

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P.ENG
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application By: Foxwood Development (London) Inc.
1602 Sunningdale Road West
Removal of Holding Provisions (h and h-100)

Meeting on: May 28, 2018

Recommendation

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Foxwood Development (London) Inc. relating to the property located at 1602 Sunningdale Road West the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 12, 2018 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1602 Sunningdale Road West **FROM** a Holding Residential R1 (h*h-100*R1-13) Zone and a Holding Residential R1 Special Provision (h*h-100*R1-4 (30)) Zone **TO** a Residential R1 (R1-13) Zone and a Residential R1 Special Provision (R1-4 (30)) Zone to remove the h. and h-100 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

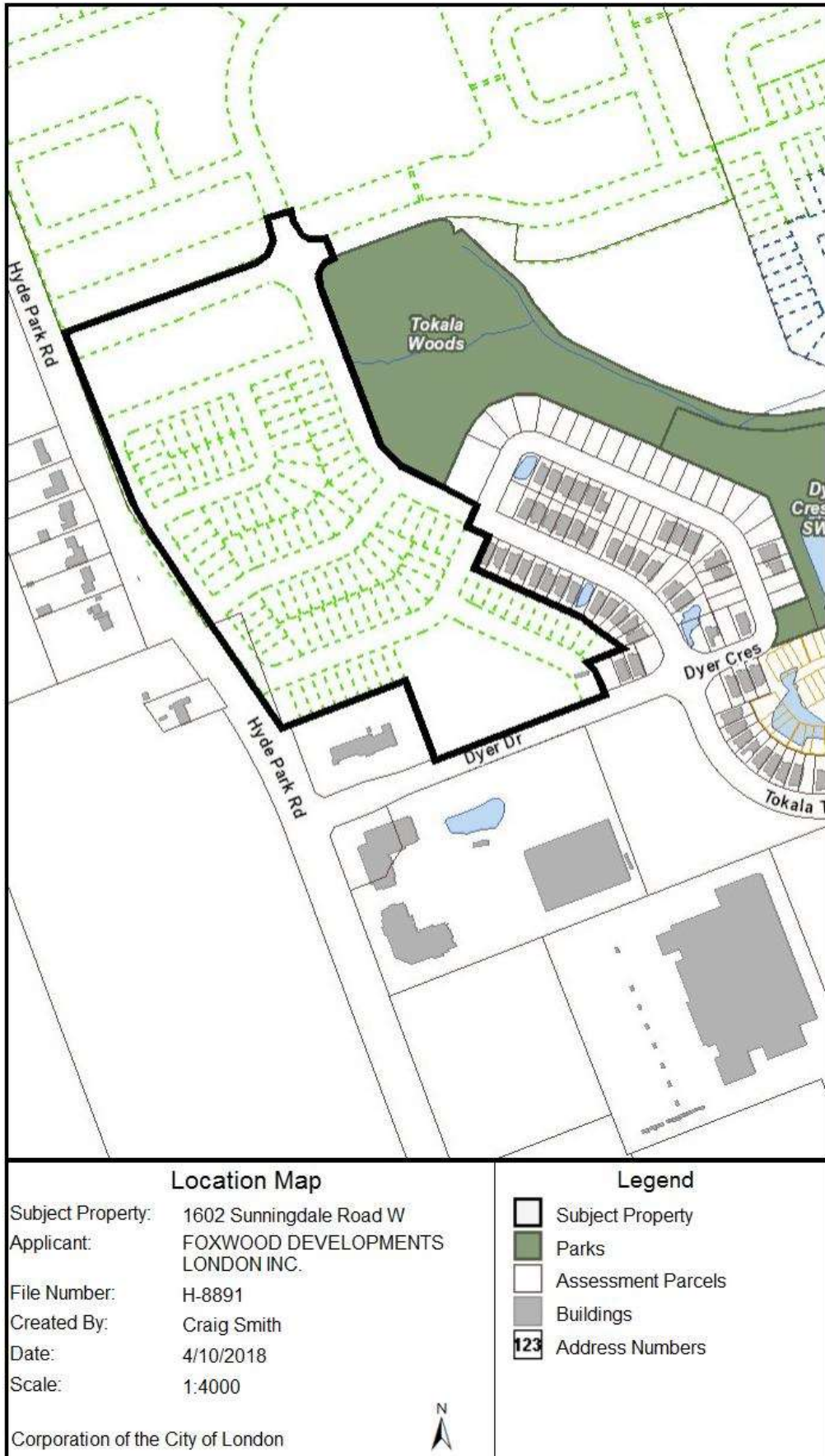
The purpose and effect of this zoning change is to remove the h. and h-100 holding symbols to permit the development of 110 single detached dwelling lots.

Rationale of Recommended Action

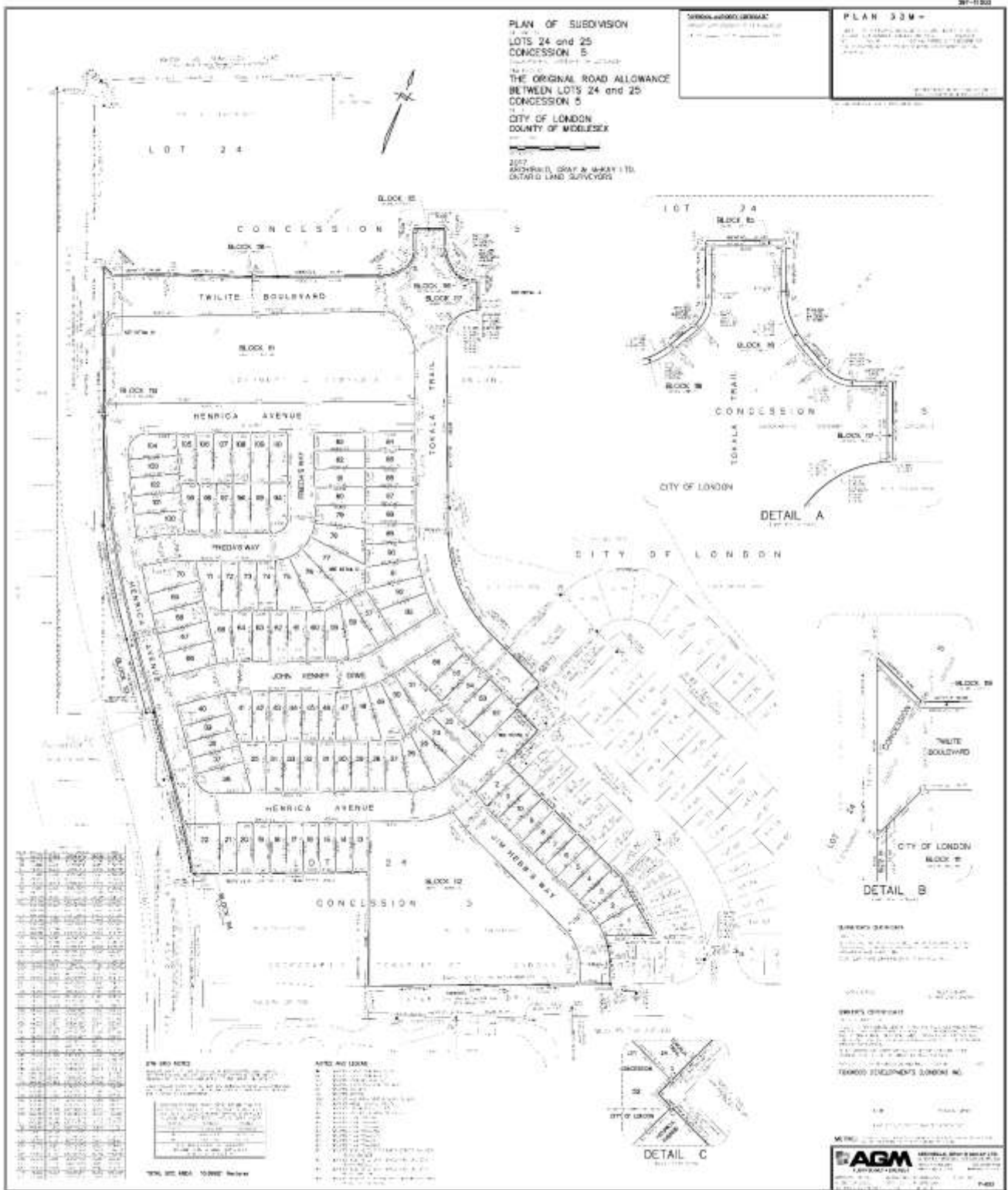
1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law.
2. Through the subdivision approval process the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent and the h. and h-100 holding provisions are no longer required.
3. The holding provisions on the two (2) multi-family blocks will be dealt with through the Site Plan Approval process. Removal of the h.*h-54*h-71 and h-100 holding provisions on these blocks is not appropriate at this time.

Analysis

1.1 Location Map



1.2 Subdivision Phase 2nd 1602 Sunningdale Road West



2.0 Description of Proposal

To remove the h. and h-100 holding provisions from the lands that ensures for the orderly development of land and for the provision of adequate water service and appropriate access, a development agreement shall be entered into to the satisfaction of the City. The removal of the h. and h-100 holding provision will allow for the construction of 110 single detached homes.

3.0 Relevant Background

3.1 Planning History

This application for Draft Plan of Subdivision Approval was accepted on November 11, 2011. On January 23, 2013, the City of London Approval Authority granted draft approval for the plan of subdivision. Draft approval was appealed to the Ontario Municipal Board. On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal was withdrawn by letter dated June 25, 2013. As per Section 51 (51) of the Planning Act, the original draft approval lapse date was June 26, 2016.

The applicant registered the 1st phase of this subdivision (Plan, 33M-685) consisting of 95 single detached lots, one (1) medium density residential block, and various reserve blocks served by 1 new street and the extension of Dyer Drive and Tokala Trail on October 6, 2015.

Council on May 31, 2016 requested that the Approval Authority approve a three year extension of draft plan of subdivision approval for this subdivision subject to revised conditions of draft approval. The draft approval expiry date is June 26, 2019.

This application is to remove the holding provisions from the second phase of the development. The second phase consists of 110 single detached lots and 2 medium density block along with several 0.3 metre reserves, all served by the extension of Tokala Drive and five new streets. On November 28, 2017 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securities have been posted. Final registration for the subdivision is imminent.

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

The h. holding provision 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.”

The applicant has submitted the required security to the City of London for the 2nd Phase of the Foxwood Development (London) Inc. subdivision. The special provisions have been endorsed by Council. The owner has provided the necessary security and the subdivision agreement is being finalized for execution by the owner and the City consistent with the draft plan conditions. This satisfies the requirement for removal of the “h” holding provision.

h-100 Holding Provision

The (h-100) holding provision states that:

“To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a

second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”

The h-100 holding provision requires that a looped watermain system be constructed and a second public access is available for these lands. A looped watermain has been constructed and Tokala Trail is being extended northerly and will connect to the Twilight Boulevard that connects to Hyde Park Road. The completion Twilight Boulevard and Tokala Drive provides of full public access to the subdivision from Hyde Park Road and Dyer Drive. This satisfies the requirement for removal of the “h-100” holding provision.

The holding provisions h.*h-54*h-71 and h-100 on the two (2) multi-family blocks (111 and 112) will be dealt with through the Site Plan Approval process. Removal of the h.*h-54*h-71 and h-100 holding provisions on these blocks is not appropriate at this time.

More information and detail about public feedback and zoning is available in Appendix B & C.

5.0 Conclusion

It is appropriate to remove the h. and h-100 holding provisions from the subject lands at this time as a second public road access and water looping has been provided and the required security has been submitted to the City of London and registration of the subdivision agreement is imminent.

Prepared and recommended by:	C. Smith, MCIP RPP Senior Planner, Development Services
Reviewed by:	Lou Pompilii, MPA RPP Manager, Development Planning
Concurred in by:	Paul Yeoman, RPP PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: This report was prepared by or under the supervision of a Registered Professional Planner within the meaning of the Ontario Professional Planners Institute Act, 1994 qualified to provide opinions on planning matters to Municipal Council.	

May 17, 2018

CS/

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Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2018

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1602 Sunningdale Road West.

WHEREAS Foxwood Development (London) Inc. have applied to remove the holding provisions from the zoning for the lands located at Sunningdale Road West, 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 the lands located at 1602 Sunningdale Road West, as shown on the attached map, to remove the h. and h-100 holding provisions so that the zoning of the lands as a Residential R1 (R1-13) Zone and a Residential R1 Special Provision (R1-4 (30)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

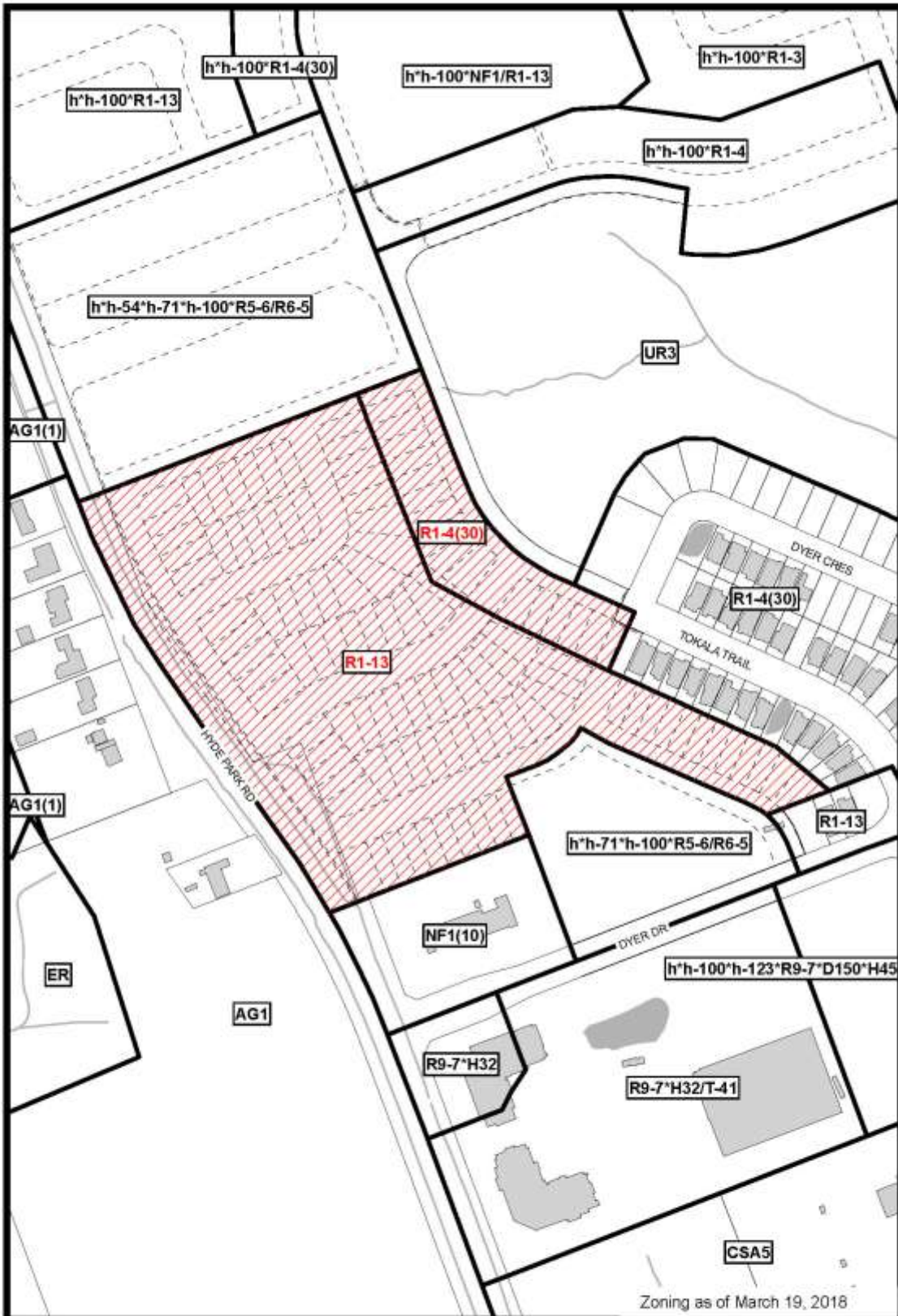
PASSED in Open Council on June 12, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk


First Reading - June 12, 2018
Second Reading - June 12, 2018
Third Reading - June 12, 2018

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



Zoning as of March 19, 2018

File Number: H-8891
 Planner: CS
 Date Prepared: 2018/04/26
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on April 19, 2018

0 replies were received

Nature of Liaison: City Council intends to consider removing the h and h-100 holding provisions from the lands that ensures for the orderly development of land and for the provision of adequate water service and appropriate access a development agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than May 14, 2018.

Appendix C – Relevant Background

Existing Zoning Map

