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H-8400/Nancy Pasato

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 2047790 ONTARIO LIMITED PORTION OF 530 SUNNINGDALE ROAD EAST (POWELL SUBDIVISION - PHASE 3) MEETING ON NOVEMBER 4TH, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application by 2047790 Ontario Limited relating to a portion of the property located at 530 Sunningdale Road East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 11, 2014 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning **FROM** a Holding Residential R1 (h*R1-2) Zone, a Holding Residential R1 (h*R1-3) Zone, a Holding Residential R1 Special Provision (h*R1-3(7)) Zone, a Holding Residential R1/Neighbourhood Facility (h*R1-2/NF) Zone, and a Holding Residential R1 Special Provision/Neighbourhood Facility (h*R1-3(7)/NF) Zone **TO** a Residential R1 (R1-2) Zone, a Residential R1 (R1-3) Zone, a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1/Neighbourhood Facility (R1-2/NF) Zone, and a Residential R1 Special Provision/Neighbourhood Facility (R1-3(7)/NF) Zone to remove the holding (h) provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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39T-05510

June 14, 2006 – Report to Planning Committee for Draft Plan Approval

December 17, 2009 – Report to Planning Committee for extension of Draft Plan

July 18, 2011 – Report to Built and Natural Environment Committee on Phase 1, subdivision SWM facility.

November 28, 2011 – Report to Built and Natural Environment Committee on Special Provisions (Phase 2)

May 7, 2013 – Report to Planning & Environment Committee on Extension of Draft Plan

September 9, 2014 - Report to Planning & Environment Committee on Special Provisions (Phase 3)

H-8025

March 26, 2012 - Removal of holding provision for Phase 2

PURPOSE AND EFFECT OF RECOMMENDED ACTION

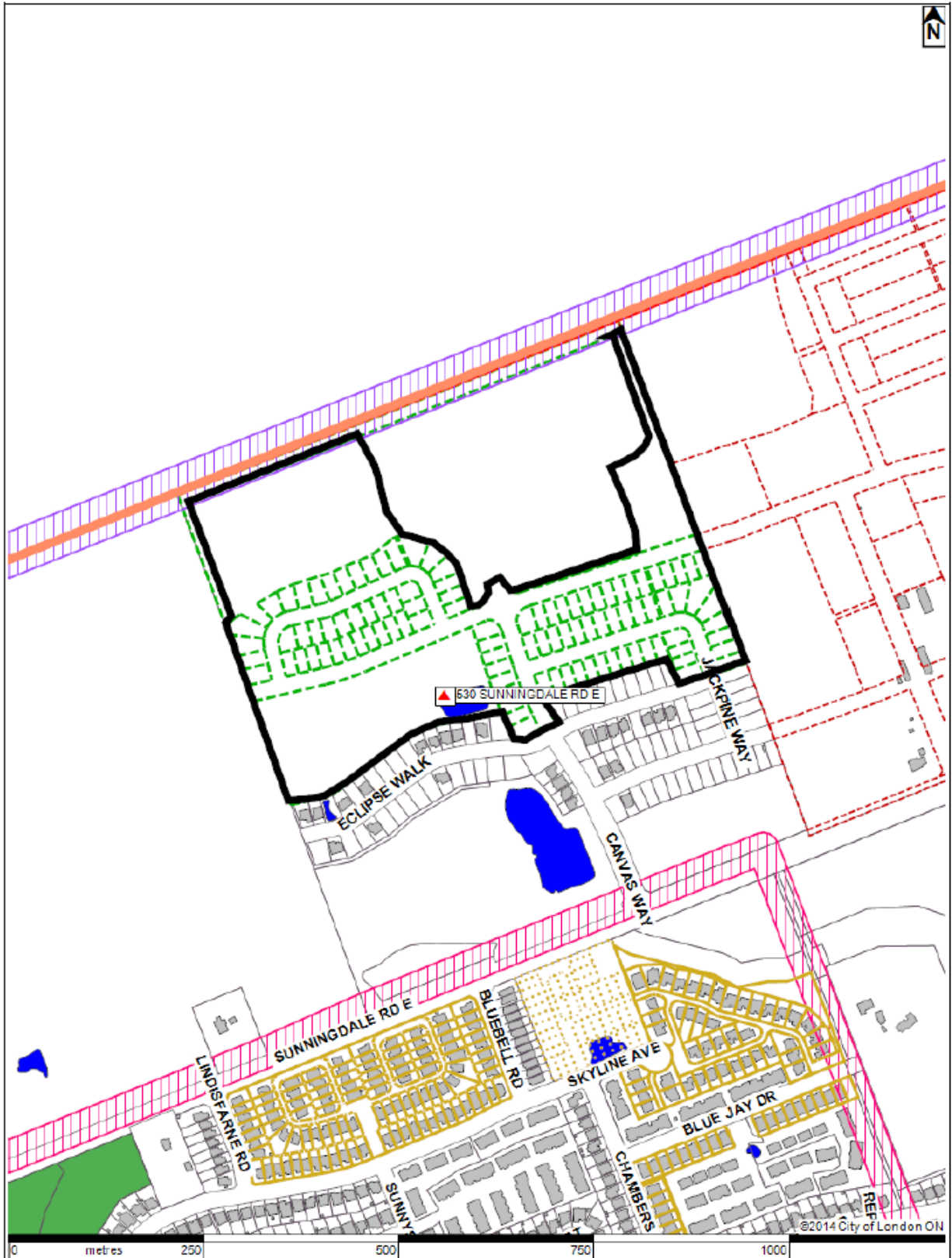
The purpose and effect of this action is to remove the holding provision to allow the development of the lands for Phase 3 of the Powell Subdivision.

RATIONALE

1. A signed subdivision agreement has been entered into between 2047790 Ontario Limited and the City of London, and was registered at the Land Registry Office. Securities have been posted as required by City policy and the Subdivision Agreement for this plan of subdivision.

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
H-8400/Nancy Pasato



LOCATION MAP

Subject Site: portion of 530 Sunningdale Rd E
 Applicant: 2047790 Ontario Inc
 File Number: H-8400
 Planner: Nancy Pasato
 Created By: Nancy Pasato
 Date: 2014-08-19
 Scale: 1:6000

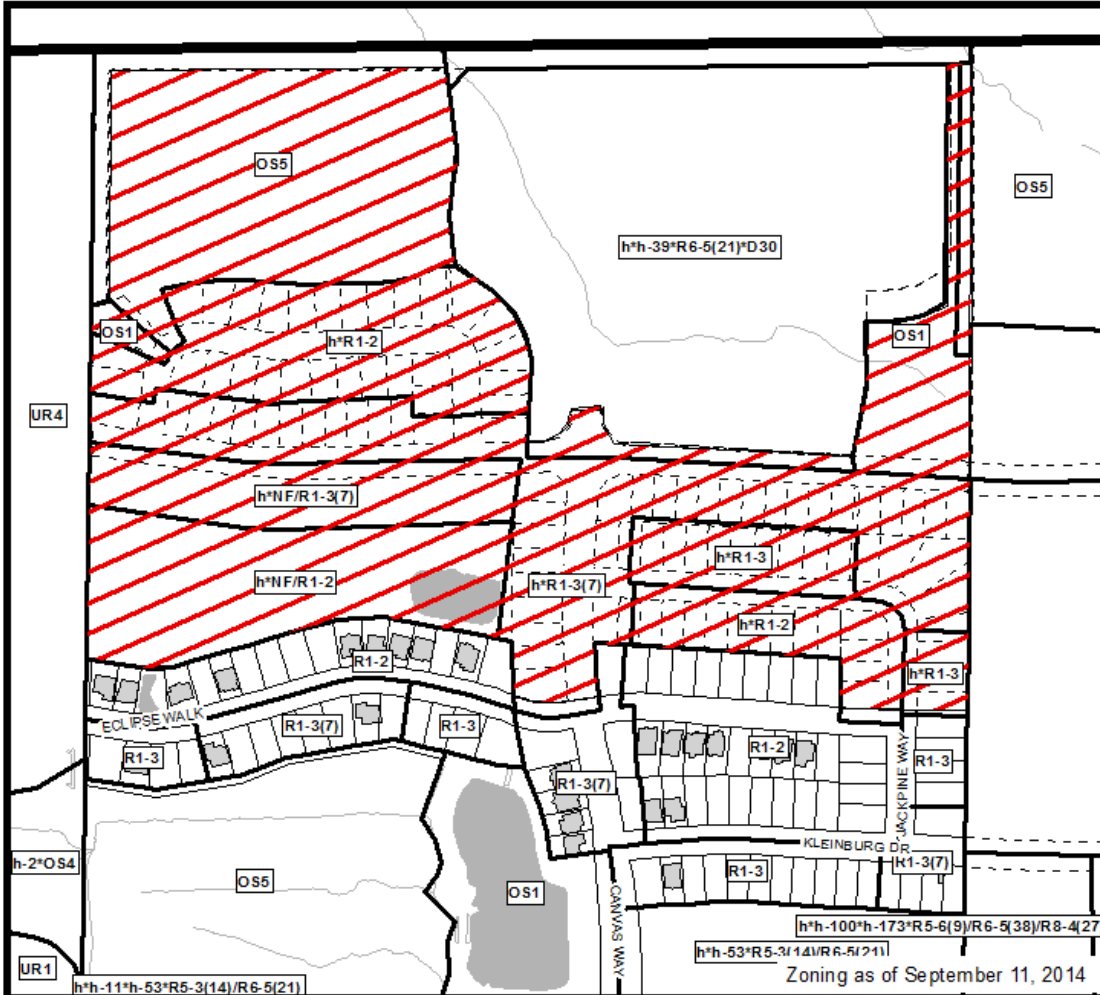
LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

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



H-8400/Nancy Pasato



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
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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:
H-8400 **NP**

MAP PREPARED:
 October 10, 2014 **JTS**

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BACKGROUND

The subdivision is located within the Uplands North Area Plan. The land use designations were approved in May 2003 as part of Official Plan Amendment No. 289. The application for Draft Plan of Subdivision Approval was granted on July 13, 2006. An extension was granted on July 8, 2009.

A Subdivision Agreement for Phase 1 was registered on September 29, 2011 between the City and the applicant. This Phase consisted of the Stormwater Management Pond and the Open Space Block (also known as the Powell Wetland). Since that time, the construction of the stormwater management pond has been completed by the City and is now operational.

Phase 2 of the subdivision was registered on May 8, 2012 as 33M-643. This Phase consisted of 92 single detached lots, 2 medium density blocks, several walkways, road widening and reserve blocks and the creation of Canvas Way (a secondary collector) and 3 local streets.

On December 20, 2012, the Approval Authority granted a six (6) month extension to the draft approved plan subject to the previously approved conditions. A three year extension was granted on June 2, 2013.

Phase 3 of the subdivision consists of 102 single detached lots, one (1) park block, one (1) woodlot and one (1) school site, all served by the extension of Canvas Way and Jackpine Way and two (2) new local streets, namely Superior Drive and Dauncey Crescent. The special provisions for Phase 3 were approved by Council on September 14, 2014.

Date Application Accepted: August 5, 2014	Applicant: 2047790 Ontario Ltd (Z Group) c/o Dara Honeywood
REQUESTED ACTION: Removal of the “h” holding provision on the proposed residential lots in the Uplands North Plan of Subdivision (39T-05510).	

PUBLIC LIAISON:	Notice was published in the “Living in the City” section of the London Free Press on August 21, 2014.	No replies.
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ANALYSIS

The purpose of the holding (“h”) provision in the zoning by-law is as follows:

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.”

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.

A subdivision agreement has been entered into between 2047790 Ontario Limited and the City of London. 2047790 Ontario Limited have also posted security as required by City policy and the Subdivision Agreement for this plan of subdivision. Therefore, the condition has been met for removal of the “h” provision as recommended for Phase 3 of the Powell Subdivision. This Phase consists of 102 single detached lots, a woodlot, a possible school block, and a park block.

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CONCLUSION

Based on our review, the holding zone requirement has been satisfied and it is appropriate to proceed to lift the holding (“h”) symbol from the zoning map to permit the development of 102 single detached lots.

RECOMMENDED BY:	REVIEWED BY:
NANCY PASATO, MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING	BRUCE HENRY MANGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
JENNIE RAMSAY, P. ENG. MANAGER – DEVELOPMENT SERVICES & ENGINEERING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

October 23, 2014

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Bill No. (Number to be inserted by Clerk's Office)
2014

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located on a portion of 530 Sunningdale Road East.

WHEREAS 2047790 Ontario Limited has applied to remove the holding provision from the zoning on a portion of the lands located at 530 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

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 the lands located at 530 Sunningdale Road East, as shown on the attached map to remove the "h" holding provision so that the zoning of the lands as a Residential R1 (R1-2) Zone, a Residential R1 (R1-3) Zone, a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1/Neighbourhood Facility (R1-2/NF) Zone, and a Residential R1 Special Provision/Neighbourhood Facility (R1-3(7)/NF) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on November 11, 2014.

Joni Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – November 11, 2014
Second Reading – November 11, 2014
Third Reading – November 11, 2014

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

