

H-8660  
Alanna Riley

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: 1640209 ONTARIO LTD. 1959 WHARNCLIFFE ROAD SOUTH MEETING ON OCTOBER 17, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of 1640209 Ontario Ltd., relating to the property located 1959 Wharncliffe Road South:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 25, 2016 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning on a portion of the subject lands **FROM** a Holding Residential R1 (h.h-100.R1-4) Zone **TO** Residential R1 (R1-4) Zone, to remove the “h”, and “h-100”, holding provisions.
- b) the application to change the zoning on the remainder of the lands within the subdivision **BE DEFERRED** until such time as the Environmental Assessment for the Bostwick Road realignment is complete, and the multi-family medium density residential block developments are designed and approved consistent with the Southwest Area Plan.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

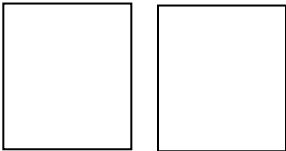
The purpose and effect of this zoning change is to remove the “h”, and h-100” is to permit the issuance of building permits in accordance with the approved zoning.

RATIONALE

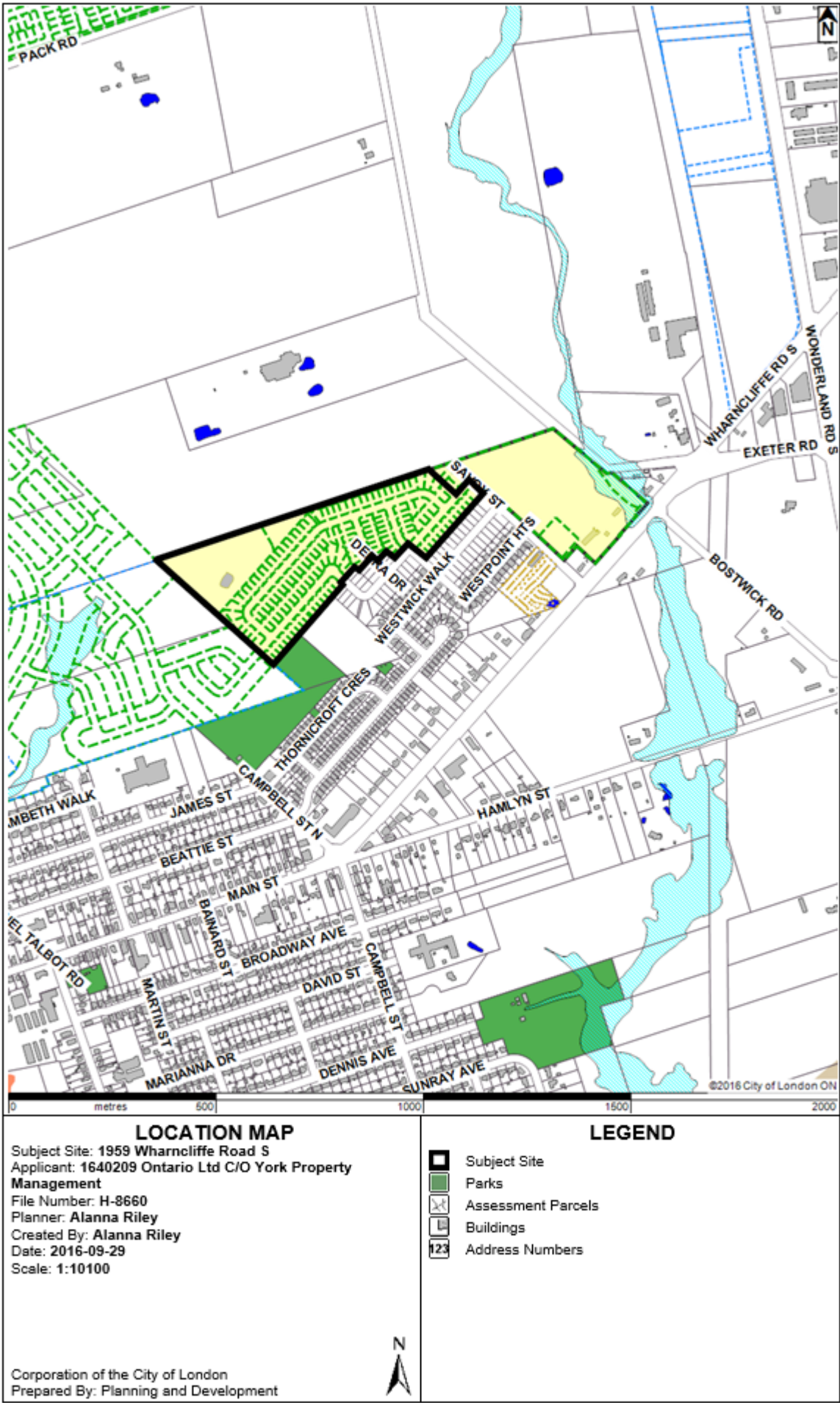
- 1. The removal of the holding provisions will allow for low density residential development in conformity with the City of London Official Plan.
- 2. Water Engineering and Transportation Division have indicated that water looping and a second public access is available to service this site.

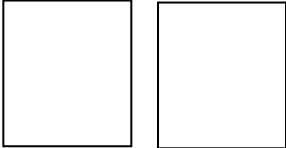
PREVIOUS REPORTS PERTINENT TO THIS MATTER

**April 20, 2015** – Public participation meeting at the Planning and Environment Committee for a Draft Plan of Subdivision(39T-14502) and, Official Plan and Zoning By-law amendment application (OZ-8393).



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BACKGROUND	
Date Application Accepted: July 21, 2016	Applicant: 1640209 Ontario Ltd.
REQUESTED ACTION: Removal of the “h”, “h-100”, and “h-198” holding provisions provisions on 1959 Wharnccliffe Road South.	
PUBLIC LIAISON:	Notice was published in <i>The Londoner</i> on September 8, 2016.
Nature of Liaison: City Council intends to consider removing the “h”, “h-100” and “h-198” holding provisions that were put in place to ensure the orderly development of lands and the adequate provision of municipal services, to ensure there is adequate water service and appropriate access and to encourage street-oriented development and discourage noise attenuation walls along arterial roads. Council will consider removing the holding provisions as they apply to the lands described above, no earlier than October 3, 2016.	
Responses: None	
ANALYSIS	

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.

The applicant has requested that the following holding provisions be removed:

***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 subdivision have been provided to Development Services. It is anticipated that the subdivision agreement will be executed within the next few weeks.

***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)*

Water Engineering and Transportation Division have indicated that water looping and a second public access is available to service this site.

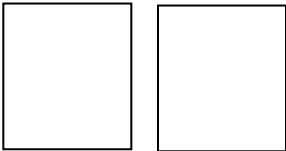
***h-198** - Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan.*

The removal of the h-198 will be brought back to a future meeting of Planning and Environment Committee when the multi-family medium residential block developments are designed and approved consistent with the Southwest Area Plan

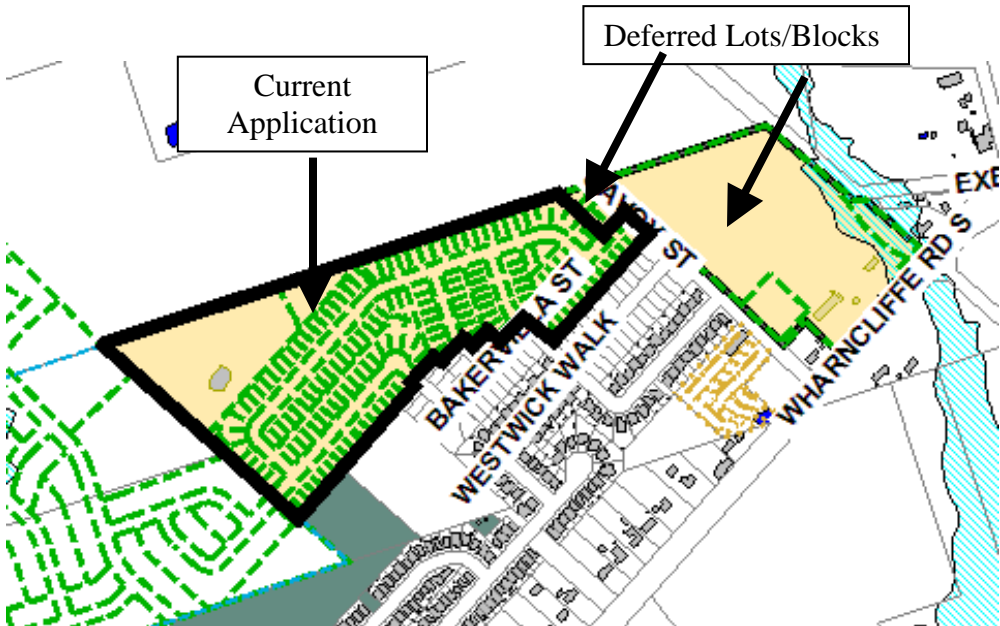
There is also an h-197 holding provision on a portion of these lands.

***h-197** - Purpose: To ensure the size and configuration of lots and blocks is appropriate for the area and suitably serviced the “h-(197)” symbol shall not be deleted until after the Environmental Assessment for the Bostwick Road realignments has been completed and a subdivision agreement is entered into specifying conditions of development, to the satisfaction of Council.*

The applicant will be required to make an application to remove the h-197 holding provision when the Environmental Assessment for the Bostwick Road realignment is complete and a subdivision agreement is entered into with the City for these lands.



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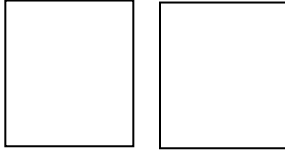


Development Services plans to bring forward a report in the future recommending removal of the “h”, “h-100”, and “h-198” for the deferred lots and blocks when all provisions have been satisfied.

**CONCLUSION**

The requirements for the “h” and “h-100” holding provisions on the subject lands have been addressed. The applicant has provided the required securities and has met provisions relating servicing. It is appropriate to remove these holding provisions from the subject lands at this time. Removal of these holding provisions will allow for building permits to be considered to permit construction of single detached dwellings. Holding provision “h-198” is not recommended for removal at this time but will be brought back for removal when the multi-family medium residential block developments are designed and approved consistent with the Southwest Area Plan

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 AND CHIEF BUILDING OFFICIAL



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Bill No.  
2016

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning on a portion of lands located at 1959 Wharncliffe Road South.

WHEREAS The Corporation of the City of London has applied to remove holding provisions from the zoning on the lands located at 1959 Wharncliffe Road South, 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 a portion of the said land;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

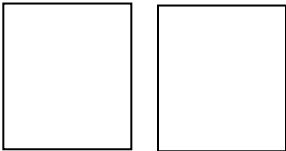
1.            Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 1959 Wharncliffe Road South, as shown on the attached map to remove the holding "h", and "h-100", holding provisions so that the zoning of the lands as a Residential R1 (R1-4) Zone comes into effect.
2.            This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 25, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 25, 2016.  
Second Reading – October 25, 2016.  
Third Reading – October 25, 2016.



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

