

## 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:** 764, 772 and 774 Crumlin Sideroad, Ward 2  
Public Participation Meeting

**Date:** October 23, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of New London Group Ltd. (c/o Zelinka Priamo Ltd.), relating to the property located at 764, 772 and 774 Crumlin Sideroad:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend the Official Plan, The London Plan, by **REVISING** the policy for Crumlin / Gore Road in the Specific Policies for the Rural Neighbourhoods Place Type and by **REMOVING** the subject lands from Map 7 – Specific Policies Areas – of the Official Plan;
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R1 (R1-17) Zone, an Open Space (OS4) Zone, an Agricultural (AG1) Zone and an Environmental Review (ER) Zone **TO** a holding Residential R1 Special Provision (h-183\*R1-14(\_)) Zone, an Open Space (OS4) Zone, an Agricultural (AG1) Zone and an Environmental Review (ER) Zone.

**IT BEING NOTED**, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the Provincial Policy Statement, 2020;
- ii) The recommended amendment conforms to the policies of The London Plan, including, but not limited to, the Key Directions and Rural Neighbourhoods, Open Space and Farmland Policies;
- iii) The recommended amendment will facilitate the future severance of the subject lands into multiple residential lots;
- iv) The recommended amendment is consistent with the character of the existing rural neighbourhood area and will not negatively impact surrounding properties; and,
- v) The proposed uses are compatible with the adjacent land uses and considers both the long-term protection of agricultural resources and the long-term compatibility of uses.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to The London Plan to add a Specific Policy Area to the Rural Neighbourhoods Place Type to allow for reduced lot area of 0.4ha within the Crumlin Sideroad area. Staff are recommending revising the existing special policy for Crumlin / Gore Road to remove the subject lands.

The applicant has also requested to rezone a portion (future lots) of the subject site from a Residential R1-17 Zone to a Residential R1-14(\_) Special Provision Zone to

facilitate new residential parcels on the land. The requested special provision will permit the reduced lot area (0.4ha) proposed through The London Plan amendment. Staff are recommending a holding provision for a hydrogeological study.

### **Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended London Plan amendment and Zoning By-law amendment is to facilitate the future severance of the subject lands to allow for the development of single detached dwellings.

## **Linkage to the Corporate Strategic Plan**

This recommendation supports the following Strategic Areas of Focus:

- Housing and Homelessness - London's growth and development is well planned and considers use, intensity, and form.

## **Analysis**

### **1.0 Background Information**

#### **1.1 Previous Reports Related to this Matter.**

None.

#### **1.2 Property Description and Location**

The subject lands are located on the east side of Crumlin Sideroad, between Gore Road to the south and Trafalgar Street to the north, in the Crumlin Planning District. The property has a total area of 41.7 ha with frontage along Crumlin Sideroad. The proposed lots are to be developed along the Crumlin Sideroad frontage, with 6.4 ha of developable lands within the current R1-17 Zone. The lands currently contain a single-detached dwelling along the frontage of Crumlin Sideroad, with agricultural lands surrounding the rest of the subject lands to the east.

#### **1.3 Site Characteristics**

- Current Land Use – Agricultural, Residential, Municipal Drain
- Lot Area – 41.7 hectares
- Depth – 608.5 metres
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No
- Shape – Rectangular

#### **1.4 Surrounding Land Uses**

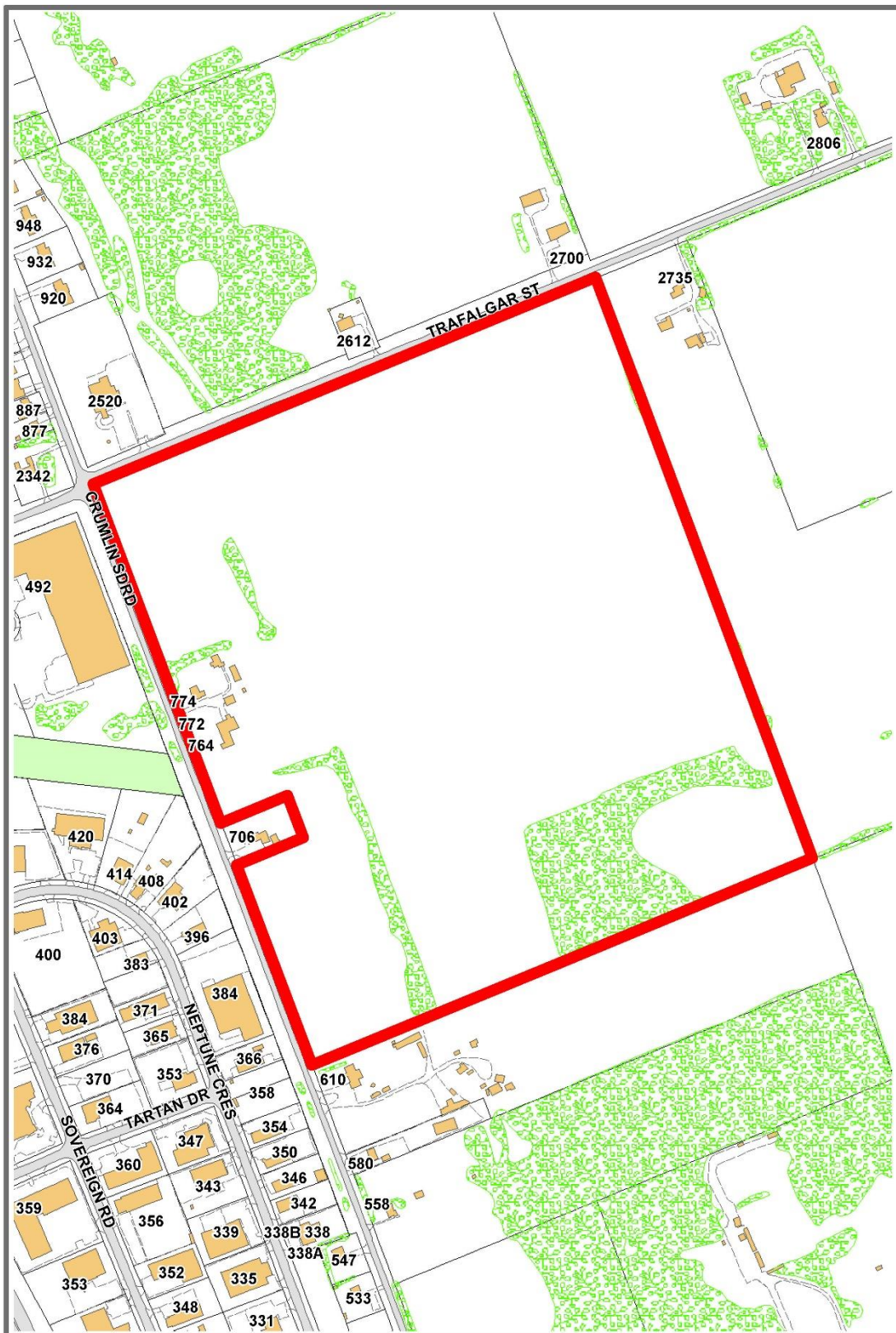
- North – Residential/farmland
- East – Farmland
- South – Residential/farmland
- West – Industrial

#### **1.5 Existing Planning Information**

- The London Plan Place Type – Rural Neighbourhoods/Green Space/Farmland
- Existing Zoning – Residential R1 (R1-17)/Agricultural (AG1)/Open Space (OS4)
- Street Frontage Classification- Civic Boulevard

Additional site information and context is provided in Appendix "C".

## 1.6 Location Map



### LOCATION MAP

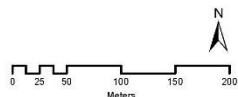
Address: 764, 772, 774 Crumlin Sideroad

File Number: OZ-9642

Planner: Brent House




Date: 2023/9/26

Corporation of the City of London  
Prepared By: Planning and Development



Scale 1:5000

### Legend

-  Subject Site
-  Vegetation
-  Buildings

## 2.0 Discussion and Considerations

### 2.1 Developmental Proposal

The requested amendment is required to facilitate the severance of new rural residential lots within the Rural Neighbourhoods Place Type along the frontage of Crumlin Sideroad. The proposal will facilitate the development of future single-detached residential dwellings. The intent of the rezoning is to facilitate an accompanying consent to sever application which is currently showing 13 new lots.



Figure 1: Existing Surrounding Context (Aerial View)

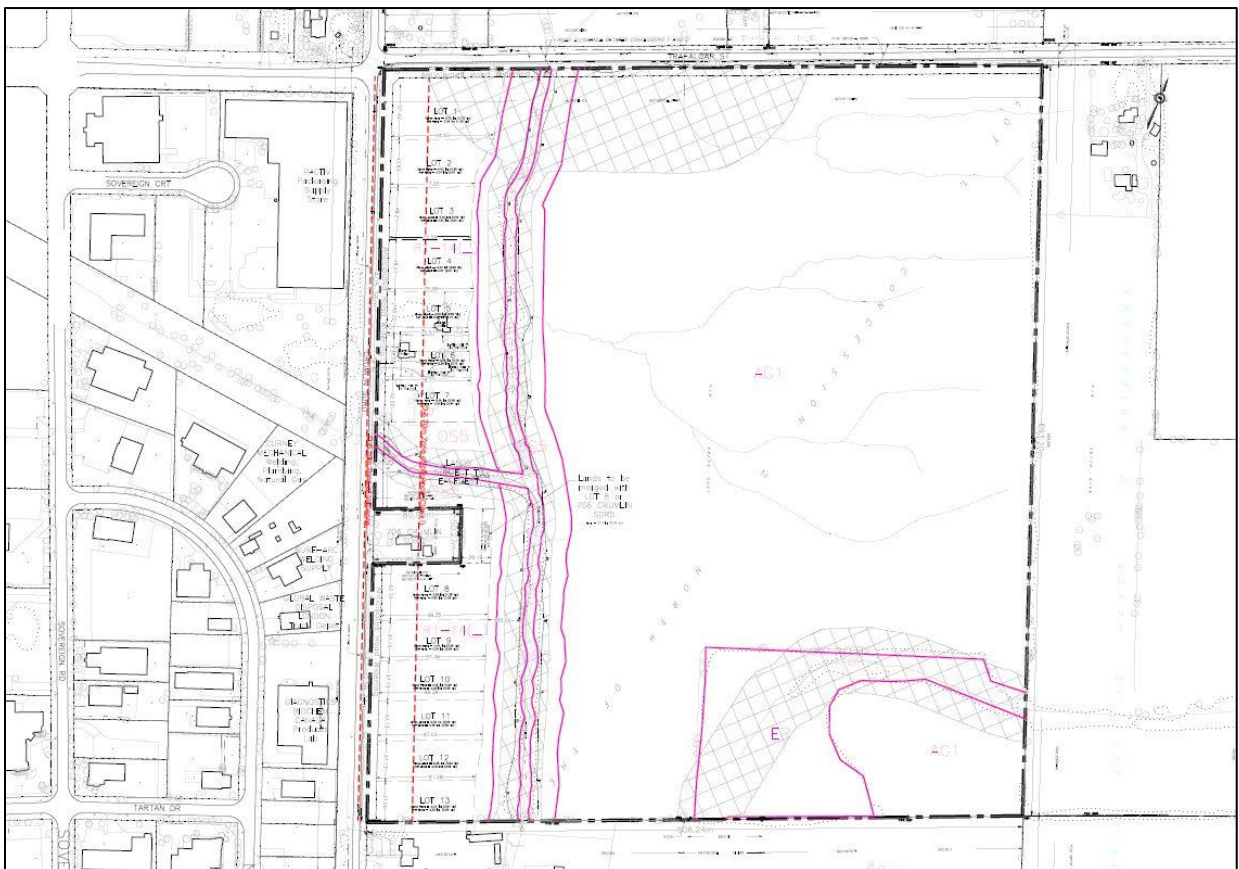


Figure 2: Proposed Site Plan

## 2.2 Requested Amendment

The applicant has requested to rezone a portion (Rural Neighbourhood) of the subject site from a Residential R1 (R1-17) Zone to a Residential R1 (R1-14) Zone to facilitate future residential parcels on the land. A Special Policy Area in The London Plan and special provision to the R1-14( ) zone have been requested to allow for lots to be a minimum 0.4 ha in area, as currently lots must meet a minimum requirement of 1 ha in the area. No new buildings or structures are proposed to be constructed as part of this rezoning application.

Regulation (R1-14)	Required	Proposed and Staff Recommendation
Lot Area m <sup>2</sup> (minimum)	2000m <sup>2</sup> (0.2 ha)	4000m <sup>2</sup> (0.4 ha)

## 2.3 Public Engagement

On August 9, 2023, a Notice of Application was sent to 38 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 10, 2023. A “Planning Application” sign was also placed on the site.

There were 2 responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Type of development occurring on the lands
- Future road widening of Trafalgar and Crumlin Sideroad

Detailed public comments are included in Appendix “D” of this report.

## 2.4 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Private sanitary services
- Technical requirements for the associated consent application

Detailed internal and agency comments are included in Appendix “E” of this report.

## 2.5 Policy Context

### ***The Planning Act and the Provincial Policy Statement, 2020***

The Provincial planning policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement, 2020 (PPS). The Planning Act requires that all municipal land use decisions affecting planning matters shall be consistent with the PPS.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework.

Rural Areas are considered important to the economic success of the province and to our quality of life. Land use patterns within rural areas shall be carefully planned so as

to encourage healthy, integrated and viable growth through; (1) building upon the existing rural character, (2) promoting regeneration, (3) accommodating a mix of housing, (4) encouraging the conservation and redevelopment of existing rural housing stock, and (5) utilizing rural infrastructure and public services efficiently (1.1.4.1) Permitted uses on rural lands located in municipalities also include residential development, including lot creation, that is locally appropriate for the context of the site (1.1.5.2)

Staff's opinion is that the application for an Official Plan and Zoning By-law amendment is consistent with the Planning Act and the PPS.

### ***The London Plan, 2016***

The subject site is within the Crumlin / Gore Road Specific Policy Area in the Rural Neighbourhood Place Type in The London Plan (policy 1253), which states:

*In the Rural Neighbourhoods Place Type located along the east side of Crumlin Road between Trafalgar Street and the Canadian National Railway lands, and along Gore Road between Crumlin Road and Wabuno Creek, lot creation may be considered subject to the policies of this Plan provided the lot shall have a minimum area of one hectare and have frontage on Crumlin Road or Gore Road.*

This specific policy area was carried over from the 1989 Official Plan and was adopted as part of an Ontario Municipal Board appeal settlement in 2007. At the time, the intent of the specific policy was to limit the number of lots in the area, consistent with the rural character. It was acknowledged that future planning applications would be necessary to create lots in the future.

The London Plan provides policies for private servicing for lands outside of the Urban Growth Boundary. Consistent with the Provincial Policy Statement, it is the expectation that all new rural development establishes, and maintains in perpetuity, sustainable private services wherever municipal water, wastewater and storm drainage services are not available. Policy 477 4.c) outlines the minimum lot size for private sewage disposal systems shall be 0.4 hectares, or such larger area as may be required based on the cumulative conditions of the site, in accordance with the Ontario Building Code Act.

Policy 1251 of The London Plan, identifies evaluation criteria for applications within Rural Neighbourhoods including:

1. The Rural Neighbourhoods Place Type boundary will be considered a hard boundary and the expansion of it will not be permitted.
2. Infill development will be permitted and encouraged.
3. Commercial uses should be in scale with the rural neighbourhood and designed to support the immediate area.
4. Industrial uses should be developed in conformity with the Farmland Place Type policies.
5. Development will not prevent the through movement of agricultural vehicles through the rural neighbourhood.
6. Any proposed planning and development application shall meet the required Minimum Distance Separation (MDS I) policies in the Our Tools.
7. Municipal water and sewer services will not be extended beyond the limits of the Urban Growth Boundary.
8. Planning applications will be evaluated using the Planning and Development Applications section in Our Tools.

Staff's opinion is that the application for an Official Plan and Zoning By-law amendment conforms to the policies of The London Plan.

### **3.0 Financial Impact/Considerations**

None.

## 4.0 Key Issues and Considerations

### 4.1 Issue and Consideration #1: Land Use

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term.

Section 2.3 of the PPS requires that development shall be directed to designated settlement areas. The London Plan designates the subject lands Rural Neighbourhoods. The London Plan Policies in relation to lot creation permit infill development where it provides opportunities for the location of new non-farm residential uses in the rural area on an infill basis, to avoid the loss of productive agricultural lands (The London Plan, Policy 1241\_1). As these lands have been designated Rural Neighbourhood, and are currently zoned to permit residential uses, the proposed rezoning to allow for future single detached dwellings is in keeping with the intent of the Place Type.

The applicant has indicated that their goal is to service the lots with municipal water which is available at the intersection of Trafalgar Street and Crumlin Sideroad. The applicant is also looking to provide individual private wastewater treatment systems for each created lot on the subject lands. On site servicing will be dealt with through the consent application to ensure lots are suitably sized to allow for the proper siting and functioning of these services (The London Plan, Policy 1243\_)

The recommended amendment is in keeping with the PPS 2020 as the amendment would allow for the continued conservation of existing rural housing stock, facilitate an infill opportunity on lands designated for rural residential development and would maintain the character of the surrounding rural area. The recommended amendment also contributes to the appropriate utilization of an established lot within a rural area and preserving the remainder of the farmland parcel for continued agricultural use.

The amendment is considered to maintain the vision and goals of the PPS 2020 for rural areas and is not anticipated to have a negative impact on the healthy, integrated, or viable growth of the property.

The subject lands are within the Rural Neighbourhoods Place Type of the London Plan. The Rural Neighbourhoods Place Type is intended to be applied to hamlets or residential settlement areas located outside of the Urban Growth Boundary. The primary intent of lands located within the Rural Neighbourhoods is to direct urban development to the urban communities outlined in the Plan and identify growth areas to discourage the creation of new rural residential settlement areas (The London Plan, Policy 1241\_). Infill development will be permitted where possible but no extensions of existing rural neighbourhood areas for residential purposes will be permitted. As the subject lands are located within the Rural Neighbourhoods Place Type, the lands are designated for residential development based on the policies outline in The London Plan, which permit infill and lot creation within the area on the lands designated for development.

Consistent with The London Plan, the proposed amendment would maintain the character of the surrounding area and conforms to the above policies for residential lot creation in the Rural Neighbourhoods Place Type. As mentioned previously, the requested amendment is intended to facilitate an accompanying *consent to sever* application.

### 4.2 Issue and Consideration #2: Intensity

Intensity policies within The London Plan look to enhance rural character and viability of the rural neighbourhood and to not detract from the surrounding land use (The London Plan, 1248\_). The proposed amendment intends to continue protecting the city's valuable agricultural land while contributing the viability of the existing rural neighbourhood. Special provisions will ensure the lands are be used appropriately in the long-term and that they will not detract from the surrounding land uses.

The London Plan speaks to lots that can be supported by adequate potable water supply and adequate method of sewage disposal that are satisfactory to the authority having approval jurisdiction (The London Plan, 1248\_3). The London Plan outlines that the minimum lot size a parcel can be to support on-site sewage disposal and adequate water is 0.4 ha (The London Plan, 477\_4.c). The future severance application will determine the appropriate size and shape of the lots and how many lots will be able to be accommodated on the lands. Through conditions of the severance additional studies will be required to determine if lots below the required 0.4 ha can be accommodated on site. Minimum Distance Separation (MDS) formulae will similarly be required to be applied as part of the consent to sever application.

For these reasons, staff consider the request to rezone the lands conforms to the Place Type designated in The London Plan, and do not anticipate any negative impacts to the existing agricultural practices in the surrounding area as a result of the proposed amendment.

### **4.3 Issue and Consideration #3: Form**

Policy 1250\_1 states within the Rural Neighbourhoods Place Type, development is to be street-oriented on all public rights-of-way, with buildings located consistent with the existing streetscape and front entrances oriented to the street. In this instance, the proposal shows all development oriented towards Crumlin Sideroad. Given the re-zoning application is for purposes of a subsequent consent application to create the lots, future built form on the subject lands will be regulated by the R1-14( ) zoning provisions.

### **4.4 Specific Policy Area**

The subject site is within the Crumlin / Gore Road Specific Policy Area in the Rural Neighbourhood Place Type in The London Plan (policy 1253). The Specific Policy Area was created in 2008 as a result of a 2007 settlement for an Ontario Municipal Board (now called Ontario Land Tribunal) appeal related to a planning application. The intent of the specific policy was to increase the minimum lot size to one hectare to maintain the rural character of the area. The tribunal settlement also resulted in the subject property being rezoned to permit residential development.

The applicant has requested a new Specific Policy Area for the subject site to allow for smaller lot sizes, not less than 0.4 hectares. 0.4 hectares is the minimum lot size permitted in The London Plan for rural properties with private sanitary systems. The actual size of the lots will be determined through the application for consent to sever and will be conditional on the City approving the required technical reports and studies to support the application. As the requested Specific Policy Area is to allow a minimum lot size which is already contemplated in the general Civic Infrastructure policies of The London Plan, staff are recommending that the wording of the Crumlin / Gore Road Specific Policy Area be amended to remove the subject property, and that Map 7 – Specific Policy Areas be revised to delete the subject site from the map. The Specific Policy Area will continue to apply to the properties south of the subject site.

### **4.5 Zoning**

The Residential Special Provision R1 (R1-14( )) Zone will permit the creation of future residential lots on the subject lands. The Residential R1-14 Zone is meant to apply to large lots with single detached dwellings. The minimum required lot size in the R1-14 Zone is 2000 square metres, or 0.2 ha. As previously noted, a special provision is being recommended to ensure a minimum lot area of 0.4 ha, is required which is in keeping with The London Plan Civic Infrastructure policies to allow lots to be a minimum of 0.4 ha in size. This minimum lot size ensures that on-site functions such as water and septic tanks can be accommodated.

City of London Staff are recommending a holding provision (h-183) to be added to the subject lands, to require a hydrogeological study as part of the consent to sever application to ultimately inform the number and size of lots created.



*h-183 Purpose: To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior*

#### 4.6 Open Space Land Increase

In accordance with the submitted EIS, the proposed zone lines have been increased to accommodate setbacks along the watercourse to the south of the existing barn on the subject lands. As a result, the h-2\*OS4 zone has expanded to 0.8 ha to accommodate the Crumlin Municipal Drain. The buffer has increased to greater than 30 metres from the water course and City Ecology Staff are satisfied that this buffer is sufficient to protect the natural features of the drain.

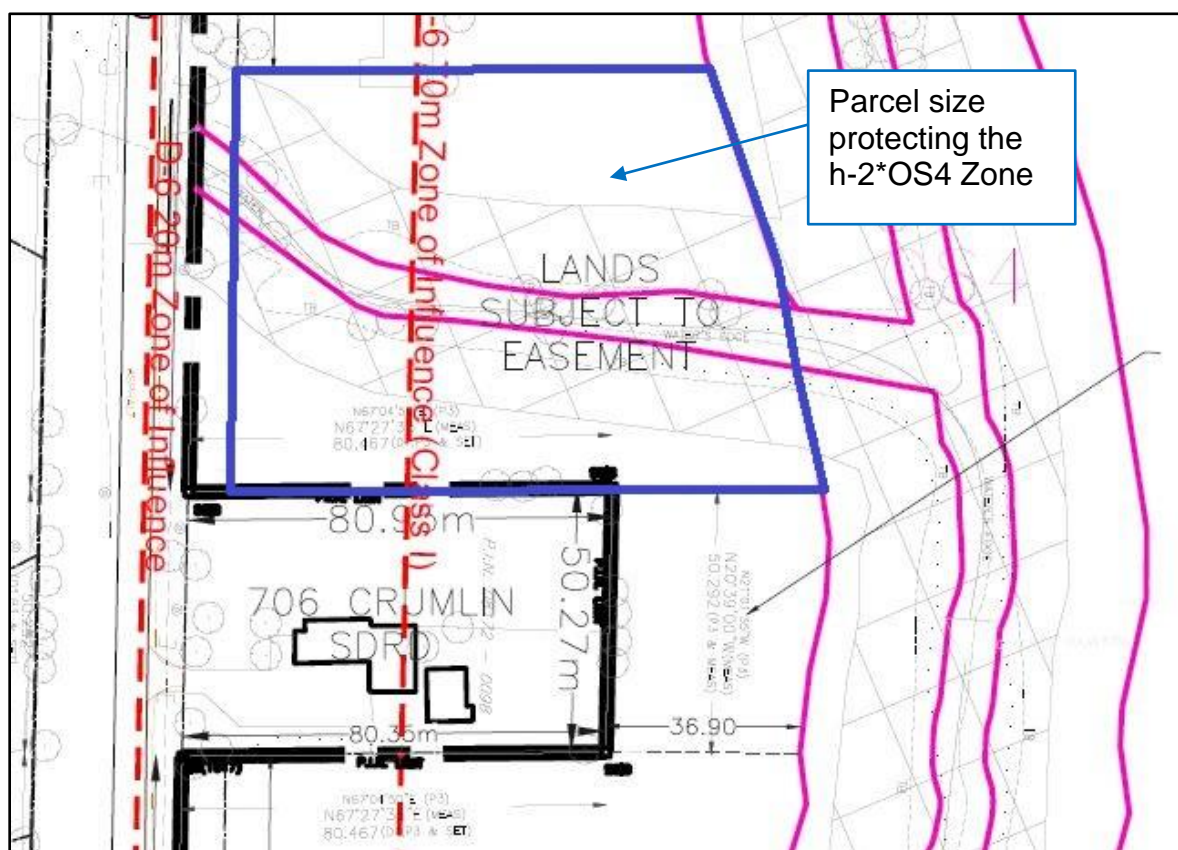


Figure 3: Parcel protecting the h-2\*OS4 Zone.

## Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan for the Rural Neighbourhoods Place Type. The recommended amendment would allow for the creation of new residential lots on the subject lands, while protecting the natural and agricultural features that exist on site. As such, the proposed amendment is being recommended for approval.

**Prepared by:** Brent House  
Planner, Planning Implementation

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

**Submitted by:** Scott Mathers, MPA, P. Eng  
Deputy City Manager, Planning and Economic Development

## Appendix A – Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office)  
2023

By-law No. C.P.-XXXX-

A by-law to amend the Official Plan, The London Plan for the City of London, 2016 relating to 764, 772, 774 Crumlin Sideroad

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan, The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) or 17(27.1) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – November 7, 2023  
Second Reading – November 7, 2023  
Third Reading – November 7, 2023

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to amend the Crumlin / Gore Road policy in the Specific Policies for the Rural Neighbourhoods Place Type and to remove the subject lands from Map 7 – Specific Policy Areas - of the City of London to allow for lot sizes less than one hectare to be considered.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 764, 772, 774 Crumlin Sideroad in the City of London.

**C. BASIS OF THE AMENDMENT**

The site-specific amendment is consistent with the Provincial Policy Statement, conforms to The London Plan, specifically the Rural Neighbourhood policies and Civic Infrastructure policies as they relate to rural lot sizes which would allow for lots to be created that are no less than 0.4 hectares as determined by required water and sanitary servicing reports.

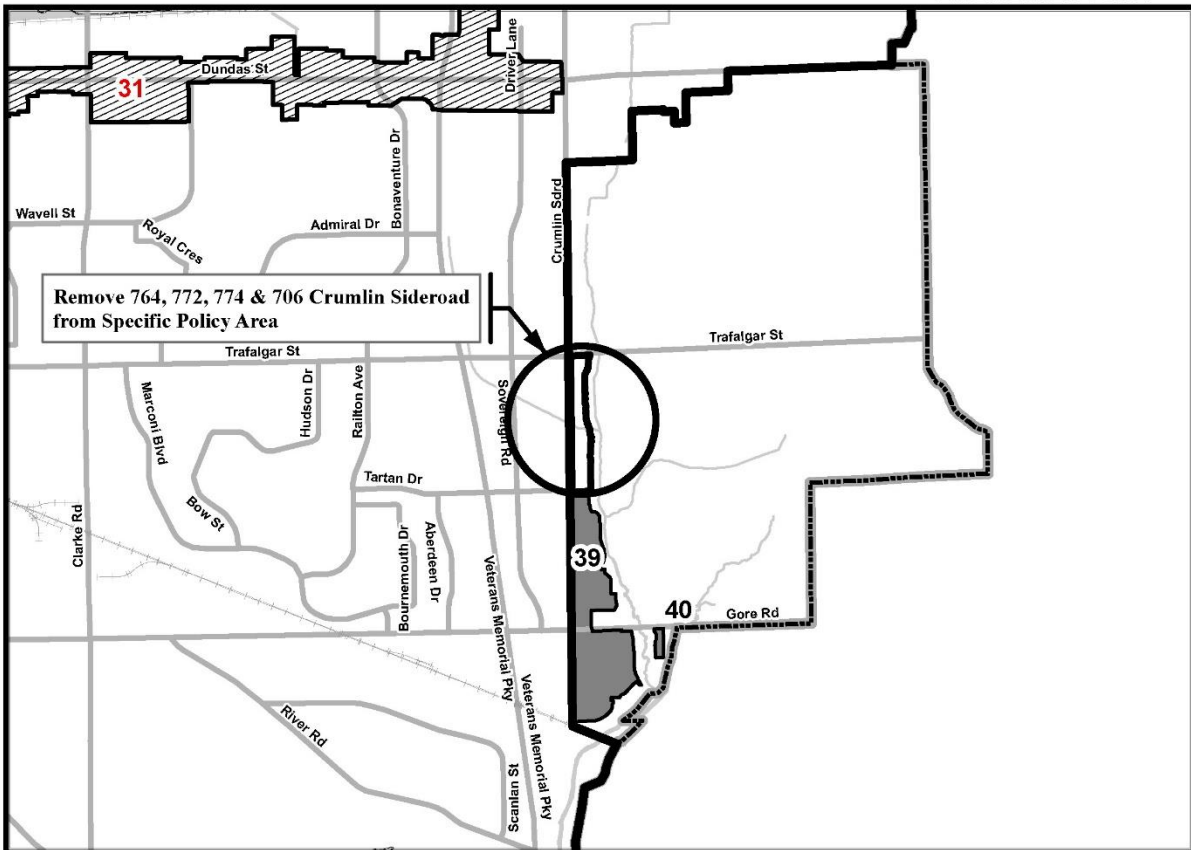
**D. THE AMENDMENT**

The London Plan for the City of London is hereby amended as follows:

1. Policy 1253\_ Crumlin / Gore Road within the Specific Policies for the Rural Neighbourhoods Place Type of the Official Plan, The London Plan, for the City of London is amended by replacing the words “Trafalgar Street” with the words “Tartan Drive”.
2. Map 7 - Specific Policy Areas, to the Official Plan, The London Plan, for the City of London Planning Area is amended by removing the lands located at 764, 772, 774 Crumlin Sideroad in the City of London, from the area labeled 39. Crumlin / Gore Road as indicated on “Schedule 1” attached hereto.

# Schedule 1





AMENDMENT NO:




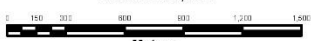
**LEGEND**

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

**BASE MAP FEATURES**

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

*This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.*

<p align="center"><b>SCHEDULE 1 TO</b></p> <p><b>OFFICIAL AMENDMENT NO. _____</b></p> <p>PREPARED BY: Planning &amp; Development</p>	<p align="center">                   Scale 1:30,000                    Meters             </p>	<p><b>FILE NUMBER:</b> OZ-9642</p> <p><b>PLANNER:</b> BH</p> <p><b>TECHNICIAN:</b> RC</p> <p><b>DATE:</b> 10/10/2023</p>
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## Appendix B – Zoning By-law Amendment

Bill No.(number to be inserted by Clerk's Office)  
2023

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

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 764,  
772 and 774 Crumlin Sideroad

WHEREAS New London Group Ltd. has applied to rezone an area of land located at 764, 772 & 774 Crumlin Sideroad, 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) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 764, 772 and 774 Crumlin Sideroad, as shown on the attached map comprising part of Key Map No. A109, from a Residential R1 (R1-17) Zone, Agricultural (AG1) Zone and Open Space (OS4) Zone TO a holding Residential Special Provision R1 (h-183\*R1-14( ) Zone, Agricultural (AG1) Zone and Open Space (OS4) Zone.
- 2) Section Number 5.2 of the Residential (R1) Zone is amended by adding the following Special Provisions:  
  
R1-14( )                      764, 772 & 774 Crumlin Sideroad  
  
a) Regulations  
    i. Lot Area (Minimum): 0.4 hectares
- 3) This Amendment shall come into effect 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.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

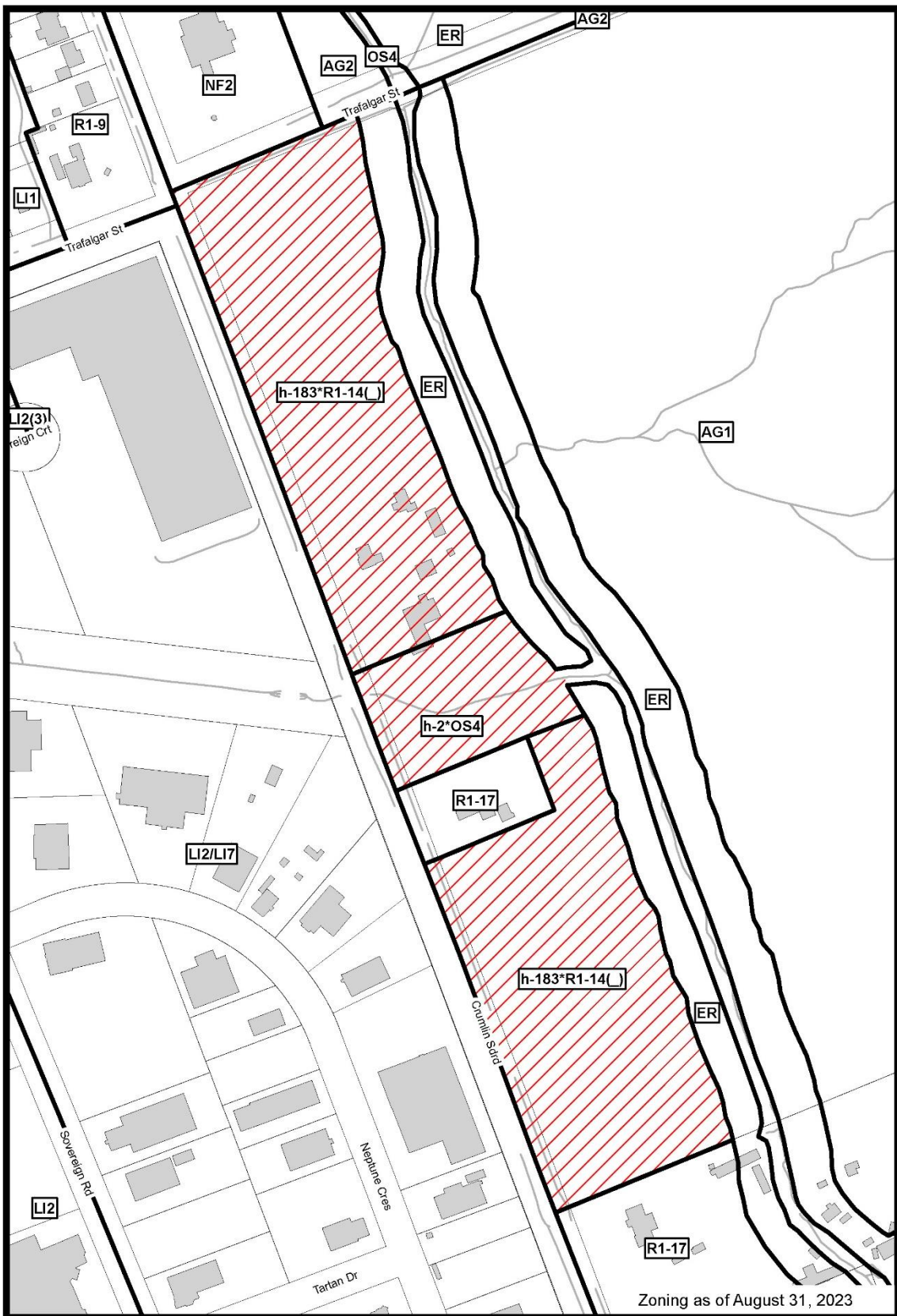
PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – November 7, 2023  
Second Reading – November 7, 2023  
Third Reading – November 7, 2023

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



File Number: OZ-9642  
 Planner: BH  
 Date Prepared: 2023/10/10  
 Technician: RC  
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120  
 Meters



## Appendix C - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Vacant (Cultivated Field) and 3 residential dwellings
Frontage	644.6 metres (2,114.8 feet) (Crumlin Sideroad)
Depth	605.4 metres (1,986.2 feet)
Area	41.7 hectares (103.0 acres)
Shape	irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Residential/farmland
East	Farmland
South	Residential/farmland
West	Industrial uses

#### Proximity to Nearest Amenities

Major Intersection	Trafalgar Street & Crumlin Sideroad, northwest corner of site
Dedicated cycling infrastructure	Clarke Road Bike Lane, 2,486.4 metres
London Transit stop	Sovereign at Tartan SB - #1720, 1,200 metres
Public open space	Forest View Park, 1,384.4 metres
Commercial area/use	Nelson Plaza, ~2,500 metres
Food store	Nelson Plaza (Metro Grocery Store), ~2,500 metres
Primary school	Holy Family Catholic School, ~1,500 metres J.P. Robarts Public School, ~1,800 metres
Community/recreation amenity	Argyle Arena, ~2,200 metres

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Rural Neighbourhoods Place Type, fronting a Civic Boulevard
Current Special Policies	1253_ In the Rural Neighbourhoods Place Type located along the east side of Crumlin Road between Trafalgar Street and the Canadian National Railway lands, and along Gore Road between Crumlin Road and Wabuno Creek, lot creation may be considered subject to the policies of this Plan provided the lot shall have a minimum area of one hectare and have frontage on Crumlin Road or Gore Road.
Current Zoning	Urban Reserve (UR4) Zone

#### Requested Designation and Zone

Requested Place Type	Rural Neighbourhoods Place Type, fronting a Civic Boulevard
Requested Special Policies	lot creation may be considered subject to the policies of this Plan provided the lot shall have a minimum area of 0.4 hectares and have frontage



	on Crumlin Road. Additional studies may allow the lots to be reduced below 0.4 hectares.
Requested Zoning	Zone

### C. Development Proposal Summary

N/A.

#### Development Overview

The applicant has requested to rezone a portion (future lot) of the subject site from a Residential R1 (R1-17) Zone to a Residential R1 (R1-14) Zone to facilitate future residential parcels on the land.
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#### Proposal Statistics

Land use	Residential and agricultural
Form	Residential development in the form of single-detached dwellings
Height	N/A
Residential units	Determined at the time of consent
Density	N/A
Gross floor area	N/A
Building coverage	N/A
Landscape open space	N/A
Functional amenity space	N/A – single-family lots
New use being added to the local community	Yes

#### Mobility

Parking spaces	N/A – Single family lots
Vehicle parking ratio	N/A
New electric vehicles charging stations	N/A
Secured bike parking spaces	N/A – Single family lots
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	No
Connection from the site to a public sidewalk	No
Connection from the site to a multi-use path	NA

#### Environmental Impact

Tree removals	None
Tree plantings	TBD
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	YES
Existing structures repurposed or reused	YES
Green building features	Unknown

## Appendix D – Public Engagement

### Community Engagement

**Public Liaison:** On August 9, 2023, a Notice of Application was sent to 38 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 10, 2023. A “Planning Application” sign was also placed on the site.

**Nature of Liaison:** The purpose and effect of this zoning change is to create new residential parcels on the Subject Lands. Possible change to Zoning By-law Z.-1 FROM a Residential R1 (R1-17) Zone, an Agricultural (AG1) Zone, and an Open Space (OS4) Zone TO a Residential R1 (R1-14) Zone, an Agricultural (AG1) Zone, and an Open Space (OS5) Zone.

**Public Responses:** There were 2 responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Type of development occurring on the lands
- Future road widening of Trafalgar and Crumlin Sideroad

## Appendix E - Agency/Departmental Comments

### Heritage

- The archaeological requirements for this property and application can be considered addressed.

### Ecology

Thank you for circulating the Draft Scoped Environmental Impact Study (EIS) Letter – 764, 772, and 774 Crumlin Side Road for review and comment. Please address the below items in the subsequent submission in support of final approval.

1. Recommendation 1 – Revise text from “(without fences)” to “(without gates)”.
2. Provide recommendations in text that address pathway alignment requirements based on Section 5.4 of the Environmental Management Guidelines, 2021 (EMGs). See EMGs text below:

*It is with these directions in mind that the City is generally of the position that pathways, trails and “passive” low-impact development may be incorporated into ecological buffers, provided they are:*

  - *designed, constructed and managed to support the natural heritage features and their ecological functions*
  - *typically located in the outer half of the buffer (i.e., further away from the feature rather than closer)*
  - *typically limited to a maximum of one third of the total buffer width (e.g., occupying no more than 5 m of a 15 m buffer) with the remaining buffer being naturalized, and*
  - *are proposed within buffers that meet or exceed the minimums established in Table 5-2*

*Pathways, trails and / or passive low impact development measures may only be permitted where they are demonstrated to meet all the criteria above in an environmental study at the City’s discretion, and in consultation with the appropriate agencies, where their regulated areas overlap with the features and buffers in question.*
3. Ensure all EIS recommendations are carried through to future consent agreement.

### Engineering

#### Comments to the Re Zoning:

- Engineering does not support the special policy area to allow smaller than 0.4ha lots as part of the zoning approval. Studies/reports will be required at the consent stage to determine if the special policy is feasible/achievable.
- Engineering does not support including the number of lots as part of the zoning approval. The number of lots will be determined by supporting studies/reports at the consent stage.
- Engineering recommends h 195 (or similar h) for the purpose of securing the required reports at the consent stage and for future notification to a potential buyer of the property.

Through further internal discussions it was determined that the engineering considerations will be dealt with through the conditions of consent to severe, and that these issues will not impact the proposed zoning.

**The following items are to be considered during a future consent application stage:**

#### ***Transportation:***

- Both the Crumlin SdRd and Trafalgar St frontages are subject to a 7.942 metre widening to achieve the required 18.0m from centreline.
- A 6m x 6m daylight triangle is required at the intersection.
- A Traffic Management Plan will be required for work in the City ROW to be submitted with the Site Plan proposal.
- Detailed comments regarding access design and location will be discussed through the Site Plan Process.

**Sewers:**

- There is no municipal sanitary sewer fronting or in close proximity to the proposed lands. Therefore, prior to any lot creation, since these lands are not serviced by existing municipal water or wastewater systems, the Owner shall include a servicing suitability study of groundwater and geotechnical conditions. This may include but not be limited to an assessment of water supply and sewage disposal system impacts of existing and proposed development associated with the site prepared by a professional hydrogeologist. The study must demonstrate to the satisfaction of the City that private sewage disposal systems, with associated reserve discharge areas, and storm drainage can be established and in particular if private sewage disposal systems are proposed, the Owner will be required to provide information with their application to demonstrate that the site can adequately meet the requirements of (MECP) MOE Procedure D-5-4 Technical Guideline for Individual On-Site Sewage Systems.
- All required separation distances set out in the Ontario Building Code between wells, septic systems and storm drainage systems must be adequately met.
- No endorsement, draft, or conditional approval under the Planning Act shall be provided by the City for any development dependent on a new private sewage disposal system, private water system or private drainage system until the development has complied with the provisions listed above.

**Water:**

- The subject lands are located outside of the Urban Growth Boundary and no municipal watermain fronts the property.
- The nearest municipal watermain is located at the corner of Trafalgar and Crumlin Rd. The applicant may extend municipal water servicing at their cost to service these lands in accordance with the City of London Design Standards and requirements;
- The applicant may choose to service any future lots with private water servicing for each site (private well).
- The Owner will be required to provide information with their application to demonstrate that the site can adequately meet the requirements of (MECP) MOE Procedure D-5-5 Private Wells: Water Supply Assessment.
- The City will not accept/permit a permanent automatic flushing device considering the proximity of the natural heritage features and the lack of a standard outlet for the flushing device.
- With respect to a possible crossing under the Crumlin Drain, it would be necessary to cross under the drain with a minimum of 1.5 m cover in order to prevent freezing of the watermain. However it would also be necessary to address Municipal Class EA requirements for the watermain Crossing if they are to be done by open cut or by trenchless crossing. Where a trenchless crossing were to be used, it would be necessary to address geotechnical requirements based on the existing soil conditions (i.e. to have sufficient cover for soil conditions to prevent frack out of a trenchless crossing) etc. Valving would be required on both sides of the channel crossing.
- If the crossing were to be done above the culvert, the 1.5 m cover requirement (above and below) would apply or the use of appropriate insulation would be necessary.

**Stormwater:**

- Please note: Any future development applications within subject lands that are not serviced by municipal water or wastewater systems shall be subject to a suitability study of the hydrogeological and surface drainage conditions in accordance with London Plan policy 477. This may include comprehensive groundwater investigations for the entire site, surface drainage conditions with regard for external and downstream impacts, and assessment of water supply and sewage disposal system impacts from the proposed development(s) associated with the site. If required, the hydrogeological assessment shall be scoped by City and UTRCA staff, and be prepared by a qualified professional. As well the hydrogeological assessment shall demonstrate to the satisfaction of the City, that private water well(s) and private sewage disposal system(s) can be established to meet the appropriate standards, will not impact adjacent properties and/or natural heritage features, and will not be impacted by groundwater and surface drainage conditions. The Owner is to engage with the MOEE to determine if their review of the D 5 4/D 5 5 assessment is required.
- The applicant should be aware that prior to approval of any future consent application, the owner's consultant is requested to develop a "Comprehensive Servicing Plan" or similar

document to guide future development and provide comprehensive phasing of the grading and SWM strategy to show drainage requirements will be met on the site(s). This document should demonstrate that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.

- The applicant should be aware that prior to approval of any future consent application, the owner's consultant is required to provide a preliminary lot grading plan for the portion of the parcel west of the Parkinson Drain safely, and assess overland stormwater flows to ensure safe conveyance up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- In accordance with the London Plan section 477, as part of the application for zoning by-law amendment, the applicant shall provide a hydrogeological study to assess the groundwater table and the cumulative impacts of the private water, sanitary, and stormwater servicing from multiple lots. The recommendations of the study are to be implemented by associated servicing design.
- The subject lands are bisected by a municipal drain identified as the Parkinsons Municipal Drain. The proposed development will require revised assessment schedules in accordance with the Drainage Act. The Owner is to initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedules in accordance with the Drainage Act, R.S.O 1990, as amended. A copy of revised assessment schedules are to be provided to the City's Drainage Superintendent. Assessment splits under the Section 65 (1) of the Drainage Act would be required on both the Parkinson Drain and Crumlin Drain.
- A maintenance easement must be left on at least one side of the ditch. This is typically 15 meters wide to allow room for an excavator, levelling of spoil and a grass buffer between the top of the bank and the levelled spoil. For the north/south portions of the Parkinson and Crumlin Drains this could be addressed by having the developer(s) provide working space under the Drainage Act (similar to an easement) along the east side of the ditch. For the portion of the Crumlin Drain from the junction of the ditches to Crumlin Road, working space under the Act will also be required. If the working space is proposed on these lots or future lots, we recommend a legal easement be registered on title.
- The site is located within the UTRCA regulated area and therefore UTRCA approval/permits may be required, including confirmation as to required setbacks and flood limits.
- The regulatory floodline elevation model may require an update based on the most recent information available and current Regulatory Floodline modeling standards. This update should be carried out. UTRCA must be engaged with respect to confirmation of Hazard Lands if there are any updated floodplain limits.
- The provided Planning and Design report states: *"As confirmed by the supporting servicing report, the proposed lot areas are a sufficient size and configuration to accommodate the future dwellings and future private on-site sanitary and storm services."* The report does not speak to stormwater servicing or management.
- There are no storm sewers currently established for the proposed site on Crumlin Side Road. As per the Drainage By-Law, section 5.2, where no storm sewer is accessible the applicant shall provide a dry well or storm water retention system which is certified by a Professional Engineer to the satisfaction of the City Engineer.
- Since the land use will ultimately be single family residential, per paragraph 5.7 of the Drainage by-law, foundation drain flows may alternatively be discharged via a sump pump to the ground surface, provided that the discharge to the ground surface does not create continually wet ground conditions and/or does not create any adverse effect upon municipal sidewalks and roads or upon adjacent properties. SWED opines that this provision is not feasible for the proposed lots without mitigation, particularly if a multi-use pathway is implemented as there would be a high-risk for icing issues.

### **General Comments**

- The subject lands are located in the Waubuno Subwatershed and is tributary to the Crumlin Drain. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Pottersburg Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- Any proposed Low Impact Development (LID) stormwater management solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate,

hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.

- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- The owner shall be required to comply with the MECP and City's applicable Acts, Regulations, Standards, Specifications and Requirements including Drainage By-Law and acts (WM-4), to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the specifications of the City Engineer.
- An erosion/sediment control plan shall be required that will identify all erosion and sediment control measures for the subject site during all construction phases, in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction in accordance with Erosion and Sediment Control Guide for Urban Construction (TRCA, 2019). These measures shall be identified in construction drawings with any background or design information to be included in the Storm/Drainage Servicing Report.

## UTRCA

- the subject lands **are** regulated by the UTRCA due to the presence of riverine flooding and erosion hazards associated with the Crumlin and Parkinson Drains. The proposed concept plan identifies the creation of thirteen (13) new residential lots with frontage on Crumlin Sideroad, to be serviced by individual on-site sanitary service and an extension of the municipal water service. The proposed applications seek to:
  - To create a special policy area within the *Rural Neighbourhoods Place* Type for undersized lots;
  - Re-zone from *Residential R1-17* to *Residential R1-14* for undersized lots; and,
  - Re-zone the lands subject to flood and erosion hazards plus their associated setbacks/buffers to *Open Space OS5*.
- We offer the following comments:
  - The area proposed to be designated and zoned for residential uses appears to be appropriately setback from the municipal drains/watercourses based on the descriptions provided within the Planning and Design Report. However, upon review of the revised development proposal, it appears as though the setback from proposed Lot 7 encroaches into this area. Please submit a revised development proposal figure which delineates:
    - The top of bank of the Parkinson and Crumlin drains/watercourses;
    - Dimensioned setbacks from the top of bank of the drains/watercourses to the proposed lot lines of all lots; and,
    - Dimensioned setbacks from the top of bank of the drains/watercourses to the proposed designation/zone boundary.

## Urban Design

- Urban Design staff have no further comments for the Official Plan / Zoning By-law Amendment at 764-774 Crumlin Sideroad. A condition will be requested at the time of Consent Application for street orientation for the Trafalgar Street-flanking elevation for Lot 1 . Please ensure Urban Design is circulated once this application is received.

## Parks Planning

### 1. Major Issues

- None.

## **2. Matters for OPA/ZBA**

- None.

## **3. Matters for Consent**

- Parkland dedication is required in the form land or cash in lieu of land, pursuant to By-law CP-25 and will be finalized at the time of consent.
- Based on the accepted EIS, the natural heritage lands may be accepted at a compensated rate as defined in By-law CP-25. The balance of the required dedication will be taken as cash in lieu.
- Fencing will be required along the shared property line as per City design standards SPO 4.8.
- Requirements for fencing, how the land is to be restored & transferred to the City will be refined through the future consent process.

## **Landscape Architecture**

### **1. Major Issues**

- No potential grounds for refusal, or issues that could require significant changes to the proposal.

### **2. Matters for OPA/ZBA**

- No matters that will influence the OP/ZBL mapping, designation/zone, regulations, special provisions, holding provisions, etc.

### **3. Matters for Consent**

- A tree preservation plan will be required at Consent Stage, completed in accordance with City of London **Section 13.3 SPC Bylaw**. Plan must: delineate limits of disturbance, identify all tree species at risk, inventory existing vegetation-species, size, location, health, age; calculate total diameter of tree growth proposed for removal [dbh] and detail tree removals, tree retention, tree fence alignment and construction mitigation measures.

## **Site Plan**

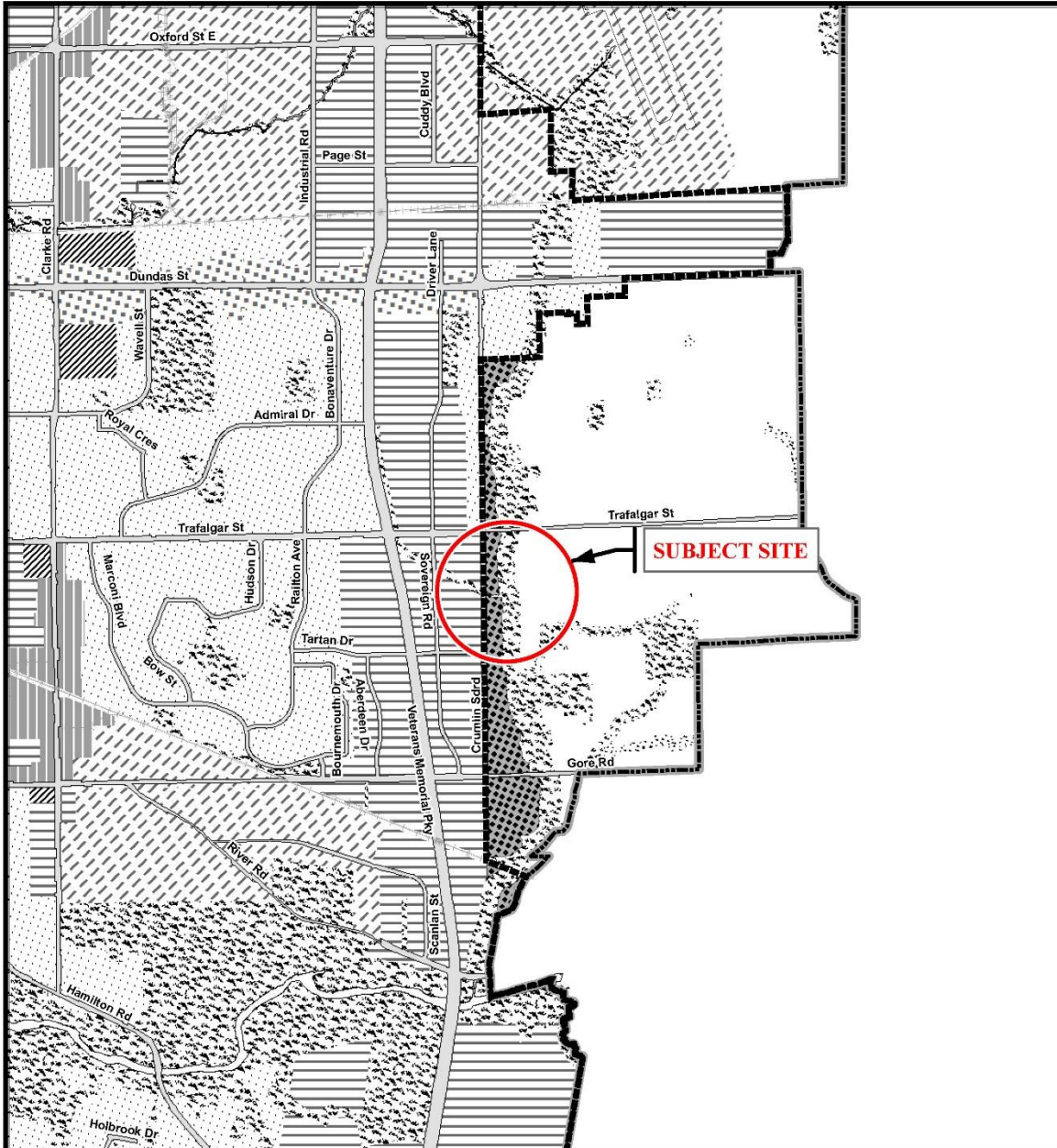
- As the proposal is for single detached dwelling, the development would not be subject to Site Plan.

## **London Hydro**

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

# Appendix F – Relevant Background

## The London Plan – Map 1 – Place Types



### Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

*This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

**CITY OF LONDON**  
**Official Plan**  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**

PREPARED BY: Planning & Development



Scale 1:30,000



**File Number:** OZ-9642

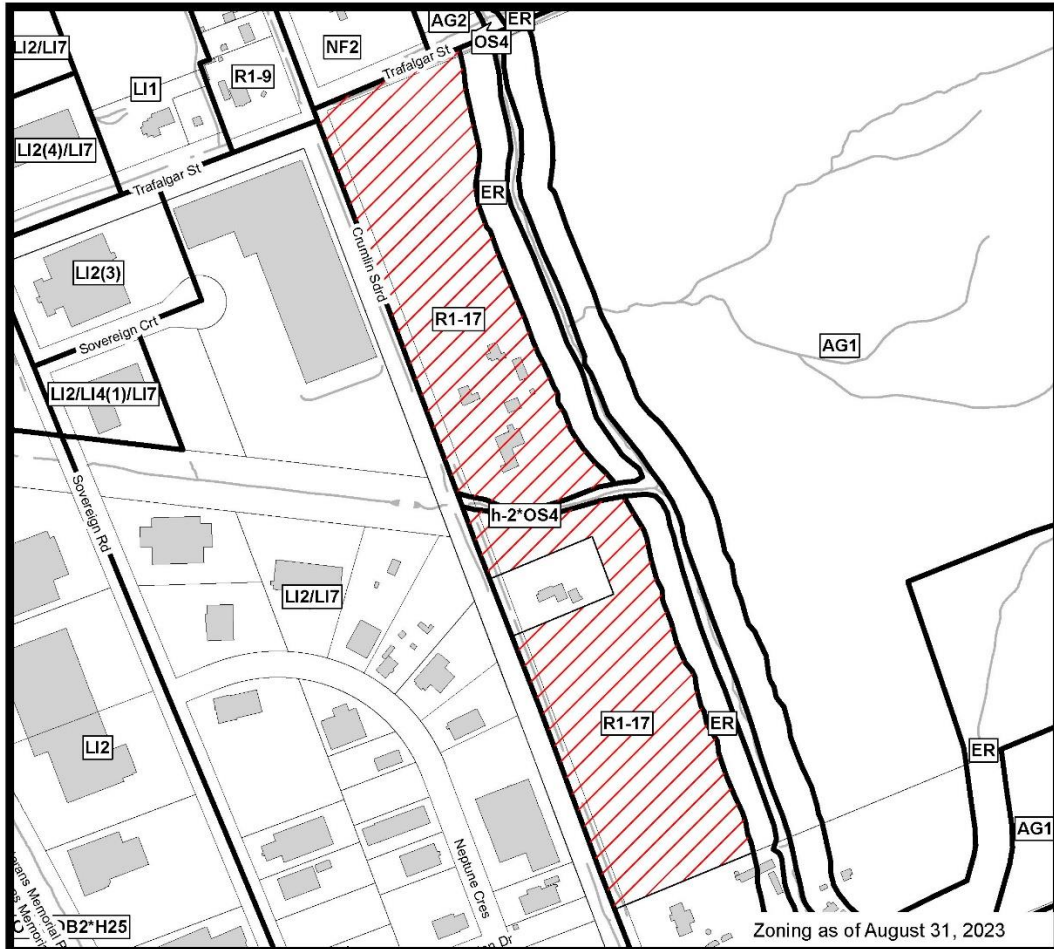
**Planner:** BH

**Technician:** RC

**Date:** 2023/9/26



# Zoning By-law Z-1 – Zoning Excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
  
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
BY-LAW NO. Z-1  
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

OZ-9642

BH

MAP PREPARED:

2023/09/26

RC

1:4,500

0 20 40 80 120 160 Meters