



PLANNING JUSTIFICATION REPORT

**2598 and 2624 Woodhull Road
Zoning By-law Amendment
City of London**

April 12, 2023



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APPENDIX 'A' - MDS I CALCULATION

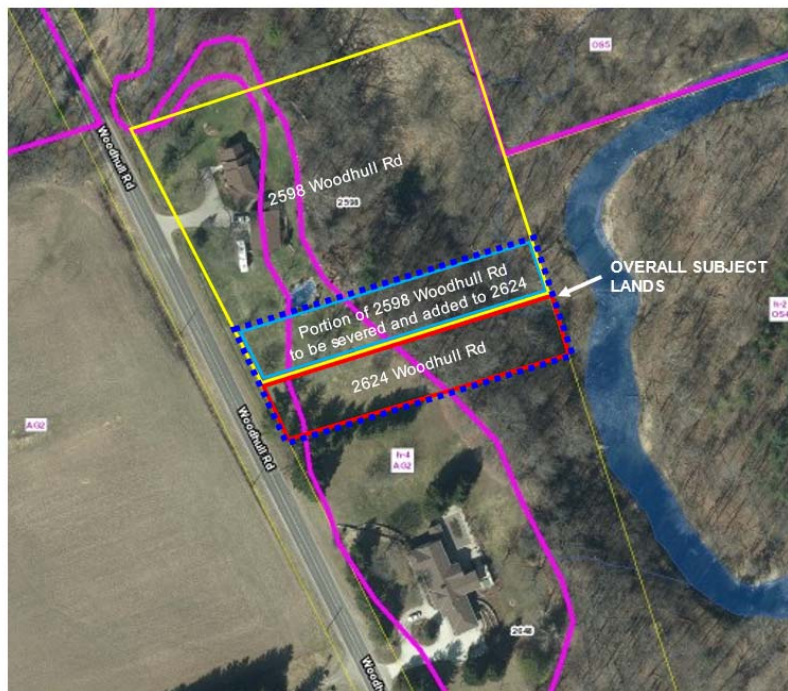
1.0 INTRODUCTION

A Zoning By-law Amendment application has been submitted to the City of London to permit a single-family dwelling on lands located at 2624 Woodhull Road. The purpose of the following land use assessment is to provide planning justification for the Zoning By-law Amendment application to permit the proposed use on the subject property and reduce various zoning regulations as a result of a conditional consent approval for a lot line adjustment.

1.1 DESCRIPTION OF SUBJECT PROPERTY

The subject lands are made up of two separate parcels of land. The first parcel is an existing lot of record located on the east side of Woodhull Road, south of Elviage Drive, known municipally as 2624 Woodhull Road. The second parcel is located 2598 Woodhull Road and contains an existing residential dwelling and detached garage (Figure 1). On September 28, 2022 the Ontario Land Tribunal granted approval of a consent application to allow a portion of 2598 Woodhull Road (herein referred to as “2598B”) to be severed and consolidated with the existing lot of record at 2624 Woodhull Road.

Figure 1 – Subject Property



1.2 SURROUNDING LAND USES

The site is located in the rural area of west London and is surrounded by a cluster of existing single-family homes to the north and south with agricultural uses to the west (Figure 2). To the east is a steep, heavily vegetated area located along the Dingman Creek corridor.

All of the existing single-family homes predate the current zoning on the lands and are considered to be legally conforming “single detached dwellings”, whereas a “farm dwelling” is the only permitted residential use in agricultural areas.

Figure 2 – Surrounding Land Use

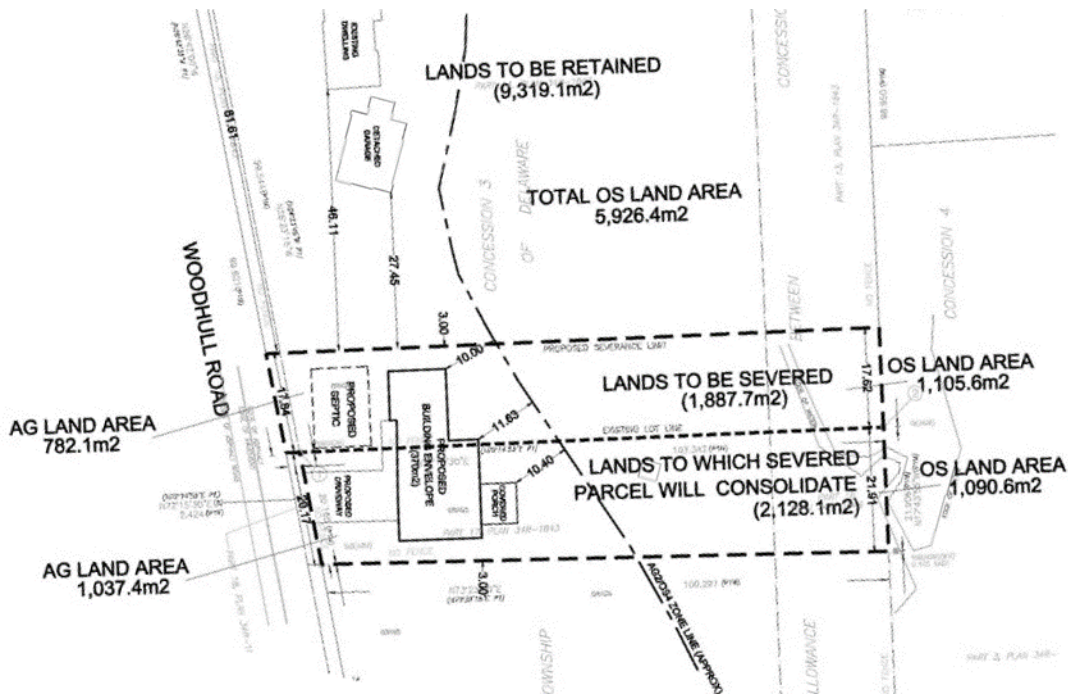


1.3 THE PROPOSAL

The proposed development of the subject lands consists of the severance of 2598B and consolidating it with the adjacent, existing lot of record at 2624 Woodhull Road. The enlarged parcel will create a more viable building lot to accommodate a proposed single-family dwelling and make use of an underutilized parcel of land (Figure 3).

As a condition of the approved consent decision A.146/21 a Zoning By-law Amendment application is required to permit the proposed single detached dwelling on the enlarged parcel.

Figure 3 – Proposed Conceptual Site Plan



1.4 CONTEXT OF THE SUBJECT LANDS WITHIN THE LONDON PLAN

The subject lands are currently identified as “Farmland” and “Green Space” on Map 1 – Place Types (Figure 4). The proposed dwelling is located on the portion of the subject lands designated Farmland. Permitted uses within the Farmland place type include primarily agricultural uses; however, “residential uses on existing lots of record” are permitted, including one single detached dwelling, subject to MDS 1 setbacks.

The Green Space place type permits a limited range of uses intended for natural heritage features and resources, public parkland or private outdoor land uses. The proposed dwelling is not proposed on any portion of lands designated Green Space.

Figure 4 – The London Plan

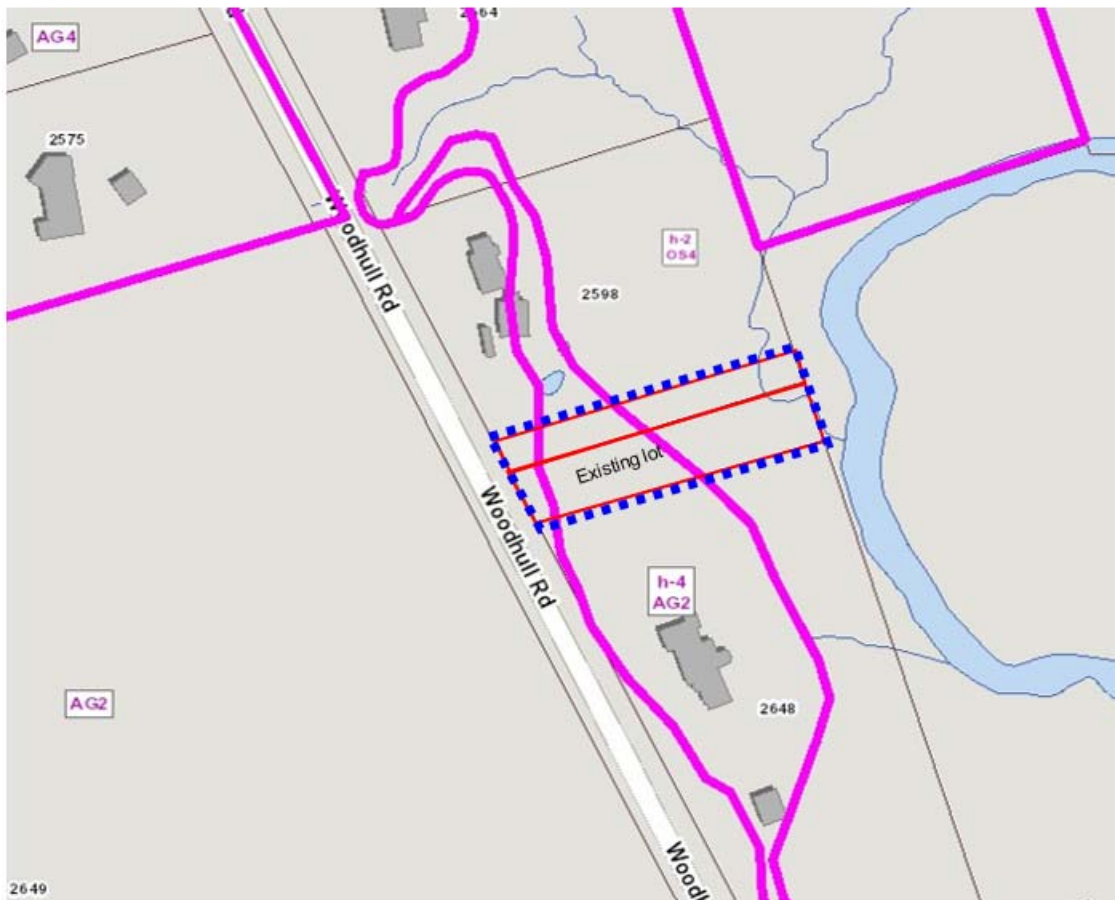


1.5 CONTEXT OF THE SUBJECT LANDS WITHIN THE CITY OF LONDON ZONING BY-LAW

The subject lands are currently zoned “Agricultural (AG2)” and “Open Space (OS4)” in the City of London Zoning By-law (Figure 5). The majority of the lands are also subject to a Holding Provision (h-2 or h-4). The proposed dwelling is proposed only on the lands zoned AG2.

The current AG2 zone permits a variety of agricultural uses, including a farm dwelling; however, a single detached dwelling is not permitted. The h-2 holding provision requires an Environmental Impact Study or Subject Lands Status Report be completed prior to the removal of the h-2 zone symbol. The h-4 requires a geotechnical report to address any potential erosion/slope stability issues given the significant slopes on the rear portion of the property.

Figure 5 – City of London Zoning By-law



2.0 PROPOSED AMENDMENT

Given the above, a Zoning By-law Amendment is required to rezone the subject lands to a site-specific AG2 zone to add a single detached dwelling to the current list of permitted uses.

The following site-specific regulations are also proposed in order that a dwelling can be readily accommodated on the lands:

- Lot Frontage (min) 38.0 m
- Lot Area (min) 1,819.5 m²
- Front Yard Setback (min) 14.0 m
- Side Yard Setbacks (min) 3.0 m
- Rear Yard Setback (min) 10.0 m
- Lot Coverage (max) 24 %

In addition to the above, a technical Zoning By-law Amendment is also proposed over the retained portion of 2598 Woodhull Road to reduce the existing lot area from 0.4 ha to 0.34 ha as a result of the conditional consent approval.

3.0 PLANNING ANALYSIS

3.1 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement, 2020 (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning and development*” in order to ensure efficient, cost efficient development and the protection of resources. Zoning By-law Amendment applications are required to be consistent with these policies.

3.1.1 Relevant Policies of the PPS

The policies outlined in Sections 1.1.4.1.a), e), 1.1.5.2.c), 1.1.5.5, 1.1.5.8, 1.4.1.a, 1.6.6.4, 1.7.1.c), 2.1.1, 2.3.1, 2.3.4.2 of the PPS are relevant with respect to the proposed development. These sections relate to protecting prime agricultural areas, making use of existing infrastructure and promoting residential intensification.

3.1.2 Analysis of the PPS

The development of the underutilized subject parcel is consistent with the Provincial Policy Statement (PPS) and the provision for “*efficient land use and development patterns to support strong liveable and healthy communities*” as follows:

- The subject lands are an existing lot of record in a rural area, capable of accommodating a single detached dwelling, similar to adjacent and nearby properties (*Sections 1.1.4.1.a and 1.1.5.2.c*);
- The necessary infrastructure and public service facilities are already available for the subject lands (*Sections 1.1.4.1.e and 1.1.5.5*);
- The proposed dwelling meets the MDS 1 setback requirements (*Section 1.1.5.8*);
- The proposed dwelling promotes residential intensification and makes use of an underutilized lot that has limited to no agricultural potential due to its size, slope constraints and proximity to existing residential dwellings (*Sections 1.4.1.a and 1.7.1.c*);
- No municipal services are available in this area. The subject lands are large enough to accommodate on-site sewage and water services, consistent with existing dwellings in the area (*Section 1.6.6.4*);

- No development is proposed on the portion of lands designated Green Space. All natural features are being protected through appropriate setbacks (*Section 2.1.1*);
- Given the existing residential dwellings in the surrounding area, the prime agricultural lands on the west side of Woodhull Road will not be hindered from future agricultural uses as a result of the proposed dwelling (*Section 2.3.1*); and
- The approved consent application permits a technical lot adjustment to accommodate a residential dwelling on the property (*Section 2.3.4.2*).

The proposed Zoning By-law Amendment is consistent with the PPS.

3.2 THE LONDON PLAN

Policies related to the Farmland place type are set out in the Rural Place Types in the London Plan. Under Section 1182_, permitted uses include a range of agricultural and agriculturally related uses. In addition, residential uses on existing lots of record are specifically permitted.

Section 1190_ of the London Plan sets out further policy direction in relation to residential uses on existing lots of record. The proposed application is consistent with these policies as follows:

- The necessary Zoning By-law Amendment application to permit a residential dwelling on the property is enclosed herein;
- MDS I calculations have been completed based on the assumption that a nearby farm structure at 2649 Woodhull Road is capable of being renovated to accommodate 12 horses. The calculation and mapping confirm that the proposed dwelling will not impact existing surrounding farm uses (see Appendix 1);
- The proposed lot is sufficient in size to accommodate on-site water and sewage facilities; and
- The subject lands are an existing lot of record.

Although no development is proposed on lands identified as Green Space, a Slope Stability and Geotechnical Investigation and Environmental Impact Study were prepared to ensure there are no impacts from the proposed dwelling on the adjacent natural heritage features. Both studies confirm this.

An Archaeological Assessment has been completed confirming there are no historical resources on the property.

Based on the above, the proposed development meets the intent and purpose of the London Plan.

3.3 CITY OF LONDON ZONING BY-LAW

The proposed amendment applies site specific AG-2(*) zones to the newly enlarged 2624 Woodhull Road and the reduced 2598 Woodhull Road.

The site-specific regulations proposed are appropriate within the AG2 zone as follows:

- Although the lot frontage for 2624 is proposed to be reduced from 300m to 38m, the actual lot frontage is increasing from its current frontage of 20.2 m as a result of the consent approval of the lot line adjustment;
- Similar, although the lot area for 2624 is proposed to be reduced from 40.0 ha to 0.18 ha, the actual lot area is increasing from its current area of 0.10 ha as a result of the consent approval of the lot line adjustment. Moreover, with the open space lands included, the actual size of the overall parcel is 0.4 ha, meeting the minimum lot area requirement for existing single detached dwellings in Agricultural zones;
- The overall lot area of 2598, including the open space lands, is 0.9ha, well above the minimum lot area requirement for existing single detached dwellings in Agricultural zones;
- The reduced 3.0m side yard setbacks are appropriate given the context of the existing surrounding properties. The existing established tree line along the south property line also provides an added buffer from the existing dwelling to the south;
- The front yard setback of 14.0 m is appropriate along a rural road and is a similar setback to the existing house to the south. Moreover, the open space lands on the east portion of the property limit the depth of a dwelling on the property to ensure that sufficient rear yard setbacks are provided from the OS4 zone line;

- The reduced rear yard setback of 10.0 m provides an appropriate separation from the open space zone lines and is greater than typical rear yard setback requirements for single detached dwellings;
- The reduced lot coverage is required given the large portion of the subject lands zoned OS4. With the OS lands included, the building coverage is only 10%;

As per Section 1190_ of the London Plan, the proposed Zoning By-law Amendment is appropriate.

4.0 CONCLUSIONS

The proposed Zoning By-law Amendment is consistent with the PPS and meets the intent and purpose of the London Plan policies. The site-specific amendment will allow for the development of an existing lot of record that has little to no agricultural value.

The reduced zoning regulations are appropriate and consistent with those on existing surrounding properties containing non-farm dwellings.

The existing dwellings in the area already limit the agricultural potential of farmland to the west. The proposed dwelling is well beyond the minimum 123 m from the only farm structure in the area capable of accommodating livestock.

The proposed amendment supports Bill 23 and the Province's mandate for "More Homes Built Faster".

The proposed amendment represents good land use planning and is in the public interest.

APPENDIX 'A' – MDS I CALCULATION

Description:
Application Date: Wednesday, April 12, 2023

Municipal File Number:
Proposed Application: Building permit for the construction of a dwelling (farm or non-farm)
Type A Land Use


Applicant Contact Information

Not Specified

Location of Subject Lands

County of Middlesex, City of London

DELAWARE, Concession: , Lot:

 Roll Number: 3936 
Calculation Name: *Farm 1*
Description: 2649 Woodhull Road


Farm Contact Information

Not Specified

Location of existing livestock facility or anaerobic digester

County of Middlesex, City of London


DELAWARE, Concession: , Lot:

 Roll Number: 3936 

Total Lot Size: 20.2 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Horses, Large-framed, mature; > 680 kg (including unweaned offspring) [Livestock barn is currently unoccupied]	12	17.1	362 m ²

 The livestock/manure information has not been confirmed with the property owner and/or farm operator.

Existing Manure Storage: V4. Solid, outside, no cover, 18-30% DM, with covered liquid runoff storage

Design Capacity (NU): 17.1

Potential Design Capacity (NU): 34.3

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X	228.57	X	0.7	X
				1.1	=
				123 m (404 ft)	TBD

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
123 m (404 ft)	TBD

Preparer Information

 Michelle Doornbosch
 Brock Development Group Inc.
 356 Oxford Street East
 London, ON, Canada N6A 1V7
 Phone #1: 5192816769
 Email: michelle@brockdkg.com

 Signature of Preparer: _____
 Michelle Doornbosch

Date: _____

NOTE TO THE USER:

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MDS I CALCULATION

