

## 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  
Portion of 146 Exeter Road  
Richardson Subdivision (39T-15501, Lots 1-6, 19-42)  
Removal of Holding Provisions

**Meeting on:** May 27, 2019

## Recommendation

That on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located on a portion of 146 Exeter Road (Richardson Subdivision, 39T-15501, Lots 1-6, 19-42), the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 11, 2019 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R1 Special Provision (h\*h-100\*R1-4(29)) Zone **TO** a Residential R1 Special Provision (R1-4(29)) Zone to remove the "h" and "h-100" holding provision from a portion of the lands.

## Executive Summary

### Summary of Request

The applicant has requested removal of the "h" and "h-100" holding provision from the proposed lots along Middleton Avenue within the Richardson Subdivision (39T-15501), which requires the necessary securities be provided and a subdivision agreement is executed prior to development, and further requires the construction of a looped watermain and second access to any subdivision above 80 units.

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h" and "h-100") symbol from lots 1-6 and 19-42 within the plan of subdivision to permit the development of single detached dwellings.

### Rationale of Recommended Action

The conditions for removing the holding provision have been met, as the required security has been submitted and the subdivision agreement has been signed, and the proposed lots are under the 80 unit threshold for requiring the second access and water looping. All issues have been resolved and the holding provisions are no longer required.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The draft plan of subdivision consists of a total area of 48.208 ha. The removal of holding provision applies to an area that consists of 1.33 ha.

#### 1.2 Current Planning Information (Phase 1a)

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Existing Zoning – a Holding Residential R1 Special Provision (h\*h-100\*R1-4(29)) Zone

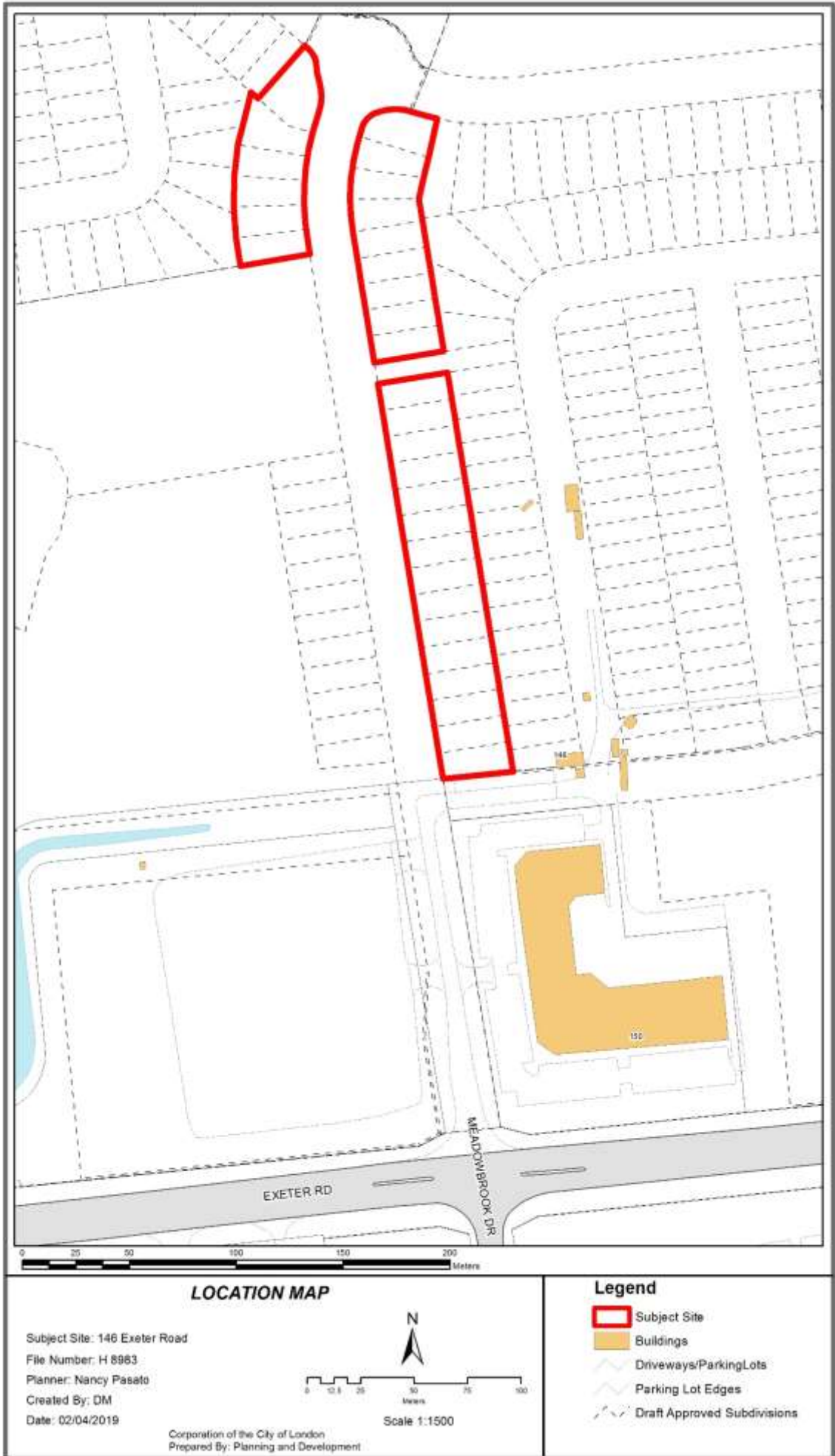
**1.3 Site Characteristics (Phase 1a)**

- Current Land Use – vacant
- Area – 1.33 ha (3.3 acres)
- Shape – irregular

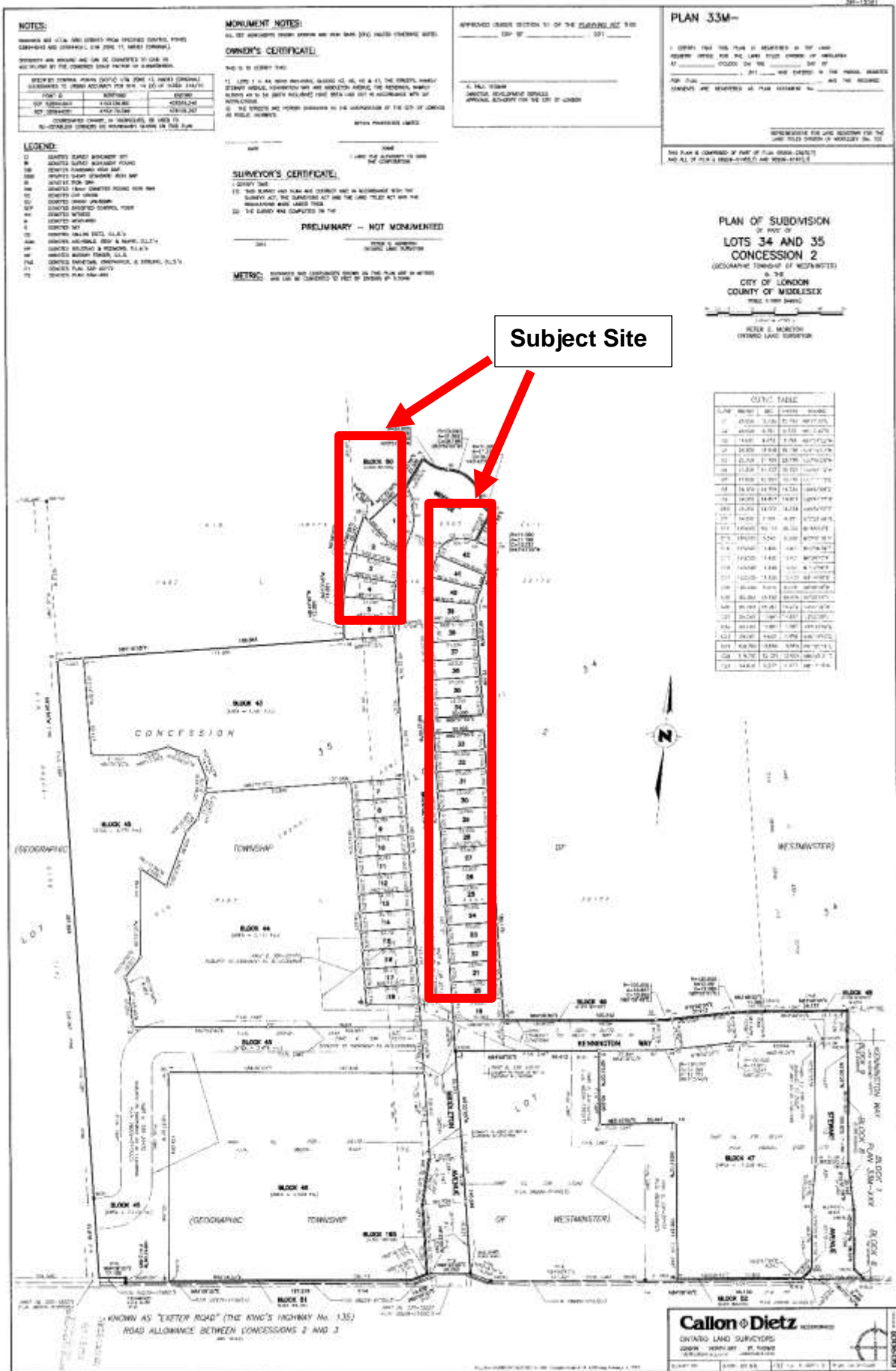
**1.4 Surrounding Land Uses (Phase 1a)**

- North – vacant/future residential
- East – vacant/future residential
- South – vacant/future residential/open space
- West – Vacant/future park and SWM facility

1.5 Location Map



Proposed 33M Calculated Plan - Richardson Subdivision Phase 1a (39T-15501)



## 2.0 Description of Proposal

### 2.1 Development Proposal

The Richardson Subdivision (39T-15501) consists of 25 low density residential blocks, 18 medium density residential blocks, 2 park blocks, 4 multi-use pathway blocks, 1 stormwater management block, 1 future stormwater management, 1 light industrial block, 2 open space blocks, 1 school block, 1 future road block, as well as several 0.3 m reserves and road widenings, all served by 4 new secondary collector roads, and 11 new local streets.

The removal of holding provision applies to thirty (30) single detached dwellings along Middleton Avenue. An additional twelve (12) single detached lots are also part of this phase, however a City-initiated Official Plan and Zoning by-law amendment is required (OZ-9038) to address minor outstanding zoning and land use matters.

## 3.0 Relevant Background

### 3.1 Requested Amendment

The applicant is requesting the removal of the “h” and “h-100” holding provision from all lots within this phase.

### 3.2 Community Engagement

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

### 3.3 Policy Context

*The Planning Act* permits the use of holding provisions to restrict future uses until conditions for removing the holding provision 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, 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 it 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 subdivision agreement with the City. This satisfies the requirement for removal of the “h” holding provision.

### 4.2 What is the purpose of the “h-100” holding provision and is it appropriate to consider its removal?

The “h-100” holding provision states that:

*“To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.*

*Permitted Interim Uses: Existing Uses.”*

The h-100 holding provision requires a looped watermain system and a second public access be constructed after 80 units. As these are the first units to be constructed along this access, and it is below the 80 unit threshold, the h-100 can be removed at this time. The holding provision will remain on the balance of the subdivision until such time as the second access and looped watermain are constructed.

<b>5.0 Conclusion</b>
-----------------------

The Applicant has entered into a subdivision agreement for this site, provided the necessary security, and are below the 80 unit threshold for a second access/looped watermain. Therefore, the required conditions have been met to remove the “h” and “h-100” holding provision. The removal of the holding provisions is recommended to Council.

<b>Prepared by:</b>	<b>Nancy Pasato, MCIP, RPP</b> <b>Senior Planner, Development Planning</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng.</b> <b>Managing Director, Development and Compliance Services and Chief Building Official</b>
<p>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.</p>	

May 17, 2019

NP/np \\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2018\H-8983 - 146 Exeter Road (NP)\DRAFT H-8983 Richardson Phase 1a removal of holding.docx

CC: Matt Feldberg, Manager, Development Services (Subdivisions)  
Lou Pompilli, Manager, Development Services - Planning  
Ismail Abushehada, Manager, Development Services - Engineering

**Previous Reports and Applications Relevant to this Application**

**December 12, 2016** - Report to Planning Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments (39T-15501/Z-8470)

**January 21, 2019** – Report to Planning Committee to rezone a portion of land (Block 30 and portion of Block 31, 39T-15501) within a draft plan of subdivision by adding an additional Residential (R7) Zone to permit a long term care facility in addition the existing range of residential uses permitted. (Z-8969)

**April 15, 2019** - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-15501)

**Appendix A**

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

By-law No. Z.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located on a portion of 146 Exeter Road (Richardson Subdivision, 39T-15501, Lots 1-6, 19-42).

WHEREAS Sifton Properties Limited has applied to remove the holding provision from the zoning of the lands located on a portion of 146 Exeter Road (Richardson Subdivision, 39T-15501, Lots 1-6, 19-42), 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 on a portion of 146 Exeter Road (Richardson Subdivision, 39T-15501, Lots 1-6, 19-42), as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-4 (29)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 11, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk



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

