

**DEVELOPMENT
SERVICES**

**ZONING &
HOLDING PROVISIONS**

PEC Orientation
January 19, 2015

ZONING

Who does what

Planning

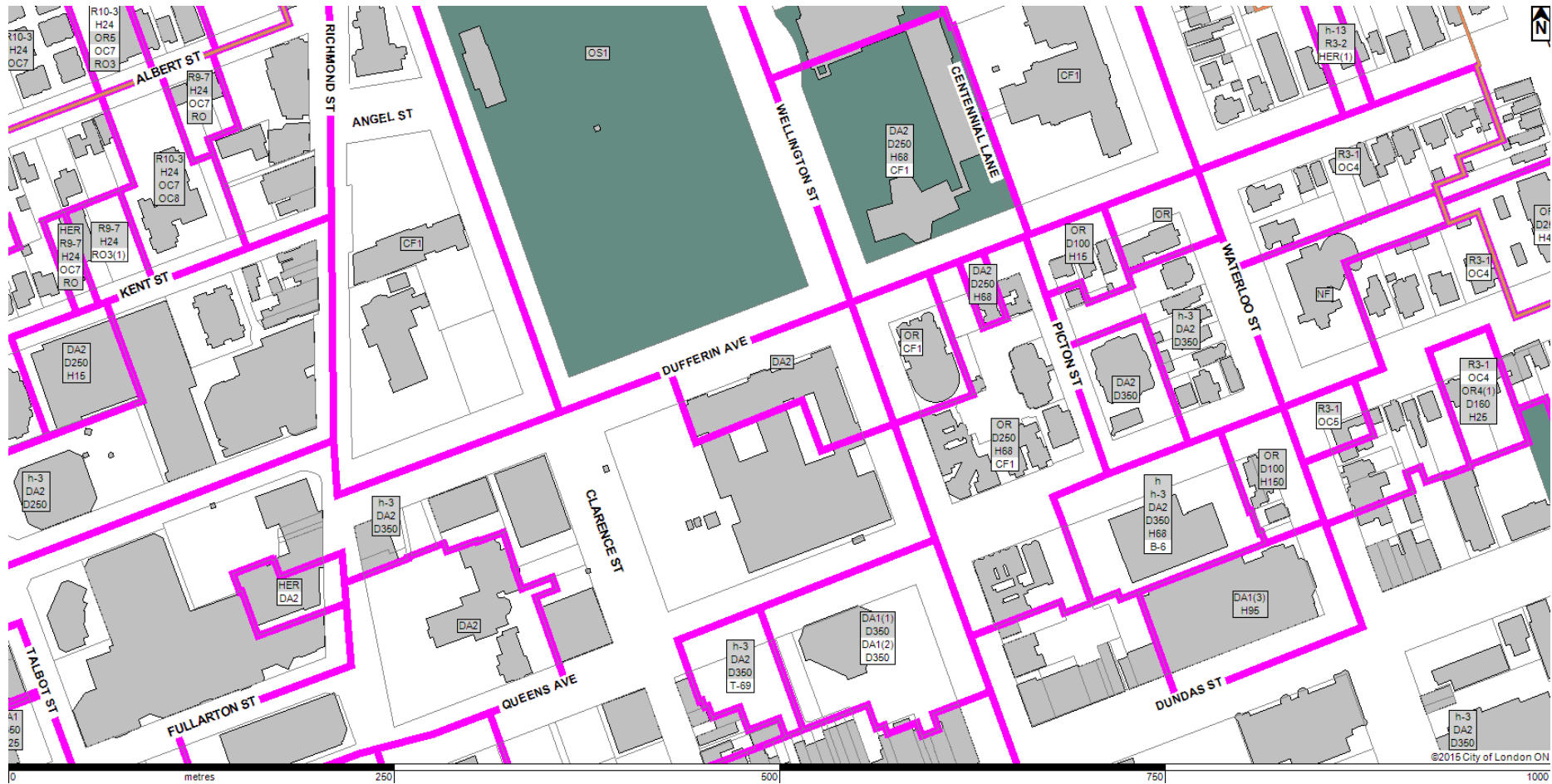
- Site specific Rezoning applications (including OPA's)
- General Zoning By-law updates

Development Services

- Rezoning (including OPA's) with Subdivision applications
- Removal of Holding Provisions

ZONING

By-law Z-1



ZONING

Authority

Zoning By-law / amendments

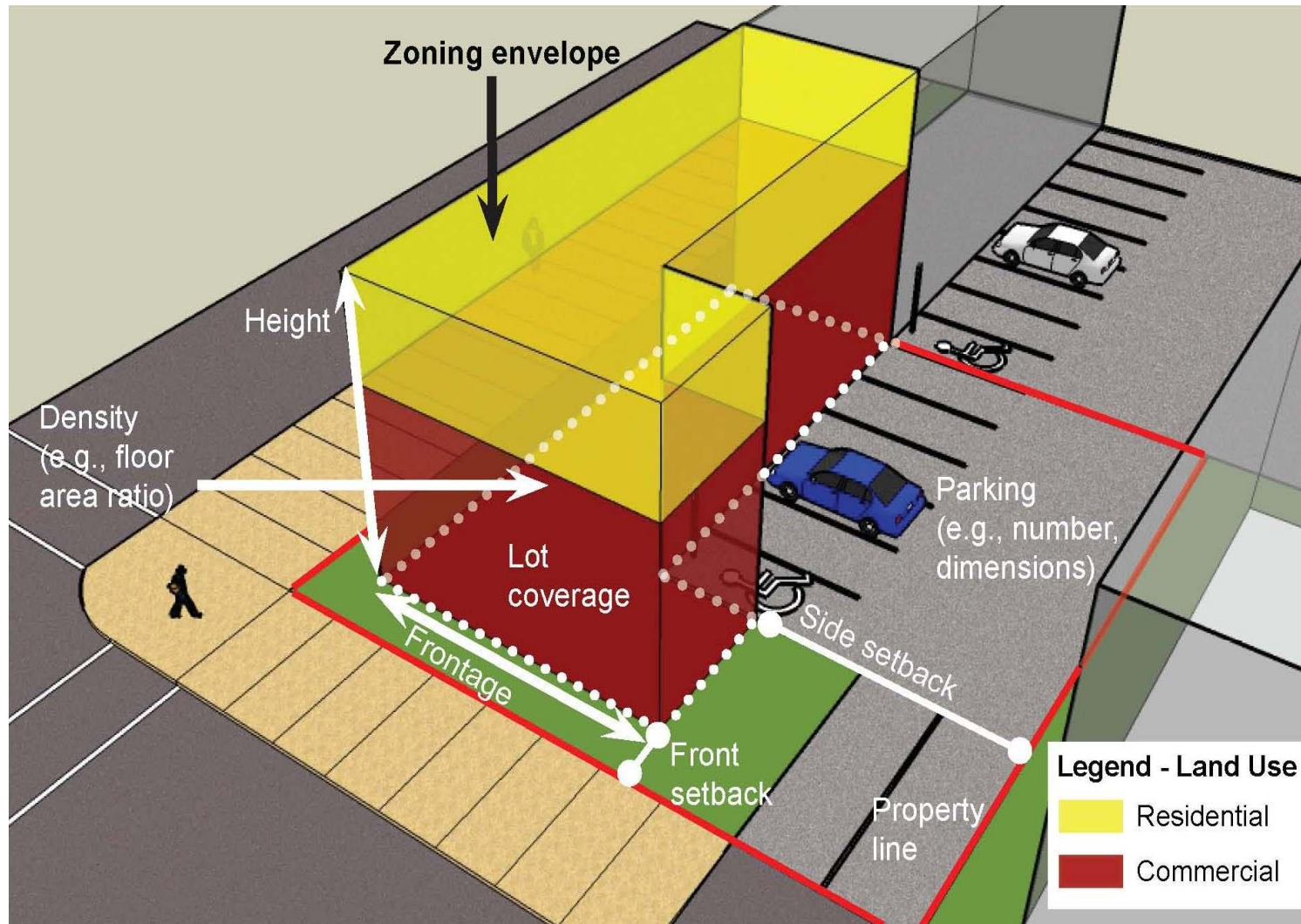
- Adopted by by-law pursuant to S. 34 of the Planning Act
- Enabling policies are contained in S. 19.4 of the Official Plan (OP)
- Zoning must be in conformity with the Provincial Policy Statement (PPS) and relevant OP policies

ZONING

Regulations

Zoning controls the use of land and the form/intensity of development:

- Permitted uses
- Where buildings can be located
- Lot sizes & dimensions
- Parking requirements
- Building height, density, floor area
- Lot coverage, landscaped area



Source: MMAH Ontario Website

ZONING

Not Applicable

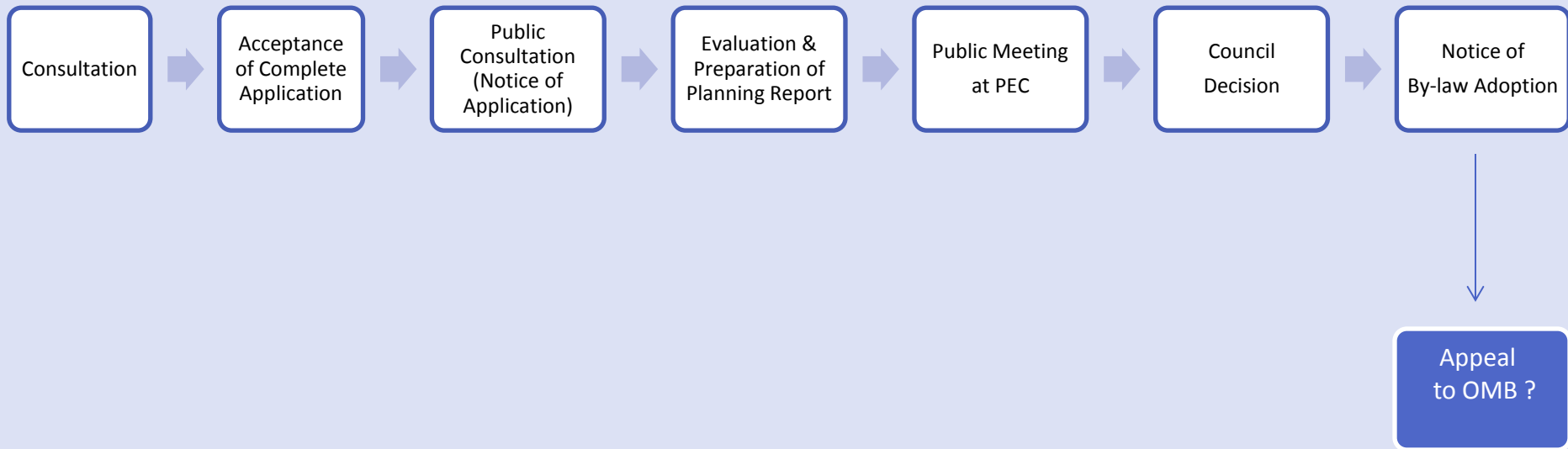
Zoning does not regulate:

- Relationship between individuals
- Hours of business operation
- Tree cutting, site alteration
- Noise, litter, dust
- Traffic volumes
- Property standards

ZONING

Amendment Process

← 120 Days →



ZONING

Timelines

Planning Act Timelines:

- Decision on acceptance of complete application within 30 days
- Minimum 20 days from notice of application to date of public meeting
- 120 days between application acceptance and Council decision
- Notice to be issued within 15 days of By-law adoption
- Appeal to OMB within 20 days from Notice of By-law adoption

HOLDING PROVISIONS

Holding “h” provisions are conditions of zoning which must be satisfied prior to development:

- Applied at the time zoning is approved
- The “h” is removed when the stated condition has been satisfied
- Currently, 193 holding provisions are listed in S. 3.8 of the Zoning By-law
- holding provisions can be generic or site specific in nature

HOLDING PROVISIONS

Authority

- Adopted by by-law pursuant to S. 36 of the Planning Act
- Enabling policies are contained in S. 19.4.3. of the Official Plan
- The “h” provision can only be removed by Council adopted by-law
- Removal of the “h” provision requires limited public notice and no public meeting
- Building permit cannot be issued (except for permitted “Interim Uses”) until the holding provision is removed

HOLDING PROVISIONS

Benefits

Some potential benefits associated with the use of holding provisions:

- Zoning applications that might otherwise be refused or deferred can be approved, subject to conditions
- Provides certainty about conditions that must be satisfied prior to development
- Removal of a holding provision is a less onerous, less costly process than amending the Zoning By-law

HOLDING PROVISIONS

Examples

“h” 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.

“h-5” To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the “h-5” symbol. Permitted Interim Uses: Existing uses.

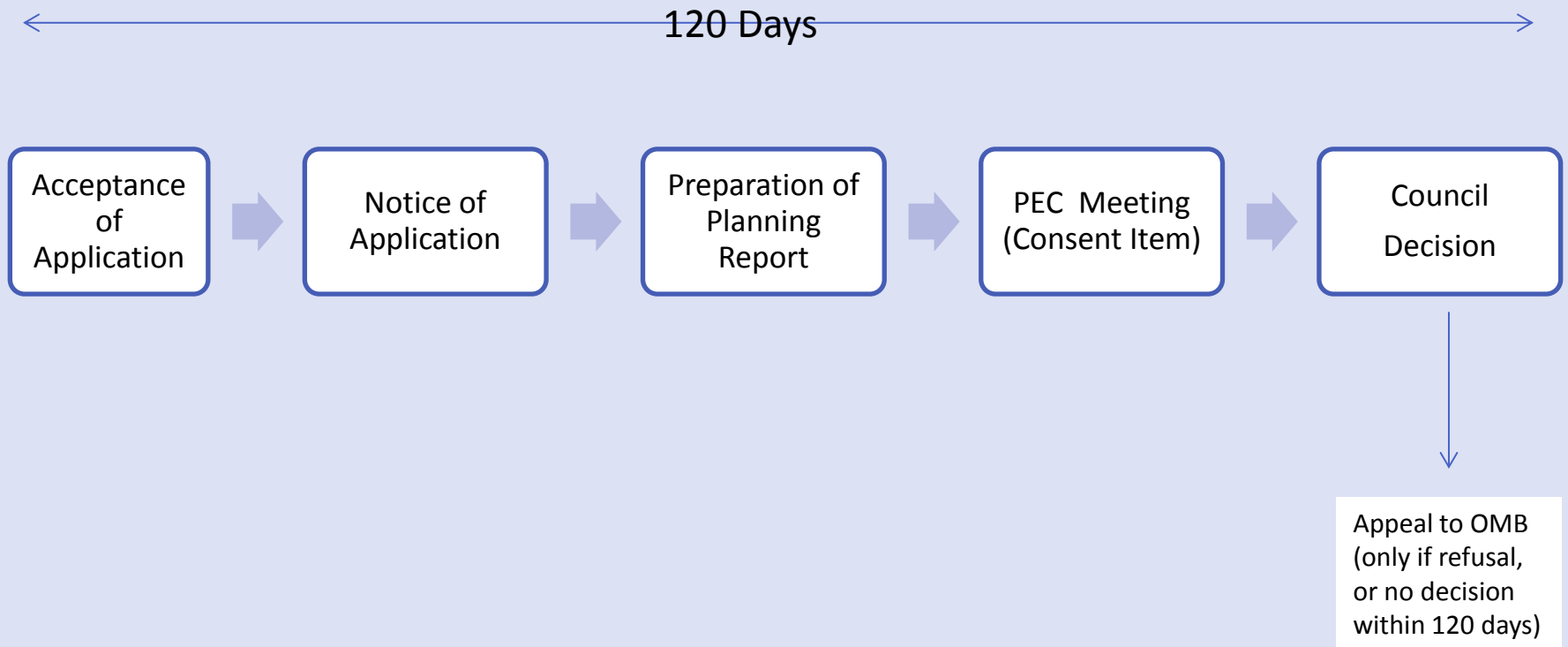
HOLDING PROVISIONS Examples

“h-29” *To ensure the adequate provision of municipal services for the development of a car wash, the “h-29” symbol shall not be deleted until municipal sanitary sewers are available to service this site , and a development agreement is entered into with the City of London.*

Permitted Interim Uses: Dry uses on individual sanitary facilities permitted by the applied Zone.

“h-100” *To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units*

REMOVING HOLDING PROVISIONS



ZONING & HOLDING PROVISIONS

INFORMATION

The City of London Zoning By-law Map, Text and background information are fully accessible on the City's website under "On-line Services"

<http://www.london.ca/business/Planning-Development/zoning-by-law/Pages/HowToUseZBylaw.aspx>

QUESTIONS ?