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Z-8173
Alanna Riley

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
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39T-00510

Draft Approval Report – December 10, 2011

Revised Draft Approval Report – November 15, 2014

Extension Reports – November 26, 2007, November 26, 2010, May 12, 2011, November 30, 2012, November 22, 2012 and May 15, 2013

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.

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BACKGROUND	
Date Application Accepted: April 17, 2013	Agent: Mike Pease
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:
<ul style="list-style-type: none"> • Current Land Use – Vacant • Frontage – Various • Depth – Various • Area – Various • Shape – Various

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Residential • South - Residential • East - Residential • West - Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<p>Low Density Residential</p> <p>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.</p>
EXISTING ZONING: (refer to Zoning Map)
<p>Residential R2-3/R4-1</p> <p>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.</p> <p>The R4 Zone provides for and regulates medium density residential development in the form of street townhousing.</p>

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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 comprise 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 <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> 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.

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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 polices 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.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
ALANNA RILEY, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

April 29, 2013
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**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:

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*, March 1, 2005.

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

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

Correspondence:

Departments and Agencies -

Creighton C., UTRCA. Email – June 5, 2013.

Other:

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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.

PASSED in Open Council on June 25, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - June 25, 2013
Second Reading - June 25, 2013
Third Reading - June 25, 2013