**FROM:**
G. KOTSIFAS P.ENG.
MANAGING DIRECTOR DEVELOPMENT & COMPLIANCE SERVICES
AND CHIEF BUILDING OFFICIAL

**SUBJECT:**
DENNIS OLIVER/CITY OF LONDON
3592 – 3614 ISAAC COURT/
6951-6973 and 6946 – 6982 CLAYTON WALK
PUBLIC PARTICIPATION
MEETING ON JUNE 18, 2013

**RECOMMENDATION**

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the rezoning application of Dennis Oliver and the City of London, relating to the properties located at 3592 – 3614 Isaac Court/6951-6973 and 6946-6982 Clayton Walk:

a) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on June 25, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property FROM a Residential R2/Residential R4 (h.R2-3/R4-1) Zone and Holding Residential R2/Residential R4 (h.R2-3/R4-1) Zone TO a Residential R1 (R1-8) Zone and a Holding Residential R1 (h.R1-8) Zone.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

39T-00510
Revised Draft Approval Report – November 15, 2014

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of the requested Zoning By-law amendment is to fulfill a condition of draft approval to ensure the lands are zoned consistent with the zoning on the balance of the subdivision.

**RATIONALE**

The recommended Zoning By-law amendment to permit a wider range of retail, service and office uses is appropriate and suitable for the following reasons:

i) The proposal is consistent with the policies of the Provincial Policy Statement, 2005, which promotes healthy, liveable and safe communities.

ii) The proposal is consistent with the policies and objectives of the City of London Official Plan relating to Low Density Residential;

iii) The proposed zone is complementary and compatible with the existing residential development in the area,

iv) The proposed zone will have no negative impacts on the surrounding area.
**BACKGROUND**

<table>
<thead>
<tr>
<th>Date Application Accepted:</th>
<th>Agent:</th>
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<tbody>
<tr>
<td>April 17, 2013</td>
<td>Mike Pease</td>
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**REQUESTED ACTION:**

Change the Zoning By-law Z.-1 from Holding Residential R2/Residential R4 (h.R2-3/R4-1) to Residential R1 (R1-8).

**SITE CHARACTERISTICS:**
- Current Land Use – Vacant
- Frontage – Various
- Depth – Various
- Area – Various
- Shape – Various

**SURROUNDING LAND USES:**
- North - Residential
- South - Residential
- East - Residential
- West - Residential

**OFFICIAL PLAN DESIGNATION:** (refer to Official Plan Map)

**Low Density Residential**
The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted. Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted.

**EXISTING ZONING:** (refer to Zoning Map)

**Residential R2-3/R4-1**
The R2 Zone variation is slightly less restrictive than the R1 Zone. The R2 Zone variation provides for and regulates low density residential development in the form of single detached dwellings, semi-detached dwellings, duplex dwellings and two unit converted dwellings.

The R4 Zone provides for and regulates medium density residential development in the form of street townhousing.
Z-8173
Alanna Riley
PLANNING HISTORY

In June 2000, Oliver and Associates Inc. applied for a Draft Plan of subdivision, Official Plan and Zoning By-law amendments for the subject lands. These lands compromise an 18.86 hectare (46.6 ac.) parcel of land located on the west side of Colonel Talbot Road, between Diane Crescent and Pack Road. Through this process, a portion of the lands adjacent to Colonel Talbot Road were zoned to accommodate single detached dwellings, semi-detached dwellings, and street townhouse dwellings to provide for a mix of housing opportunities.

The applicant has indicated they would like to move forward with single detached dwellings lots as a part of this final phase. One of the conditions of draft approval requires the property owner to rezone the subject lands to reflect the use and lot sizes proposed by the owner. As a result, it is no longer appropriate to retain the existing Residential R2 (R2-4) and Residential R4 (R4-1) zoning on these lands.

The City has also expanded the application area to address the zoning on the developed lands north of Clayton Walk, to ensure the zoning of these lands is consistent with the balance of the subdivision. The Residential R1 (R1-8) is a suitable zone for these five lots on the north side of Clayton Walk. All lots with this final phase meet the zoning provisions for minimum lot area (600m2), and lot frontage (15.0m) within the Residential R1 (R1-8) Zone.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

No significant comments were provided by City Staff respecting the rezoning.

Upper Thames River Conservation Authority

The subject property is not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act.

The UTRCA has no objections to this application.

PUBLIC LIAISON:

On May 29, 2013, 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 May 9, 2013.

No responses

Nature of Liaison:

Change the Zoning By-law Z.-1 from a Holding Residential R2/Residential R4 (h.R2-3/R4-1) to Residential R1 (R1-8). The purpose of the amendments are to ensure the lands are zoned in a manner consistent with the balance of the subdivision.

ANALYSIS

Provincial Policy Statement (PPS)

The Provincial Policy Statement, 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS promotes healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses) and other land uses; and, promoting cost effective development standards to minimize land consumption and servicing costs. The recommended rezoning will allow for a residential uses, that are located on serviced lots and are compatible with surrounding land uses. The proposed rezoning is consistent with the PPS in that it promotes a healthy community.
Official Plan Policies

The 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 Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The subject properties are designated Low Density Residential which is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted. Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted.

Official Plan policies requires that a Planning Impact Analysis be used to evaluate applications for an Official Plan amendment and/or zone change, to determine the appropriateness of a proposed change in land use. Based on staffs review of the relevant Planning Impact Analysis criteria, the proposed rezoning will permit residential uses that are compatible with existing surrounding land uses. Municipal services are available for this development as determined through Draft Plan Approval. Due to the low density of zoning proposed there should be no issues relating to traffic or parking impacts. The Zoning By-law amendment will not adversely affect surrounding land uses, nor the ability to develop area lands in the future.

CONCLUSION

The recommended Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement, 2005 which promotes healthy, livable and safe communities by encouraging efficient development and lands use patterns with sustain the financial well-being of the municipality. The amendment represents sound planning as it allows for residential uses that are in keeping with existing uses in the area.
Bibliography of Information and Materials
Z-8173/Z-8174

Request for Approval:
City of London Zoning By-law Amendment Application Form, completed by Michael Pease, April 3, 2013

Reference Documents:


Correspondence:
Departments and Agencies -
Creighton C., UTRCA. Email – June 5, 2013.

Other:
Appendix "A"

Bill No. (number to be inserted by Clerk’s Office)
2013

By-law No. Z.-1-13

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3592 – 3614 Isaac Court/ 6951-6973 and 6946-6982 Clayton Walk.

WHEREAS Dennis Oliver and the City of London applied to rezone an area of land located at 3592 – 3614 Isaac Court/ 6951-6973 and 6946-6982 Clayton Walk, 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 3592 – 3614 Isaac Court/ 6951-6973 and 6946-6982 Clayton Walk, as shown on the attached map, from a Residential R2/Residential R4 (h.R2-3/R4-1) Zone and Holding Residential R2/Residential R4 (h.R2-3/R4-1) Zone to a Residential R1 (R1-8) Zone and a Holding Residential R1 (h.R1-8) 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. P13, either upon the date of the passage of this by-law or as otherwise provided by the said section.


Joe Fontana
Mayor

Catharine Saunders
City Clerk