

Report to Planning and Environment Committee

To: Chair and Members  
Planning & Environment Committee  
From: G. Kotsifas P. Eng.,  
Managing Director, Development & Compliance Services and  
Chief Building Official  
Subject: Application by: Speyside East Corporation  
3270 Raleigh Crescent  
Meeting on: July 22, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Speyside East Corporation relating to the property located at 3270 Raleigh Crescent, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on July 30, 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 R5/Residential R6/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(13)) Zone **TO** a Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (R5-2/R6-4/CF3/CC(13)) Zone.

Executive Summary

Summary of Request

The applicant has requested the removal of the “h, h-53, h-56 and h-91” holding provisions from 3270 Raleigh Crescent, which are in place to ensure: the orderly development of land; street oriented design which discourages noise walls, noise attenuation from the arterial road, and urban design.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the “h, h-53, h-56 and h-91” holding symbols to facilitate the development of a 16 unit townhouse development with access from Raleigh Crescent.

Rationale of Recommended Action

The requirements for removing the holding provisions have been met, and the Approval Authority has confirmed that no further work is required. It is appropriate to remove the holding provisions as they are no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located in the southwest area of the City with frontages on Colonel Talbot Road, Raleigh Boulevard and Raleigh Crescent. There are commercial uses and an ambulance station to the north, low density residential uses to the east, cluster residential uses to the south and future development lands to the west. The site is approximately 0.46 ha in size and is currently undeveloped and vacant.

1.2 Location Map



- 1.3    **Current Planning Information**
  - The London Plan Place Type – Neighbourhoods
  - Official Plan Designation – Low Density Residential
  - Existing Zoning – holding Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(13))
- 1.4    **Site Characteristics**
  - Current Land Use – Vacant
  - Frontage – 38 metres
  - Depth – 116 metres
  - Area – 0.46 ha
  - Shape – Irregular
- 1.5    **Surrounding Land Uses**
  - North – Ambulance Station and Commercial
  - East – Low Density Residential
  - South – Low Density Residential
  - West – Future Development lands

2.0 Description of Proposal

2.1    **Development Proposal**

The proposal is for a 16 unit cluster townhouse development with 4 units in 4 blocks. Vehicular access is provided from Raleigh Crescent and a private window street (driveway) is provided along Colonel Talbot Road.

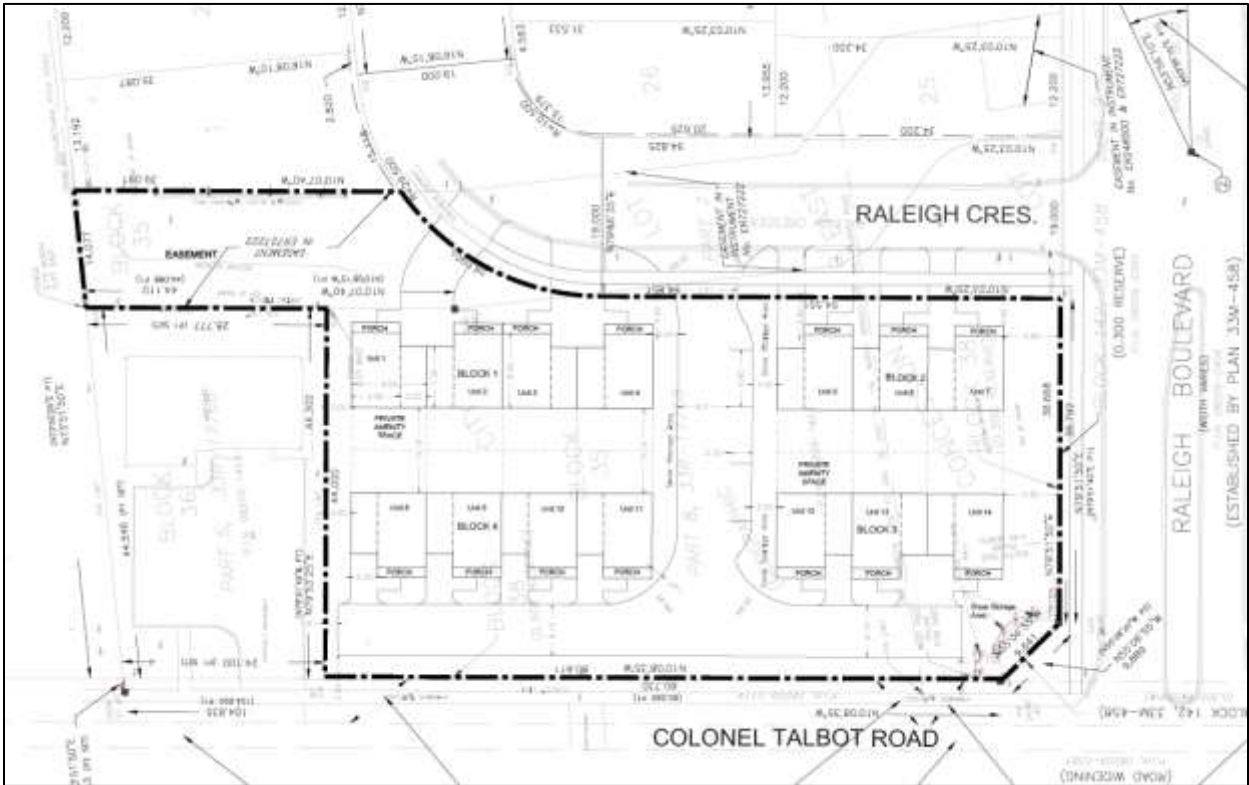


Figure 1: Conceptual Site Plan

3.0 Relevant Background

3.1    **Planning History**

39T-00514/Z-5967

The subject site is part of the Talbot Village subdivision, which is comprised of 89.67 hectares (222 acre) located on the east side of Colonel Talbot Road, between

Southdale Road W at the north limit of the plan and Pack Road at the south limit of the plan, known municipally as 3126 Colonel Talbot Road. The Talbot Village subdivision includes 31 residential blocks, 3 mixed use blocks, 1 commercial shopping block, 5 park blocks, 2 open space/stormwater management blocks, 2 institutional blocks and 7 future residential blocks serviced by new secondary collector and local roads.

The original application for Draft Plan of Subdivision Approval was accepted on August 14, 2000 and was subsequently revised and resubmitted February 20, 2001. Draft approval was granted on April 19, 2001. The corresponding zoning by-law amendment (Z.-1-01875) was passed by Municipal Council on April 2, 2001 which zoned the lands holding Residential R2 Special Provision/Residential R4 Special Provision/Community Facility (h-30\*R2-1(13)/R4-3(1)/CF3).

#### 39T-13504/Z-8243

In March of 2014 a residential plan of subdivision was considered to permit single detached dwelling lots, cluster housing, community facility uses and to recognize the existing E.M.S Station. A concurrent zoning amendment changed the subject site to a Residential R5-2 Zone to permit cluster townhouses and cluster stacked townhouses, and a Residential R6-4 Zone to permit cluster housing in the form of single detached, semi-detached and duplex dwellings. The Community Facility zone was maintained on to allow for these uses should the block not be development for residential uses. The plan was registered as 33M-684 on September 28, 2015.

#### OZ-8486

In August of 2015 the subject site was re-zoned to add and allow for convenience commercial uses as there was interest to develop the site for non-residential uses. Through this process the property was zoned holding Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (h\*h-53\*h-56\*h-91\*R5-2/R6-4/CF3/CC(\_)) Zone.

#### A.155/18

In March of 2018 a minor variance application was granted for the proposed townhouse development to allow for a reduced exterior side yard setback of 4.5m (14.8') and to permit a density of 31 units per hectare whereas 30 units per hectare was the maximum.

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

March 25, 2014, Planning and Environment Committee; "Public Participation Meeting, Speyside East Corporation, 3100 Colonel Talbot Road Subdivision, 39T-13504/Z-8243"

March 17, 2001, Planning Committee; Planning Report on Application by Speyside East Corporation, 3126 Colonel Talbot Road, 39T-00514, Z-5967"

December 13, 1999, North Talbot Community Plan (NTCP), Talbot Community Urban Design Guidelines

### **3.3 Requested Amendment**

The applicant is requesting the removal of the "h, h-53, h-56 and h-91" holding provisions from the site to allow for the development of the cluster townhouses.

### **3.4 Community Engagement**

No comments were received in response to the Notice of Application.

3.5 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 including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the holding provisions and is it appropriate to consider their removal?

*h - 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. Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law;*

The Site Development Planner advised on July 11, 2019 that the development agreement has been entered into and security has been provided.

*h-53 - Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.*

The development is oriented towards Colonel Talbot Road and Raleigh Crescent to present strong street edges and built form. The use of a private window ‘street’ (driveway) along Colonel Talbot Road provides adequate setbacks from the arterial road noise to the residential amenity areas, avoiding the need for noise walls.

*h-56 - Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the "h-56" shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.*

The development mitigates the arterial noise and measures have been included in the development agreement to manage noise for the residential amenity areas as per the noise study prepared by IBI Group on March 5, 2019.

*h-91 - Purpose: To ensure that the urban design concepts established through the Zoning amendment review process are implemented, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and Addresses identified urban design issues. Permitted Interim Uses: Existing Uses*

The development agreement and site plan have implemented the urban design concepts established through earlier planning applications and represents a positive built form outcome.

5.0 Conclusion

The Applicant has undertaken sufficient works to remove the holding provisions. The resulting development is street-oriented, mitigates noise from the arterial road, and incorporates urban design principles from the Zoning Amendment process into a development agreement and approved Site Plan application. It is appropriate to remove the holding provisions to allow the zoning to come into force.

Prepared by:	<b>Sonia Wise, MCIP, RPP</b> <b>Senior Planner, Development Services</b>
Recommended by:	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
Submitted by:	<b>George Kotsifas, P.ENG</b> <b>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	

July 15, 2019  
/sw  
cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Lou Pompilii, MPA, RPP, Manager, Development Planning  
cc: Ismail Abushehada, Manager Development Engineering

## 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 at 3270  
Raleigh Crescent.

WHEREAS Speyside East Corporation has applied to remove the holding provision from the zoning for the lands located at 3270 Raleigh Crescent, 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 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 3270 Raleigh Crescent, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5/Residential R6/Community Facility/Convenience Commercial Special Provision (R5-2/R6-4/CF3/CC(13)) 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 July 30, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2019  
Second Reading – July 30, 2019  
Third Reading – July 30, 2019



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

