

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: Sunningdale Golf and Country Club Ltd.
349 and 379 Sunningdale Road West
Removal of Holding Provisions (h and h-100)

Meeting on: July 22, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Sunningdale Golf and Country Club Ltd. relating to the property located at 379 Sunningdale Road West the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 349 and 379 Sunningdale Road West **FROM** a Holding Residential R9 Special Provision (h*h-53*h-100*R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h*h-53*h-100*R5-3(19)/R6-5(53)) Zone and a Holding Residential R5/R6 Special Provision/ Office (h*h-53*h-100*R5-3(19)/R6-5(53)/OF1) Zone **TO** a Holding Residential R9 Special Provision (h-53*R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-53*R5-3(19)/R6-5(53)) Zone, a Holding Residential R5/R6 Special Provision/ Office (h-53*R5-3(19)/R6-5(53)/OF1) Zone, a Residential R9 Special Provision (R9-7(27)) Zone, and a Residential R5/R6 Special Provision (R5-3(19)/R6-5(53)) Zone to remove the h., h-53 and h-100 holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

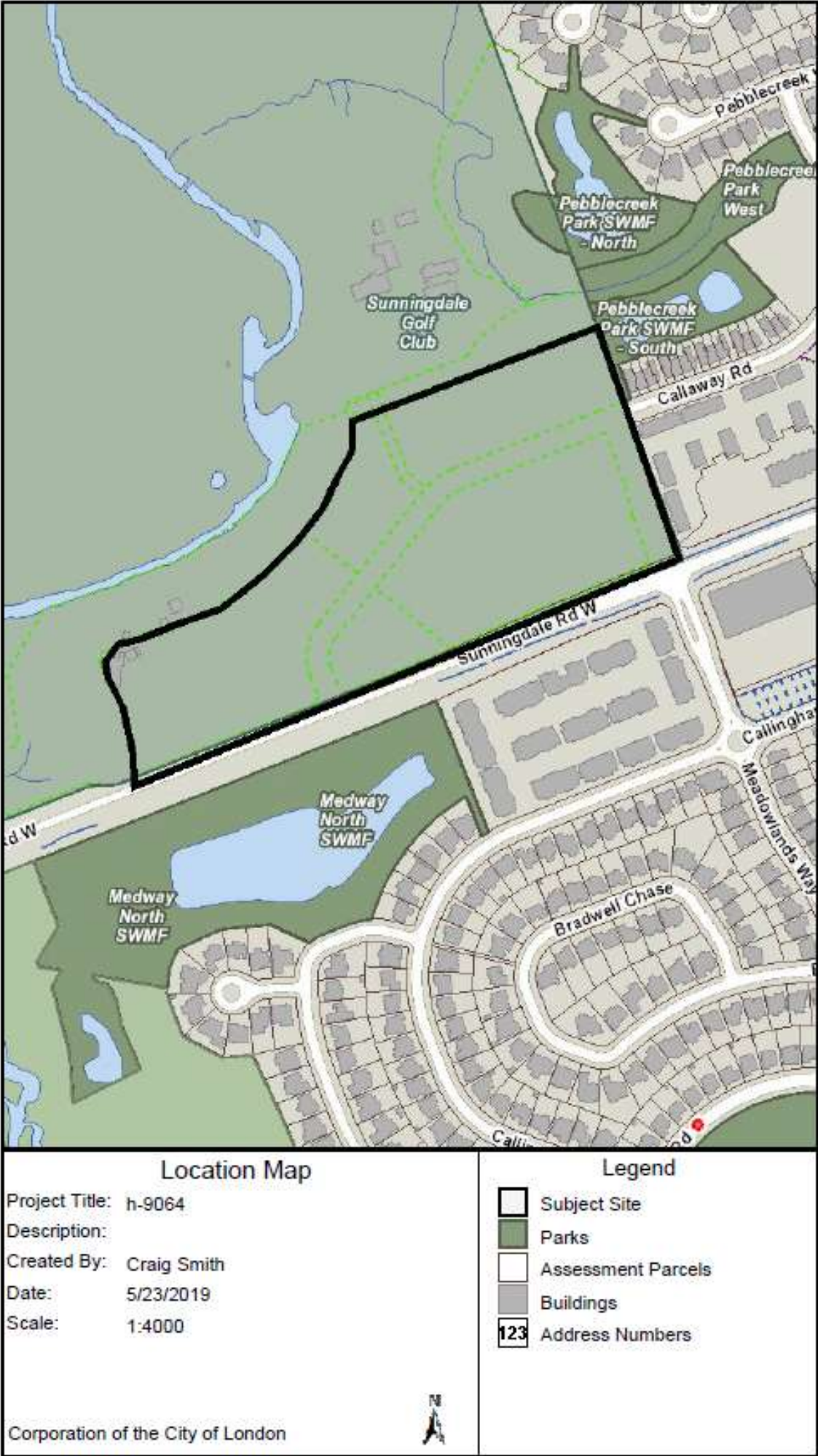
The purpose and effect of this zoning change is to remove the h. and h-100 holding symbols to permit the development of four residential blocks (Blocks 1, 2, 3 and 4), an open space block (Block 5), and office/residential block (Block 6) and to remove the h-53 holding symbol from blocks 1 and 4 as they do not have frontage onto Fanshawe Park Road West.

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 subdivision approval process the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent and the h. and h-100 holding provisions are no longer required.
3. Blocks 1 and 4 do not have frontage onto an arterial road (Fanshawe Park Road West) and the need for noise walls is not required.

Analysis

1.1 Location Map



2.0 Description of Proposal

To remove the h. and h-100 holding provisions from the lands that ensures 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. This proposal also includes the removal of the h-53 holding provision from blocks 1 and 4 as these residential blocks do not have frontage onto Fanshawe Park Road West.

3.0 Revelant Background

3.1 Planning History

On June 3, 2016 the applicant submitted an application for Draft Plan of Subdivision approval, an Official Plan Amendment and a Zoning By-law Amendment including all required reports/studies identified during pre-consultation. Staff reviewed and accepted the applications as complete on June 6, 2016.

On May 24, 2017, the City Clerk’s Office received appeals to the Ontario Municipal Board (OMB), from the Applicant on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and a non-decision by Municipal Council within 120 days relating to a Zoning By-law and Official Plan Amendment applications concerning lands located at 379 Sunningdale Road.

The OMB Settlement Hearing was held on November 8, 2017. On November 15, 2017 the OMB issued its decision to approve the Official Plan, Zoning, and Subdivision Draft Plan Approval that allows the lands to be developed with ten storey apartment buildings, six storey apartment buildings, cluster residential in a vacant land condominium form, offices and park uses subject to the completion of conditions as directed by the Board (Attached Appendix A).

As per Section 51 (34) of the *Planning Act*, the draft approval lapse date is November 15, 2020.

This application is to remove the holding provisions from the subdivison. The subdivision consists of four residential blocks (Blocks 1, 2, 3 and 4), an open space block (Block 5), and office/residential block (Block 6) with local public streets (including the extensions of Callaway Road to the west and Meadowlands Way to the north). On March 6, 2019 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. 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 Callaway Drive is being extended westerly and connecting to Sunningdale Road West and Meadowlands Way is being extended north from Sunningdale Road West to Callaway Drive providing two public accesses into this subdivision. This satisfies the requirement for removal of the “h-100” holding provision.

h-53 Holding Provision

The (h-53) holding provision states that:

“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 h-53 holding provision requires that through a development agreement that development will be street oriented and noise walls will be discouraged along Sunningdale Road West. The h-53 holding provision will be required to remain on the blocks pending the completion of the site plan approvals. It is not appropriate to remove the holding provisions at this time from these blocks. A future application will be required to remove the h-53 holding provision once site plan approval is granted and a development agreement is entered into with the City.

Blocks 1 and 4 do not front onto an arterial road (Sunningdale Park Road West) and the removal of the h-53 holding provision from these blocks is appropriate at this time.

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. It is also appropriate to remove the h-53 holding provisions on Blocks 1 and 4 as these blocks do not front onto an arterial road (Sunningdale Park Road West) and the removal of the h-53 holding provision from these blocks is appropriate at this time.

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.	

July 15, 2019

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

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 349 and 379 Sunningdale Road West.

WHEREAS Sunningdale Golf and Country Club Ltd. have applied to remove the holding provisions from the zoning for the lands located at 349 and 379 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 349 and 379 Sunningdale Road West, as shown on the attached map, to remove the h., h-53 and h-100 holding provisions so that the zoning of the lands as a Holding Residential R9 Special Provision (h-53*R9-7(27)) Zone, a Holding Residential R5/R6 Special Provision (h-53*R5-3(19)/R6-5(53)) Zone, a Holding Residential R5/R6 Special Provision/ Office (h-53*R5-3(19)/R6-5(53)/OF1) Zone, a Residential R9 Special Provision (R9-7(27)) Zone, and a Residential R5/R6 Special Provision (R5-3(19)/R6-5(53)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

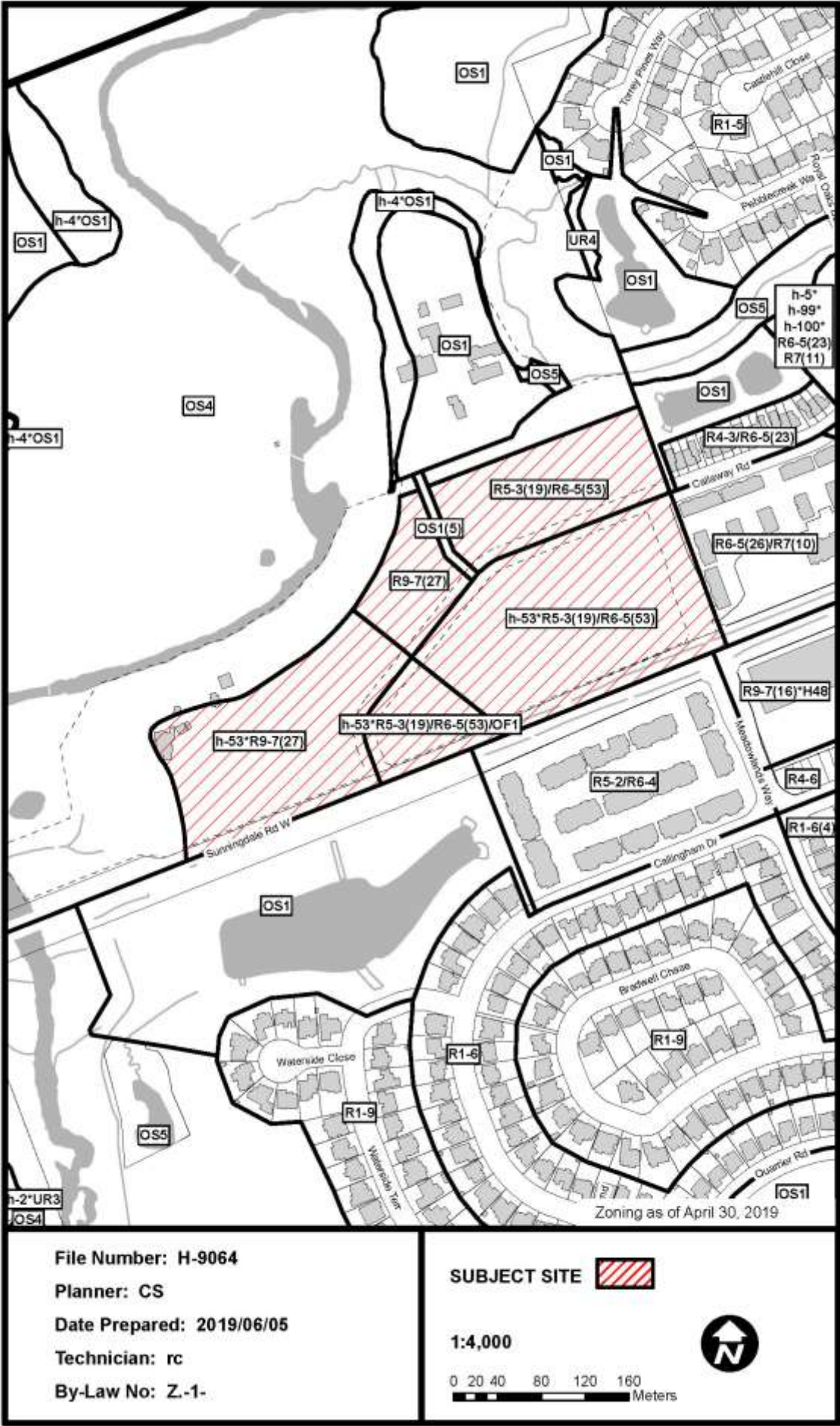
PASSED in Open Council on July 30, 2019.

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)



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on June 6, 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 July 22, 2019.

Appendix C – Relevant Background

Existing Zoning Map

