

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application by: Norquay Developments
1093 Westdel Bourne

Meeting on: September 21, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Norquay Developments relating to a portion of the property located at 1093 Westdel Bourne, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on September 29, 2020 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Residential R1 (R1-14) Zone **TO** a Residential R1 (R1-4) Zone.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to fulfil a condition of consent to ensure that the zoning on the blocks is identical to that of the corresponding blocks in the Eagle Ridge draft approved plan of subdivision (39T-17501) to permit the development of single detached dwellings.

Rationale of Recommended Action

1. The proposed development is consistent with the PPS, 2020 by promoting the efficient use of land.
2. The proposed development conforms with the in-force policies of The London Plan, including but not limited to permitted single detached dwelling use within the Neighbourhood Place Type.
3. The proposed development conforms with the in-force policies of the (1989) Official Plan, including but not limited to the permitted use of single detached dwellings in the Low Density Residential designation.
4. The recommended Zoning By-law amendment will ensure that the zoning of these lands corresponds with the zoning of five(5) partial lots within the Eagle Ridge draft approved plan of subdivision (39/t-17501).

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the west side of Westdel Bourne, north of Oxford Street West, south of Linkway Boulevard. The subject lands are located within the Riverbend Planning District, and within the Riverbend Area Plan prepared by the Planning and Development Department in April of 1998, and updated in June of 2001. As part of that Area Plan these lands were identified for future residential development and designated "Low Density Residential".

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

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – Residential R1 (R1-14) Zone

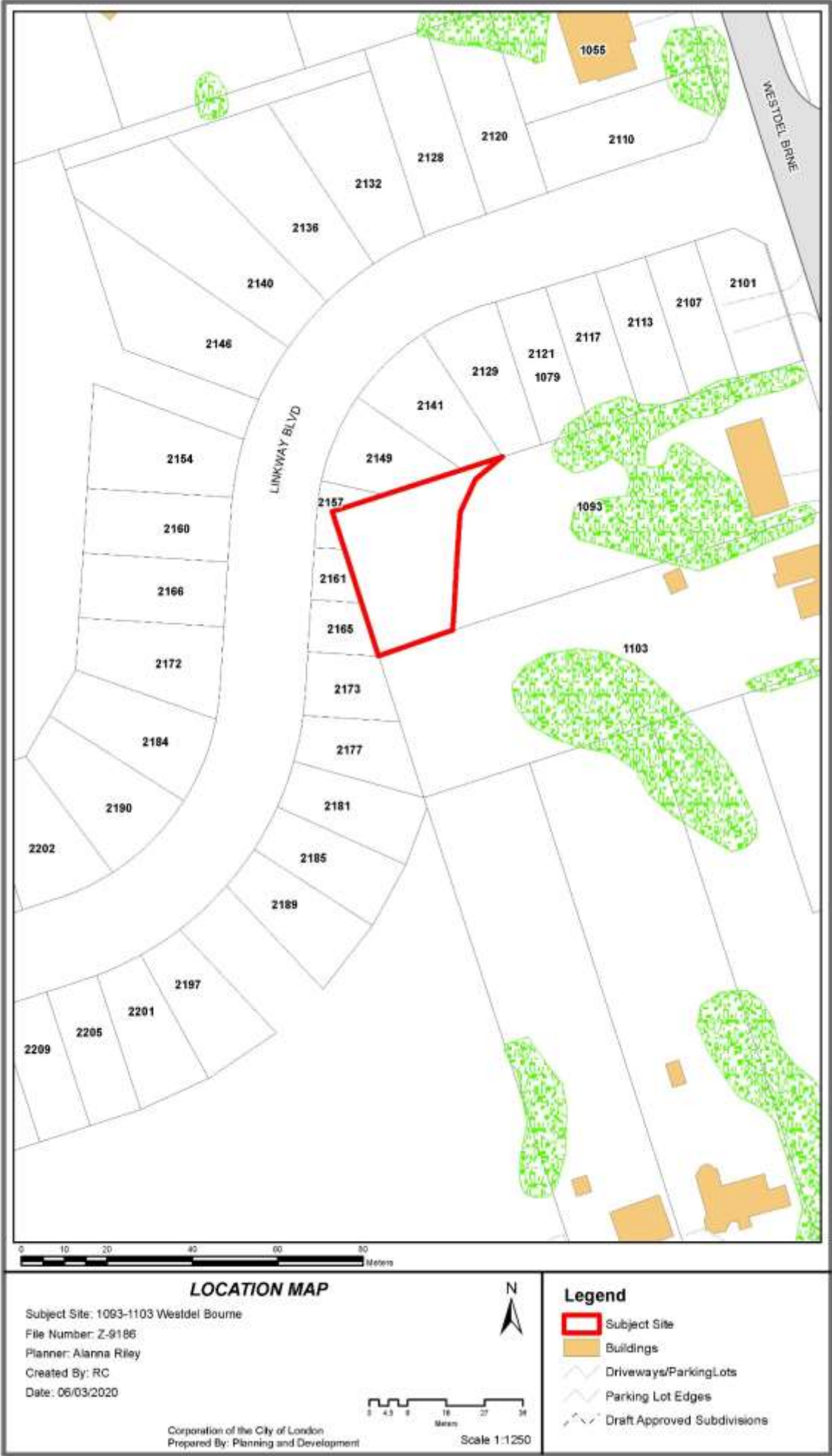
1.3 Site Characteristics

- Current Land Use – single detached dwelling on a large estate lot
- Frontage – N/A
- Depth – N/A
- Area – N/A
- Shape – irregular

1.4 Surrounding Land Uses

- North – residential
- East – residential
- South – residential
- West – residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The subject lands are Zoned Residential R1 (R1-14) which permits single detached dwellings on large estate lots. The residential lots within the Eagle Ridge draft approved plan of subdivision (39T-17501) are zoned Holding Residential R1 (h/h-82/R1-4). The zoning of the proposed conveyed lands do not match with the zoning of lands that they are to be joined to. As a result, the applicant required additional Planning Act approvals to ensure that the conveyed parcels are rezoned to comply with the regulations of the Zoning By-law as applied in the Eagle Ridge draft approved plan of subdivision (39T-17501)

Therefore, the purpose and effect of this zoning change is to fulfil the condition of consent to ensure that the zoning on the blocks is identical to that of the corresponding blocks in the Eagle Ridge draft approved plan of subdivision (39T-17501) to permit the development of single detached dwellings.

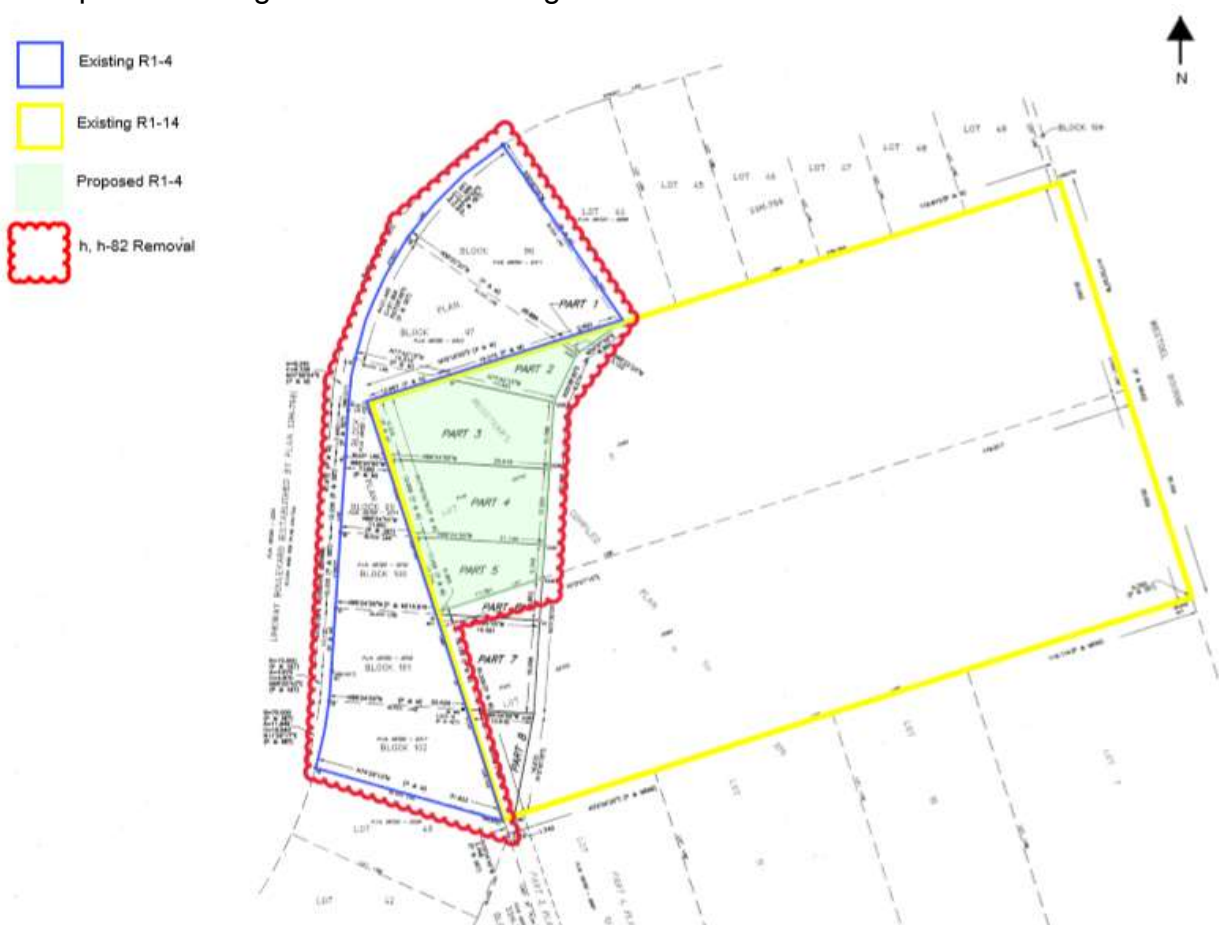


Figure 1 – Development Plan and Proposed Zoning

3.0 Relevant Background

3.1 Planning History

On December 13, 2019, The City of London Consent Authority, granted a consent (B.40/19) to sever 12.246m², 96.402m², 327.703m², 287.113m² and 169.412m² from 1093 Westdel Bourne and convey to 2141, 2149, 2157, 2161 and 2165 Linkway Boulevard for the purpose of future residential uses

3.2 Requested Amendment

The request is to amend the zoning Plan to change the zoning from a Residential R1 (R1-14) Zone to Residential R1 (R1-4) Zone to fulfil a condition of consent and permit the development of single detached dwellings.

3.3 Community Engagement (see more detail in Appendix B)

There have been no public comments to date.

3.4 Policy Context (see more detail in Appendix C)

The London Plan and the (1989) Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in The London Plan and (1989) Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

4.0 Key Issues and Considerations

4.1 Provincial Policy Statement (PPS) 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be "consistent with" the policies of the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3) to be the main focus of growth and development and directs municipalities to provide for appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4).

The recommended amendment will provide for a healthy, livable and safe community. The proposed development plan provides for five (5) single detached dwelling lots.

The proposed use achieve objectives for efficient development and land use patterns, represents a form of intensification of a vacant parcel of land which is located within the City's urban growth area, utilizes existing public services and infrastructure, supports the use of public transit, and maintains appropriate levels of public health and safety.

The recommended Zoning Amendment is consistent with the PPS 2020.

4.2 The London Plan

The subject site is within the "Neighbourhood" Place Type of The London Plan. The vision for the Neighbourhoods place type includes a strong neighbourhood character, sense of place and identity, attractive streetscapes, buildings, and public spaces, a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so, well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown, lots of safe, comfortable, convenient, and attractive alternatives for mobility, easy access to daily goods and services within walking distance, employment opportunities close to where we live, and parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

The proposed development conforms with the Our City, Our Strategy, City Building, and Place Type policies of The London Plan. The proposal for single detached dwellings at this location meets the policies for the Neighbourhood Place types and street classifications. Municipal services are available, in conformity with the Civic Infrastructure chapter of the Plan and the Growth Management/Growth Financing.

4.3 (1989) Official Plan

The subject site is designated “Low Density Residential” in the (1989) Official Plan. The Primary permitted uses in the Low Density Residential designation are single detached, semi-detached, and duplex dwellings. (3.2.1). Developments within this designation should have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy (3.2.2).

This proposal is compatible with surrounding residential development and building placement. As the proposed single detached dwellings are a permitted use in the Low Density Residential designation and are proposed at a low-rise scale and form, the requested amendment is in conformity with the policies of the (1989) Official Plan.

4.4 Zoning By-law No.Z.-1

The Zoning By-law is a comprehensive document used to implement the policies of both The London Plan and the (1989) Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal.

The subject lands are currently zoned Residential R1 (R1-14)

The recommended amendment to Zoning By-law No. Z.-1 is for a Residential R1 (R1-4) Zone to fulfil a condition of consent to ensure that the zoning on the blocks is identical to that of the corresponding blocks in the Eagle Ridge draft approved plan of subdivision (39T-17501) to permit the development of single detached dwellings.

Planning Impact Analysis under Section 1578 of The London Plan and Section 3.7 in the (1989) Official Plan is used to evaluate applications for an Official Plan and/or Zoning Amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses.

Compatibility

The requested zoning permits single detached dwellings. The requested zoning would permit the same zone in order for the lots to consolidate, and permit the development of single detached dwellings. The subject lands and the corresponding blocks in the adjacent draft approved plan of subdivision to which they will be joined to complete the planned vision for five (5) single detached building lots will be the subject a future zoning by-law amendment to remove the holding provisions applied to these lands at some point in the future.

The surrounding land uses consist of single detached homes to the east, and future residential uses to the north, south and west. The Applicant has indicated that the proposed development is likely to be two storeys in height. The proposed development is of a height and form which is compatible with the area.

Ability of Site to Accommodate Development

The size and the shape of the parcels merged within the subdivision is sufficient to create suitable single detached dwelling lots.

Building Siting

The recommended rezoning will fulfil a condition of Consent (B.40/19) that consolidated the subject lands with adjacent lands to the west to create single detached building lots with frontage on Linkway Boulevard.

Vacant Land in the Area

The subject site is located within an area which is currently being built out. There are vacant parcels of land within the immediate vicinity of the subject lands which are designated or zoned for residential development.

Vegetation and Natural Features

The site does not contain any natural heritage features.

Site Access

The proposed single detached dwellings will front onto Linkway Boulevard which is proposed to extend north to connect with Westdel Bourne.

Surrounding Natural Features and Heritage Resources

The surrounding area is developed and there are no significant natural features.

Environmental Constraints

Based on a review of the site and its surroundings, there are no known environmental constraints, such as soil contamination or noise and vibration sources, which could adversely affect residents.

Compliance with London Plan, (1989) Official Plan, Zoning By-law, and Site Plan Control By-law

The application is being evaluated against the policies of The London Plan, (1989) Official Plan, and Zoning By-law to ensure compliance prior to approval by the City.

Holding Provisions

The adjacent residential lots within the Eagle Ridge draft approved plan of subdivision (39T-17501) are zoned Holding Residential R1 (h/h-82/R1-4) with holding provisions "h" and "h-82" holding provisions as outlined below:

Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

Purpose: To ensure that there is a consistent lotting pattern in this area, the "h-82" symbol shall not be deleted until the part block has been consolidated with adjacent lands.

The applicant has submitted an application to remove these holding provisions prior to the issuance of any future building permits.

5.0 Conclusion

The proposed rezoning is consistent with the Provincial Policy Statement, 2020, and conforms to the relevant policies of The London Plan and the (1989) Official Plan. The recommended zoning fulfills a condition of consent (B.40/19) and ensures that the single detached building lots are all within the Zone, representing good land use planning.

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Services,
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

September 14, 2020
AR/ar

cc. Matt Feldberg, Manager, Development Services

Lou Pompili, Manager, Development Planning

Melissa Campbell, Manager, Development Planning

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to rezone a portion of land located at 1093 Westdel Bourne

WHEREAS Norquay Developments applied to rezone a portion of land located at 1093 Westdel Bourne 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 a portion of land located at 1093 Westdel Bourne, as shown on the attached map comprising part of Key Map No. A.105 from a Residential R1 (R1-14) Zone to a Residential R1 (R1-4) Zone.

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. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

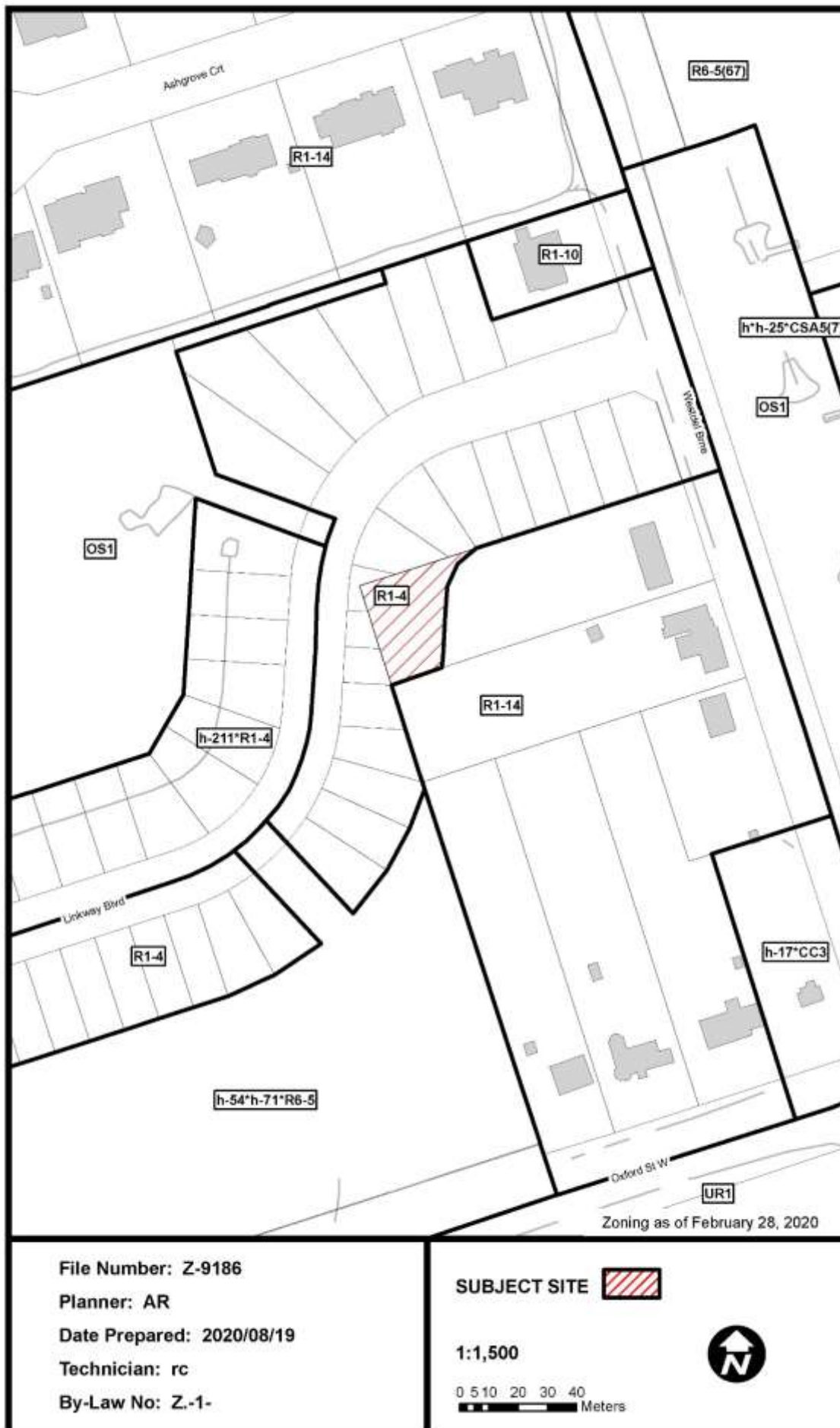
PASSED in Open Council on September 29, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 29, 2020
Second Reading – September 29, 2020
Third Reading – September 29, 2020

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On March 12, 2020 Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 12, 2020. A “Planning Application” sign was also posted on the site.

No replies were received

Nature of Liaison:

The purpose and effect of this zoning change is to permit single detached dwellings and to match the surrounding zoning in the area.

Agency/Departmental Comments

Parks Planning

Parks Planning and Design do not have concerns with the proposed application.

Heritage

There are currently no heritage planning or archaeological issues related to this property and associated file.

Development Services – Engineering

No comments for the re-zoning application.

London Hydro

This site is presently serviced by London Hydro. Contact the Engineering Dept. a service upgrade is required to facilitate the new building /addition Any new and/or relocation of existing infrastructure will be at the applicant’s expense. Above-grade transformation is required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

1.1.1 c – avoid land use conflicts

1.1.3.1 – settlement areas

1.1.3.2 – efficient use of land

1989 Official Plan

Chapter 3: Low Density Residential

The London Plan

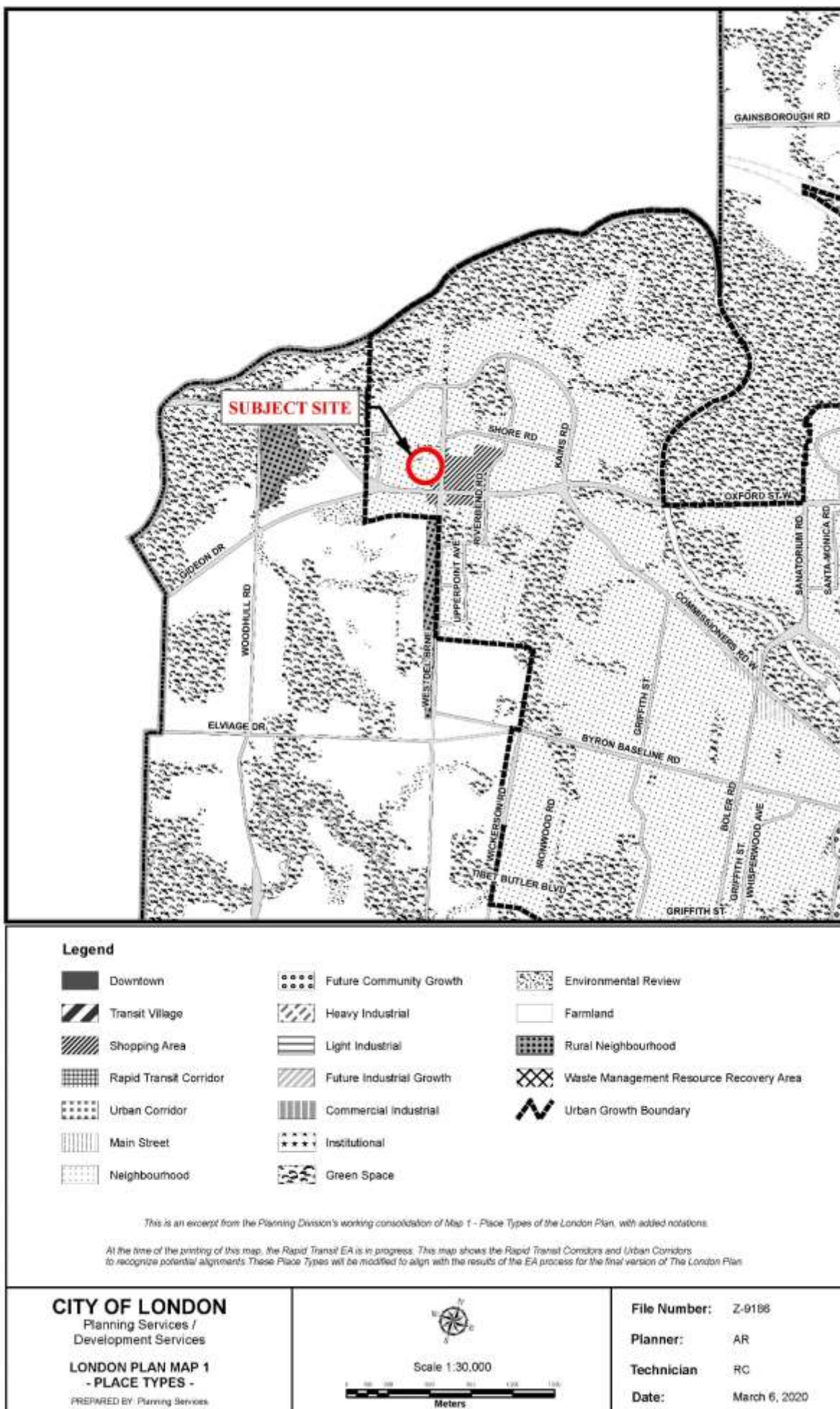
916 – Neighbourhood Place Type

921 – Permitted Uses

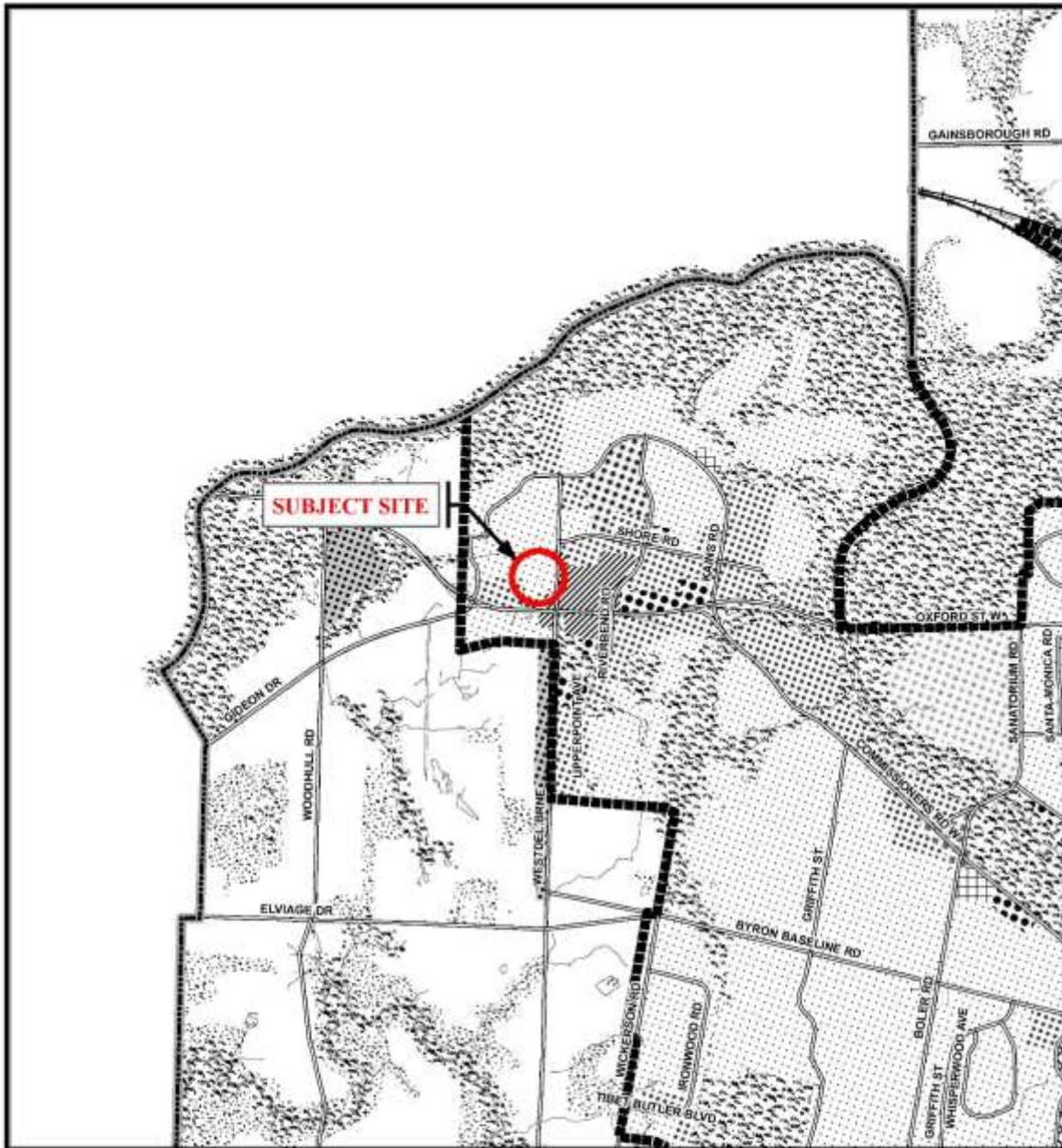
Appendix D – Relevant Background

Additional Maps

The London Plan Map 1 – Land Use

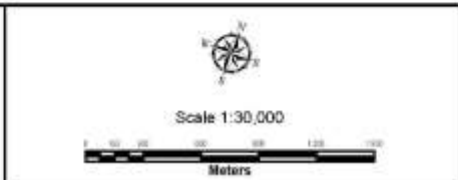


1989 Official Plan Schedule A – Land Use



Legend			
	Downtown		Office Business Park
	Enterprise		General Industrial
	Enclosed Regional Commercial Node		Light Industrial
	New Format Regional Commercial Node		Regional Facility
	Community Commercial Node		Community Facility
	Neighbourhood Commercial Node		Open Space
	Main Street Commercial Corridor		Urban Reserve - Community Growth
	Auto-Oriented Commercial Corridor		Urban Reserve - Industrial Growth
	Multi-Family, High Density Residential		Rural Settlement
	Multi-Family, Medium Density Residential		Environmental Review
	Low Density Residential		Agriculture
	Office Area		Urban Growth Boundary
	Office/Residential		

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LAND USE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9186
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 06/03/2020

Zoning By-law Z.-1 Map

