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File: Z-8512  
Planner: B. Debbert

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: DAVE AND KIM STEWART 2525 AND 2695 DINGMAN DRIVE PUBLIC PARTICIPATION MEETING ON OCTOBER 5, 2015</b>

<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 Dave and Kim Stewart relating to the property located at 2525 and 2695 Dingman Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 13, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of 2525 Dingman Drive **FROM** an Urban Reserve (UR6) Zone, an Open Space (OS4) Zone and an Environmental Review (ER) Zone **TO** a Residential R1 Special Provision (R1-16(\_)) Zone, an Urban Reserve (UR6) Zone and an Open Space (OS4) Zone, and to change the zoning of 2695 Dingman Drive **FROM** an Urban Reserve (UR6) Zone and an Open Space (OS4) Zone **TO** a Residential R1 Special Provision (R1-16(\_)) Zone, an Urban Reserve (UR6) Zone and an Open Space (OS4) Zone;

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the recommended Zoning By-law amendment is to facilitate the severance of 2525 Dingman Drive for the construction of a new single detached dwelling on the east part of 2525 Dingman Drive and the conveyance of the west part of 2525 Dingman Drive to 2695 Dingman Drive. Lands at the south end of 2525 Dingman Drive will also be recognized and protected as part of the natural heritage system through the application of Open Space zoning.

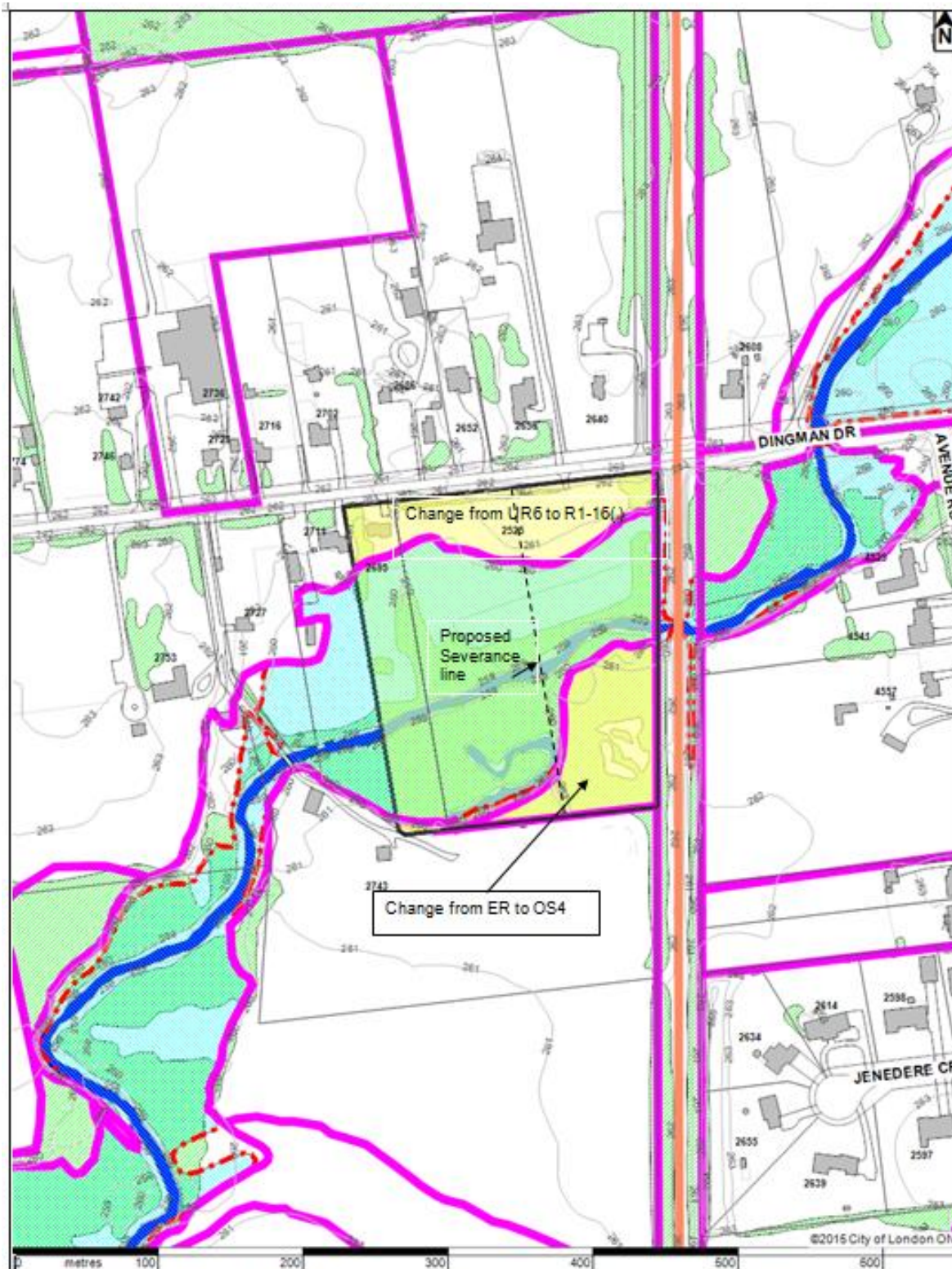
<b>RATIONALE</b>
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The proposed amendment, based on the rationale contained in this report:

1. Is consistent with the Provincial Policy Statement, 2014;
2. Conforms to the general intent of the Official Plan; and,
3. Conforms to the general intent of the Zoning By-law.

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**LOCATION MAP**  
 Subject Site: 2525 and 2695 Dingman Drive  
 Applicant: Dave and Kim Stewart  
 File Number: Z-8512  
 Planner: Barb Debbert  
 Created By: Barb Debbert  
 Date: 2015-08-04  
 Scale: 1:3200

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

LEGEND	
	Subject Site
	Parks
	Assessment Parcels
	Buildings
	Address Numbers

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<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> July 15, 2015	<b>Agent:</b> Kirkness Consulting (Laverne Kirkness)
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**REQUESTED ACTION:**  
Change the zoning of the north parts of both 2525 and 2695 Dingman Drive from Urban Reserve (UR6) to Residential R1 Special Provision (R1-16(\_)), and of the extreme south part of 2525 Dingman Drive from Environmental Review (ER) to Open Space (OS4).

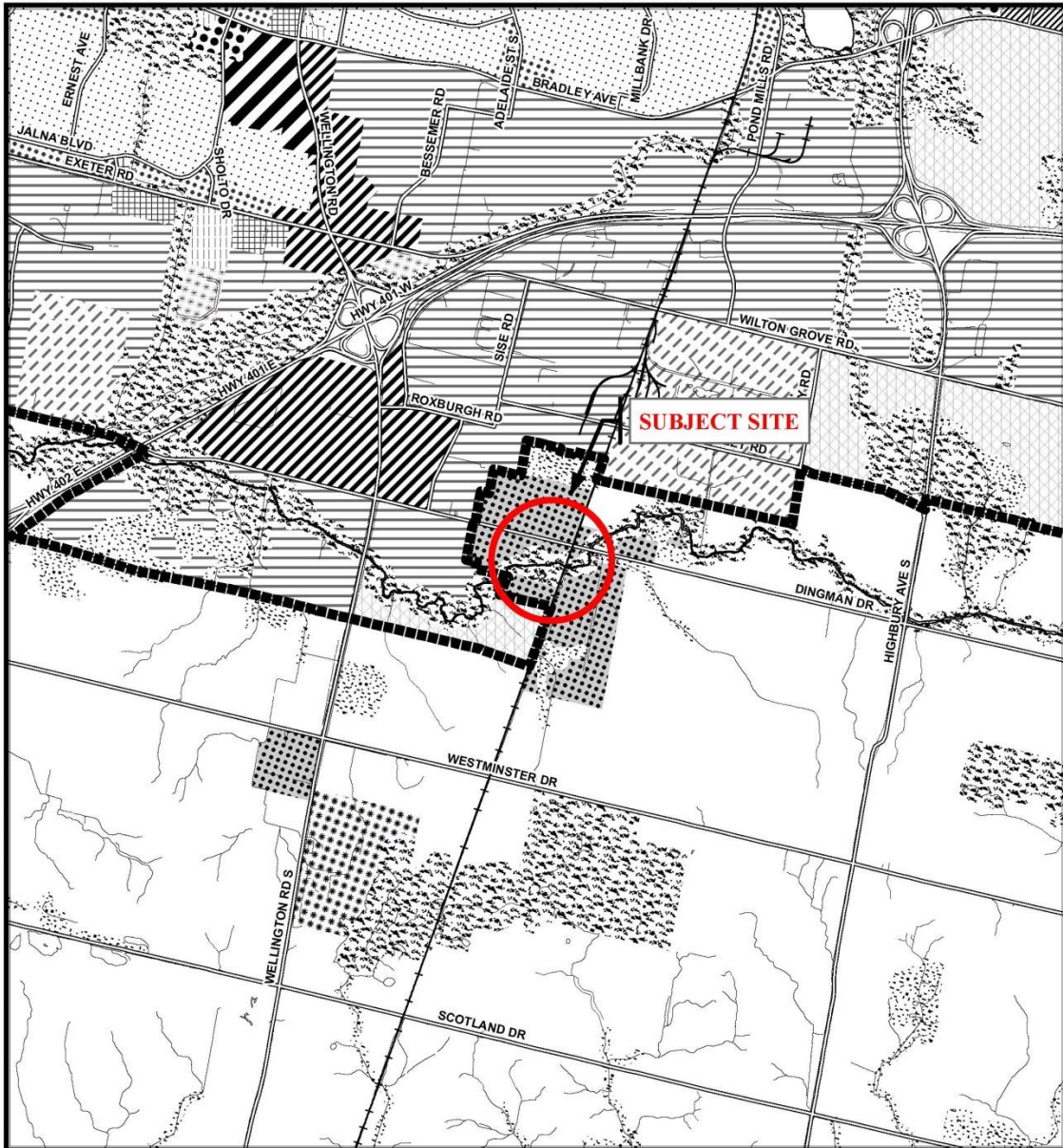
- SITE CHARACTERISTICS:**
- **Current Land Use** – single detached dwelling and vacant lot
  - **Frontage** – 216.6 metres
  - **Depth** – approx. 230 metres
  - **Area** – 4.35 ha.(10.75 acres)
  - **Shape** – roughly rectangular

- SURROUNDING LAND USES:**
- **North** - Large-lot single detached residential
  - **South** - Vacant land partially used for farming
  - **East** - Canadian National Railway, large lot single detached residential with some land used for farming
  - **West** - large lot single detached residential, industrial

- OFFICIAL PLAN DESIGNATION:** (refer to Official Plan Map)
- Rural Settlement and Open Space (Schedule A)
  - Unevaluated Vegetation Patch, Potential ESA, Significant Corridor, Big Picture Meta-Cores and Meta-Corridors, Maximum Hazard Line (Schedule B1)
  - Regulatory Flood Line, UTRCA Regulation Limit (Schedule B2)
  - Rural Settlement, and Open Space and Environmental Review (Southwest Area Plan)
- EXISTING ZONING:** (refer to Zoning Map)
- Urban Reserve (UR6), Open Space (OS4) and Environmental Review (ER)

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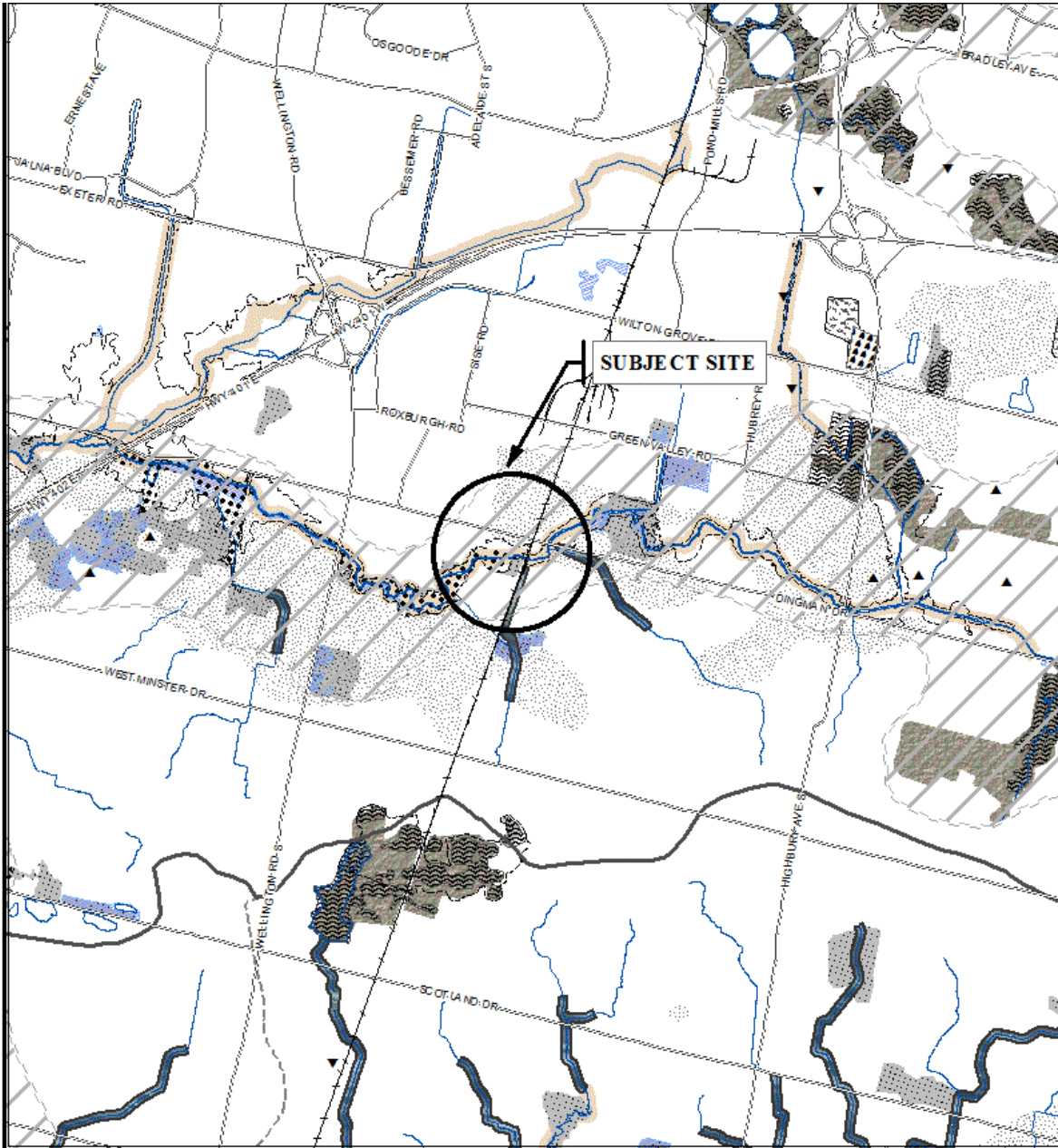
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<p><b>Legend</b></p> <table border="0"> <tr> <td> Downtown</td> <td> Office/Residential</td> </tr> <tr> <td> Wonderland Road Community Enterprise Corridor</td> <td> Office Business Park</td> </tr> <tr> <td> Enclosed Regional Commercial Node</td> <td> General Industrial</td> </tr> <tr> <td> New Format Regional Commercial Node</td> <td> Light Industrial</td> </tr> <tr> <td> Community Commercial Node</td> <td> Regional Facility</td> </tr> <tr> <td> Neighbourhood Commercial Node</td> <td> Community Facility</td> </tr> <tr> <td> Main Street Commercial Corridor</td> <td> Open Space</td> </tr> <tr> <td> Auto-Oriented Commercial Corridor</td> <td> Urban Reserve - Community Growth</td> </tr> <tr> <td> Multi-Family, High Density Residential</td> <td> Urban Reserve - Industrial Growth</td> </tr> <tr> <td> Multi-Family, Medium Density Residential</td> <td> Rural Settlement</td> </tr> <tr> <td> Low Density Residential</td> <td> Environmental Review</td> </tr> <tr> <td> Office Area</td> <td> Agriculture</td> </tr> <tr> <td></td> <td> Urban Growth Boundary</td> </tr> </table>		Downtown	Office/Residential	Wonderland Road Community Enterprise Corridor	Office Business Park	Enclosed Regional Commercial Node	General Industrial	New Format Regional Commercial Node	Light Industrial	Community Commercial Node	Regional Facility	Neighbourhood Commercial Node	Community Facility	Main Street Commercial Corridor	Open Space	Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Multi-Family, Medium Density Residential	Rural Settlement	Low Density Residential	Environmental Review	Office Area	Agriculture		Urban Growth Boundary
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<p><b>CITY OF LONDON</b> Department of Planning and Development <b>OFFICIAL PLAN SCHEDULE A</b> - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p style="text-align: center;">               Scale 1:30,000                Meters         </p>	<p>FILE NUMBER: Z-8512 PLANNER: BD TECHNICIAN: TT DATE: 2015/09/08</p>																									

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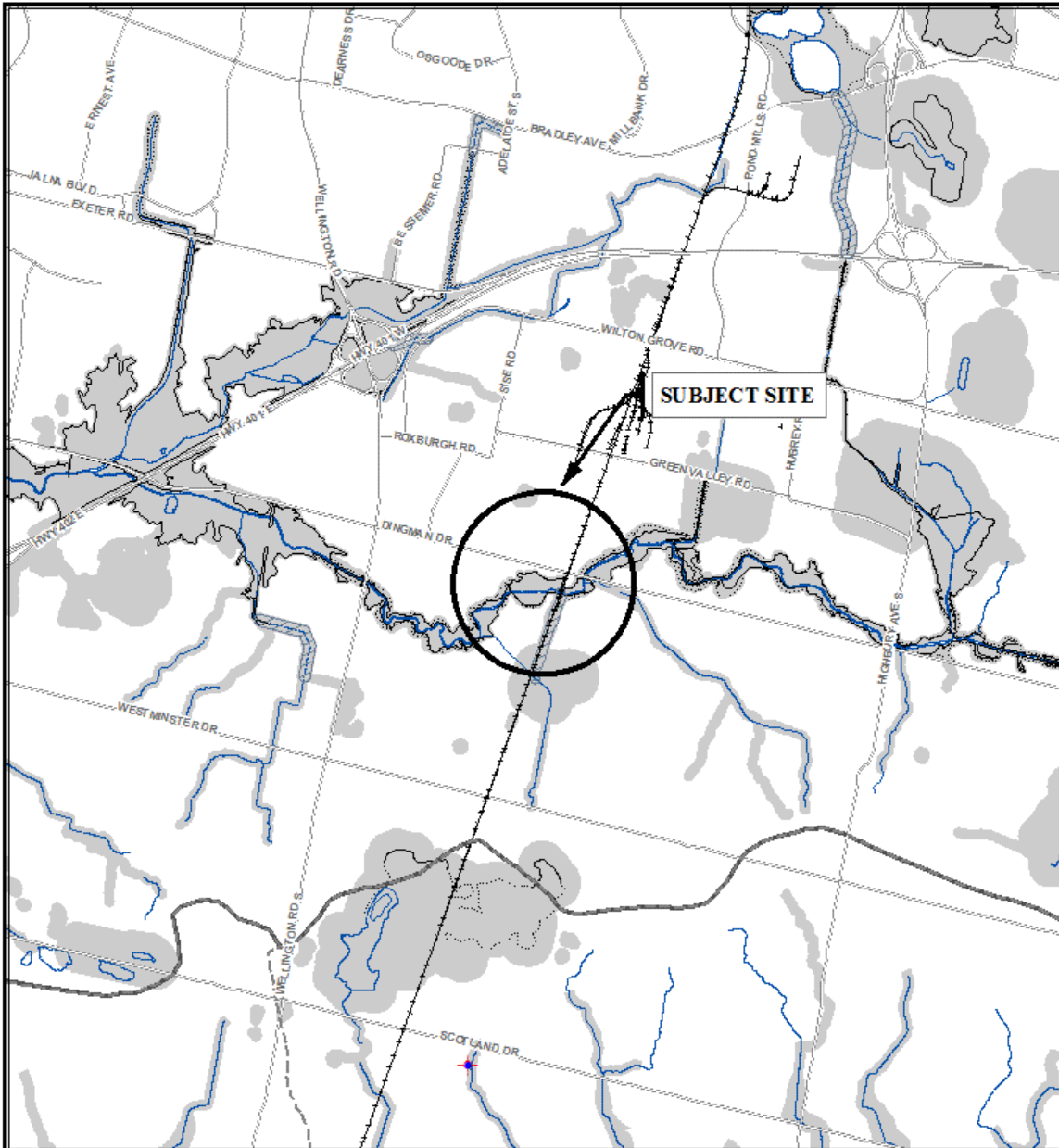
File: Z-8512  
Planner: B. Debbert



<p><b>NATURAL HERITAGE SYSTEM</b></p> <ul style="list-style-type: none"> <li> ESAs</li> <li> Potential ESAs</li> <li> Significant Woodlands</li> <li> Woodlands</li> <li> Unevaluated Vegetation Patches</li> <li> Significant River, Stream, and Ravine Corridors</li> <li> Unevaluated Stream and Ravine Corridors</li> <li> Provincially Significant Wetlands</li> <li> Locally Significant Wetlands</li> <li> Unevaluated Wetlands</li> <li> Potential Naturalization Areas</li> <li> Potential Upland Corridors</li> <li> Ground Water Recharge Areas</li> </ul>	<p><b>NATURAL HAZARDS</b></p> <ul style="list-style-type: none"> <li> Maximum Hazard Line</li> </ul> <p><small>NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.</small></p> <p><small>NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.</small></p> <p><b>Base Map Features</b></p> <ul style="list-style-type: none"> <li> Railways</li> <li> Water Courses/Ponds</li> <li> Streets (refer to Schedule "C")</li> <li> Conservation Authority Boundary</li> <li> Subwatershed Boundary</li> <li> Big Picture Meta-Cores and Meta-Corridors</li> </ul>	
<p><b>CITY OF LONDON</b> Department of <b>Planning and Development</b></p> <p><b>OFFICIAL PLAN SCHEDULE B1 - NATURAL HERITAGE FEATURES -</b></p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>FILE NUMBER:</b> Z-8512</p> <p><b>PLANNER:</b> BD</p> <p><b>TECHNICIAN:</b> MB</p> <p><b>DATE:</b> 2015/09/25</p>

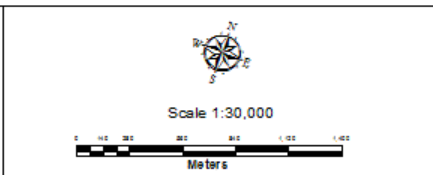
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File: Z-8512  
Planner: B. Debbert



<p><b>NATURAL RESOURCES</b></p> <ul style="list-style-type: none"> <li> Aggregate Resource Areas</li> <li> Extractive Industrial</li> <li> Emergency Municipal Water Wells</li> </ul> <p><b>Base Map Features</b></p> <ul style="list-style-type: none"> <li> Railways</li> <li> Water Courses/Ponds</li> <li> Streets (refer to Schedule "C")</li> <li> Conservation Authority Boundary</li> <li> Subwatershed Boundary</li> <li> Potential Special Policy Areas</li> <li> Special Policy Area</li> </ul>	<p><b>NATURAL HAZARDS</b></p> <ul style="list-style-type: none"> <li> Regulatory Flood Line <small>NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.</small> <small>NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.</small></li> <li> Riverine Erosion Hazard Limit For Confined Systems</li> <li> Riverine Erosion Hazard Limit For Unconfined Systems</li> <li> Steep Slopes Outside of the Riverine Erosion Hazard Limit</li> <li> Abandoned Oil/Gas Wells</li> <li> Conservation Authority Regulation Limit</li> </ul>
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**CITY OF LONDON**  
Department of  
**Planning and Development**  
OFFICIAL PLAN SCHEDULE B2  
NATURAL RESOURCES  
AND  
NATURAL HAZARDS  
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8512  
PLANNER: BD  
TECHNICIAN: MB  
DATE: 2015/09/29

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File: Z-8512  
Planner: B. Debbert



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR6/OS4/ER**

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

- |  |   |
|--|---|
| <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> |
|--|---|

**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-8512 BD

MAP PREPARED:  
2015/09/08 TT

1:2,000  
0 10 20 40 60 80 Meters

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File: Z-8512  
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**PLANNING HISTORY**

These lands are part of the Southwest Area Plan which came into force and effect April 29, 2014 (OPA No. 541).

2525 Dingman Drive is also the subject of an application for consent to sever (B.024/15). The intent of this application is to adjust the property line between 2525 and 2695 Dingman Drive. No additional lots are being created.

No other previous planning applications have been made on this property.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Environmental and Parks Planning**

*The Environmental Impact Study prepared in support of the consent and proposed zoning by-law amendment applications is acceptable to the Environmental and Parks Planning Section. Generally, the Official Plan discourages the fragmentation of hazard lands and encourages the assembly of these lands; however, the proposed application does not further fragment the existing situation. In addition, the applicant is proposing to zone the hazard lands to an appropriate Open Space Zone to protect the natural heritage features.*

*Parkland dedication for the properties is typically taken at the time of consent and may be in the form of land dedication or cash-in-lieu. In this situation, the owner/applicant will be required to make a cash-in-lieu payment to the City in accordance with the rates for single detached lots set out in the Parkland Conveyance and Levy By-law CP-9.*

**Wastewater and Drainage Engineering - Sanitary**

*There is no municipal sanitary outlet available for 2525 Dingman Drive. An alternative sewage disposal system will have to be considered, subject to the Ministry of Environment, Building Control Division, and U.T.R.C.A. guidelines and approval.*

*As part of a complete application a hydrogeological and geotechnical study must be done for a private septic system. The hydrogeological report may be subject to a peer review, at the owner's expense. The study would need to meet the criteria identified in MOE Procedure D-5-4 Technical Guideline for Individual On-Site Sewage Systems Water Quality Risk Assessment Impact.*

*It is noted that the proposed septic system envelope is partially within the Conservation Authority Regulation Limit.*

**Upper Thames River Conservation Authority**

With respect to Drinking Water Source Protection, the UTRCA identified a Highly Vulnerable Aquifer and a Significant Groundwater Recharge Area on the site, indicating that certain activities on this property may be considered moderate or low threats to drinking water.

Following comments on the relevance of the UTRCA Environmental Planning Policy Manual and the Provincial Policy Statement, the UTRCA recommended as follows:

*On August 18, 2015, the UTRCA provided comments on consent application B.024/15 advising that we did not have an objection to the severance and also that a Section 28 permit would be required for the proposed house. Similarly, the UTRCA has no objection to this application to amend the Zoning By-law from UR6 to R1 to permit a single detached dwelling on the newly*



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created parcel. We also support the rezoning of the ER lands to an Open Space zone, however given the significance of the feature we recommend that these lands be zoned OS5 to provide the greatest level of protection.

**Environmental and Ecological Planning Advisory Committee**

That the following actions be taken with respect to the properties located at 2525 and 2695 Dingman Drive:

- a) The Civic Administration **BE ADVISED** that natural heritage features located outside of the flood plain are generally zoned OS5; it being noted that the Environmental and Ecological Planning Advisory Committee recommends that the subject lands be zoned OS5; it being further noted that the Civic Administration is recommending OS4 zoning for this site; and,
- b) It **BE NOTED** that the Notice dated August 26, 2015, from B. Debbert, Senior Planner, with respect to an application submitted by Dave and Kim Stewart, relating to this matter, was received.

<b>PUBLIC LIAISON:</b>	On August 26, 2015, Notice of Application was sent to 21 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 August 27, 2015. A "Possible Land Use Change" sign was also posted on the site.	1 reply was received
<b>Nature of Liaison:</b>		
<p>The purpose and effect of the requested Zoning By-law amendment is to facilitate the severance of 2525 Dingman Drive for the construction of a new single family home on the east part of 2525 Dingman Drive and the conveyance of the west part of 2525 Dingman Drive to 2695 Dingman Drive. Lands at the south end of 2525 Dingman Drive will also be recognized as part of the natural heritage system through the application of open space zoning.</p> <p>Change Zoning By-law Z.-1 on the north part of both 2525 and 2695 Dingman Drive from the Urban Reserve (UR6) Zone, to a Residential R1 Special Provision (R1-16(_)) Zone to permit a single detached dwelling, with a special provision to permit a reduced rear yard setback of 8.5 metres from the adjacent Open Space (OS4) Zone. Also change Zoning By-law Z.-1 for the south part of 2525 Dingman Drive from the Environmental Review (ER) Zone to the Open Space (OS4) Zone.</p> <p>These lands are also subject to an application for consent to sever (B.024/15).</p>		
<b>Responses:</b>		
<ul style="list-style-type: none"> <li>- supportive of application as long as the trees at the rear of the property are protected</li> <li>- noted the poor property standards condition of the property and hopes it will be cleaned up</li> </ul>		

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**ANALYSIS**

**SUBJECT SITE**

The subject site consists of two properties fronting Dingman Drive immediately west of the Canadian National Railway line. The easterly property, 2525 Dingman Drive, is the larger of the two properties, and is currently vacant. The westerly property, 2695 Dingman Drive, is the site of an existing single detached dwelling. Dingman Creek traverses both properties, which are also heavily vegetated. Approximately the rear 4/5ths of both properties are within the Open Space designation to prevent development within the associated floodplain and to protect the related natural heritage features. The properties are located within a cluster of primarily single detached dwellings located on large lots, some of which are also used for farming activities, along with one industrial use.

**NATURE OF THE APPLICATION**

The applicant is requesting a Zoning By-law amendment to facilitate a consent for a property line adjustment, which would increase the frontage of 2695 Dingman Drive from 34.2 metres to 116.6 metres, and reduce the frontage of 2525 Dingman Drive from 182.4 metres to 100 metres. The full depth of both lots, of approximately 225 metres, will be maintained. The creation of a new lot is not proposed. A rezoning from the Urban Reserve (UR6) Zone to a Residential R1 zone variation is required to recognize the new lot configurations and to permit the construction of a new single detached dwelling at 2525 Dingman Drive. The lots have access to the municipal water supply and the new dwelling will be serviced by an individual on-site sewage system.

**USE**

*Provincial Policy Statement 2014 (PPS)*

The *Provincial Policy Statement 2014 (PPS)* provides policy direction on matters of provincial interest related to land use and development. The policies support the development of healthy, liveable and safe communities by “*accommodating an appropriate range and mix of residential ...uses to meet long-term needs*” [1.1.1.b)]. The PPS also identifies settlement areas as “*urban areas and rural settlement areas*” [1.1.3], stating that “*Settlement areas shall be the focus of growth and development...*” [1.1.3.1]. The proposed construction of a single detached dwelling on a redefined existing lot of record within an existing settlement area is consistent with the *Provincial Policy Statement*.

Furthermore, “*Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety*” [1.1.3.3].

With respect to natural heritage resources, the PPS does not permit development and site alteration in significant woodlands and significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions [2.1.5]. It also prohibits development and site alteration in fish habitat or the habitat of endangered species except in accordance with provincial and federal requirements [2.1.6 and 2.1.7]. Furthermore, “*Development and site alteration shall not be permitted on adjacent lands to the ... natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions*” [2.1.8]. The PPS also provides protection to sensitive surface and groundwater features [2.2.1 and 2.2.2].

The PPS protects public health and safety by directing development to “*areas outside of hazardous lands adjacent to...stream...systems which are impacted by flooding hazards and/or erosion hazards.*” [3.1.1].

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The environmental impact study prepared for this site by BioLogic (May 29, 2015) concludes that “*There are no direct impacts anticipated to the ...natural heritage features by constructing a house and septic service on the revised lot of 2525 Dingman Drive. All construction work is beyond the regional flood limit for the Dingman Creek. Additionally, the proposed single family residence and septic bed at 2525 Dingman Drive are located 50 – 55 m from the woodland edge and 60 – 75 m from Dingman Creek. This 50m setback of cultural plantation/cultural meadow between the proposed development and woodland/Dingman Creek is more than sufficient to protect the ...natural heritage features and habitat that warrant consideration.*”

The Upper Thames River Conservation Authority identified certain activities on the property as potential moderate to low threats to drinking water. Under the *Clean Water Act*, the Source Protection Committee has the authority to include policies that may prohibit or restrict activities identified as posing a significant threat to drinking water. There are no significant threats to drinking water for this site and therefore no land use restrictions need to be imposed.

The proposed development is restricted to the front portions of the property outside of the environmentally significant features. The proposal is consistent with the *Provincial Policy Statement* as it facilitates an appropriate level of residential intensification within the existing rural settlement area while protecting the adjacent natural heritage features and maintaining public health and safety.

*Official Plan and the Southwest Area Plan (SWAP)*

The front portion of the subject site is located within the Rural Settlement designation in the Official Plan and in the Southwest Area Plan which is a secondary plan to the Official Plan. The Rural Settlement designation in both the Official Plan and SWAP permits single detached dwellings on lots suitably sized to allow for the proper siting and functioning of individual on-site water supply and wastewater treatment systems, as the primary permitted uses [OP 9.3.1 and SWAP 20.5.12 i) ii)].

Residential infill by severance is subject to criteria relating to the need for the extension of major services, the provision of required private services, the location of the site within the limits of the Rural Settlement designation, and potential impacts of the proposed severance on existing livestock operations in the area [9.3.4 and 9.3.6]. The proposed severance represents a boundary adjustment, not the creation of a new lot. The Planning Justification Report prepared by Kirkness Consulting (June 2015) indicates that the feasibility of the planned individual private sewage system was reviewed by a qualified engineering consultant. Detailed design of the system will be required at the building permit stage. Because the lot with the existing dwelling will be made larger through the severance process, it is expected an appropriately designed private sewage system can be maintained on the property. The area is serviced by municipal water, so the extension of major services or the installation of a private well is not required. Construction on the adjusted lot will not result in non-farm residential uses being created in closer proximity to an existing livestock operation than already exists. The proposal is in keeping with the intent of the Official Plan and the SWAP to promote appropriate infill development within existing Rural Settlement areas.

The rear portion of the subject site is designated Open Space on Schedule A of the Official Plan, and is designated as Open Space and Environmental Review in SWAP. These lands are intended to be protected from inappropriate activities based on the natural heritage features and natural hazards that may exist within these lands. The Open Space and Environmental Review designation is to remain and no development is proposed on the affected lands.

*Zoning By-law*

The applicant has requested an amendment on the front portion of the site from the Urban Reserve (UR6) Zone to a Residential R1 Special Provision (R1-16(\_)) Zone in order to recognize the existing use of a single detached dwelling at 2695 Dingman Drive and to permit the construction of a new single detached dwelling at 2525 Dingman Drive. The proposed

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Residential R1 (R1-16) zone is an appropriate zone to permit the residential use.

In recognition of the City’s desire to provide an appropriate level of environmental protection to the rear portion of the property, the applicant has agreed that the rear portion of 2525 Dingman Drive which is currently in the Environmental Review (ER) Zone, may be rezoned to the Open Space (OS4) Zone.

The Upper Thames River Conservation Authority and the Environmental and Ecological Planning Advisory Committee recommended these lands be placed in the Open Space (OS5) Zone. The recommended Open Space (OS4) Zone is consistent with the zoning on the adjacent lands including and surrounding the Dingman Creek between Wellington Road South to the west, and Hubrey Road to the east, and will provide sufficient protection to these lands. These lands are also protected by the Tree Conservation By-law.

**INTENSITY**

*Provincial Policy Statement 2014 (PPS)*

As noted in the PPS discussion surrounding the proposed use, above, the proposed construction of a single detached dwelling on a redefined existing lot of record within an existing settlement area is consistent with the *Provincial Policy Statement*.

*Official Plan and Southwest Area Plan (SWAP)*

As noted in the Official Plan discussion surrounding the proposed use, above, single detached dwellings are appropriate in the Rural Settlement designation provided they are located on lots suitably sized to allow for the proper siting and functioning of individual on-site water supply and wastewater treatment systems, as the primary permitted uses [9.3.1]. The SWAP contains no additional policies pertaining to intensity in the Rural Settlement designation. Both lots are of sufficient size to accommodate a dwelling and the existing and future private sewage treatment systems. They are also compatible with the lot patterns and sizes in the surrounding area.

*Zoning By-law*

The proposed Residential R1 (R1-16) zoning for both lots, permits a minimum lot frontage of 50 metres and a minimum lot area of 4,000 square metres. These minimum requirements apply only to the portions of these properties within the Residential R1 (R1-16) Zone. The residential portion of each lot, after the lot line adjustment, will have an area slightly exceeding the minimum lot area of 4,000 square metres. The proposed zoning is consistent with the zoning of other large-lot residential properties in the area, and will not support new lot creation or the further fragmentation of the Open Space lands.

**FORM**

*Provincial Policy Statement 2014 (PPS)*

The policies of the PPS require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock [1.1.3.3]. The construction of a single detached dwelling is consistent with the existing built form in the adjacent and surrounding area.

The PPS also promotes strong and healthy communities by “*avoiding development and land use patterns which may cause environmental ... concerns*”. [1.1.1.c.]

As noted in the PPS discussion surrounding the proposed use, the proposed development will be located well outside of the natural heritage features on the subject lands.

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**File: Z-8512**  
**Planner: B. Debbert**

*Official Plan and Southwest Area Plan (SWAP)*

The Rural Settlement designation in the Official Plan contains no policies specifically pertaining to the form of development for infill residential land uses. The SWAP indicates that “*Built form is to be street-oriented ... with buildings located at a comparable setback distance from the public right-of-way consistent with the existing streetscape...*” [20.5.12 iii) b)]. The existing single detached dwellings fronting this part of Dingman Drive are widely spaced and located at varying distances from the road allowance. The applicant proposes to locate the new dwelling at a distance from the existing road allowance that is visually in keeping with the existing streetscape.

*Zoning*

The applicant requested a reduced 8.5 metre setback from the rear property line (the Residential R1 (R1-16) Zone line) for both properties. The standard rear yard requirement of either 10.5 metres or 25% of the lot depth, is intended to provide a suitable separation between single detached dwellings and adjacent land uses. The EIS results indicate that an 8.5 metre setback is suitable to contribute to the protection of the wooded floodplain areas to the south. In addition, the 8.5 metre setback will allow future flexibility for a larger building footprint at 2695 Dingman Drive, should the owners decide to alter or replace the existing residence at some future point.

<b>CONCLUSION</b>
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The recommended Residential R1 Special Provision (R1-16(\_)) Zone is consistent with the *Provincial Policy Statement* and the City’s Official Plan and Southwest Area Plan because it will facilitate an appropriate lot adjustment and the subsequent construction of one single detached dwelling within an existing Rural Settlement Area at an appropriate distance from the existing open space area. At the same time, the expansion of the Open Space (OS4) Zone will provide protection to the natural heritage features on the rear portion of these lands. This application is recommended for approval as it represents good planning.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>BARB DEBBERT SENIOR PLANNER, CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

September 25, 2015

BD/

Attach.

Y:\Shared\implemen\DEVELOPMENT APPS\2015 Applications 8451 to\8512Z - 2695 Dingman Drive (BD)\2525 and 2695 Dingman Drive Report to PEC.docx

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File: Z-8512  
Planner: B. Debbert

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

<u>Telephone</u>	<u>Written</u>
Roma-Lynn Gillis 2753 Dingman Drive London ON N6N 1G3	

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File: Z-8512  
Planner: B. Debbert

**Bibliography of Information and Materials  
Z-8512**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Kirkness Consulting, June 5, 2015.

**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.

Kirkness Consulting. Planning Justification Report – 2525 Dingman Drive, June 2015.

BioLogic. Environmental Impact Study – 2525 and 2695 Dingman Drive. May 29, 2015.

**Correspondence:**

Moore, R., City of London Sanitary Services. E-mail to B. Debbert August 7, 2015.

Creighton C., UTRCA. Letter to B. Debbert. September 3, 2015.

Page, B. City of London Environmental and Parks Planning. E-mail to B. Debbert September 9, 2015.

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**File: Z-8512  
Planner: B. Debbert**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2015

By-law No. Z.-1-15\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2525 and 2695 Dingman Drive.

WHEREAS Dave and Kim Stewart have applied to rezone an area of land located at 2525 and 2695 Dingman Drive, 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 2525 and 2695 Dingman Drive, as shown on the attached map comprising part of Key Map No. A112, from an Urban Reserve (UR6) Zone, an Open Space (OS4) Zone and an Environmental Review (ER) Zone to a Residential R1 Special Provision (R1-16(\_)) Zone, an Urban Reserve (UR6) Zone and an Open Space (OS4) Zone at 2525 Dingman Drive, and from an Urban Reserve (UR6) Zone and an Open Space (OS4) Zone to a Residential R1 Special Provision (R1-16(\_)) Zone, an Urban Reserve (UR6) Zone and an Open Space (OS4) Zone at 2695 Dingman Drive.
- 2) Section Number 5.4 of the Residential R1 (R1-16) Zone is amended by adding the following Special Provision:
  - ) R1-16(\_) 2525 and 2695 Dingman Drive
    - a) Regulation
      - i) Rear Yard Depth (min) 8.5 metres (27.89 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 October 13, 2015.

Matt Brown  
Mayor



Agenda Item # Page #

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**File: Z-8512**  
**Planner: B. Debbert**

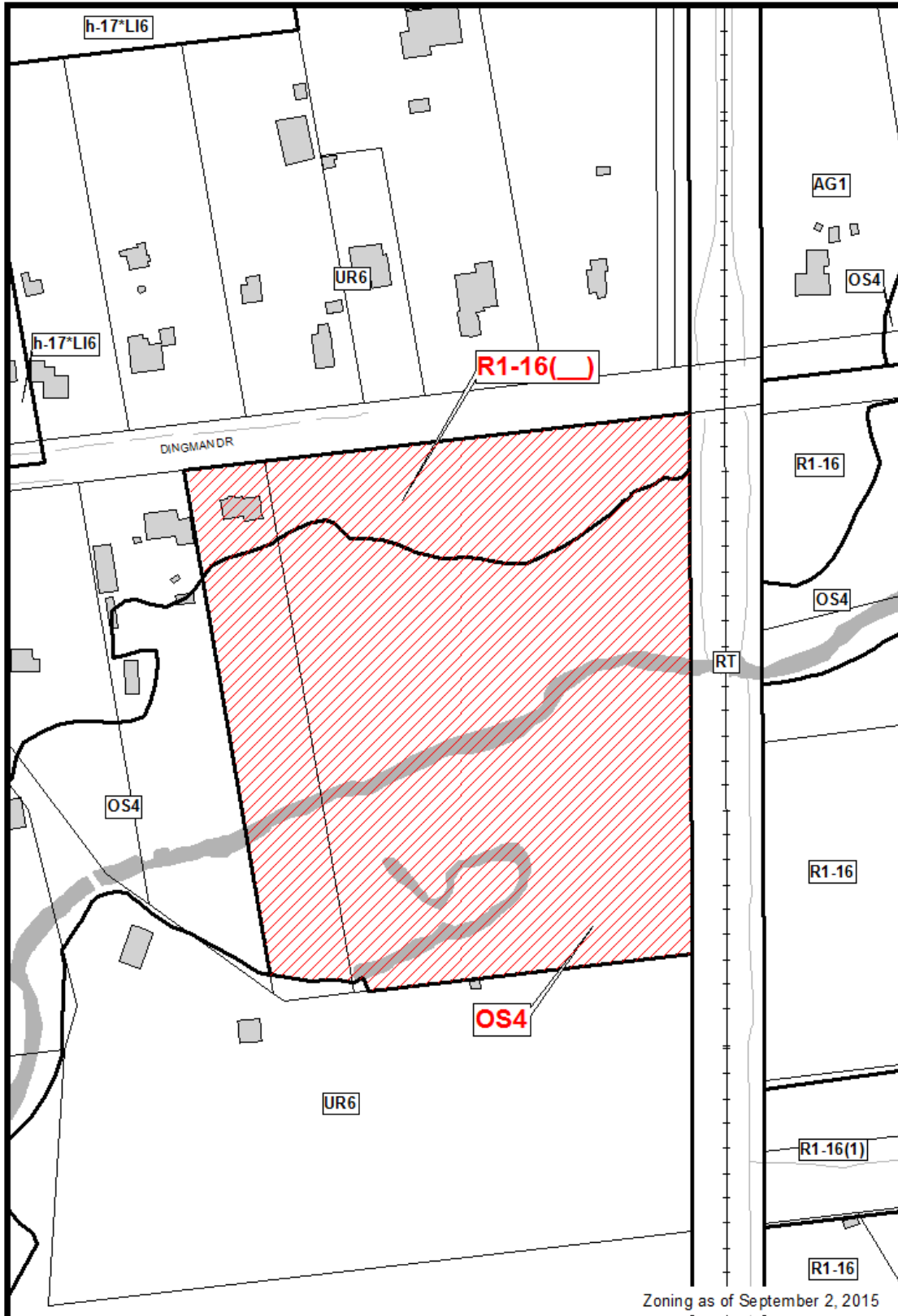
Catharine Saunders  
City Clerk

First Reading - October 13, 2015  
Second Reading - October 13, 2015  
Third Reading - October 13, 2015

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File: Z-8512  
Planner: B. Debbert

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



Zoning as of September 2, 2015

File Number: Z-8512  
 Planner: BD  
 Date Prepared: 2015/09/08  
 Technician: TT  
 By-Law No: Z.-1-

SUBJECT SITE

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 Meters



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