Report to Planning and Environment Committee

To: Chair and Members

Planning & Environment Committee

From: Scott Mathers, MPA, P. Eng.,

Deputy City Manager, Planning and Economic Development

Subject: Application by MHBC Planning (Scott Allen, Partner)

3700 Colonel Talbot Road and 3645 Bostwick Road

Public Participation Meeting

Date: August 22, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by MHBC Planning (Scott Allen, Partner), relating to lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- (a) the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to amend the regulations of the Residential R1 Special Provision (R1-3(23)) Zone, Residential R1 Special Provision (R1-4(36)) Zone, Residential R2 Special Provision (R2-1(17)) Zone, Residential R2 Special Provision (R2-3(5)) Zone, Residential R4 Special Provision (R4-6(12)) Zone, Residential R6 Special Provision (R6-5(62)) Zone, Residential R6 Special Provision (R8-4(50)) Zone by deleting Front Yard Setback, Main Dwelling 4.5 metres (Maximum) and adding Front Yard Setback, Main Dwelling for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North) 3.0 metres (Minimum) and 6.0 metres (Maximum); and,
- (b) the request to amend Zoning By-law No. Z.-1 to delete the Front Yard Setback, Main Dwelling 4.5 metres (Maximum) regulation from the Residential R1 Special Provision (R1-3(23)) Zone, Residential R1 Special Provision (R1-4(36)) Zone, Residential R2 Special Provision (R2-1(17)) Zone, Residential R2 Special Provision (R2-3(5)) Zone, Residential R4 Special Provision (R4-6(12)) Zone, Residential R6 Special Provision (R6-5(62)) Zone, Residential R6 Special Provision (R6-5(64)), Residential R6 Special Provision (R6-5(65)) Zone, and Residential R8 Special Provision (R8-4(50)) Zone, BE REFUSED for the following reasons:
 - i) The requested amendment does not meet the intent of The London Plan City Building and Design polices; and,
 - ii) The requested amendment does not meet the intent of the Southwest Area Secondary Plan (Section 20.5.4.1 iv)) with respect to residential development intensity adjacent to arterial roads that buildings shall be located close to the street and designed to be street-oriented.

Executive Summary

Summary of Request

Request for consideration of an amendment to the special provision zones that apply to a residential subdivision development located 3700 Colonel Talbot Road and 3645 Bostwick Road to remove the 4.5 metres maximum front yard setback to main dwelling regulation.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend partial approval of an amendment to delete the maximum front yard setback for lots fronting on Neighourhood Streets; change the maximum front yard setback for lots fronting on Neighourhood Connector streets from 4.5 metres to 6.0 metres; and no changes recommended to maximum front yard setback for multi-family development blocks adjacent Bostwick Road.

Rationale of Recommended Action

- The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
- b) The recommended zoning conforms to The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
- c) The recommended zoning conforms to the policies of the Southwest Area Secondary Plan, including but not limited to the North Lambeth and Bostwick Residential Neighbourhood policies.
- d) The recommended zoning is appropriate and will permit dwellings on lots fronting neighbourhood streets more flexibility in design and efficiency while maintaining consistency with the planned vision of the Neighbourhood Place Type and built form that contributes to a sense of place and character.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

April 26, 2021 – Report to Planning and Environment Committee – 3700 Colonel Talbot Road and 3645 Bostwick Road – W-3 Lambeth Farms Inc. - Phase 1 – Special Provisions for Subdivision Agreement (File No. 39T-17503_1).

September 23, 2019 – Report to Planning and Environment Committee – Public Participaton Meeting - 3700 Colonel Talbot Road and 3645 Bostwick Road – W-3 Lambeth Farms Inc. – Application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (39T-17503/OZ-8838).

2.0 Discussion and Considerations

2.1 Property Description

The subject properties are located on lands bounded by Bostwick Road to the east and Colonel Talbot Road to the west, mid-block between Pack Road and the planned Kilbourne Road extension. These lands are generally described as Part of Lots 74 & 75, Concession East of the North Branch of Talbot Road (formerly in the Town of Westminster) now in the City of London, and comprising a total area of approximately 53 ha. (131 ac.). The westerly portion of these lands are currently being prepared for residential development, but have been used predominately for agricultural purposes. Additionally, the subject lands contain two natural heritage features: a 9.0 ha (22.2 ac) woodlot situated in the southeastern quadrant of the subject site (known as vegetation Patch 10069)); and a regulated area in the vicinity of Patch 10069 reflective of a former drain in the area which presently traverses a low point on the adjacent property.

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

- The London Plan Place Types "Neighbourhoods" and "Green Space"
- Southwest Area Secondary Plan North Lambeth Residential Neighbourhood – "Low Density Residential" and "Medium Density Residential"; Bostwick Residential Neighbourhood - "Low Density Residential", "Medium Density Residential", and "Open Space and Environmental Review"
- Zoning Several Residential Zone variations (ie. R1-3(23), R1-4(36), R2-1(17), R2-3(5), R4-6(12), R6-5(62), R6-5(64), R6-5(65), and R8-4(50))

2.3 Site Characteristics

- Current Land Use residential dwelling and accessory building, agriculture and open space
- Frontage approx. 63 metres on Colonel Talbot Road and 425 metres on Bostwick Road
- Depth approx. 1,997 metres
- Area approx. 53 hectares
- Shape Irregular

2.4 Surrounding Land Uses

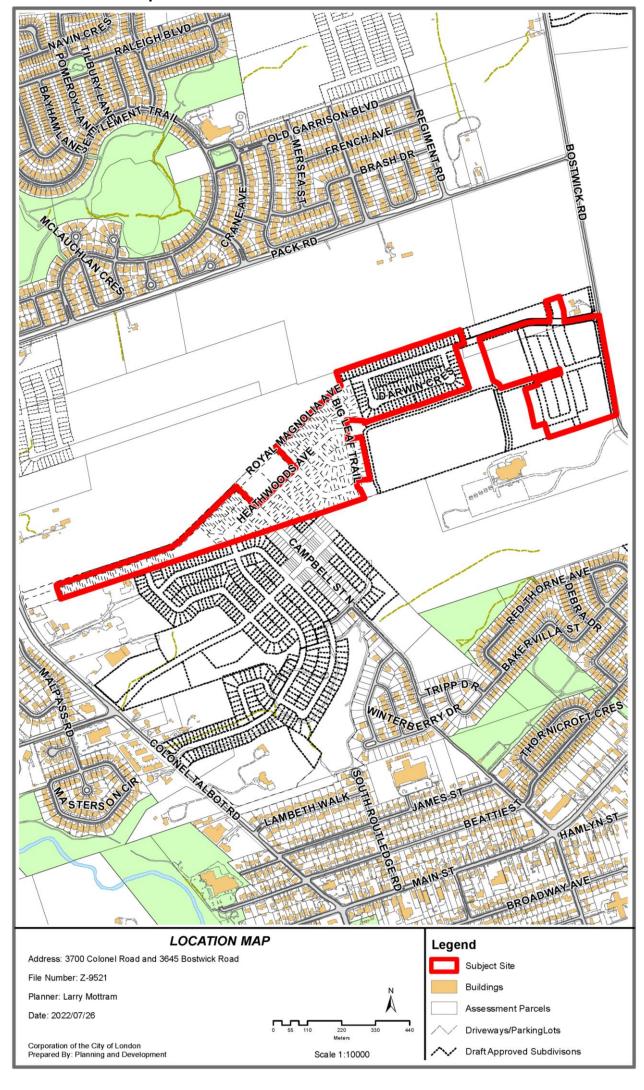
- North agriculture, future residential development lands, and vacant/natural heritage
- East agriculture
- South church, future residential development lands, construction office and storage yard, soccer field (private), and agriculture
- West residential single detached dwellings

2.5 Planning History

On October 18, 2019, the Approval Authority for the City of London granted draft plan approval with conditions to the draft plan submitted W-3 Lambeth Farms Inc. (File No. 39T-17503) consisting of twenty-one (21) single detached/low density blocks, thirteen (13) street townhouse blocks, two (2) apartment/medium density blocks, four (4) commercial/residential mixed use blocks, two (2) cluster/low rise blocks, one (1) school block, one (1) open space block, seven (7) pathway blocks, three (3) park blocks, one (1) urban reserve/environmental review block, one (1) future road block, two (2) road widening blocks, eleven (11) 0.3 m reserve blocks, all served by two (2) secondary collector/neighbourhood connector roads (Street A and Street D), and nine (9) new local/neighbourhood streets. Municipal Council approved Official Plan and Zoning Bylaw Amendments in conjunction with the draft plan of subdivision on October 1, 2019.

The westerly portion of the draft subdivision plan (Phase 1) was recently granted final approval and registered as Plan 33M-821 on July 13, 2022. This phase consists of 179 single detached dwelling lots, 63 street townhouse lots, three (3) commercial/residential mixed-use blocks, one (1) cluster housing/low-rise residential block, two (2) park blocks, and one (1) walkway block, served by seven (7) new streets including the extension of Campbell Street North and Royal Magnolia Avenue.

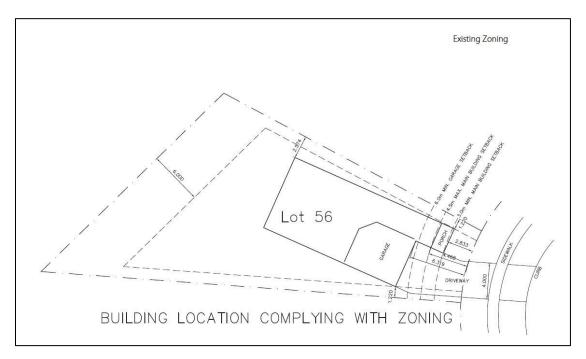
2.6 Location Map

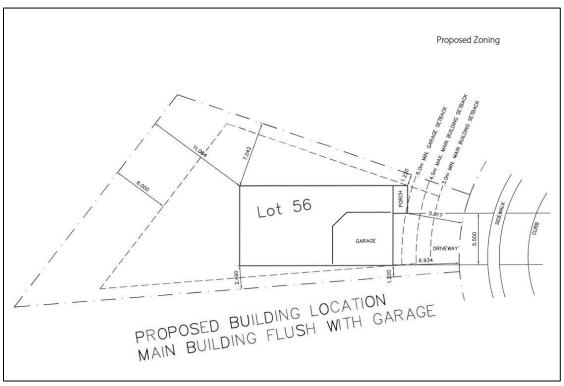


2.7 Requested Amendment

Request for consideration of an amendment to the zoning by-law to remove the 4.5 metres maximum front yard setback regulation from the following site-specific zone variations applicable to the subject lands: R1-3(23), R1-4(36), R2-1(17), R2-3(5), R4-6(12), R6-5(62), R6-5(64), R6-5(65), and R8-4(50). The requested amendment would allow for additional separation distance between front property lines and main dwellings to better accommodate porch elements and more efficient home designs.

The applicant indicated home builders are experiencing limitations with the site-specific zoning applying to this subdivision development. In particular, the maximum dwelling setback regulation applied to residential lots and blocks in this development cannot accommodate contemporary single and multiple-unit housing designs. These designs typically integrate a front porch feature that extends beyond the front face of both the main building and the garage. However, as porches are not considered to be part of the main dwelling for zoning purposes, main dwellings are required to be positioned within 3.0 and 4.5 m of the front property line under this site-specific zoning regime (with porches permitted to encroach considerably into this setback). Given that the attached garage is setback a minimum of 6.0 m from the front lot line, irregular building envelopes and unconventional, inefficient house designs are often the result creating additional challenges for home builders.





2.8 Community Engagement (see more detail in Appendix B)

There were no responses from the public received to the Notice of Application.

2.9 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

- 1. Building Strong Healthy Communities;
- 2. Wise Use and Management of Resources; and,
- 3. Protecting Public Health and Safety.

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). The policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)). Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1.(a)). Also, long-term economic prosperity should be supported by encouraging a sense of place by promoting well-designed built form (Section 1.7.1.(e)). The development proposal has been reviewed for consistency with the Provincial Policy Statement.

The London Plan

With respect to The London Plan the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, triplexes, fourplexes, stacked townhouses, low-rise apartment buildings and small-scale community facilities as the main uses. The "Green Space" Place Type applies to an existing woodlot located in the southeast portion of the subdivision draft plan to be retained as open space. The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types is found at Appendix D.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan (SWAP) forms part of The London Plan, and its policies prevail over the more general planning policies if there is a conflict (Policies 1556 & 1558). The W-3 Lambeth Farm Inc. subdivision lands are within both the North Lambeth and Bostwick Residential Neighbourhoods, and are designated as Low Density Residential (LDR), Medium Density Residential (MDR), and Open Space and Environmental Review. A range of low and medium density residential uses are permitted, as well as a limited range of secondary permitted uses and open space uses, including active recreational parks, smaller and more passive neighbourhood parks, natural heritage and environmental features, and stormwater management facilties. In addition to the general land use policies, the SWAP also includes policy direction for future development with respect to urban design and built form. As further described in Appendix C – Policy Context, Staff are of the opinion that the recommended zoning is generally consistent with the PPS, The London Plan, and Soutwest Area Secondary Plan.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These lands are currently zoned Residential R1 Special Provision ((R1-3(23) and (R1-4(36)); Residential R2 Special Provision ((R2-1(17) and (R2-3(5)); Residential R4 Special

Provision (R4-6(12)); Residential R6 Special Provision ((R6-5(62), (R6-5(64)), and (R6-5(65)); and Residential R8 Special Provision (R8-4(50)). These zones permit a range of residential uses from single detached, semi-detached and duplex dwellings; various forms of cluster housing; townhouses and stacked townhouses; and low-rise apartments. Each of the special provision zones includes a front yard setback to main dwelling of 3.0 metres (minimum) and 4.5 metres (maximum), among various other site-specific regulations for garages, interior side yard setbacks, minimum/maximum density, and lot coverage. Holding (h and h-100) provisions were recently removed from the zoning on the westerly (Phase 1) portion of the subdivision; however, they continue to remain in place on the easterly (Phase 2) lands. A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix D.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Use

Several zones have been applied to the subject subdivision. As noted above, a range of residential uses are permitted depending on the zone variation, including single detached, semi-detached and duplex dwellings; various forms of cluster housing; townhouses and stacked townhouses; and low-rise apartments.

4.2 Intensity

In the Bostwick Residential Neighbourhood, within the Low Density Residential designation, residential development shall have a minimum density of 25 units per hectare and a maximum density of 40 units per hectare. Building heights shall not exceed four storeys. Within the Medium Density Residential designation, development shall have a minimum density of 35 units per hectare and a maximum density of 75 units per hectare. Building heights shall not exceed six storeys and shall be sensitive to the scale of development in the surrounding neighbourhood.

In the North Lambeth Residential Neighbourhood, within the Low Density Residential Designation, residential development shall have a minimum density of 18 units per hectare and a maximum density of 35 units per hectare. Building heights shall not exceed four storeys and shall be sensitive to the scale of development in the surrounding neighbourhood. Within the Medium Density Residential Designation, residential development shall have a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. Accordingly, the minimum and maximum density targets and maximum height limts as provided for in the SWAP have have been plemented through the zoning regulations and draft plan of subdivision.

4.3 Form

The special provision zones applying to this subdivision typically require a front yard setback to the main dwelling of 3.0 metres (minimum) and 4.5 metres (maximum). In conjunction with the minimum and maximum building setbacks and yard requirements, a front yard setback to garage of 6.0 metres (minimum) has been implemented in order to prevent projecting garages from dominating the streetscape.

The concern specifically is with the maximum front yard setback regulation which the applicant is requesting be deleted noting that builders designing units in this subdivision have requested this so that front entrance foyers are less long/narrow; especially as they are often two stories high and the exterior is unappealing with an entrance 'snout' protruding past the house (which is then accentuated with a front porch). Builders have also advised that pie-shaped lots are not viable under the current zoning structure, as the protruding maximum dwelling setback with a front porch results in an impractically narrow home.

Front Yard Setback to Main Dwelling 4.5 metres (Maximum)



Example of a Front Yard Setback to Main Dwelling 7.5 metres (Maximum)



In order to provide more flexibility for home builders in addressing their challenges, Planning and Urban Design staff have reviewed the setback requirements applying to the lots in this subdivision. Staff recommend that the maximum front yard setback be deleted, but that it be limited to the interior lots fronting on neighbourhood streets, and that a new regulation be added for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North) for a front yard setback to main dwelling of 3.0 metres (minimum) and 6.0 metres (maximum).

The recommended amendments continue to maintain the intent of The London Plan and the Southwest Area Secondary Plan policies which encourages a street-oriented built form. This is particularly important in relation to higher order streets where buildings are to be designed to provide visual interest to pedestrians, as well as a sense of enclosure to the street. The following provides an example of how the recommended amendments would apply to the current regulations for the R1-3(23) zone, and similarly to each of the special provision zones indicated above. The only exception being the R1-4(36) Zone which does not contain any lots fronting on a Neighbourhood Connector.

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)
 (Maximum): 4.5 metres (14.8 feet) ← Delete
 - ii) Front Yard Setback, Main Dwelling for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North)

 (Minimum): 3 motros (9.8 foot)

(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 45% (Maximum):
- vi) 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.

There are no changes proposed to the front yard setback regulation for garages of 6.0 metres (minimum). It should be noted that the recommended front yard setback to main dwelling regulation of 3.0 metres (minimum) and 6.0 metres (maximum) for lots fronting on Neighbourhood Connectors will now equal the minimum garage setback regulation allowing garages to be flush with the main dwelling, but not project beyond the façade of the dwelling or façade (front face) of any porch.

With respect to development adjacent to portions of the arterial road network, the Southwest Area Secondary Plan states that buildings shall be located close to the street and designed to be street-oriented, as follows:

Section 20.5.4.1. iv) Residential Development Intensity Adjacent to Arterial Roads

e) Built Form and Intensity

- buildings shall be located close to the street and designed to be street oriented such that the functional front and main entrances to the building face the street:

The main entrances to this subdivision are from Bostwick Road on the east and Colonal Talbot Road on the west. However, the frontage on Colonel Talbot Road is quite narrow and consists of a small development block zoned for mixed medium density/commercial uses which is not part of the application. The Bostwick Road frontage is much more substantial and includes two large blocks zoned for medium density residential development immediately adjacent Bostwick Road which are part of the application. Based on this policy direction, staff do not support the requested amendments to the zoning regulations applying to the multi-family blocks adjacent Bostwick Road. Staff recommend the maximum 4.5 metres front yard setback to main dwellings and buildings be maintained along Arterial Roads (Urban Thoroughfares, Rapid Transit Boulevards, Civic Boulevards and Main Streets).

In summary, the recommended zoning amendment will permit residential dwellings located on the interior lots fronting neighbourhood streets more flexibility in design and efficiency while maintaining consistency with the planned vision of the Neighbourhood Place Type and a built form that contributes to a sense of place and character. A minor increase to the maximum building setback regulation from 4.5 to 6.0 metres affecting only the lots fronting on the Neighbourhood Connectors is recommended, and no changes are recommended to the zone setbacks at the key entry points to the neighbourhood from Bostwick Road and Colonel Talbot Road.

Conclusion

The zoning amendment as recommended by Staff is consistent with the Provincial Policy Statement, conforms to The London Plan and Southwest Area Secondary Plan polices, and achieves urban design objectives in implementing an attractive and continuous neighbourhood streetscape and building orientation. Therefore, on that basis staff our of the opinion that the recommended zoning amendments represent good planning.

Prepared by: Larry Mottram, MCIP, RPP

Senior Planner, Subdivisions and Condominiums

Reviewed by: Bruce Page, MCIP, RPP

Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP

Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.

Deputy City Manager, Planning and Economic

Development

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 Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

August 15, 2022 SM/GB/BP/LM/Im

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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, Partner) has applied to rezone lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road, as shown on the map <u>attached</u> 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)

(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 45%

(Maximum):

- vi) 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.
- 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, 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)

i) Front Yard Setback, Garages

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 45% (Maximum):

- vi) 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.
- 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 45% (Maximum):
- vi) 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.
- 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, 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)

- vi) 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.
- vi) 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, 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): 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)

- v) Density
 (Minimum): 30 units per hectare
 (Maximum): 75 units per hectare
- vi) 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.

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.

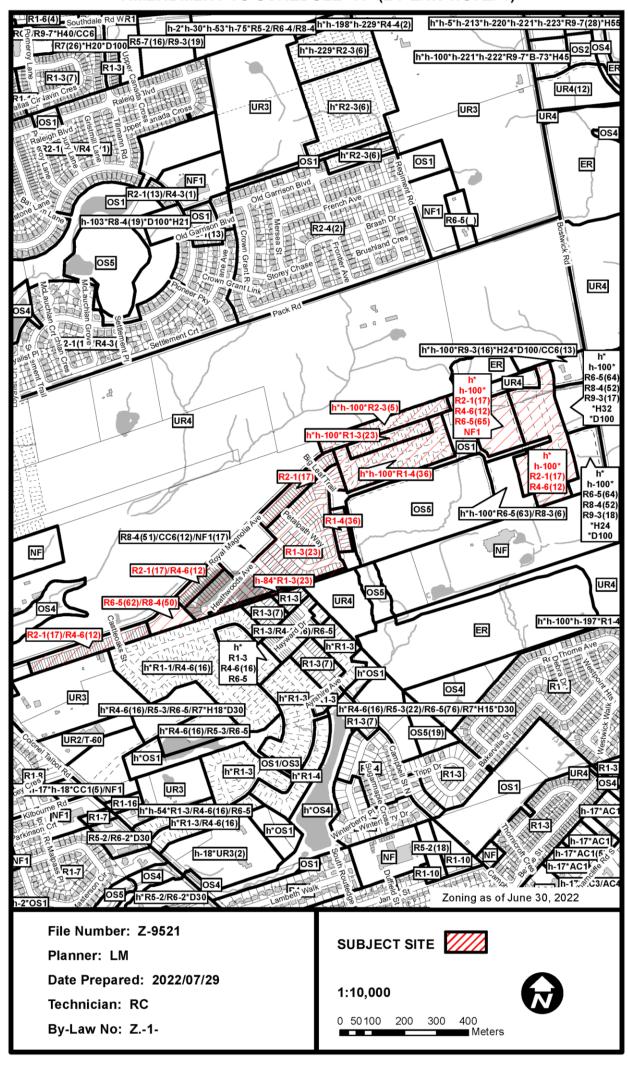
PASSED in Open Council on September 6, 2022

Ed Holder Mayor

Michael Schulthess City Clerk

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

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On June 17, 2022, Notice of Application was sent to 47 property owners in the surrounding area. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 23, 2022. A Notice of Public Meeting was published in *The Londoner* on August 4, 2022.

Responses: No replies received

Nature of Liaison: The purpose and effect of this application is to remove the 4.5 metres maximum front yard setback regulation from the following site-specific zone variations applicable to the subject lands: R1-3(23), R1-4(36), R2-1(17), R2-3(5), R4-6(12), R6-5(62), R6-5(64), R6-5(65), and R8-4(50). The requested amendment would allow for additional separation distance between front property lines and main dwellings to better accommodate porch elements.

Response to Notice of Application and Publication in "The Londoner"

<u>Telephone</u>	<u>Written</u>
None	None

Agency/Departmental Comments:

Upper Thames River Conservation Authority (UTRCA):

The UTRCA has no objections to this application. We remind the applicant that the necessary Section 28 approvals should be secured before any site alteration or development is commenced within the regulated area.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

The land use planning proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

- 1. Building Strong Healthy Communities;
- 2. Wise Use and Management of Resources; and,
- 3. Protecting Public Health and Safety.

The PPS contains polices regarding the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). The policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)). Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1.(a)). Long-term economic prosperity should be supported as well by encouraging a sense of place by promoting well-designed built form (Section 1.7.1.(e)).

The proposed zoning amendment achieves objectives for efficient and resilient development and land use patterns. It represents development of low and medium density forms of housing taking place within the City's urban growth area and within a previously draft-approved and partially registered plan of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities. The road layout and lotting pattern provides a high degree of community connectivity, supports the use of public transit, promotes cycling and pedestrian movement, and provides opportunities for active transportation. Special front yard building setbacks have been implemented in the zoning in order to encourage the physical design and orientation of buildings to the street (with sidewalks on both sides of all streets) to create comfortable, enjoyable pedestrian movement and a vibrant public realm, while at the same time lessening the appearance of garages as the dominant feature along the streetscape.

Any concerns from the perspective of natural heritage resources, natural or humanmade hazards, and archaeological or cultural heritage resources have been considered previously through the subdivision draft-plan approval process. Based on our review, the proposed zoning by-law amendments are found to be consistent with the Provincial Policy Statement.

The London Plan

With respect to The London Plan as a whole, the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies have been reviewed and consideration given to how the proposed zoning amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #4 - Become one of the greenest cities in Canada

- 4. Protect and enhance the health of our Natural Heritage System.
- 9. Strengthen our urban forest by monitoring its condition, planting more, protecting more, and better maintaining trees and woodlands.

Key Direction #5 - Build a mixed-use compact city

7. Build quality public spaces and pedestrian environments that support walking.

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

- 1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.
- 7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.

3. Implement "placemaking" by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.

These strategic directions are generally reflected in the zoning and overall design of the subdivision. As part of the subdivision approval process, an existing woodlot will be retained as open space (OS5) together with a 10 metre wide open space buffer strip, and public park connections creating views to the natural herigage feature. The subdivision design includes 15 metre wide open space/walkway blocks adjoining the buffer and intended to form part of a continuous multi-use pathway connection between the neighbourhood and the natural area. There are multiple planned street connections resulting in ease of mobility and a neighbourhood that is more walkable, healthy, and connected. Urban design and placemaking principles with respect to requirements for building elevations to provide for street-oriented design and discouraging garages that project beyond the building façade have been implemented through the recommended special provision zoning and conditions of draft plan approval.

City Building and Design Policies

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, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.

202_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood's character and identity.

The recommended zoning amendment will permit residential dwellings located on the interior lots fronting neighbourhood streets more flexibility in design and efficiency while maintaining consistency with the planned vision of the Neighbourhood Place Type and a built form that contributes to a sense of place and character. A minor increase to the maximum building setback regulation from 4.5 to 6.0 metres affecting only the lots fronting on the Neighbourhood Connectors is recommended, and no changes are recommended to the zone setbacks at the key entry points to the neighbourhood at Bostwick Road and Colonel Talbot Road.

- 222A_ The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.
- 256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.
- 259_ Buildings should be sited with minimal setbacks from public streets and public spaces to create an inviting, active and comfortable pedestrian environment.
- 260_ Projecting garages will be discouraged.

The lot pattern along all streets in the subdivision maintains building alignment and continuity of the streetscape. The building setback requirements are governed by the zoning by-law. The various special provision zones applying to this subdivision typically require a front yard setback to the main dwelling of 3.0 metres (minimum) and 4.5 metres (maximum). In conjunction with the minimum and maximum building setbacks and yard requirements, a front yard setback to garage of 6.0 metres (minimum) has been implemented in order to prevent projecting garages from dominating the

streetscape. On-street parking is permitted and parking bays have been incorporated into the road allowance along portions of Royal Magnolia Avenue, and boulevard street tree planting is provided for under the current Subdivision Agreement.

288_ Buildings fronting onto public spaces should establish an edge to provide definition, and a sense of enclosure around, the public space.

290_ Buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements.

291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

Through the subdivision approval process staff recommended a condition that homes to be designed and constructed on all corner lots (including lots with side frontages to parks and/or open spaces) are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage. Owners and home builders are to provide concept plans and elevations for review by the City prior to the application for a building permit.

Neighbourhoods Place Type

The subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, triplexes, fourplexes, stacked townhouses, low-rise apartment buildings and small-scale community facilities as the main uses. The subdivision is served by two Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North) which intersect with each other and as such the range of permitted uses may be broadened to include mixed-use buildings. Key elements of the Neighbourhood Place Type applicable here are as follows:

916_1. A strong neighbourhood character, sense of place and identity.

916_2. Attractive streetscapes, buildings, and public spaces.

As noted above, the recommended zoning amendments will continue to maintain consistency with the planned vision of the Neighbourhood Place Type in implementing an attractive and continuus neighbourhood streetscape and building orientation in relation to the public realm.

935_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.

As discussed below under the Zoning By-law section, the recommended amendments to the special provision zoning continues to provide for an appropriate built form and intensity within the neighbourhood context, and is in keeping with the Place Types policies.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon

the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- a. Traffic and access management.
- b. Noise.
- c. Parking on streets or adjacent properties.
- d. Emissions generated by the use such as odour, dust, or other airborne emissions.
- e. Lighting.
- f. Garbage generated by the use.
- g. Loss of privacy.
- h. Shadowing.
- i. Visual impact.
- j. Loss of views.
- k. Loss of trees and canopy cover.
- I. Impact on cultural heritage resources.
- m. Impact on natural heritage features and areas.
- n. Impact on natural resources.

The above list is not exhaustive.

Matters regarding potential impacts of development on surrounding lands, including the specific types of issues listed above have been considered through the previous draft-plan approval process.

1578_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.
- c. Neighbourhood character.
- d. Streetscape character.
- e. Street wall.
- f. Height.
- g. Density.
- h. Massing.
- i. Placement of building.
- j. Setback and step-back.
- k. Proposed architectural attributes such as windows, doors, and rooflines.
- I. Relationship to cultural heritage resources on the site and adjacent to it.
- m. Landscaping and trees.
- n. Coordination of access points and connections.

The focus of this application is on fine-tuning the site-specific zoning regulations for front yard setbacks applying to lots and blocks within the subdivision draft plan. The amendments as recommended by staff are expected to maintain a reasonable fit within the context of the current subdivision, as well as future subdivision developments on adjacent lands to the north and south.

Therefore, based on Staff's review of The London Plan policies, this recommended amendment is found to be in keeping and in conformity with the Key Directions, City Building and Design, Place Type, and Our Tools policies.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan (SWAP) forms part of The London Plan, and its policies prevail over the more general planning policies if there is a conflict (Policies 1556 & 1558). The W-3 Lambeth Farm Inc. subdivision lands are within both the

North Lambeth and Bostwick Residential Neighbourhoods, and are designated as Low Density Residential (LDR), Medium Density Residential (MDR), and Open Space and Environmental Review. A range of low and medium density residential uses are permitted, as well as a limited range of secondary permitted uses and open space uses, including active recreational parks, smaller and more passive neighbourhood parks, natural heritage and environmental features, and stormwater management facilities. In addition to the general land use policies, the SWAP also includes policy direction for future development with respect to urban design and built form.

The Urban Design polices under Section 20.5.3.9 of the SWAP address buildings and site design matters. Of particular interest is the following policy regarding the design of residential garages:

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.

This policy has been implemented in each of the special provision zones being considered as part of this application. No changes are being recommended regarding the regulation which states: "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." Also, there are no changes proposed to the front yard setback regulation for garages of 6.0 metres (minimum). It should be noted that the recommended front yard setback to main dwelling regulation of 3.0 metres (minimum) and 6.0 metres (maximum) for lots fronting on Neighbourhood Connectors will now equal the minimum garage setback regulation allowing garages to be flush with the main dwelling, but not project beyond the façade of the dwelling or façade (front face) of any porch.

The built form and intensity policies within the Bostwick Residential Neighbourhood defer to the General Land Use policies under Section 20.5.4.1 iv) with respect to development adjacent to portions of the arterial road network. An excerpt from that policy states that buildings shall be located close to the street and designed to be street oriented, as follows:

Section 20.5.4.1. iv) Residential Development Intensity Adjacent to Arterial Roads

e) Built Form and Intensity

- buildings shall be located close to the street and designed to be street oriented such that the functional front and main entrances to the building face the street;

Therefore, based on this policy direction staff do not support the requested amendments to the zoning regulations applying to the multi-family blocks fronting Bostwick Road. Staff recommend the maximum 4.5 metres front yard setback to main dwellings and buildings be maintained along Arterial Roads (Urban Thoroughfares, Rapid Transit Boulevards, Civic Boulevards and Main Streets).

Zoning By-law

These lands are currently zoned Residential R1 Special Provision ((R1-3(23) and (R1-4(36)); Residential R2 Special Provision ((R2-1(17) and (R2-3(5)); Residential R4

Special Provision (R4-6(12)); Residential R6 Special Provision ((R6-5(62), (R6-5(64)), and (R6-5(65)); and Residential R8 Special Provision (R8-4(50)). These zones permit a range of residential uses from single detached, semi-detached and duplex dwellings; various forms of cluster housing; townhouses and stacked townhouses; and low-rise apartments. Holding (h and h-100) provisions were recently removed from the zoning on the westerly (Phase 1) portion of the subdivision; however, they continue to remain in place on the easterly (Phase 2) lands.

Each of the special provision zones include a front yard setback to main dwelling of 3.0 metres (minimum) and 4.5 metres (maximum), as well as front yard setback to garage of 6.0 metres (minimum). The specific concern is with the maximum front yard setback regulation which the applicant has requested be deleted. It was indicated that builders designing units in this subdivision have requested this so that front entrances foyers are less long/narrow; especially as they are often two stories high and the exterior is unappealing with an entrance 'snout' protruding past the house (which is then accentuated with a front porch). Builders have also advised that pie-shaped lots are not viable under the current zoning structure, as the protruding maximum dwelling setback with a front porch results in an impractically narrow home.

In order to provide more flexibility for the home builders in addressing their challenges, Planning staff have reviewed the setback requirements applying to the lots in this subdivision. It is recommended that the maximum front yard setback be deleted only for lots fronting on neighbourhood streets, and that a new regulation be added for lots fronting on Neighbourhood Connectors, being Royal Magnolia Avenue and Campbell Street North, for a front yard setback to main dwelling of 3.0 metres (minimum) and 6.0 metres (maximum). The recommended amendments continue to maintain the intent of the SWAP policies which encourages a street-oriented built form. This is considered particularly important in relation to higher order streets where buildings are to be designed to provide visual interest to pedestrians, as well as a sense of enclosure to the street. The following provides an example of how the recommended amendments would apply to the current regulations for the R1-3(23) zone, and apply in a similar fashion to each of the special provision zones identified above. The only exception being the R1-4(36) Zone which does not include any lots fronting on a Neighbourhood Connector.

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)
 (Maximum): 4.5 metres (14.8 feet) ← Delete

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)

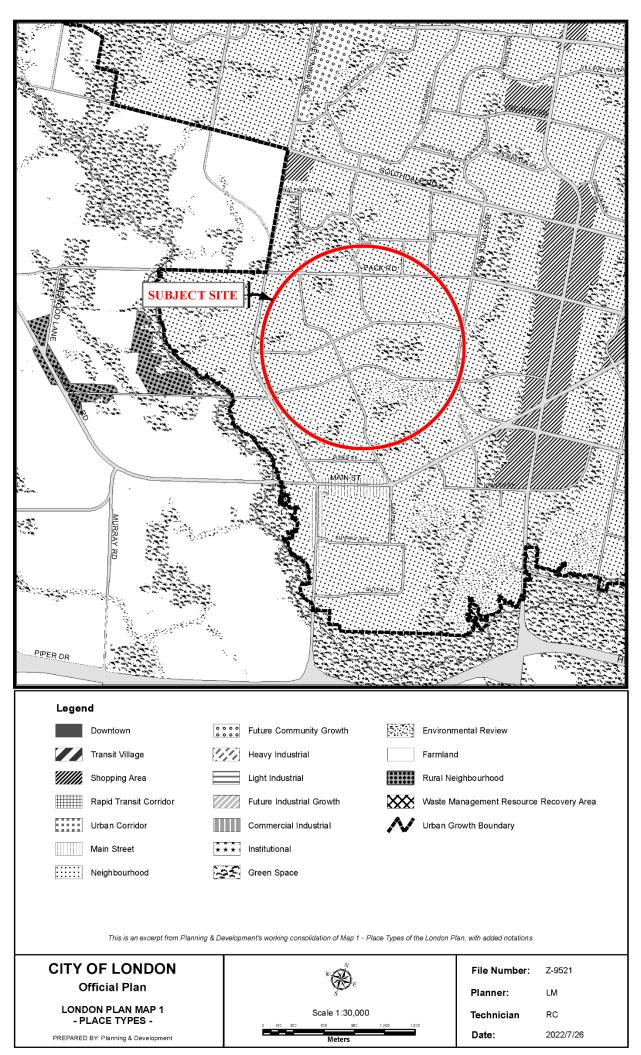
iv) Interior Side Yard (Minimum): 1.2 metres (3.9 feet)

v) Lot Coverage 45% (Maximum):

vi) 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.

Appendix D - Relevant Background

The London Plan Map Excerpt



Zoning By-law Map Excerpt

