

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Town & Country Developments Inc.
2313 and 2373 Callingham Drive

Meeting on: August 13, 2018

Recommendation

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Town & Country Developments Inc. relating to the properties located at 2313 and 2373 Callingham Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 28, 2018 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the lands **FROM** a Holding Residential R4 (h•R4-6) Zone **TO** a Residential R4 (R4-6) Zone to remove the "h" holding provision.

Executive Summary

Summary of Request

The applicant has requested removal of the "h" holding provision from the Zone on 2313 and 2373 Callingham Drive, which requires the necessary securities be provided and a development agreement is executed prior to development.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h") symbol from the zoning applied to this site to permit the development of twenty-seven (27) street townhouse units.

Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the required security has been submitted and the execution of a development agreement is imminent. Through the Site Plan Approval process (file SP17-066), all issues have been resolved and the holding provision is no longer required.

Analysis

1.0 Site at a Glance

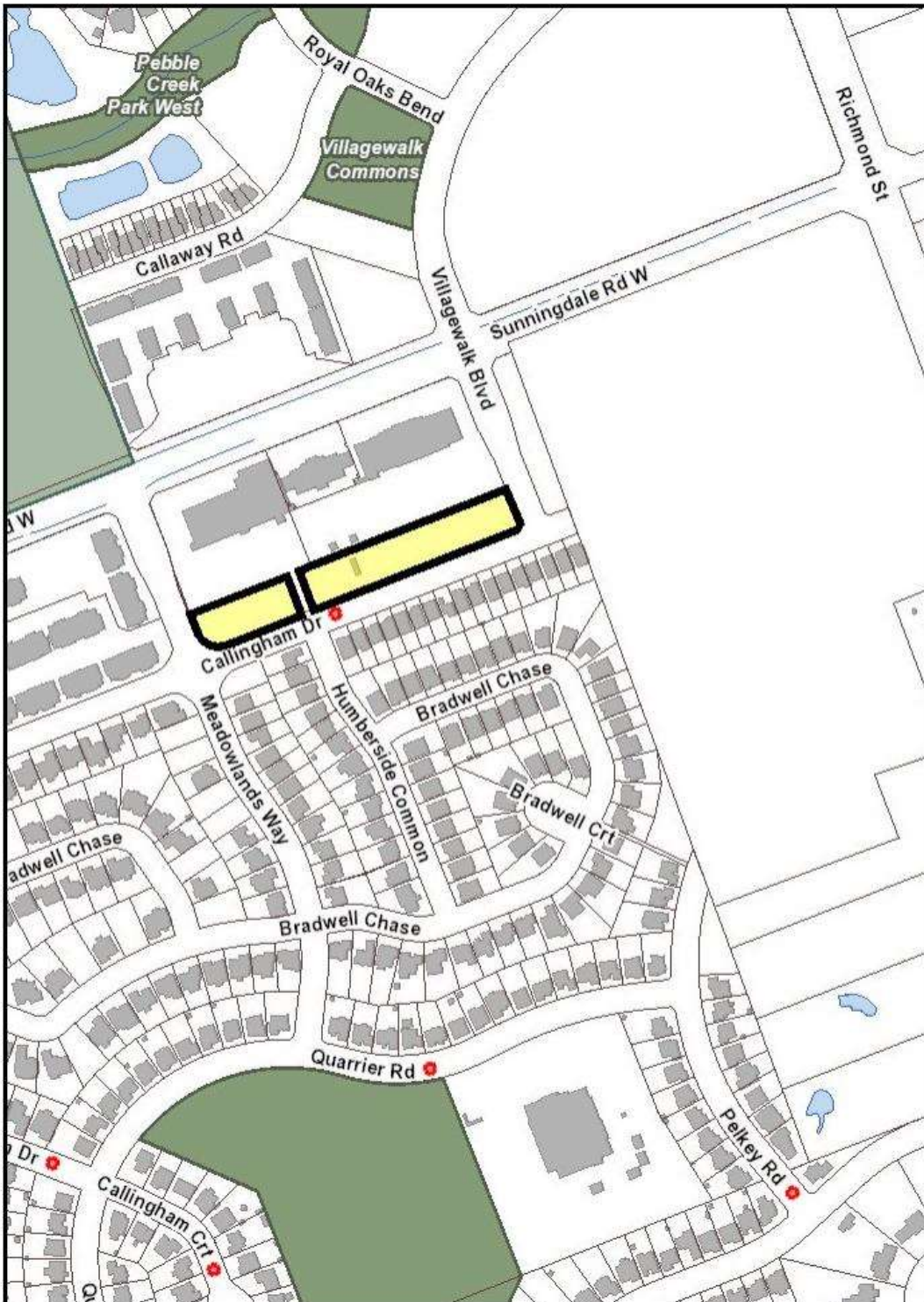
1.1 Property Description

The site is located on the north side of Callingham Drive, east of Meadowlands Way and west of Villagewalk Boulevard. 2313 Callingham Drive has a total frontage of 67.1m (with varying frontage for each unit, but a minimum of 7.8 m) and a site area of 12,637.6 m². 2373 Callingham Drive has a total frontage of 172.8 m² (with varying frontage for each unit, but a minimum of 7.8 m) and a site area of 5,797 m². The sites are presently vacant. There are existing high density residential uses to the north, low density residential uses to the south, medium density residential uses to the west, and vacant lands to the east.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Multi-Family, High Density Residential
- The London Plan Place Type – Neighbourhood
- Existing Zoning – Holding Residential R4 (h•R4-6) Zone

Location Map



Location Map

Project Title: H-8929
 Description:
 Created By: Meg Sundercock
 Date: 7/11/2018
 Scale: 1:4000

Legend

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

Corporation of the City of London



Site Plan



Stantec
 100-111 Commerce Avenue
 Suite 200, Markham, Ontario
 L3R 9V7
 www.stantec.com

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- Legends
- SITE BOUNDARY
 - ▲ PRINCIPAL BUILDING ACCESS
 - ▶ SECONDARY BUILDING ACCESS
 - BREAKING FIRE HYDRANT

Revisions

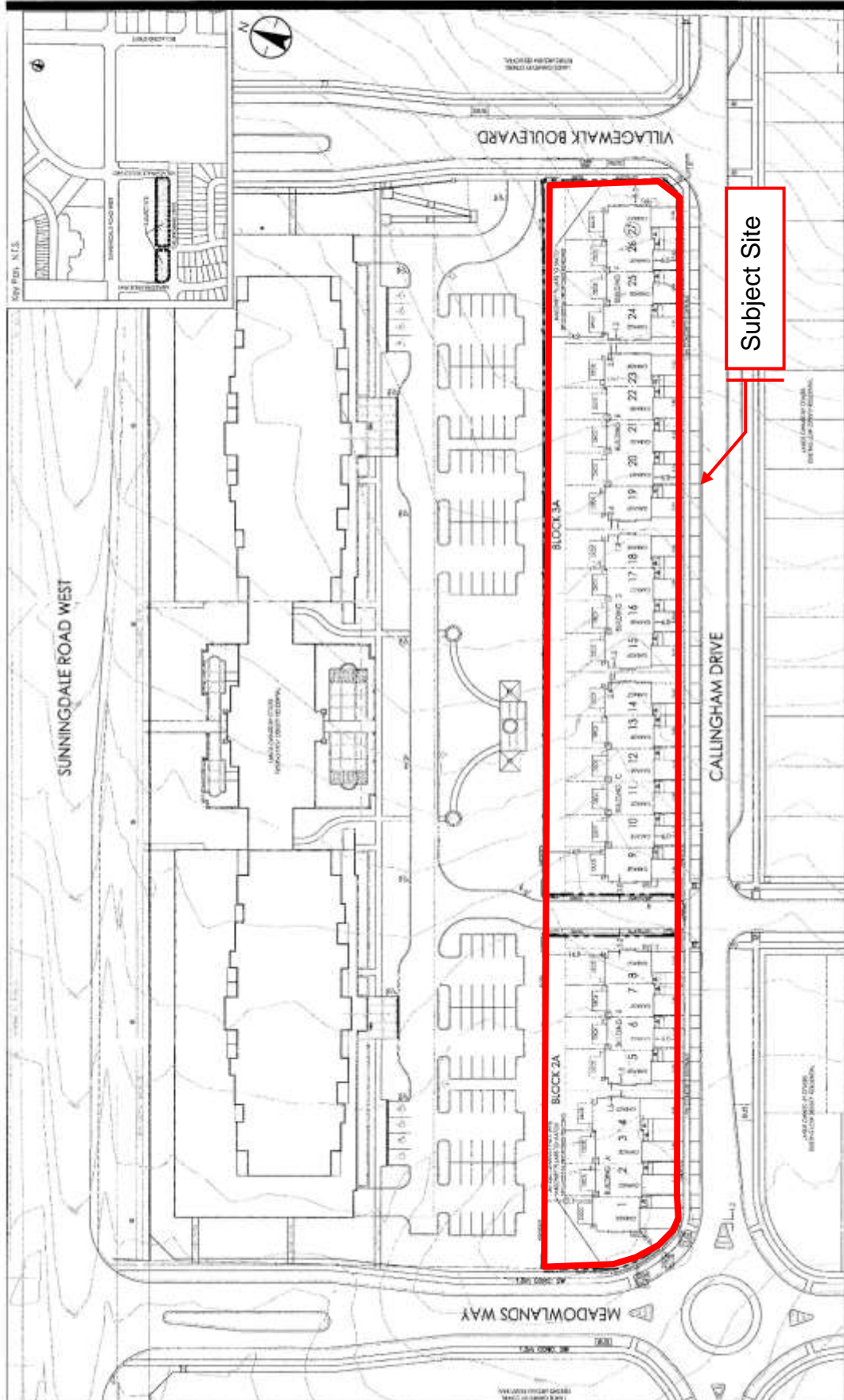
No.	Description	Date
1	AS PER THE SUBMITTAL COMMENTS	04.11.2019
2	AS PER THE SUBMITTAL COMMENTS	04.11.2019
3	AS PER THE SUBMITTAL COMMENTS	04.11.2019
4	AS PER THE SUBMITTAL COMMENTS	04.11.2019
5	AS PER THE SUBMITTAL COMMENTS	04.11.2019



Client/Project: TOWN & COUNTRY DEVELOPMENTS INC.
 23 SUTTONS CALLINGHAM DRIVE
 BLOCKS 20 & 30 - 33M-464
 London, ON Canada

Title: SITE PLAN
 SPA17-066

Project No.: 16143300
 Drawing No.: 3/01



Subject Site

Block 2A

Item	Description	Value
1	Area	10,217.11 sq. ft.
2	Volume	10,217.11 cu. ft.
3	Permit Fee	\$1,021.71
4	Development Fee	\$1,021.71
5	Other Fees	\$0.00
6	Total	\$2,043.42

Block 3A

Item	Description	Value
1	Area	10,217.11 sq. ft.
2	Volume	10,217.11 cu. ft.
3	Permit Fee	\$1,021.71
4	Development Fee	\$1,021.71
5	Other Fees	\$0.00
6	Total	\$2,043.42

Tom Janjic
 04/11/2019

1.3 Site Characteristics (2313 Callingham Drive)

- Current Land Use – Vacant
- Frontage – Approximately 67.1 m (220.1 ft)
- Depth – Approximately 33 m (108.2 ft)
- Area – 2,637.6 m² (0.65 acres)
- Shape – Rectangular

1.4 Site Characteristics (2373 Callingham Drive)

- Current Land Use – Vacant
- Frontage – Approximately 172.8 m (556.9 ft)
- Depth – Approximately 33 m (108.2 ft)
- Area – 5,797 m² (1.43 acres)
- Shape – Rectangular

1.5 Surrounding Land Uses

- North – 14 storey apartment building
- East – Vacant
- South – 2 storey single detached dwellings
- West – 2 storey cluster dwellings

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of a twenty-seven (27) unit street townhouse common element condominium. The development will have 6 blocks with a total of 27 residential units.

The Applicant submitted the site plan application on July 27, 2017 (SP17-066).

3.0 Relevant Background

3.1 Planning History

On July 29, 2013, the City of London Approval Authority granted final approval to Phase 1 of the Norquay Sunningdale Subdivision (39T-11504) which created Block 2 and 3 (subject site). The plan was registered on August 21, 2013 as Plan 33M-664.

On August 3, 2017, Town and Country Developments (2005) Inc. applied for Site Plan Approval (SP17-066) to construct 27 street townhouse units fronting onto Callingham Drive.

On October 2, 2017, Town and Country Developments (2005) Inc. applied for a Plan of Common Elements Condominium (39CD-17508) to create a block that accommodated servicing to the townhouse units.

On December 12, 2017, the subject lands were granted Exemption of Part Lot Control with the passage of a Part Lot Control By-law.

On January 16, 2018, the Plan of Common Elements Condominium (39CD-17508) was granted Draft Approval.

3.2 Requested Amendment

The applicant is requesting the removal of the “h” holding provision on the site which requires the necessary securities be provided and a development agreement is executed prior to development.

3.3 Community Engagement (see more detail in Appendix B)

In response to the Notice of Application, no comments were received.

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the “h” are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions (“h” symbol), an application must be made to council for

an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s).

The London Plan and the 1989 Official Plan contain policies with respect to holding provisions, the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the “h” holding provision and is appropriate to consider its removal.

The “h” holding provision states:

“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.”

The Owner has provided the necessary security and has entered into a development agreement with the City. This satisfies the requirement for removal of the “h” holding provision.

5.0 Conclusion

The Applicant has entered into a development agreement for this site, and provided the necessary security. Therefore, the required conditions have been met to remove the “h” holding provision. The removal of the holding provision is recommended to Council for approval.

Prepared by:	Meg Sundercock, BURPL Planner I, Development Services
Recommended by:	Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)
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: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

July 26, 2018
MS/ms

Appendix A

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

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2313 and 2373 Callingham Drive.

WHEREAS Town & Country Developments has applied to remove the holding provision from the zoning for lands located at 2313 and 2373 Callingham Drive, 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 lands located at 2313 and 2373 Callingham Drive, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R4 (R4-6) Zone comes into effect.
- 2) The By-law shall come into force and effect on the date of passage.

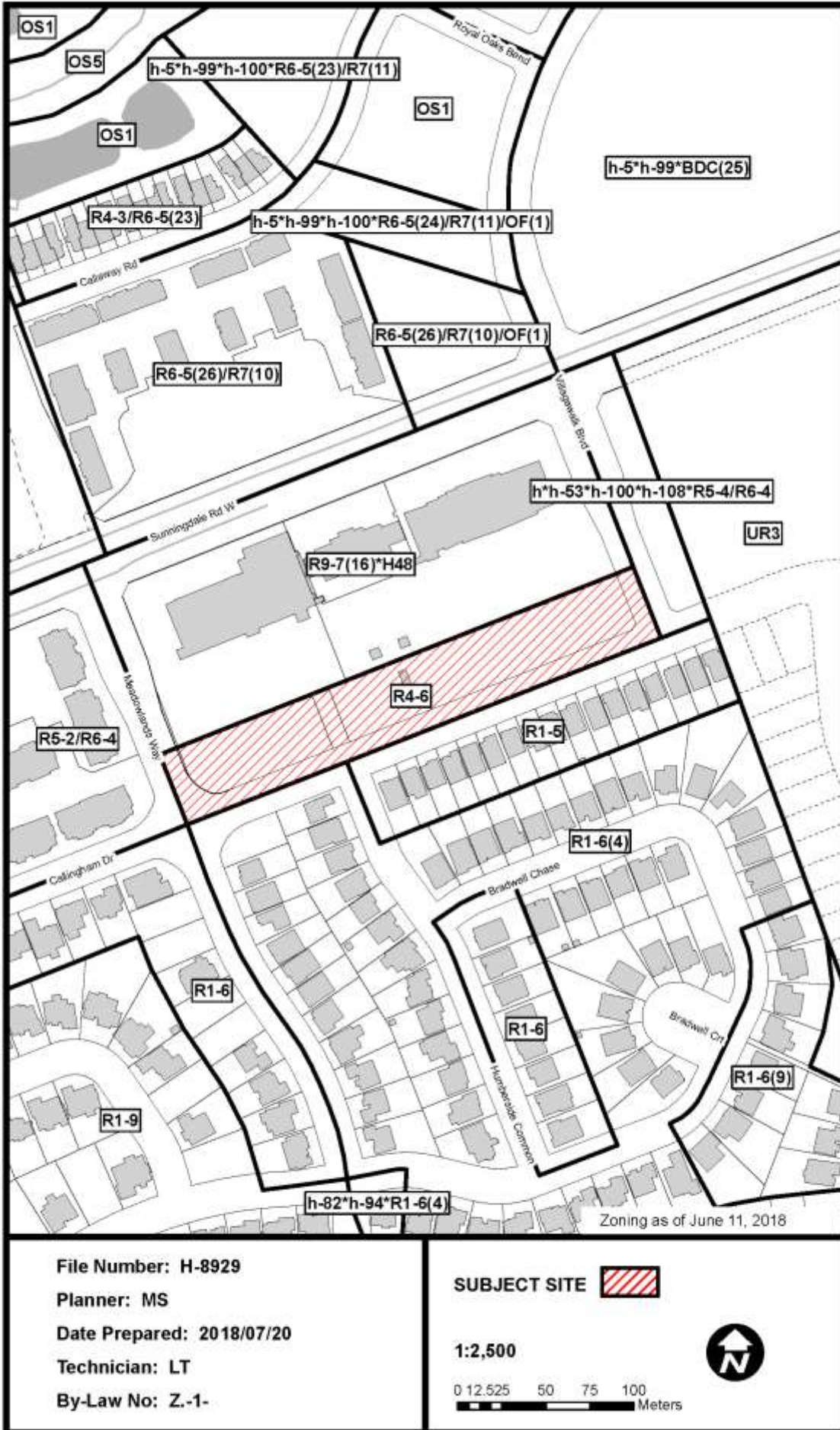
PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On July 18, 2018, Notice of Application was sent to 4 property owners in the surrounding area (those that requested notice through the previous Official Plan and Zoning by-law amendment). Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 19, 2018.

On August 2, 2018, a Revised Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* correct an error in the July 19, 2018 notice.

No replies were received.

Nature of Liaison: City Council intends to consider removing the Holding (“h”) Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to allow development of the lands for residential uses permitted under the Residential R4 (R4-6) Zone. The purpose of the “h” 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 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. Council will consider removing the holding provision as it applies to these lands no earlier than August 13, 2018.

Responses: No comments were received.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written

Agency/Departmental Comments

Upper Thames River Conservation Authority

- No Objection.

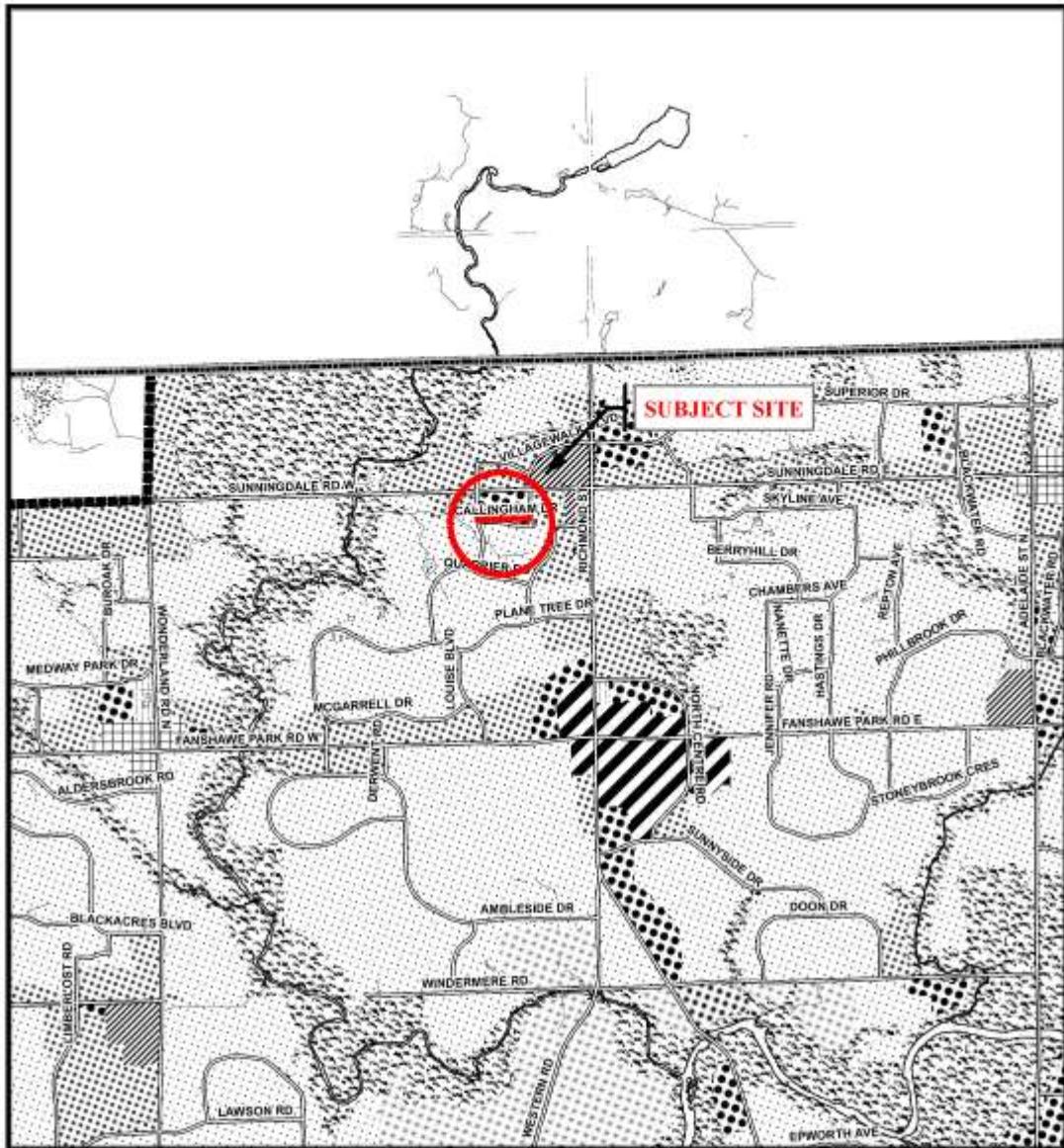
London Hydro

- No Objection.

Appendix C – Relevant Background

Additional Maps

Official Plan Schedule “A” Excerpt

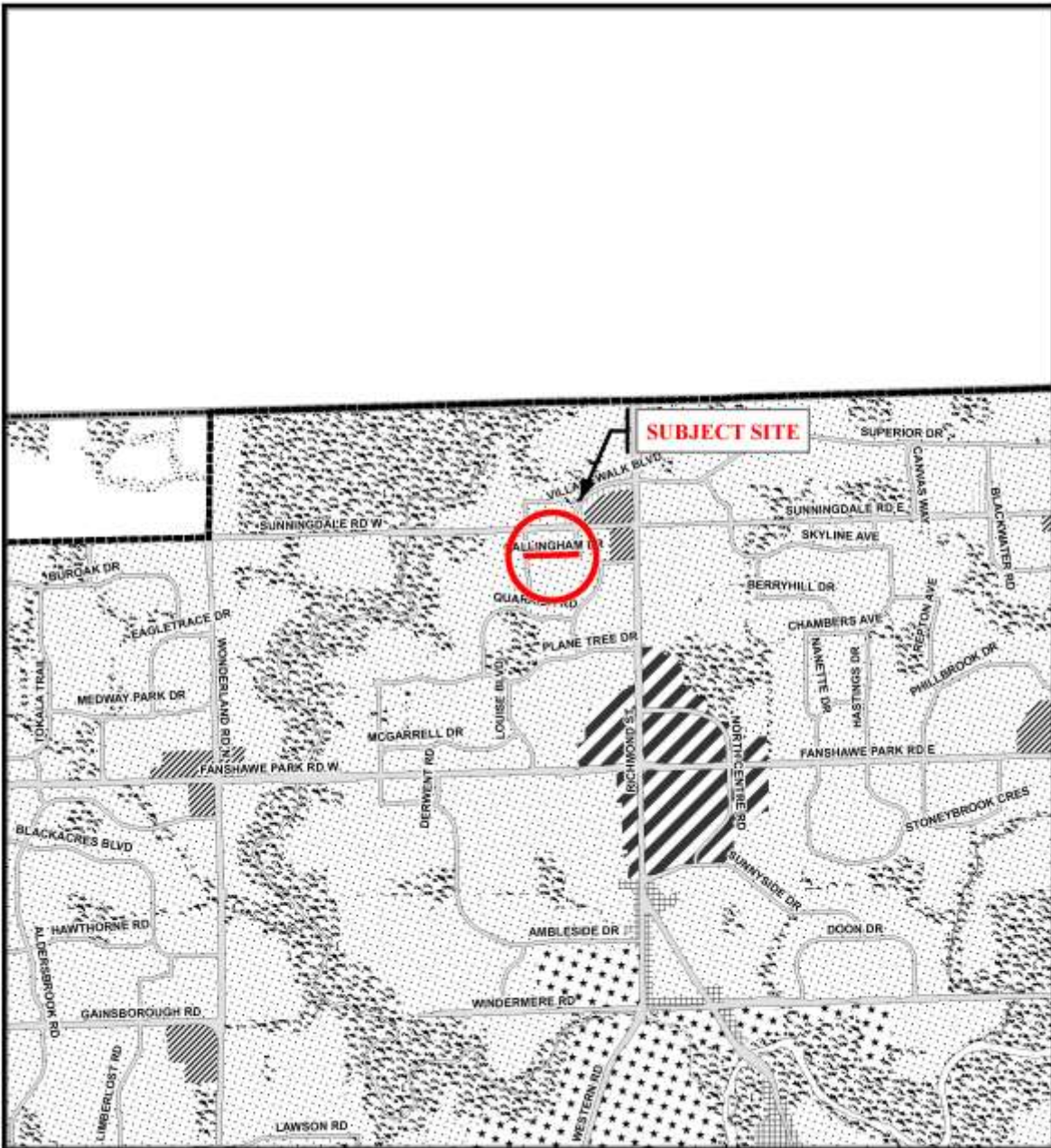


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	FILE NUMBER: H-8929
		PLANNER: MS TECHNICIAN: LT DATE: 2016/07/20

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\excerpts\mxd_templates\scheduleA_b&w_8x14_with_S\WAP.mxd

London Plan Place Types Excerpt



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



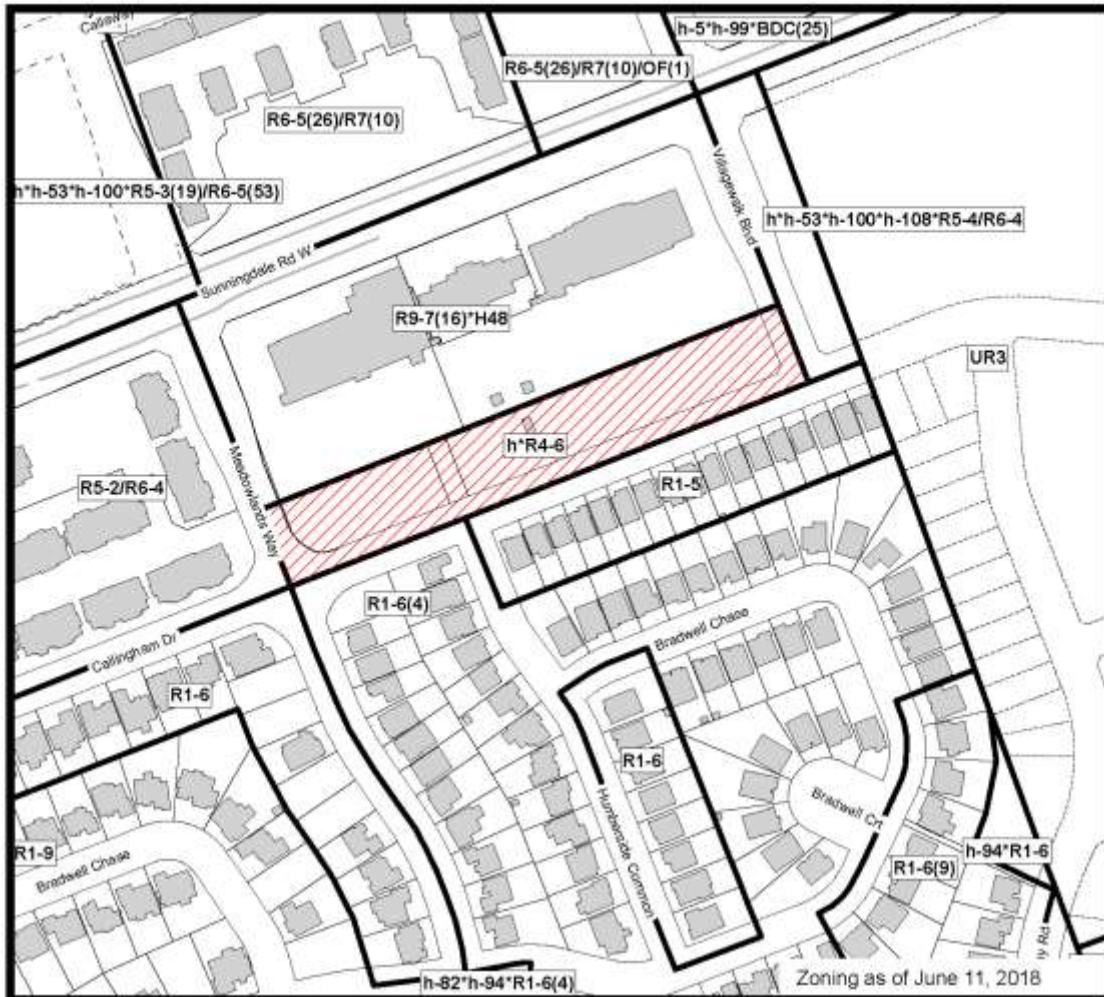
File Number: H-8929

Planner: MS

Technician: LT

Date: 2018/07/20

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "d" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "h" - HEIGHT SYMBOL |
| OF - OFFICE | "b" - BONUS SYMBOL |
| | "t" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

H-8929

MS

MAP PREPARED:

2018/07/20

LT

1:3,000

0 15 30 60 90 120

Meters

Previous Reports and Applications Relevant to this Application

39T-11504/OZ-7991 – Report to Planning and Environment Committee on March 26, 2012 to amend the Official Plan and Zoning By-law, and to hold a public participation meeting.

39T-11504/OZ-7991 – Report to Planning and Environment Committee on April 10, 2012 to amend the policies instituted in the previous Official Plan and Zoning By-law amendment to remove the requirement for a specific Bonus Zone, and add an “h-119” holding provision to lands in the R9 Zone, among others.

Z-8151 – Report to the Planning and Environment Committee to amend the Zoning By-law on April 23, 2013.

H-8084 – Report to the Planning and Environment Committee to remove the “h-100” holding provision from the subject lands on September 10, 2013.

P-8830 – Report to the Planning and Environment Committee to exempt the subject lands from Part-lot Control on December 4, 2017.

39CD-17508 – Notice of Decision issued January 16, 2018 for the approval of the draft plan of condominium.