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**Z-8402**  
**Eric Lalande**

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| <b>TO:</b>      | <b>CHAIR AND MEMBERS<br/>PLANNING &amp; ENVIRONMENT COMMITTEE</b>   |
| <b>FROM:</b>    | <b>JOHN M. FLEMING<br/>MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>   |
| <b>SUBJECT:</b> | <b>APPLICATION BY: ARCHIBALD, GRAY AND MCKAY LTD.<br/>6667 WONDERLAND ROAD SOUTH<br/>PUBLIC PARTICIPATION MEETING ON<br/>NOVEMBER 4, 2014</b> |

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| <b>RECOMMENDATION</b> |
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Archibald, Gray and McKay Ltd relating to the property located at 6667 Wonderland Road South the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 11, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Agricultural (AG2) Zone, **TO** an Agricultural Special Provision (AG2(4)) Zone and an Agricultural Special Provision (AG2( )) Zone;

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| <b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b> |
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"None"

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| <b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b> |
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The purpose and effect of the recommended action is to fulfill a condition of consent to permit the severance of a surplus farm dwelling, whereby the farm operation is to be consolidated with an adjacent parcel. The Zoning By-law amendment will allow the existing residential dwelling on the lands to be retained to operate independently from a farm operation and restrict future residential opportunities on the lands to be severed.

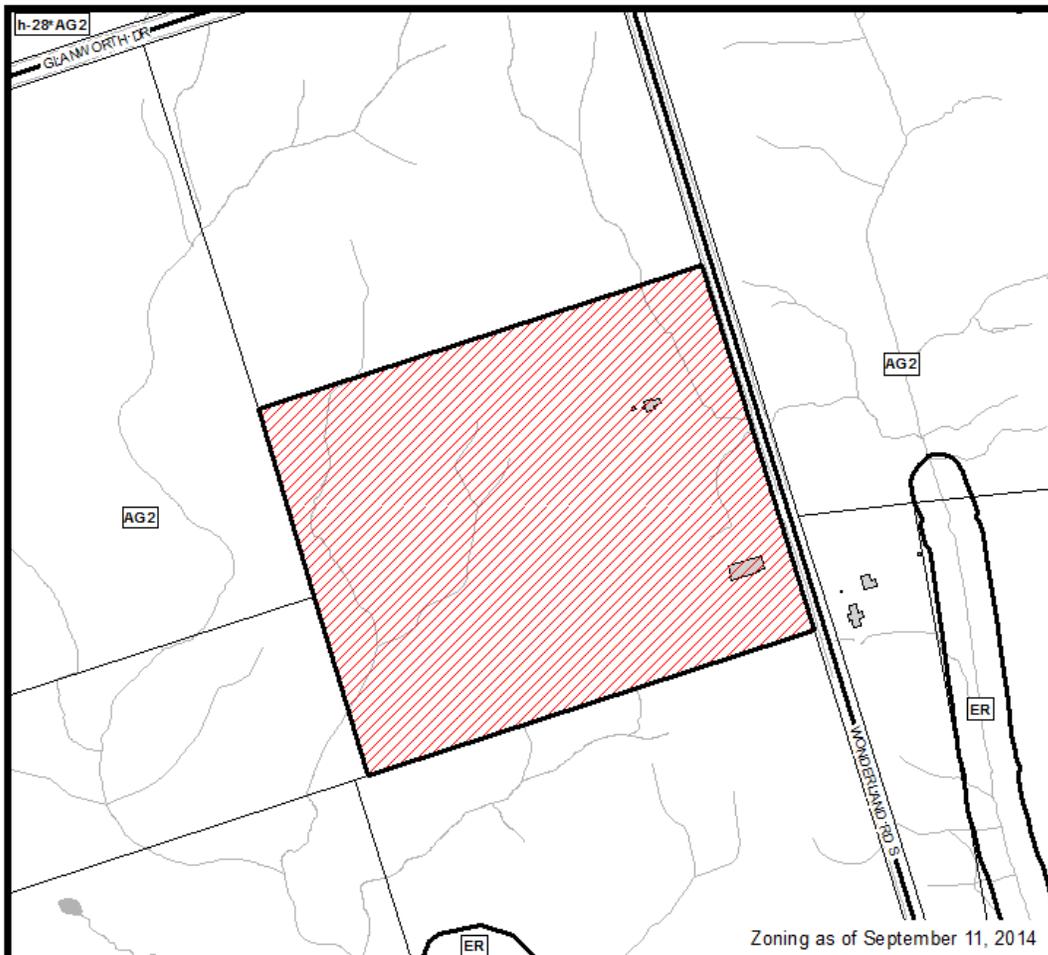
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| <b>RATIONALE</b> |
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1. The recommended action is consistent with the Provincial Policy Statement, 2014.
2. The recommended action is consistent with the Official Plan and Zoning By-law.
3. The recommended action supports the orderly consolidation of farm parcels and does not facilitate future residential growth in the agricultural area.
4. The recommended action will fulfill a condition of consent which enables the severance of a surplus farm dwelling that is no longer required as part of the larger farm operation.



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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: AG2**

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

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| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
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**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING 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:  
Z-8402 EL

MAP PREPARED:  
2014/09/22 MB



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**Eric Lalande**

**BACKGROUND**

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| <b>Date Application Accepted:</b> August 13, 2014                  | <b>Agent:</b> Archibald, Gray & McKay Ltd. |
| <b>REQUESTED ACTION:</b> AG2(*) to permit single detached dwelling |  |

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| <b>SITE CHARACTERISTICS:</b>  |
| <ul style="list-style-type: none"> <li>• <b>Current Land Use</b> - Agricultural</li> <li>• <b>Frontage</b> – 415 m (1,361 ft)</li> <li>• <b>Depth</b> – 505 m (1,656 ft)</li> <li>• <b>Area</b> – 21 ha (52ac)</li> <li>• <b>Shape</b> – Rectangular</li> </ul> |

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| <b>SURROUNDING LAND USES:</b>   |
| <ul style="list-style-type: none"> <li>• <b>North/South/East/West</b> - Agricultural</li> </ul> |

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| <b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)              |
| <ul style="list-style-type: none"> <li>• Agricultural</li> </ul>            |
| <b>EXISTING ZONING:</b> (refer to Zoning Map)                               |
| <ul style="list-style-type: none"> <li>• Agricultural (AG2) Zone</li> </ul> |

**PLANNING HISTORY**

On August 6, 2014, provisional consent was approved to sever 19.4ha of the subject lands and convey the severed portion to the adjacent parcel of land, known locally as 6249 Glanworth Drive. The portion of the subject lands to be retained comprises of 0.8ha to be used for residential purposes by maintaining the existing detached dwelling. The dwelling unit is considered surplus to the farm operations and is therefore considered appropriate.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Wastewater and Drainage Engineering:** *“the applicant will be required to provide confirmation that the proposed lot configuration will accommodate the private services and all required setbacks. WADE has no objection to the proposed amendment.”*

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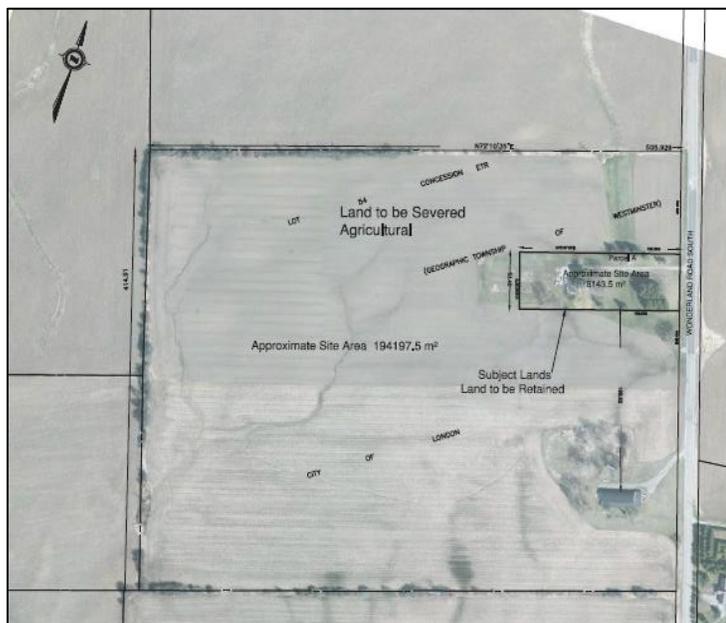
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**Eric Lalande**

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| <b>PUBLIC LIAISON:</b>   | On August 20, 2014, Notice of Application was sent to 8 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on September 25, 2014. A “Possible Land Use Change” sign was also posted on the site. | 0 replies were received |
| <b>Nature of Liaison:</b> The purpose and effect of the requested Zoning By-law amendment is to permit the consolidation of farm parcels and the severance of a surplus farm dwelling. |   |                         |
| <b>Responses:</b> “None”   |   |                         |

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| <b>ANALYSIS</b> |
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**NATURE OF APPLICATION**

The proposed amendment is to recognize the retained lot containing an existing single detached dwelling, whereas the severed lot is to be consolidated with the adjacent parcel and restricting the development of future residential dwellings. The portion of the subject lands to be retained comprises of 0.8ha to be used for residential purposes by maintaining the existing detached dwelling.



**PROVINCIAL POLICY STATEMENT, 2014**

The *Provincial Policy Statement, 2014* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

The PPS provides policy direction as it relates to uses in the agricultural area. Section 1.1.5.8 of the PPS provides for “*Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.*” As such, the recommended action is protecting the long-term goals of maintaining agricultural lands in the area while allowing for the continued, but separate, existing residential use by allowing for the consolidation of farm parcels prohibiting future residential dwelling units.

Further, section 1.1.5.9 ensures that “*new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formula.*” Minimum distance separation is required to minimize land use impacts specifically related to agricultural uses that create significant odour and issues. The recommended action is

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consistent with Minimum distance separation as described in this report, as the use and any conflicts already exist and the recommended action is not creating a new conflict.

Specifically the PPS provides policy direction on lot creation within the agricultural area through section 2.3.4.1 *“Lot creation in prime agricultural areas is discouraged and may only be permitted for:*

*c) a residence surplus to a farming operation as a result of farm consolidation, provided that:*

- 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
- 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective;”*

The recommended amendment specifically address both conditions listed in the above Provincial policy by including a special provision that facilitates a limited lot size to accommodate the use and appropriate sewage and water services and restricts the severed lands from permitting new residential dwellings.

**OFFICIAL PLAN**

The Official Plan contains short-term and long-term physical growth objectives of the municipality. It provides direction regarding the allocation of land use, provision, of municipal services and facilities, and preparation of regulatory by-laws to control the development and use of land.

The subject lands are designated “Agricultural” within the Official Plan. While lot creation is specifically discouraged within the agricultural area; subsection 9.2.14.2. iv) (Permitted Consents to Sever) may grant a consent for *“surplus farm dwellings in accordance with section 9.2.14.6”*. The consent to sever has previously been approved, thereby the proposed amendment is required to fulfill the conditions of consent, noted below, and implement the policies forming the basis for approval:

*“i) The land being severed from the dwelling lot parcel must be registered in the same style and manner as the adjoining parcel and shall be deemed from that date to be one parcel.”*

the farm operation is to be conveyed and form a single lot with the adjacent parcel to the west, therefore this criteria is met.

*ii) The dwelling lot will be kept to a minimum size necessary to comply with the Zoning By-law and to accommodate individual on-site waste water treatment and water supply.*

The proposed amendment requests a reduction in lot area and setbacks to minimize the size of the lot to comply with the Zoning By-law and accommodate individual on-site wastewater treatment and water supply, without compromising the existing agricultural lands.

*iii) the dwelling cannot be severed if it is part of the farm cluster.”*

The dwelling is a stand-alone dwelling and does not form a part of the larger farm operation or clustered with other farm structures, therefore this criteria is met.

Staff supports the proposed amendment as it is specifically intended to address Official Plan policy to appropriately implement and fulfill conditions of an approved consent.

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**ZONING BY-LAW**

The subject lands are zoned Agricultural (AG2) Zone. The proposed amendment is to amend the zone to include special provisions for both the retained and severed portions of the lot. The proposed amendment will effectively facilitate both the farm operation and the residential dwelling uses to continue to operate as they have in the past but continue to do so as separate uses on separate lots in the future. Further, in order to protect the agricultural area, the zoning amendment will prohibit new residential uses on the larger severed lot.

The Agricultural Zone is intended to be applied to lands which are designated Agriculture in the Official Plan. The creation of properties less than 40 ha (98.8 ac) in size is discouraged by the Official Plan policies. The AG2 Zone variation permits intensive and non-intensive agricultural uses. However, in certain exceptions, in line with Provincial and local policies as noted in this report, special provisions to allow for the single detached dwelling on a limited lot and the restriction on future residential dwellings is supported to implement the protection of the agricultural area. The consolidation of the severed parcel with the adjoining farm parcel also helps to ensure that a viable farm operation is maintained on abutting lands as a result of this application for severance and rezoning.

***Minimum Distance Separation***

The Province provides Minimum Distance Separation guidelines as it relates to the severance of land in the agricultural area, *“where a new lots proposed with an existing dwelling, and that dwelling is already located on a lot separate from the livestock facility, MDS 1 is not applied as the potential odour conflict is already present between the neighbouring livestock facility and the existing dwelling”*. The proposed amendment will facilitate this type of development, and MDS should not be applied in this situation. A new conflict is not being created and it is not reasonable to apply MDS to either the existing farm operation or existing dwelling. It should be noted that exiting land use impact expectations shall remain and that this application will not create new land use impacts to the agricultural area.

The recommended action is considered appropriate based on the review of the application as it relates the proposed use as an existing dwelling in the agricultural area that will cease its connection with the adjacent farm operation. Further, the detached dwelling is consistent with the type of dwellings associated within an agricultural area, which thereby maintains the form and intensity of the existing context on the subject lands and the area.

**CONCLUSION**

Staff supports the recommended action as it is consistent with the Provincial Policy Statement, 2014, the Official Plan and the Zoning By-law. The recommended action supports the orderly consolidation of farm parcels and does not facilitate future residential growth in the agricultural area. The proposed amendment will fulfill a condition of consent which enables the severance of a surplus farm dwelling that is no longer required as part of the larger farm operation.

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**Eric Lalande**

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| <b>PREPARED BY:</b>  | <b>SUBMITTED BY:</b>   |
| <br>   | <br>   |
| <b>ERIC LALANDE, PLANNER II<br/>CURRENT PLANNING</b>                               | <b>MICHAEL TOMAZINCIC, MCIP, RPP<br/>MANAGER, CURRENT PLANNING</b> |
| <b>RECOMMENDED BY:</b>   |  |
| <br>   |  |
| <b>JOHN M. FLEMING, MCIP, RPP<br/>MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b> |  |

September 19, 2014

EL/el

“attach”

Y:\Shared\implemen\DEVELOPMENT APPS\2014 Applications 8309 to\8402Z - 6667 Wonderland Rd S (EL)\Z-8402 - 6667 Wonderland Road South - ZBL Amendment Report.docx

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**Responses to Public Liaison Letter and Publication in “The Londoner”**

| <u>Telephone</u> | <u>Written</u> |
|------------------|----------------|
| N/A              | N/A            |
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**Z-8402**  
**Eric Lalande**

**Bibliography of Information and Materials**  
**Z-8402**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Archibald, Gray and McKay Ltd., August 7, 2014.

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, 2014.

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

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

AGM, *Planning Report*, No Date.

**Correspondence: (all located in City of London File No. Z-8402 unless otherwise stated)**

**City of London -**

City of London Planning Division. Ricciuto, M. email to Lalande, E. August 21, 2014.

**Other:**

Staff visit and photos of the subject lands from October 3, 2014.

Two empty rectangular boxes for agenda item and page numbers.

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Eric Lalande**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. Z.-1-14\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 6667  
Wonderland Road South.

WHEREAS Archibald, Gray and McKay Ltd. has applied to rezone an area of  
land located at 6667 Wonderland Road South, 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 6667 Wonderland Road South, as shown on the attached map comprising  
part of Key Map No. A117, from an Agricultural (AG2) Zone to an Agricultural Special  
Provision (AG2(4)) and an Agricultural Special Provision (AG2( )) Zone.
- ) Section Number 45.4 of the Agricultural (AG2) Zone is amended by adding the following  
Special Provision:
  - ) AG2( )
    - a) Permitted Use:
      - i) Single detached dwelling
    - b) Regulations:
      - i) Lot Area 0.82 ha (2.03 ac)
      - ii) Lot Frontage 53.4 metres (175.2 feet)
      - iii) Side Yard (Minimum) 15 metres (49.2 feet)

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

This By-law shall come into force and be deemed to come into force in accordance with 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 November 11, 2014.

J. Beachler  
Mayor

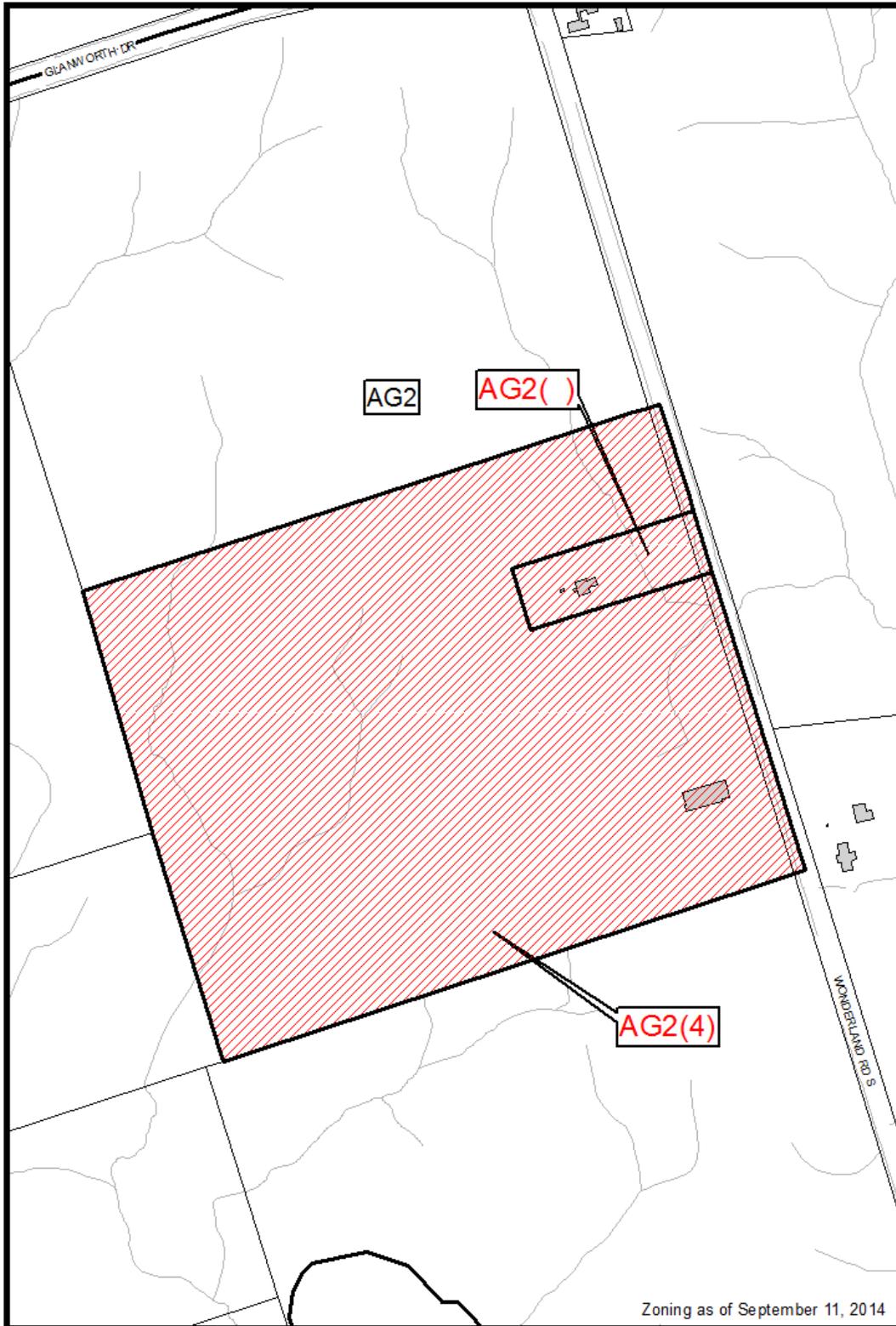
Catharine Saunders  
City Clerk

First Reading - November 11, 2014  
Second Reading – November 11, 2014  
Third Reading - November 11, 2014

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Z-8402  
Eric Lalande

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



Zoning as of September 11, 2014

File Number: Z-8402  
 Planner: EL  
 Date Prepared: 2014/09/22  
 Technician: MB  
 By-Law No: Z.-1-

SUBJECT SITE 

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Geocube