022
Third Reading – September 6, 2022