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.
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 Pompili, Manager, Development Services - Planning  
    Ismail Abushehada, Manager, Development Services - Engineering

September 30, 2019

GK/PY/LM/Im
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 attached map, 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

First Reading – October 15, 2019
Second Reading – October 15, 2019
Third Reading – October 15, 2019
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

- 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 - SENIORS HOUSING
- R8 - MEDIUM DENSITY LOW RISE APARTS.
- R9 - MEDIUM TO HIGH DENSITY APARTS.
- R13 - HIGH DENSITY APARTMENTS
- R11 - LOW DENSITY HOUSING
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTISANAL COMMERCIAL
- HS - HOSPITALITY SERVICE COMMERCIAL
- RCC - RESTRICTED SERVICE COMMERCIAL
- CG - CONVENIENCE COMMERCE
- SS - AUTOZONE SERVICE STATION
- ASB - ASSOCIATED SHOPPING AREA COMMERCIAL
- OR - OFFICE RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HE - HEALTH
- DG - 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 EXHAUSTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- ASC - AGRICULTURAL COMMERCIAL
- RCC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
- "N" - HOLDING SYMBOL
- "S" - 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

FILE NO: H-9112
MAP PREPARED: 2019/09/05
1:5,000
0 20 60 120 180 240 Meters
Additional Reports