

## 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: 1967172 Ontario Inc.  
3400 Singleton Avenue

**Meeting on:** September 9, 2019

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1967172 Ontario Inc. relating to the property located at 3400 Singleton Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No.Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Neighbourhood Facility / Residential R5 / Residential R6 (h\*NF1/h\*h-71\*h-100\*h-104\*h-137\*R5-4\*R6-5) Zone **TO** a Neighbourhood Facility / Residential R5 / Residential R6 (NF1/R5-4/R6-5) Zone to remove the "h", "h", "h-71", "h-100", "h-104", and "h-137" holding provisions associated with the residential zones.

## Executive Summary

### Summary of Request

The applicant has requested removal of the "h", "h", "h-71", "h-100", "h-104", and "h-137" holding provisions from the Zone on the subject lands, which requires that the necessary securities be provided and a development agreement is executed prior to development; that dwelling units are oriented to all abutting streets; that there is adequate access and water services; that a comprehensive storm drainage and stormwater management report is accepted; and, that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 units, and a Traffic Impact Study is prepared which demonstrates that the transportation infrastructure is adequate to accommodate forecasted traffic volumes.

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding "h", "h", "h-71", "h-100", "h-104", and "h-137" holding provisions from the zoning applied to this site to permit the development of 82 cluster townhouse dwellings.

### Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted and the development agreement has been executed. Through the development agreement adequate servicing has been provided, access has been established, and the development as approved has dwelling units oriented to Singleton Avenue and to Westbury Park to the north. All issues have been resolved and the holding provisions are no longer required.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Location Map





### 1.3 Property Description

The site is addressed as 3400 Singleton Avenue and is located on the east side of Singleton Avenue, south of Southdale Road West. The subject lands have a total frontage of approximately 116 metres on Singleton Avenue, with a site area of approximately 2.3 hectares. The subject lands are presently vacant. There are existing residential uses to the west, institutional uses to the east, commercial uses to the south, and public open space to the north.

### 1.4 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h\*NF1/h\*h-71\*h-100\*h-104\*h-137\*R5-4\*R6-5

### 1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 116 m
- Depth – Varies
- Area – 2.3 ha
- Shape – Irregular

### 1.6 Surrounding Land Uses

- North – Westbury Park
- East – Existing Residential (Single Detached Dwellings)
- South – Existing Residential (Cluster Townhouses) and Vacant Commercial lands
- West – Existing Institutional

## 2.0 Description of Proposal

### 2.1 Development Proposal

The requested amendment will permit the development of 82 cluster townhouse dwellings.

## 3.0 Relevant Background

### 3.1 Planning History

A Zoning By-law Amendment (Z-6915) was approved by Municipal Council on May 25<sup>th</sup>, 2009 in association with the Draft Plan of Subdivision, which was granted Draft Approval with conditions on June 22<sup>nd</sup>, 2009, that established the existing parcel fabric and zoning for the subject lands.

The Neighbourhood Facility Zone was applied to the subject lands during the initial Subdivision and Zoning By-law Amendment process as it was intended to be the location of a future school. The School Boards waived their right to acquire the site, and at its meeting on November 6, 2018, Municipal Council indicated that the City had no interest in acquiring the property for municipal purposes.

### 3.2 Requested Amendment

The applicant has requested removal of the “h”, “h”, “h-71”, “h-100”, “h-104”, and “h-137” holding provisions from the Zone on the subject lands, which requires that the necessary securities be provided and a development agreement is executed prior to development; that dwelling units are oriented to all abutting streets; that there is adequate access and water services; that a comprehensive storm drainage and stormwater management report is accepted; and, that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 units, and a Traffic Impact Study is prepared which demonstrates that the transportation infrastructure is adequate to accommodate forecasted traffic volumes

### 3.3 Community Engagement (see more detail in Appendix B)

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

### 3.4 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 (“h” symbol), 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 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 the development agreement has been executed. This satisfies the requirement for the removal of the “h” holding provisions.

### 4.2 What is the purpose of the “h-71” holding provision and is it appropriate to consider its removal?

The “h-71” holding provision states that:

*“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. (Z.-1-061521)”*

The site plan and building elevations have been accepted, showing dwelling units being oriented to the only abutting street (Singleton Avenue), as well to Westbury Park, and the Owner has entered into a development agreement. This satisfies the requirement for the removal of the “h-71” holding provisions.

### 4.3 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:

*“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.*

*Permitted Interim Uses: A maximum of 80 residential units (Z.-1-081786) (Z.-1-122078)”*

Due to the ten street-oriented dwellings which will connect to water services directly from Singleton Avenue, there are 72 units internal to the site which will be serviced by a single access and a non-looped watermain system. Water Engineering has confirmed that the development meets the looping requirement and as such, satisfies the requirement for the removal of the “h-100” holding provision.

**4.4 What is the purpose of the “h-104” holding provision and is it appropriate to consider its removal?**

The “h-104” holding provision states that:

*“Purpose: To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The “h-104” symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer. (Z.-1-091860)”*

The applicant is proposing a private on-site storm drainage facility, and a comprehensive storm drainage and stormwater management report has been accepted. This satisfies the requirement for the removal of the “h-104” holding provision.

**4.5 What is the purpose of the “h-137” holding provision and is it appropriate to consider its removal?**

The “h-137” holding provision states that:

*“Purpose: To ensure that development in draft plan 39T-05509 does not exceed a maximum interim threshold of 240 residential units, the h-137 symbol shall not be deleted until the temporary Bostwick sanitary sewage pumping station and forcemain are decommissioned; and a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes.*

*Permitted Interim Uses: Permitted uses up to a total of 240 residential units on the multi-family lands in draft plan 39T-05509. (Z.-1-112024)”*

The subject lands are a former school site which was not included in the interim population cap. The sanitary system of the subdivision was designed to serve this block to a maximum of 400 people. The proposed development consists of 82 residential units, which equates to a sanitary population of 197 people. The sanitary servicing strategy has been accepted to the satisfaction of Development Services. Given the nature of the development, City staff determined that a Traffic Impact Study is not required. This satisfies the requirement for the removal of the “h-137” holding provision.

## 5.0 Conclusion

The Applicant has entered into a development agreement for this site, oriented the dwelling units to the abutting street, and demonstrated acceptable servicing strategies. Therefore, the required conditions have been met to remove the “h”, “h”, “h-71”, “h-100”, “h-104”, and “h-137” holding provisions. The removal of the holding provisions is recommended to Council for approval.

<b>Prepared by:</b>	<b>Meg Sundercock, BURPL Site Development Planner, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG 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	

August 26, 2019  
MS/ms

CC: Matt Feldberg, Manager, Development Services (Subdivisions)  
Lou Pompili, 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.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3400 Singleton Avenue.

WHEREAS 1967172 Ontario Inc. has applied to remove the holding provision from the zoning for the lands located at 3400 Singleton Avenue, 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 3400 Singleton Avenue, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Neighbourhood Facility Residential R5 / Residential R6 (NF1/R5-4/R6-5) 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 September 17, 2019.

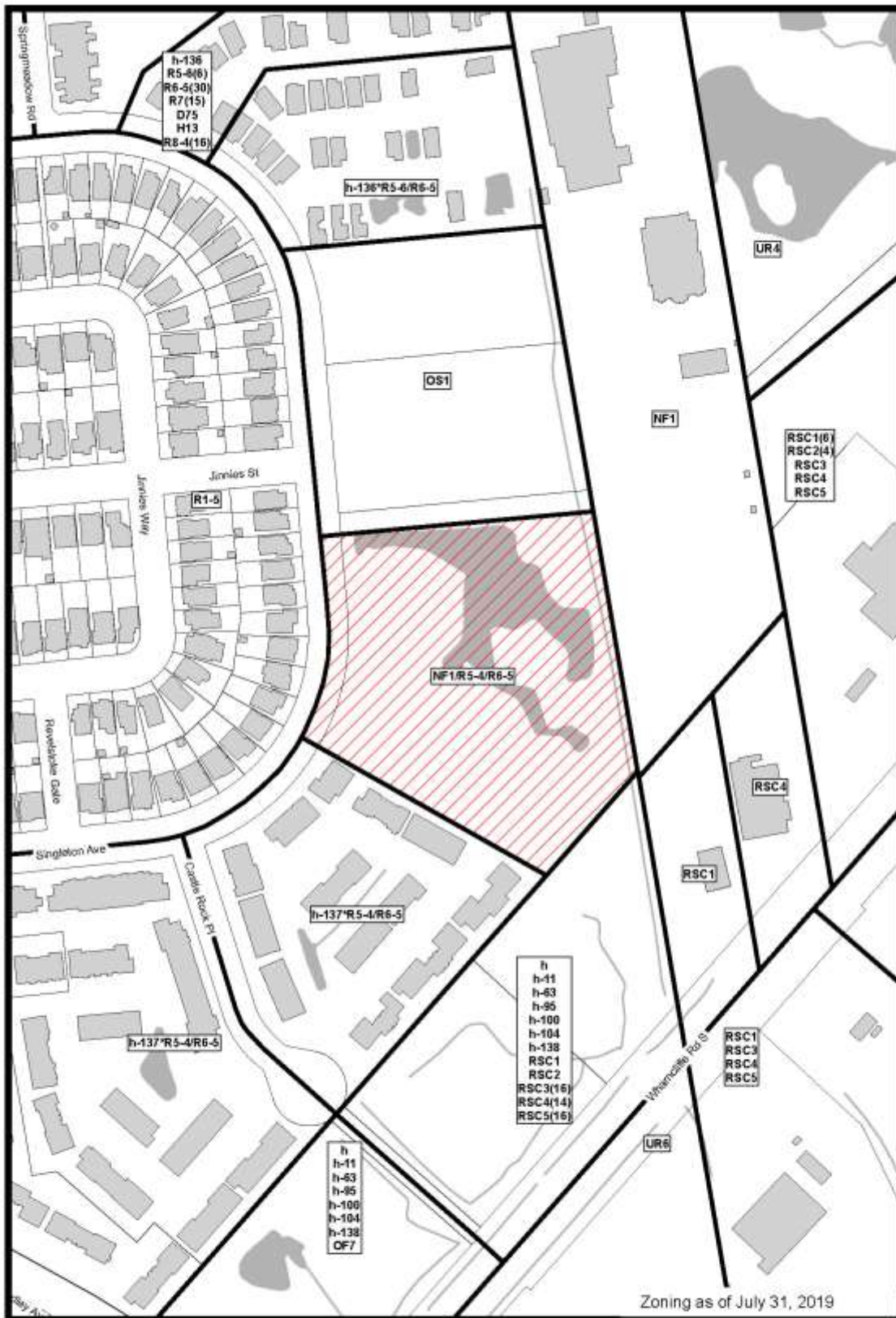
Ed Holder  
Mayor

Catharine Saunders  
City Clerk


First Reading – September 17, 2019  
Second Reading – September 17, 2019  
Third Reading – September 17, 2019



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



File Number: H-8967  
Planner: MS  
Date Prepared: 2019/08/26  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100  
Meters

