

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: West Kains Land Corp. and Liahn Farms Ltd.
Eagle Ridge Subdivision - Phase 2
810 Westdel Bourne
Removal of Holding Provisions

Meeting on: October 7, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by West Kains Land Corp. and Liahn Farms Ltd., relating to lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting to be held on October 15, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 (h•R1-4) Zone, a Holding Residential R1 (h•h-211•R1-4) Zone, a Holding Residential R1 (h•R1-8) Zone, and a Holding Residential R6 (h•h-54•h-71•R6-5) Zone **TO** a Residential R1 (R1-4) Zone, a Holding Residential R1 (h-211•R1-4) Zone, a Residential R1 (R1-8) Zone, and a Holding Residential R6 (h-54•h-71•R6-5) Zone to remove the h holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

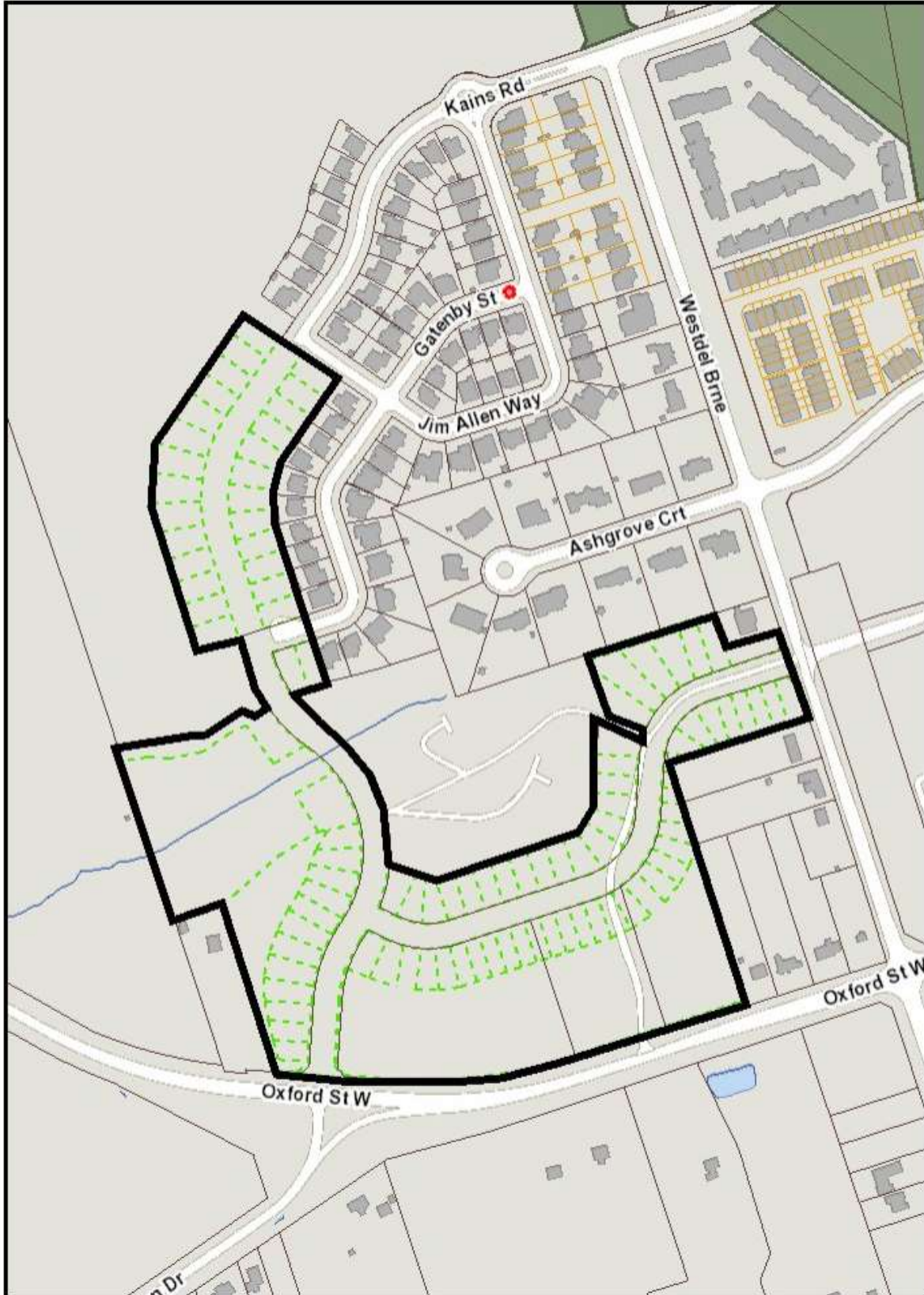
The purpose and effect of this zoning change is to remove the holding “h” symbol to allow development of a residential plan of subdivision for uses permitted under the Residential R1 (R1-4 and R1-8) Zones.

Rationale of Recommended Action

1. The condition for removing the holding (h) provision has been met and the recommended amendment will allow development of residential uses in compliance with the Zoning By-law.
2. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.

Analysis




1.0 Location Map



Location Map

Subject Property: 810 Westdel Bourne
Applicant: WEST KAINS LAND CORP
File Number: H-9112
Created By: Larry Mottram
Date: 9/4/2019
Scale: 1:4000

Legend

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



2.0 Description of Proposal

The Eagle Ridge Subdivision - Phase 2 development incorporates the southerly extension of Kains Road through to Oxford Street West at Gideon Drive, and Linkway Boulevard west of Westdel Bourne. The development is adjacent the City's Tributary 'C' stormwater management facilities which were recently completed. Subdivision servicing for Phase 2 is also nearing completion. Removal of the holding provisions will allow development of single detached dwelling lots permitted under the Residential R1 (R1-4 and R1-8) Zones.

3.0 Relevant Background

3.1 Planning History

On September 6, 2017, the Approval Authority for the City of London issued draft approval for the Eagle Ridge – Phase 2 draft plan of subdivision comprising an area of approximately 13 hectares located north of Oxford Street West, and west of Westdel Bourne. The draft-approved plan consists of 89 single detached dwelling lots, 1 medium density residential block, 2 open space blocks, 3 park blocks, and 7 part blocks for future development. On July 25, 2017, Municipal Council passed an amendment to the Zoning By-law to apply zoning to the various lots and blocks within the subdivision plan.

The purpose and effect of this application is to remove the general 'h' holding provision to allow development of single detached dwellings as permitted under the Residential R1 (R1-4 and R1-8) Zones. On some lots and blocks within the subdivision the zoning contains more than one holding provision in addition to the standard 'h'. These holding provisions will continue to remain in place for now until such time as the conditions specified in the Zoning By-law have been met to remove the holding symbols from the zone map.

4.0 Key Issues and Considerations

4.1 Have the conditions for removal of the holding (h) provision been met?

The purpose of the holding ('h') provision in the zoning by-law is as follows:

"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 Subdivision Agreement between West Kains Land Corp. and Liahn Farms Limited and the City of London was entered into on April 5, 2019 and is expected to be registered shortly. West Kains Land Corp. and Liahn Farms Limited have also posted security as required by City Policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the 'h' provision.

As noted above, holding provisions serving specific purposes will continue to remain in place on some single family lots as well as the medium density, multi-family block. The holding (h-54 and h-71) provisions which apply to the multi-family block adjacent Oxford Street West requires that a noise assessment be prepared and implementation of noise mitigation measures for residential development adjacent an arterial road, as well as an approved building orientation plan to ensure street-oriented development. These requirements will be satisfied as part of a future Application for Site Plan Approval and Development Agreement for that block.

The holding (h-211) provision was applied to the zoning on 17 single detached lots along the north side of Linkway Boulevard adjacent the SWM Facility which are to be held out of development until a temporary stormwater retention pond that currently occupies this area has been decommissioned to the satisfaction of the City. Staff also recommend that the holding (h and h-82) provisions on the south side of Linkway Boulevard be maintained in conjunction with zoning on seven (7) part blocks to ensure that they are consolidated with adjacent lands in order to create a consistent lotting pattern.

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

5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding (“h”) symbol from the zoning map.

Prepared by:	Larry Mottram, MCIP, RPP Senior Planner, Development Planning
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.	

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

September 30, 2019
GK/PY/LM/lm

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 within Eagle Ridge Subdivision – Phase 2 located at 810 Westdel Bourne.

WHEREAS West Kains Land Corp. and Liahn Farms Ltd. have applied to remove the holding provisions from the zoning on lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, 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:

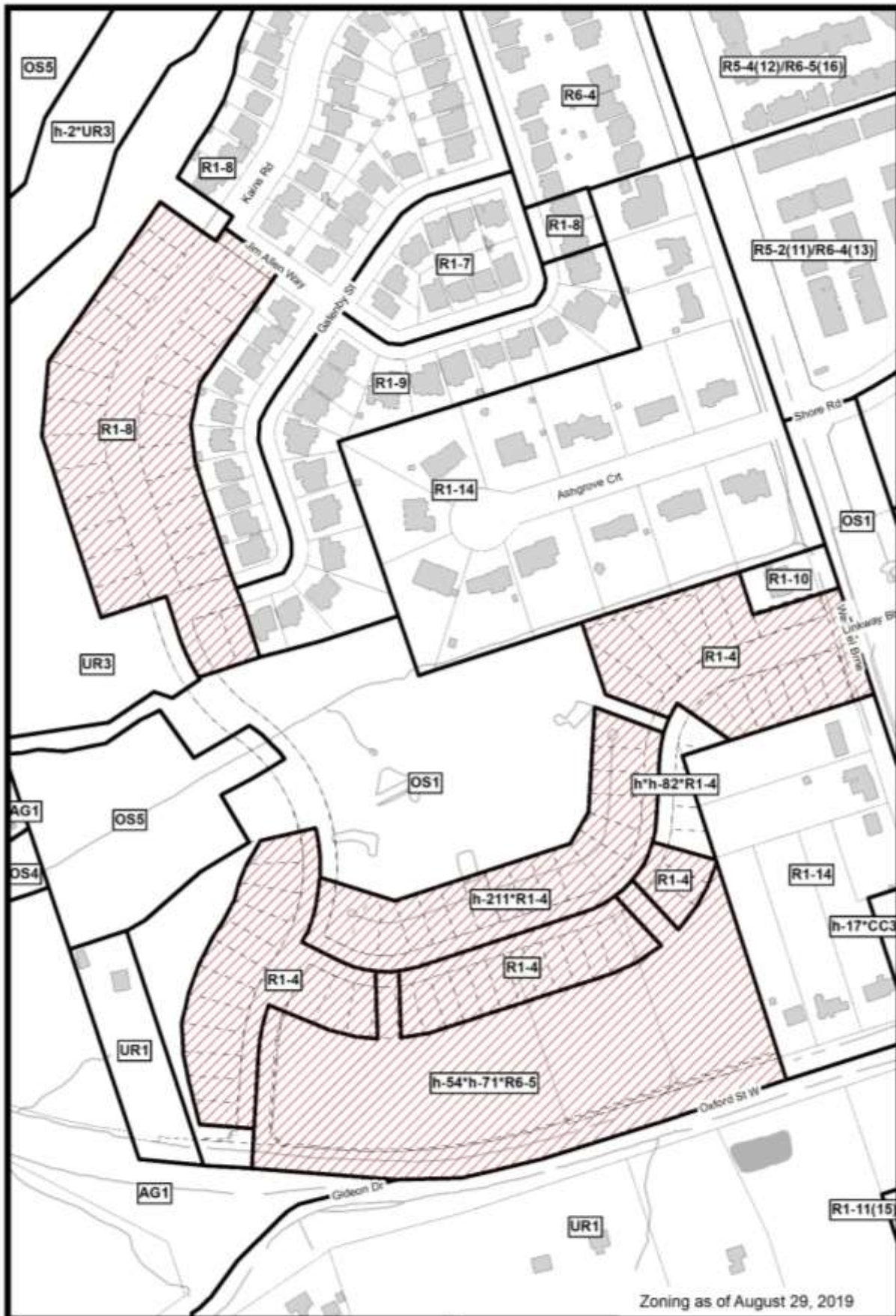
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 810 Westdel Bourne, known as Eagle Ridge Subdivision – Phase 2, as shown on the attached map, to remove the h holding provision so that the zoning of the lands as a Residential R1 (R1-4) Zone, a Holding Residential R1 (h-211•R1-4) Zone, a Residential R1 (R1-8) Zone, and a Holding Residential R6 (h-54•h-71•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 October 15, 2019.


Ed Holder
Mayor

Catharine Saunders
City Clerk

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



File Number: H-9112
Planner: LM
Date Prepared: 2019/09/05
Technician: DM
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on September 12, 2019.

0 replies were received

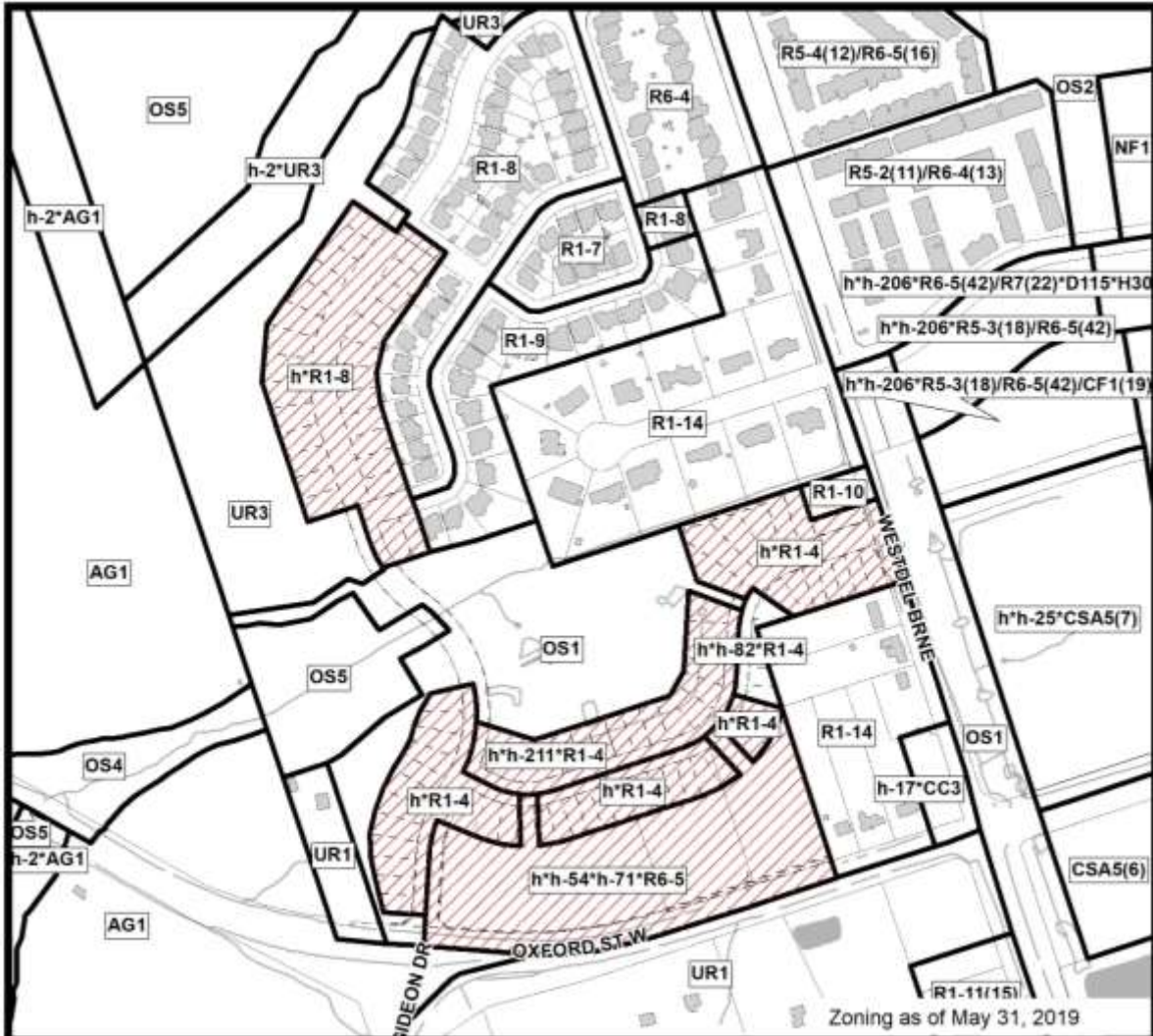
Nature of Liaison: 810 Westdel Bourne; located north of Oxford Street West and west of Westdel Bourne – identified as Lots 1-43, 44-49, 55-66, 67-94 and Block 1 on the draft-approved plan of subdivision File No. 39T-17501 – City Council intends to consider removing the Holding (“h”) Provision from the zoning of the subject lands to allow development of a residential plan of subdivision. The purpose and effect is to allow development of the lands for uses permitted under the Residential R1 (R1-4 and R1-8) and Residential R6 (R6-5) Zones. The purpose of the “h” provision is 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 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. Council will consider removing the holding provision as it applies to these lands no earlier than October 15, 2019.

Agency/Departmental Comments:

None

Appendix C – Relevant Background

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "d" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
 BY-LAW NO. Z-1
 SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

H-9112

LM

MAP PREPARED:

2019/09/05

DM

1:5,000

0 30 60 120 180 240

Meters

Additional Reports

File No. 39T-17501 / Z-8725 – Developro Land Services Inc. on behalf of West Kains Land Corp. and Liahn Farms Ltd. - 810 Westdel Bourne, portion of 1055 Westdel Bourne, 1079 Westdel Bourne, 1959 and 1997 Oxford Street West - Public Participation Meeting on July 17, 2017 – Application for Approval of Draft Plan of Subdivision and Zoning By-law Amendments (Planning and Environment Committee Agenda Item No. 17).