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**H-8559**  
**Alanna Riley**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: KIRKNESS CONSULTING INC. 3300 CASTLE ROCK PLACE MEETING ON MAY 9, 2016</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, based on the application of Kirkness Consulting Inc., relating to the property located 3300 Castle Rock Place, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 17, 2016 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** a Holding Residential R5/R6 (h.h-54.h-71.h-100.h-104.h-137·R5-4/R6-5) Zone **TO** a Holding Residential R5/R6 (h-137·R5-4/R6-5) Zone, to remove the “h”, “h-54”, “h-71”, “h-100”, and “h-104” holding provisions.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this zoning change is to remove the “h”, “h-54”, “h-71”, “h-100”, and “h-104” holding provisions in order to permit a cluster townhouse development.

<b>RATIONALE</b>
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1. The removal of the holding provisions will allow for development in conformity with the City of London Official Plan.
2. Through the site plan approval process and submission of required studies, all remaining issues have been resolved and these holding provisions can be removed.

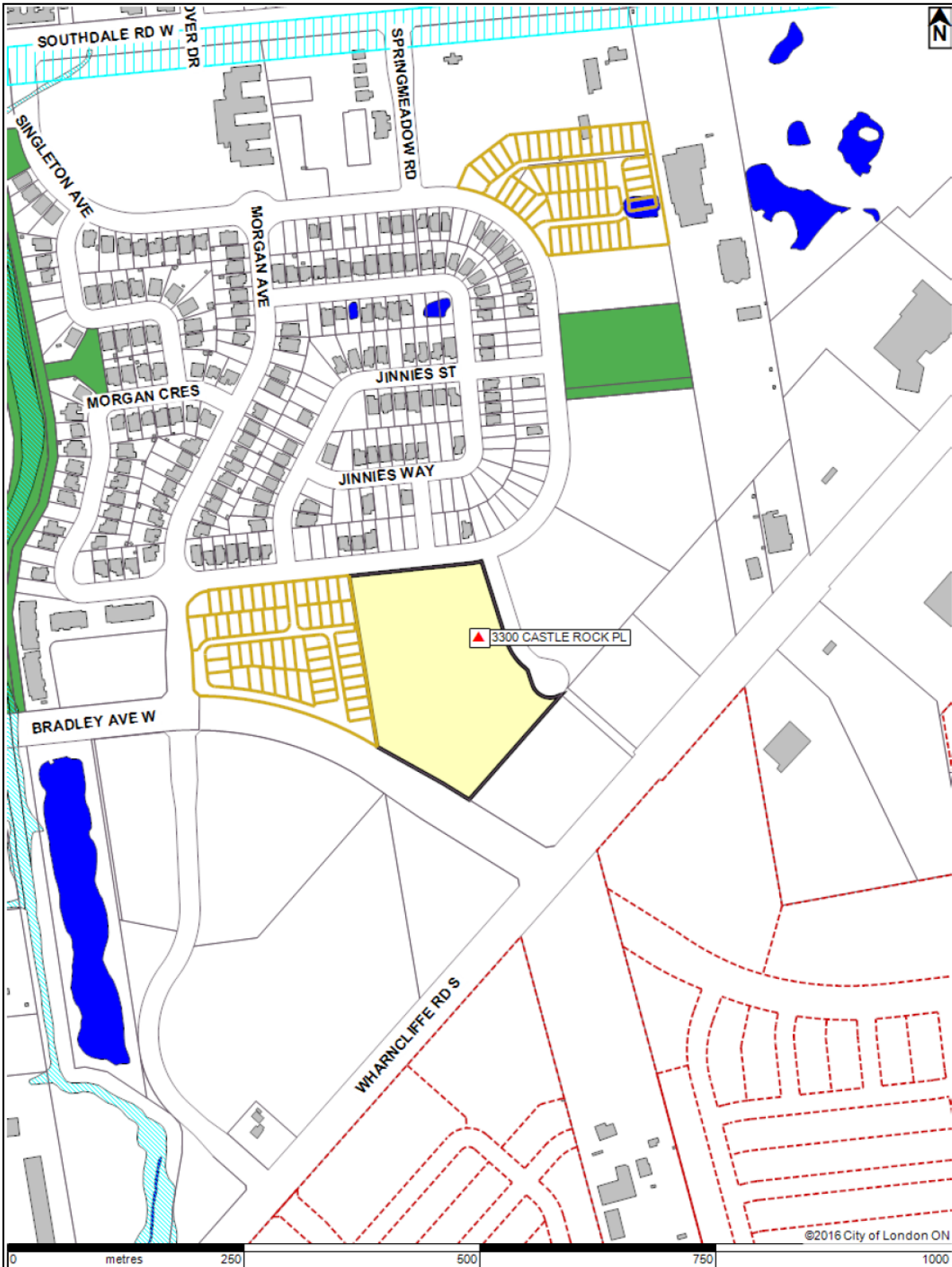
<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**May 6, 2009** – Public participation meeting at the Planning and Environment Committee for a Draft Plan of Subdivision(39T-05509) and Zoning By-law amendment application (Z-6915).

**June 8, 2011** - Public participation meeting at the Planning and Environment Committee for a Zoning By-law amendment application (Z-7850).

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**LOCATION MAP**

Subject Site: 3300 Castle Rock Pl  
File Number: H-8559  
Planner: Alanna Riley  
Created By: Alanna Riley  
Date: 2016-02-18  
Scale: 1:5000

**LEGEND**

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

Corporation of the City of London  
Prepared By: Development and Compliance Services



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<b>BACKGROUND</b>
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The subject property is located within the Bostwick East Area Plan. The Bostwick East Area Plan was adopted by City Council on December 19, 2005. This plan provides long-term guidance for the development and servicing of lands in the area.

The subject property is comprised of Block 80 on Plan of Subdivision 33M-641 (39T-05509). The Holding “h”, “h-54”, “h-71”, “h-100”, and “h-104” provisions were applied at the time the Draft Plan of Subdivision was under consideration. The Holding Residential Special Provision “h-137” was applied in June 2011 through Zoning By-law Amendment application Z-7850 to address servicing and transportation capacities.

A concurrent Site Plan application is currently under review. The proposed development consists of a 108 unit cluster townhouse development.

On December 11, 2015, an application was accepted from the City of London, to remove the “h”, “h-54”, “h-71”, “h-100”, “h-104” and “h-137” holding provisions from the subject site in order to permit the development of cluster townhouses. The notice of application was circulated to the required municipal departments and published in *The Londoner*, on February 18, 2016.

<b>Date Application Accepted:</b> December 11, 2015	<b>Applicant:</b> Laverne Kirkness
<b>REQUESTED ACTION:</b> Removal of the “h”, “h-54”, “h-71”, “h-100”, “h-104” and “h-137” holding provisions on 3300 Castle Rock Place.	
The applicant amended the application to withdraw request for the removal of the “h-137” holding provision.	
<b>PUBLIC LIAISON:</b>	Notice was published in <i>The Londoner</i> on February 18, 2016.
<b>Nature of Liaison:</b>	
City Council intends to consider removing the “h”, “h-54”, “h-71”, “h-100”, “h-104” and “h-137” holding provisions that was put in place to ensure the orderly development of lands and the adequate provision of municipal services; to ensure there are no land use conflicts between arterial roads and the proposed residential uses; to encourage street orientation development; to ensure there is adequate water service and appropriate access; to ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility; and to ensure that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 residential units until the temporary Bostwick sanitary sewage pumping station and forcemain are decommissioned; and a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes.	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, five holding provisions were added to the site.

The following lists the holding provisions, and how each provision has been satisfied:

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**h** – *The “h” holding provision is 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.*

Securities relating to the development agreement for the site plan have been provided to Development Services. It is anticipated that the development agreement will be executed within the next few weeks.

**h-54** – *The “h-54” holding provision is to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.*

A Noise Study was prepared and submitted by Development Engineering through the Site Plan Approval process. The noise study was accepted by staff and the recommendations have been incorporated into the design of the site and the development agreement.

**h-71** – *The “h-71” holding provision is to encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol.*

The proposed development is street-oriented, with units having frontage along Singleton Avenue and Castle Rock Place. Planning and Urban Design staff have advised that the development meets the intent of the holding provision.

**h-100** – *The “h-100” holding provision is 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)*

Development Engineering has advised that there is adequate water service for this site. A second public access to this subdivision has been provided which meets the original intent of the h-100 holding provision.

**h-104** – *The “h-104” holding provision is to ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The “h-104” symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.*

Development Engineering has advised that a stormwater management report was submitted by the applicants consulting engineer and has been accepted.

Although the scale of the proposed development does not exceed the maximum threshold for the Bostwick sanitary sewage pumping station and forcemain, it is important for the “h-137” holding provision to remain in place so that staff can keep a running total of the number of units developed in this area. As such, Development Services is confident the maximum threshold of 240 units will not be reached and can confirm that issuance of building permits will not be held up as a result of the “h-137” remaining on the parcel.

Development Services plans to bring forward a report in the future recommending removal of h’s 134, 136 and 137, all with similar threshold requirement, upon decommissioning of the temporary Bostwick Pumping Station.

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<b>CONCLUSION</b>
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Through the site plan approval process the requirements for holding provisions on the subject lands have been addressed. The applicant has provided the required securities and has met provisions relating to noise mitigation, design, and servicing. It is appropriate to remove these holding provisions from the subject lands at this time. Removal of these holding provisions will allow the Building Division to issue building permits to allow construction of 108 cluster townhouse dwelling units. Holding provision "h-137" is not recommended for removal at this time but will be conserved when the Bostwick Pumping Station has been decommissioned.

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

May 2, 2016

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Bill No.  
2016

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on lands located at 3300 Castle Rock Place.

WHEREAS The Corporation of the City of London has applied to remove holding provisions from the zoning on the lands located at 3300 Castle Rock Place, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

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 3300 Castle Rock Place, as shown on the attached map to remove the holding "h", "h-54", "h-71", "h-100", and "h-104" holding provisions so that the zoning of the lands as a Holding Residential R5/R6 (h-137\*R5-4/R6-5) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on May 17, 2016.

Matt Brown  
Mayor

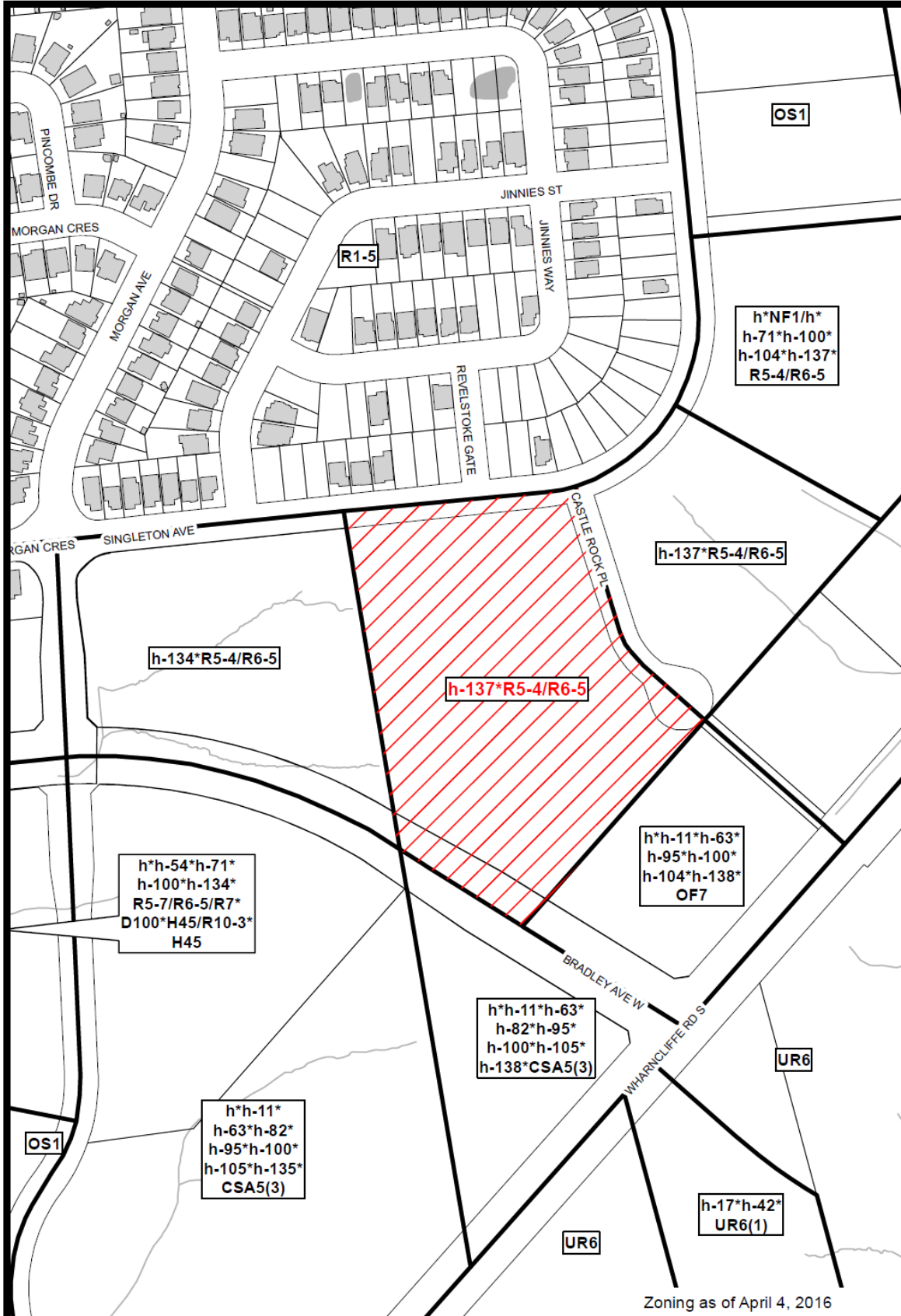
Catharine Saunders  
City Clerk

First Reading – May 17, 2016.  
Second Reading – May 17, 2016.  
Third Reading – May 17, 2016.


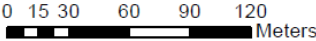

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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



Zoning as of April 4, 2016

<p>File Number: H-8559  Planner: AR  Date Prepared: 2016/05/02  Technician: JS  By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p> Meters</p> <p></p>
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