

## 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: Sifton Properties Limited.  
1100 Upperpoint Boulevard / 1854 Oxford Street West  
Removal of Holding Provisions (h and h-209)

**Meeting on:** August 13, 2018

## Recommendation

That, on the recommendation of the Manager, Development Planning, based on the application by Sifton Properties Limited, relating to lands located at 1100 Upperpoint Boulevard, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on August 28, 2018 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 / Residential R6 / Residential R7 / Residential R8 (h.\*h-209\*R5-7/R6-5/R7 D75 H15/R8-4) Zone **TO** a Residential R5 / Residential R6 / Residential R7 / Residential R8 (R5-7/R6-5/R7 D75 H15/R8-4) Zone to remove the h and h-209 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-209 holding symbols to permit the development of 36 residential townhouse dwellings on the subject site.

### Rationale of Recommended Action

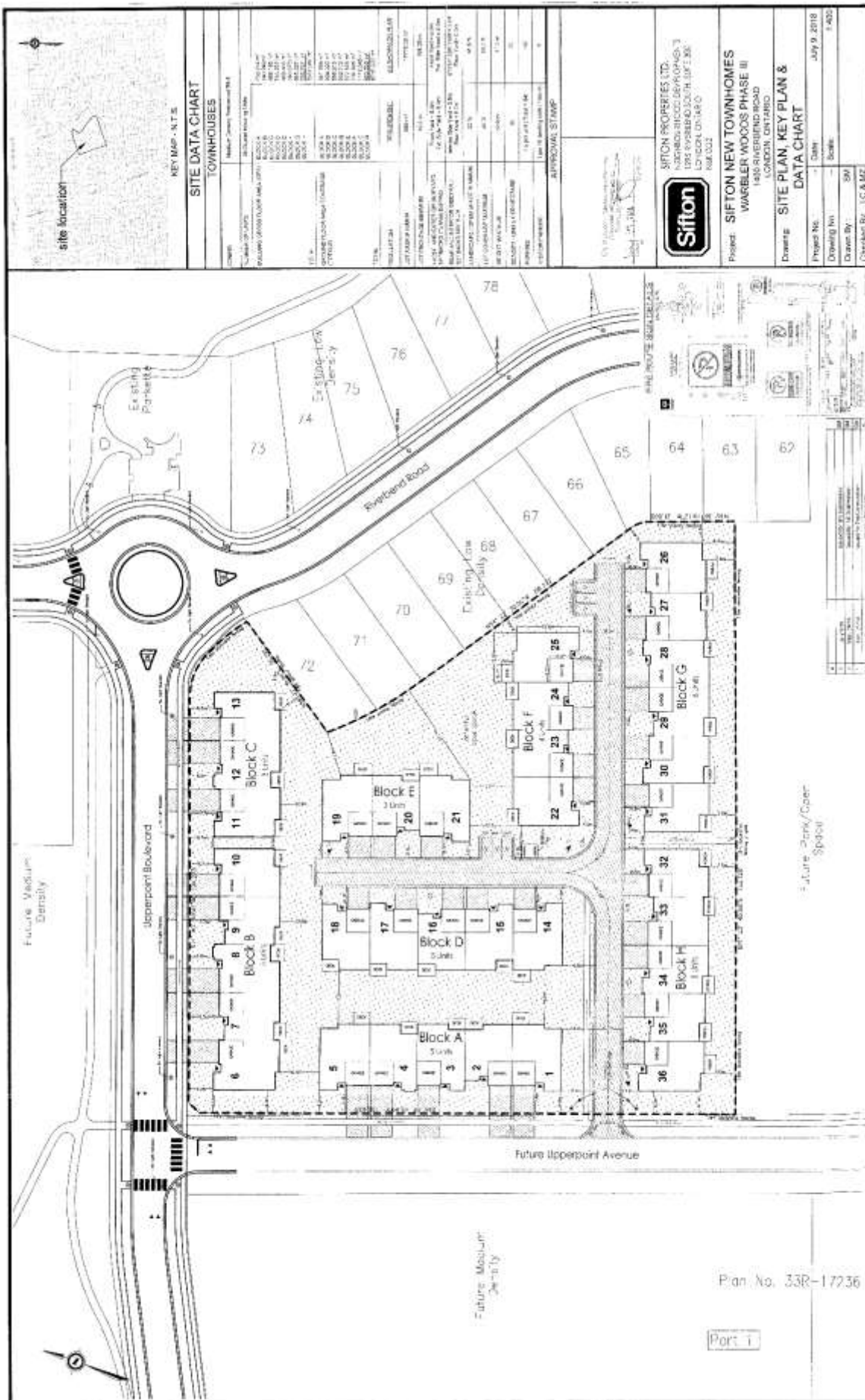
1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law.
2. Through the site plan approval process the required security has been submitted to the City of London, the execution of the development agreement is imminent and the h. holding provision is no longer required.
3. An accepted level of building design and orientation to the park in accordance with the h-209 provision, and a central sidewalk connection to the park to promote a level of connectivity has been provided with the accepted Site Plan and executed Development Agreement. As a result the Approval Authority is satisfied with respect to the lifting of the 209 holding provision.

# Analysis

## 1.1 Location Map



1.2 Site Plan- 1100 Upperpoint Boulevard



## 2.0 Description of Proposal

To remove the h and h-209 holding provisions from the lands to which they apply requires that all services and access arrangements are provided, that building orientation towards public streets and public spaces are included and that an agreement shall be entered into to the satisfaction of the City. The removal of the h and h-209 holding provision will allow for the construction of 36 residential townhouse structures.

## 3.0 Relevant Background

### 3.1 Planning History

On December 22, 2016, the Approval Authority for the City of London granted Draft Approval to a plan of subdivision on lands located at 1824 and 1856 Oxford Street West and 1420 Westdel Bourne, known as the Warbler Woods at Riverbend lands. The subdivision consisted of fourteen (14) single detached residential blocks, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, one (1) road widening block, two (2) reserve blocks, two (2) secondary collector roads, and seven (7) local streets. The subject site was identified as Block 18 in the Draft Plan of Subdivision.

On November 22, 2016, Municipal Council approved the zoning for the subdivision draft plan. The standard holding (h) provision was applied to the zoning for the various residential lots and blocks within the subdivision plan. The “h” provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of draft plan of subdivision, or conditions of approval of a site plan, ensure that a subdivision agreement or development agreement is entered into.

The holding (h-209) provision was also applied to the zoning for the five multi-family blocks (Blocks 15, 16, 17, 18 and 19) located directly adjacent to Street I, Street J and the Park Block. Block 18 (the subject site) is the only multi-family Block that is adjacent to a Park Block. The h-209 provision was intended to ensure development demonstrates compliance with the urban design policies of the Riverbend South Secondary Plan, and includes orientation towards public streets and public spaces:

*Purpose: To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the h-209 symbol.*

On March 31, 2015, City Council adopted an amendment to the Official Plan to add the “Riverbend South Secondary Plan” to the list of Secondary Plans. The Riverbend South Secondary Plan was intended to address matters that include land use mix and compatibility, road alignments, municipal services, public and private utilities, residential densities, road access points, location of parks and community facilities, location of pedestrian and bicycle routes, preservation of natural heritage features, protection of archaeological resources, and urban design guidelines.

Warbler Woods at Riverbend Draft Plan of Subdivision include elements that accurately reflect and implement the Council-approved secondary plan including the low, medium, and high density residential lots and blocks, school block, parks and open space blocks, and the Street ‘I’ and Street ‘J’ collector roadway alignments. The draft plan was also considered to be consistent with the stated principles of the secondary plan, such as connecting the community (through a multi-use trail corridor, pedestrian connections and street network), providing a range of residential housing types and densities (from single detached dwellings to townhouses and apartment buildings), protection and integration of the natural environment (enhancement strategies and buffer management zones adjacent to the Warbler Woods ESA), promoting healthy living and active transportation (neighbourhood park for active recreation and a highly connected cycling and pedestrian network), and promoting environmental sustainability (diversity of uses, density and street

pattern to facilitate viable public transit).

## **4.0 Key Issues and Considerations**

### **Why is it Appropriate to remove these Holding Provision?**

The h. holding provision states that:

*Purpose: 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 Owner has provided the necessary security and the execution of the development agreement is imminent. This satisfies the requirement for removal of the “h” holding provision.

The (h-209) holding provision states that:

*Purpose: To encourage building orientation towards public streets and public spaces, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London prior to the removal of the h-209 symbol.*

An acceptable level of building design and orientation to the park in accordance with the h-209 provision, and a central sidewalk connection to the park to promote a level of connectivity has been provided with the accepted Site Plan and executed Development Agreement. As a result the Approval Authority is satisfied with respect to the lifting of the 209 holding provision.

During the review of the site plan consideration was given to providing a window street along the park edge. In addition, consideration was also given to providing individual walkway access for each unit adjacent to the park to the park limits. Neither option was feasible nor acceptable due to constraints related to grades, drainage, limited lot area and the overall circulation of pedestrian and vehicular movement through this site.

In an effort to meet the design objectives of the Riverbend South Community Plan, attention was given to ensure that all buildings adjacent to the park are designed and oriented to the park. The accepted plans provide architectural features that includes porches, entrances, windows, rooflines and enhanced landscaping around the porches that achieve an appearance of front orientation to the park, consistent with the intent of the Riverbend South Community Plan.

In addition a low (1.2 metres) decorative black iron fence has been provided by the applicant along the southerly limits of the plan, adjacent to the park. This fence treatment is consistent with the accepted design standards for window street developments and allows views and vistas to and from the park from this residential block. The fence treatment also includes decorative pillars and a gate from the central walkway connection of this residential block to the park.

## 5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding (“h” and “h-209”) symbols from the zoning map.

<b>Prepared by:</b>	<b>Larry Mottram, MCIP, RPP Senior Planner, Development Planning</b>
<b>Recommended by:</b>	<b>Lou Pompilii, MCIP, RPP Manager, Development Planning</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official</b>
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.	

August 3, 2018  
LP/LM/

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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 1100 Upperpoint Boulevard.

WHEREAS Sifton Properties Limited have applied to remove the holding provisions from the zoning for the lands located at 1100 Upperpoint Boulevard, 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 1100 Upperpoint Boulevard, as shown on the attached map, to remove the h and h-209 holding provisions so that the zoning of the lands as a Residential R5 / Residential R6 / Residential R7 / Residential R8 (R5-7/R6-5/R7 D75 H15/R8-4) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

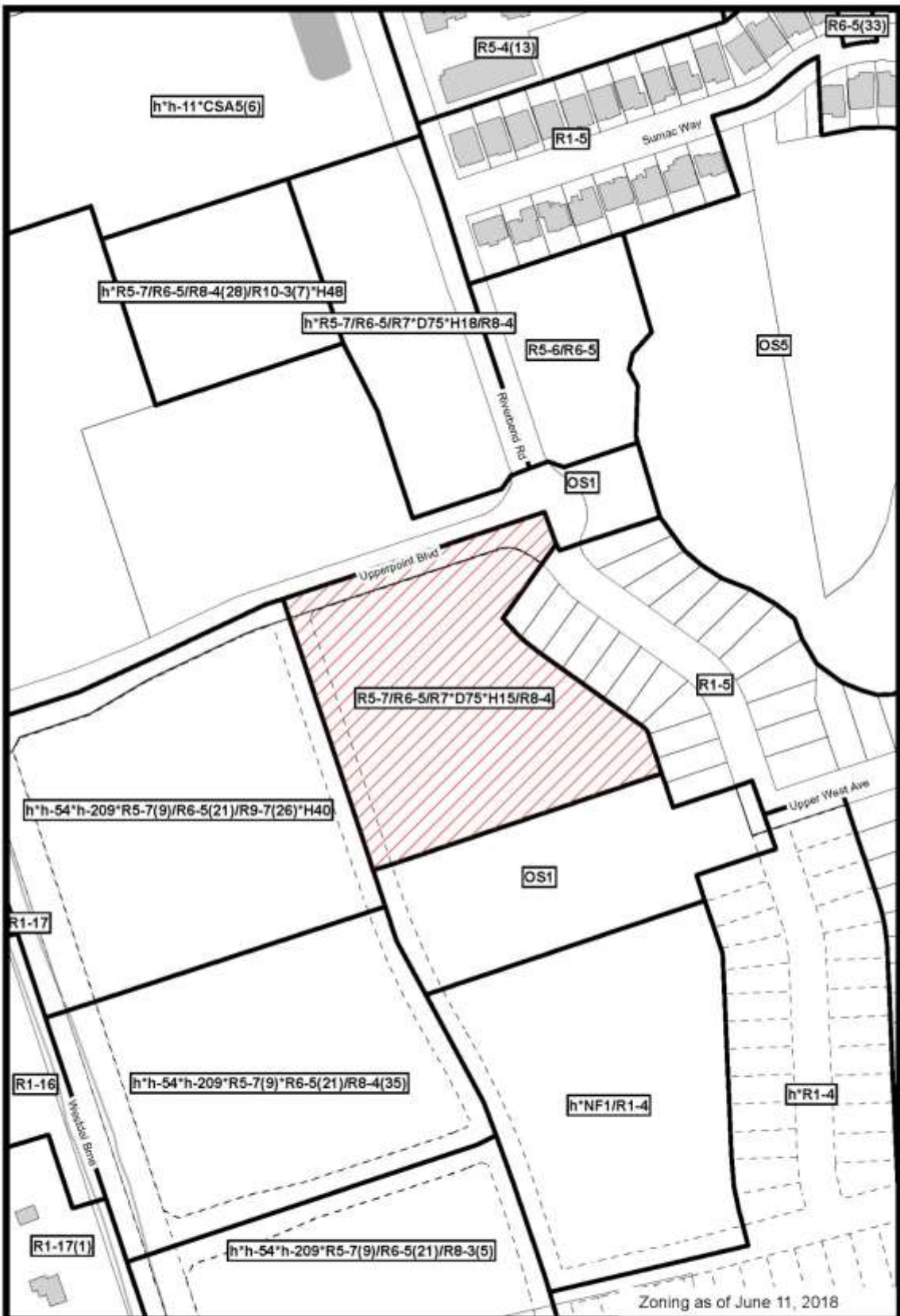
PASSED in Open Council on August 28, 2018.

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)





Zoning as of June 11, 2018

File Number: H-8906  
 Planner: LM  
 Date Prepared: 2018/07/25  
 Technician: RC  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters 





## Appendix B – Public Engagement

### Community Engagement

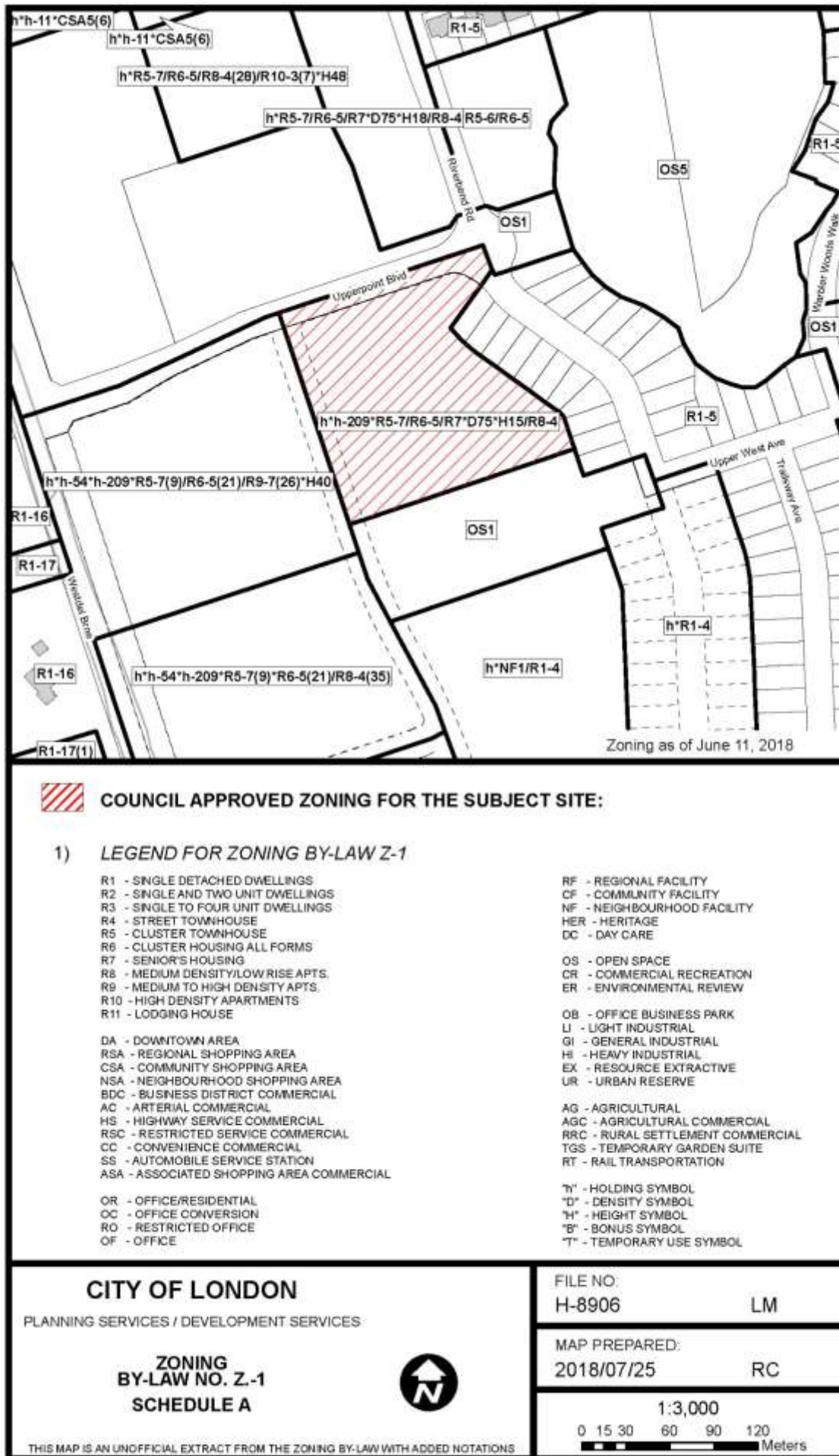
**Public liaison:** Notice of the application was published in the Londoner on May 17, 2018

0 replies were received

**Nature of Liaison: 1854 Oxford Street West (1100 Upperpoint Boulevard proposed future address); located south of Oxford Street West and east of Westdel Bourne; comprising Block 18 as shown on the draft-approved plan of subdivision (File No. 39T-16502) –** City Council intends to consider removing the Holding (“h” & “h-209”) Provisions from the zoning of the subject lands. The purpose and effect is to allow development of 36 residential townhouse units permitted under the Residential R5/R6/R7/R8 Special Provision (R5-7/R6-5/R7•D75•H15/R8-4) 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. The “h-209” symbol is intended to encourage building orientation towards public streets and public spaces. A site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands complies with the urban design policies identified in the Riverbend South Secondary Plan, to the satisfaction of the City of London, prior to the removal of the “h-209” symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than **June 26, 2018**.

# Appendix C – Relevant Background

## Existing Zoning Map





# Appendix E – Landscape Plan

## Accepted Landscape Plan

First Submission

Second Submission

