

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services &
Chief Building Official

Subject: Foxhollow North Kent Developments Inc.
2650 Buroak Drive
Removal of Holding Provisions (h, h-54, h-71, h-95 and h-100)

Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Foxhollow North Kent Developments Inc. relating to the property located at 2650 Buroak Drive, 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 2650 Buroak Drive **FROM** a Holding Residential R6 (h.*h-54*h-71*h-95*h-100*R6-5)) Zone **TO** a Residential R6 (R6-5) Zone to remove the h., h-54, h-71, h-95 and h-100 holding provisions.

Executive Summary

Summary of Request

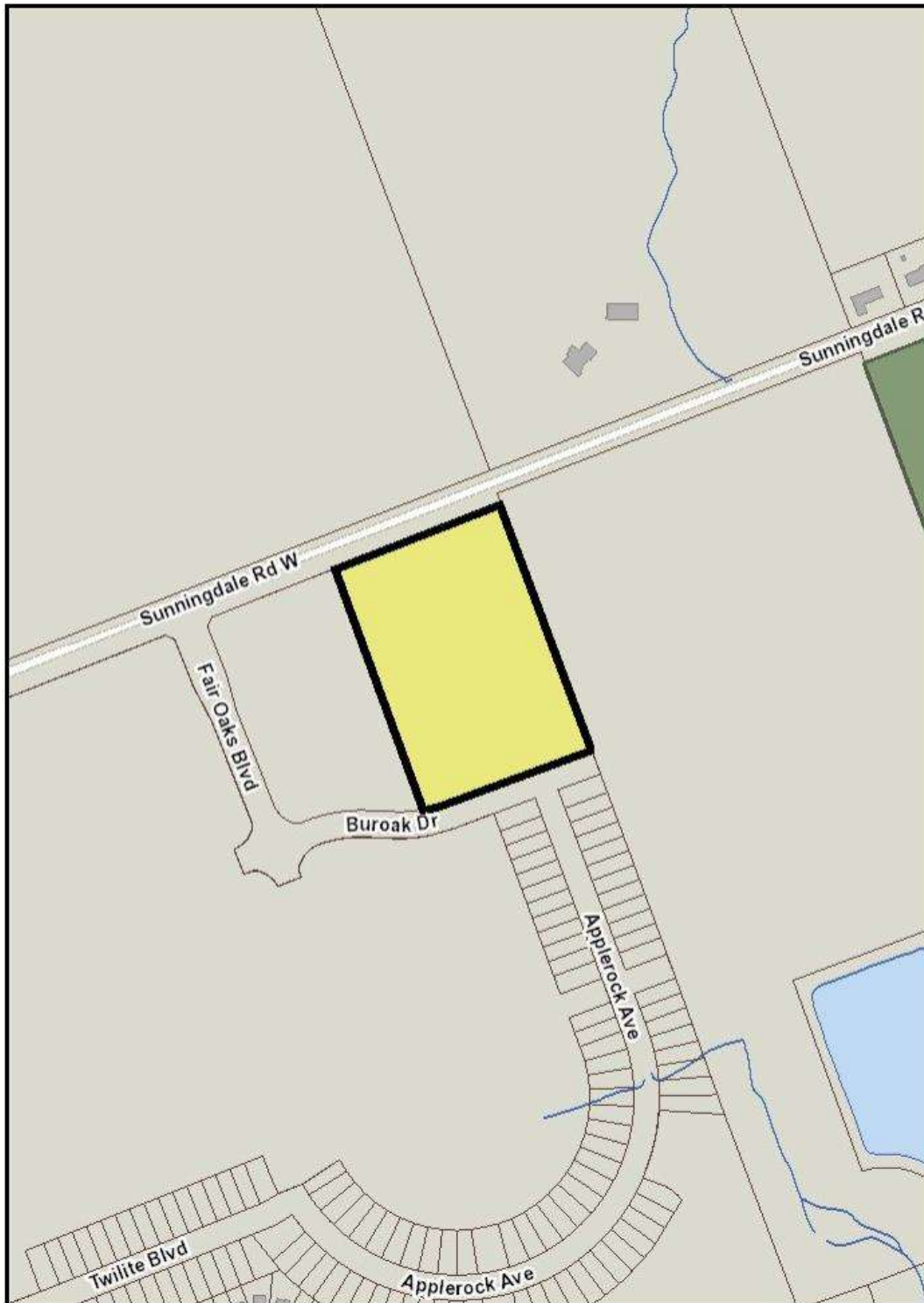
To remove the h, h-54, h-71, h-95 and h-100 holding provisions from 2650 Buroak Drive for the consideration of building permits to construct a 57 unit cluster townhouse development.

Rationale of Recommended Action

1. The conditions for removing the holding (h, h-54, h-71, h-95 and h-100) provisions have been met and the recommended amendment will allow development of a proposed 57 unit cluster townhouse development in compliance with the Zoning By-law.
2. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.
3. As part of the Site Plan Approval process (SPA18-035), noise attenuation measures have been accepted, the site layout provides building orientation through a window street design, the plans and building elevations were reviewed for compliance with the Foxhollow Community Plan Design Guidelines and servicing and access arrangements have been accepted. The plans and building elevations have also been accepted and included in the approved Site Plan and Development Agreement.

Analysis

Location Map



Location Map		Legend	
Subject Property:	2250 Buroak Drive Bldg A		Subject Property
Applicant:	AUBURN DEVELOPMENTS INC.		Parks
File Number:	H-8950		Assessment Parcels
Created By:	Craig Smith		Buildings
Date:	2/22/2019		Address Numbers
Scale:	1:4000		

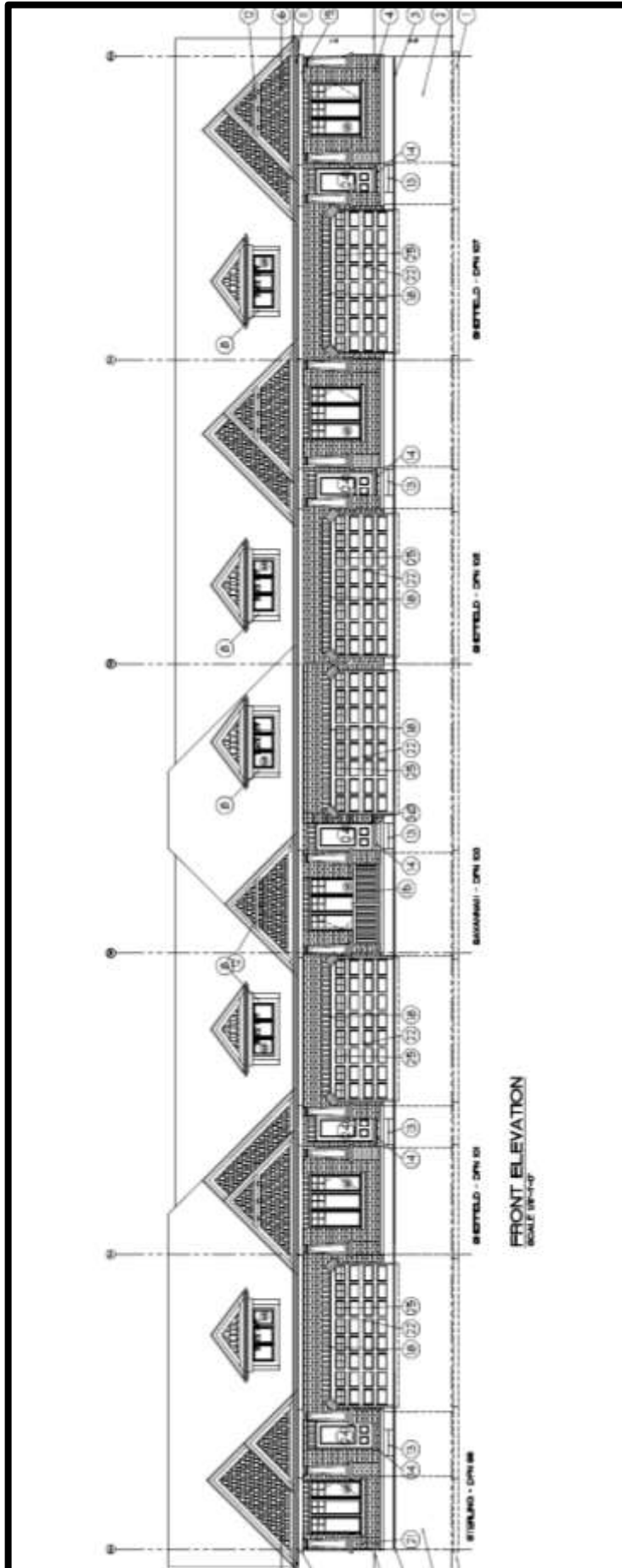
Corporation of the City of London

2.0 Description of Proposal

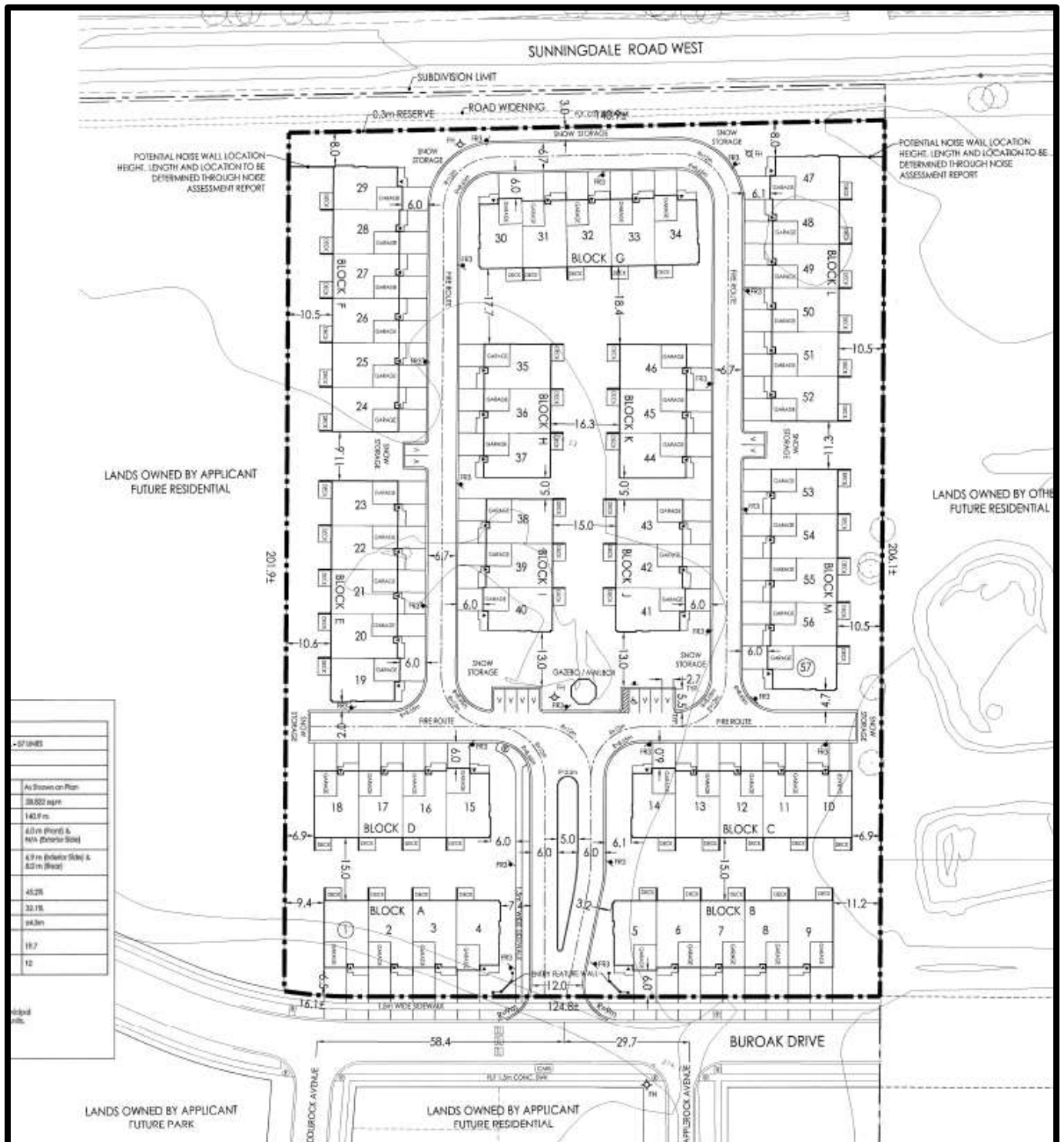
2.1 Development Proposal

The removal of the holding provision will allow 57 unit townhouses units to be developed on the site.

Proposed Elevations



Proposed Site Plan



3.0 Key Issues and Considerations

Why is it Appropriate to remove these Holding Provisions

Site Plan Approval (SPA18-035) and the execution of a development agreement to construct a 57 unit townhouse development is imminent. The applicant has provided the required security with the City.

h. Holding Provision

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.

The imminent execution of the development agreement combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

h-54 Holding Provision

h-54 Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 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 applicant submitted a noise study, Road Traffic Noise Feasibility Study, HGC Engineering dated June 16, 2017 as part of the complete site plan approval application. The accepted noise mitigation measures (noise barriers and warning clauses) are included in the approved site plans and development agreement satisfying the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

h-71 Holding Provision

h-71 Purpose: To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol.

A window street has been provided along Sunningdale Road West. The utilization of the window street provides for a row of townhouses to orientate the front facades towards Sunningdale Road West. The development agreement will be executed implementing the accepted plan. It is appropriate to remove this holding provision at this time

h-95 Holding Provision

h-95 Purpose: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, 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.

The proposed plans and elevations are consistent with the Foxhollow Community Plan design guidelines and have been reviewed and accepted by Development Services. The development agreement will be executed implementing the accepted plan. It is appropriate to remove this holding provision at this time

h-100 Holding Provision

h-100 Purpose: 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.

The site is serviced by Buroak Drive which has connections to Sunningdale Road West and the subdivisions to the east and south. There is a looped watermain system to service this development. As a result it is appropriate to remove the h-100 holding provision at this time.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

It is appropriate to remove the h, h-54, h-71, h-95 and h-100 holding provisions from the Residential R6 (R6-5) Zone at this time. Removal of the holding provisions will allow for the consideration of building permits to permit the construction of a 57 unit townhouse development.

Prepared by:	Craig 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
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Appendix A

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 of the land located at 2650 Buroak
Drive.

WHEREAS Foxhollow North Kent Developments Inc. has applied to remove the holding provisions from the zoning for the land located at 2650 Buroak Drive, 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 2650 Buroak Drive, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R6 (R6-5) 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 September 6, 2018

0 replies were received

Nature of Liaison: - City Council intends to consider removing the h.*h-54*h-71*h-95 and h-100 holding provisions from the lands which requires for the provision of all municipal services, two or more public access, discouragement of noise walls, street orientation, and implement urban design concepts established through the Zoning By-law Amendment an 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 October 9, 2018.

Appendix C

Zoning Map

