

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: Landea Development Inc.
1196 Sunningdale Road West
Removal of Holding Provisions (h and h-100)

Meeting on: April 15, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Landea Development Inc. relating to the property located at 1196 Sunningdale Road West the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on April 23, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1196 Sunningdale Road West **FROM** a Holding Residential R1 (h*h-100*R1-4) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-4 (33)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-4 (34)) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-4 (35)) Zone, a Holding Residential R1 (h*h-100*R1-13) Zone and a Holding Residential R1 Special Provision (h*h-100*R1-13 (9)) Zone **TO** a Residential R1 (R1-4) Zone, a Residential R1 Special Provision (R1-4 (33)) Zone, a Residential R1 Special Provision (R1-4 (34)) Zone, a Residential R1 Special Provision (R1-4 (35)) Zone, a Residential R1 (R1-13) Zone and a Residential R1 Special Provision (R1-13 (9)) 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 125 single detached dwelling lots.

Rationale of Recommended Action

1. The conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow development of 125 single detached dwelling lots in compliance 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, servicing and access arrangement are in place and the h. and h-100 holding provisions are no longer required.

Analysis

1.1 Location Map



2.0 Description of Proposal

The proposed application is 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 125 single detached homes.

3.0 Revelant Background

3.1 Planning History

Two applications (39T-05511 and 39T-05512) for Draft Plan of Subdivision Approval were accepted on in August of 2005. The plans were draft approved in October of 2009. Extension were granted in 2012 and again in 2015. The draft approval expiry date for both approved draft plans (39T-05511 and 39T-05512) was October 14, 2018 (three years after the last draft approval extension lapse date).

On July 18, 2016 the applicant submitted a design study package for the development of a second subdivision phase of draft plan 39T-05512 (995 Fanshawe Park Road West). The proposed phase limit included lands outside of the limits of draft plan 39T-05512 that is located in draft approved plan 39T-05111 (1196 Sunningdale Road West). At the time of Draft Approval, the subdivisions were in separate ownership. Landea North Development Inc. is now the owner of both draft approved subdivisions. The applicant requested that the two separate draft approved plans be consolidated for the purpose of design study approvals and for final subdivision registration.

The above-noted draft plan consolidation and redline revisions of draft plan of subdivision for 39T-05512 and 39T-05511 as one draft plan of subdivision 39T-05512 was approved by City of London Approval Authority on March 6, 2017, subject to the consolidated conditions. The October 14, 2018 lapse date was not changed through the consolidation process.

The first phase of this subdivision which was comprised of 48 single family lots, various part lots all served by four (4) new streets was registered on December 31, 2012 (33M-652). The second phase of subdivision which was comprised of 111 single family lots, various part lots all served by three (3) new streets was registered on November 7, 2017 (33M-729).

This application is to remove the holding provisions from the third phase of the development. The third phase consists of 125 single detached lots and 2 park blocks along with several 0.3 metre reserves, all served by the extension of Tokala Drive, Medway Park Drive and one new local street. On August 29, 2018 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 securites have been posted. Final registration for the subdivison is iminient.

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 3rd Phase of the Landea Developments 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 Medway Park Drive is being extended northerly and Tokala Trail is being extended north from Silverfox Drive providing two public accesses into this phase. This satisfies the requirement for removal of the “h-100” holding provision.

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 by:	C. Smith, MCIP RPP Senior Planner, Development Services
Recommended 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.	

April 8, 2019

Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2019

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 1196 Sunningdale Road West.

WHEREAS Landea Development Inc. have applied to remove the holding provisions from the zoning for the lands located at 1196 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 1196 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 (R1-4) Zone, a Residential R1 Special Provision (R1-4 (33)) Zone, a Residential R1 Special Provision (R1-4 (34)) Zone, a Residential R1 Special Provision (R1-4 (35)) Zone, a Residential R1 (R1-13) Zone and a Residential R1 Special Provision (R1-13 (9)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

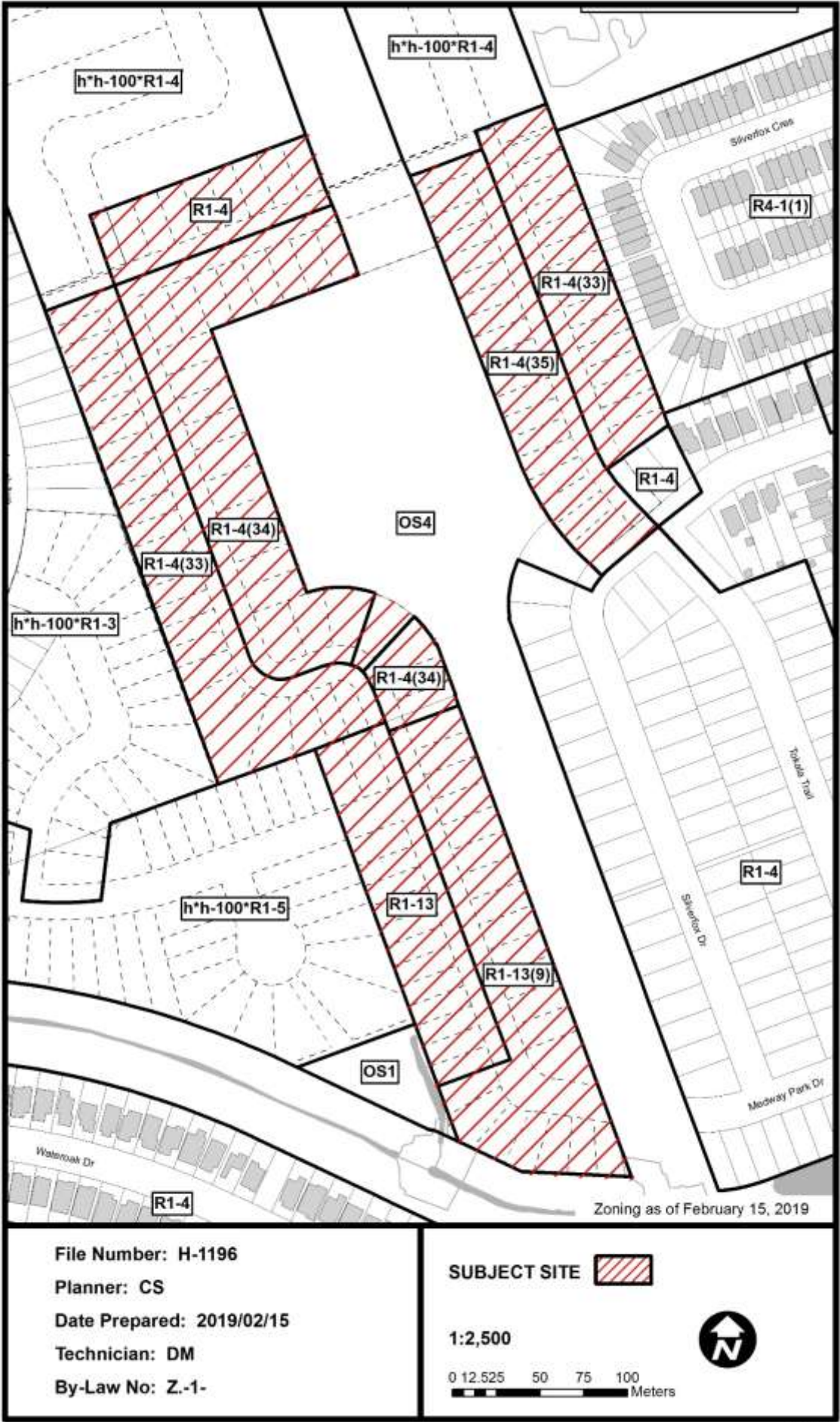
PASSED in Open Council on April 23, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading -April 23, 2019
Second Reading –April 23, 2019
Third Reading - April 23, 2019

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



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on February 28, 2019

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 April 1, 2019.

Appendix C – Relevant Background

Existing Zoning Map

