

**H-8619**  
**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 &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: HIGHLAND GREEN LONDON INC. 185 &amp; 199 COMMISSIONERS ROAD WEST MEETING ON MAY 8, 2017</b>
<b>RECOMMENDATION</b>	

That, on the recommendation of the Senior Planner, Development Planning based on the application of Highland Green London Inc. relating to land located at 185 and 191 Commissioners Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 16, 2017 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 R1 Special Provision (h.R1-8(6)) Zone and Holding Residential R1 Special Provision (h.R1-8(7)) Zone **TO** a Residential R1 Special Provision (R1-8(6)) Zone and Residential R1 Special Provision R1-8(7)) to remove the “h.” holding provision.

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of this zoning change is to remove the holding provision so that development of single detached dwellings can proceed in accordance with the approved zoning.

**RATIONALE**

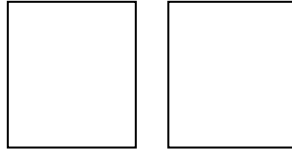
1. The removal of the holding provision will allow for development in conformity with the City of London Zoning By-law.
2. The subdivision agreement has been executed and the Owner has provided sufficient security, in accordance with the criteria of the holding provision regulation, in order to consider lifting the ‘h’ holding provision.

**BACKGROUND**

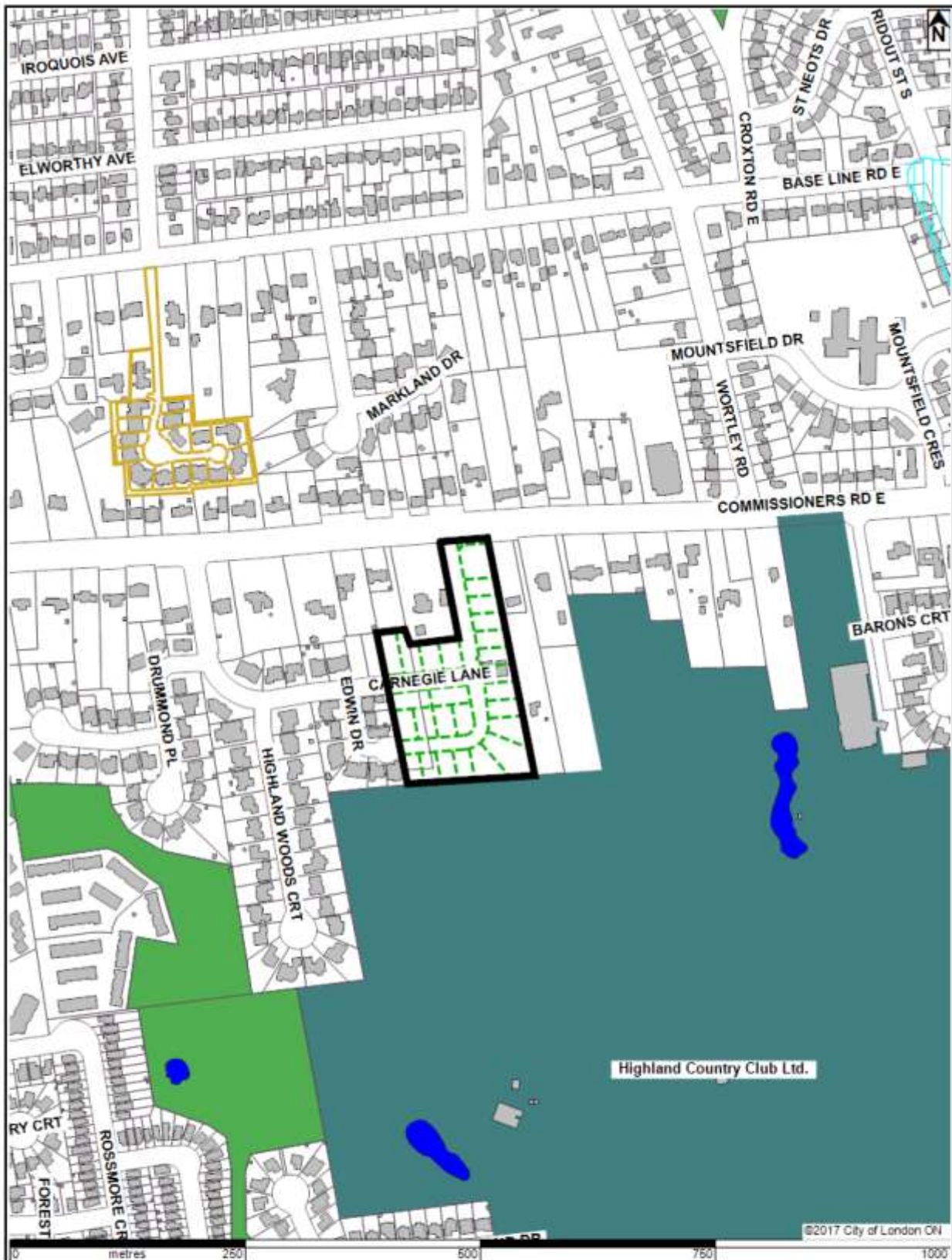
An application for Draft Plan of Subdivision Approval was accepted on May 28, 2007 and was assigned the subdivision file number 39T-07505. Draft Approval was granted by the Approval Authority on July 31, 2008.






The subject lands were originally zoned Holding Residential R1 (h.R1-7); Holding Residential R1 (h.R1-8); and a Holding Residential R1 Special Provision h.h-54.(R1-9(7)). In addition to the general “h” holding provision staff recommended at that time to include the “h-54” holding provision to address noise issues with the lots abutting Commissioners Road East.

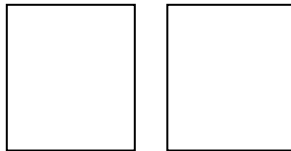
On November 22, 2016 an amendment to the original R1-8 Zone was approved to permit reduced rear yards, interior yard setbacks, and lot areas. At that time the “h” holding provision was recommended to remain on the subject lands as a subdivision agreement had not been executed at that time. The applicant submitted a noise study to address the “h-54” holding provision and as a result it was removed as part of the rezoning application. On January 27, 2017 an amendment to the draft plan of subdivision was approved to increase the number of lots in the subdivision from 25 to 26.



H-8619  
Alanna Riley



<p><b>LOCATION MAP</b></p> <p>Subject Site: 181 Commissioners Rd E          Applicant: Highland Green London Inc.          File Number: H-8619          Planner: Alanna Riley          Created By: Alanna Riley          Date: 2017-04-28          Scale: 1:5000</p> <p>Corporation of the City of London          Prepared By: Planning and Development</p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li> Subject Site</li> <li> Parks</li> <li> Assessment Parcels</li> <li> Buildings</li> <li> Address Numbers</li> </ul>
--	--



**H-8619**  
**Alanna Riley**

<b>Application Accepted:</b> May 17, 2016	<b>Owner:</b> Highland Green London Inc.
<b>REQUESTED ACTION:</b> City Council intends to consider removing the “h” and “h-54” holding provisions that were put in place to ensure the orderly development of lands and the adequate provision of municipal services, and to ensure there are no land use conflicts between arterial roads and the proposed residential uses. Council will consider removing the holding provision as it applies to the lands described above, no earlier than July 18, 2016.	
<b>PUBLIC LIAISON:</b>	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on June 30, 2016.
<b>Nature of Liaison:</b> The purpose and effect of this zoning change is to remove the holding symbol to permit the development of single detached dwellings.	
<b>Responses:</b> None	

**h. Holding Provision**

The “h” holding provision that applies to the subject lands states that:

*“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.”*

**Why is it appropriate to remove the Holding Provision?**

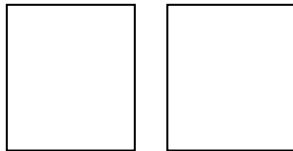
The applicant has provided the required security and has executed the subdivision agreement. This is sufficient to satisfy the requirements of this holding provision and to allow for these lands to be developed in accordance with the by-law.

<b>CONCLUSION</b>
-------------------

It is appropriate to remove the h. holding provision at this time. Removal of the holding provision will allow the property owner to apply for building permits to allow for the construction of single detached dwellings.

<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>ALANNA RILEY, MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING</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 &amp; CHIEF BUILDING OFFICIAL</b>

May 1, 2017  
AR/ar



**H-8619**  
**Alanna Riley**

Bill No.  
2017

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

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of the lands located at 185 and 199 Commissioners Road East.

WHEREAS Highland Green London Inc. has applied to remove holding provision from the zoning on a portion of the lands located at 185 and 199 Commissioners 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:

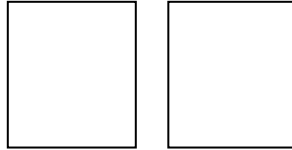
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of lands located at 185 and 199 Commissioners Road East, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-8(6)) and Residential R1 Special Provision (R1-8(7)) come into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on May 16, 2017

Matt Brown  
Mayor

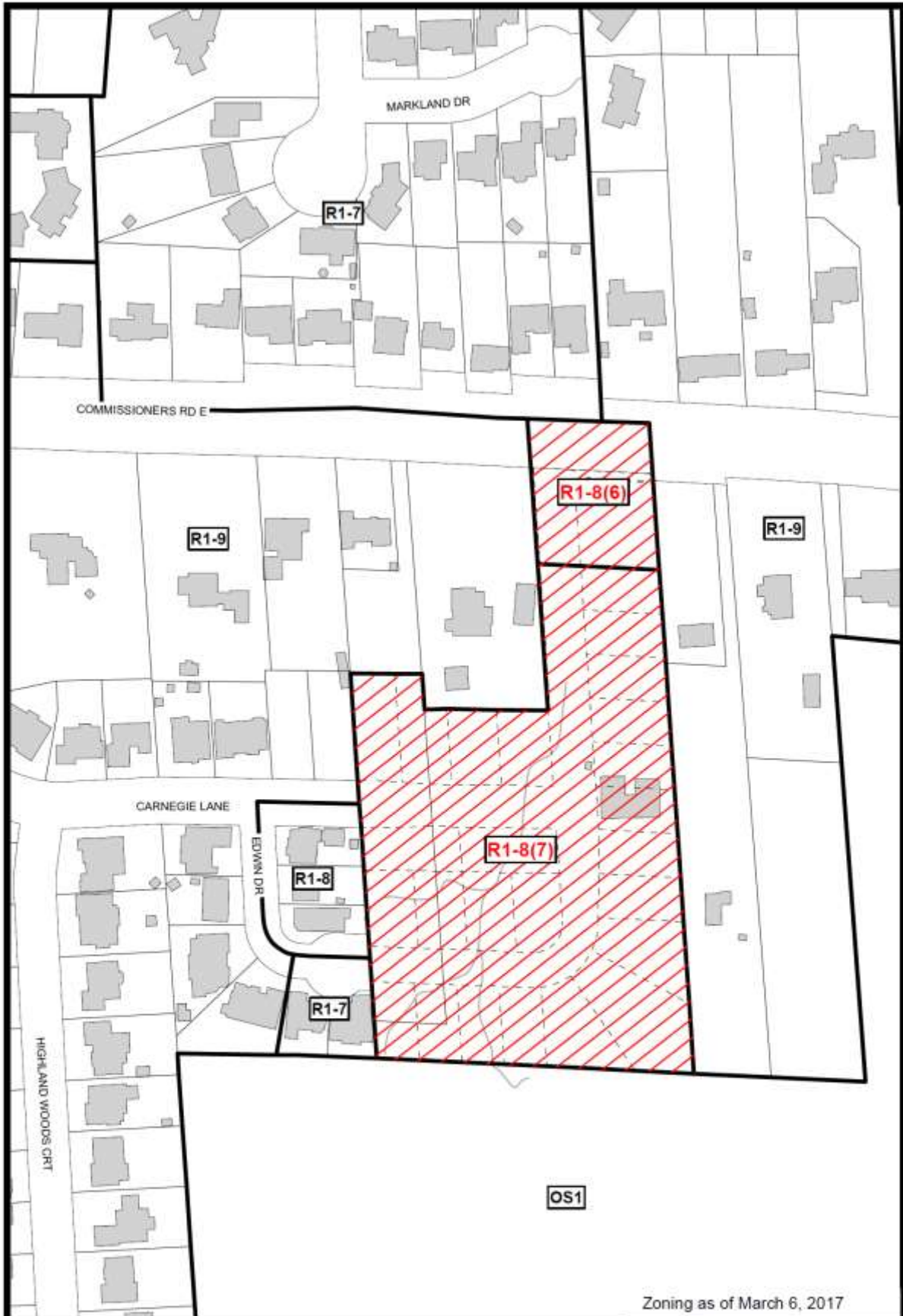
Catharine Saunders  
City Clerk

First Reading - May 16, 2017  
Second Reading – May 16, 2017  
Third Reading - May 16, 2017



H-8619  
Alanna Riley

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



File Number: H-8619  
 Planner: AR  
 Date Prepared: April 28, 2017  
 Technician: DT  
 By-Law No: Z.-1-

SUBJECT SITE



1:2,000

0 10 20 40 60 80 Meters

