

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Holding Provision Removal
2682207 Ontario Limited
200 Callaway Road

Meeting on: November 4, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of 2682207 Ontario Limited relating to the property located at 200 Callaway Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 4, 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 Residential R6 Special Provision/Residential R7 Special Provision (h-5*h-99*h-100*R6-5(23)/R7(11) Zone **TO** Residential R6 Special Provision/Residential R7 Special Provision (R6-5(23)/R7(11) Zone to remove the holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h-5, "h-99" and h-100" holding provisions from 200 Callaway Road, which are in place to ensure: a public site plan meeting; that the development design is consistent with the Upper Richmond Village – Urban Design Guidelines, and that adequate water looping and access is provided.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h-5, "h-99" and h-100" holding symbols to facilitate the development of a 4 storey, 60 unit apartment building with access from Callaway Road.

Rationale of Recommended Action

The requirements for removing the holding provisions have been met. It is appropriate to remove the holding provisions as they are no longer required.

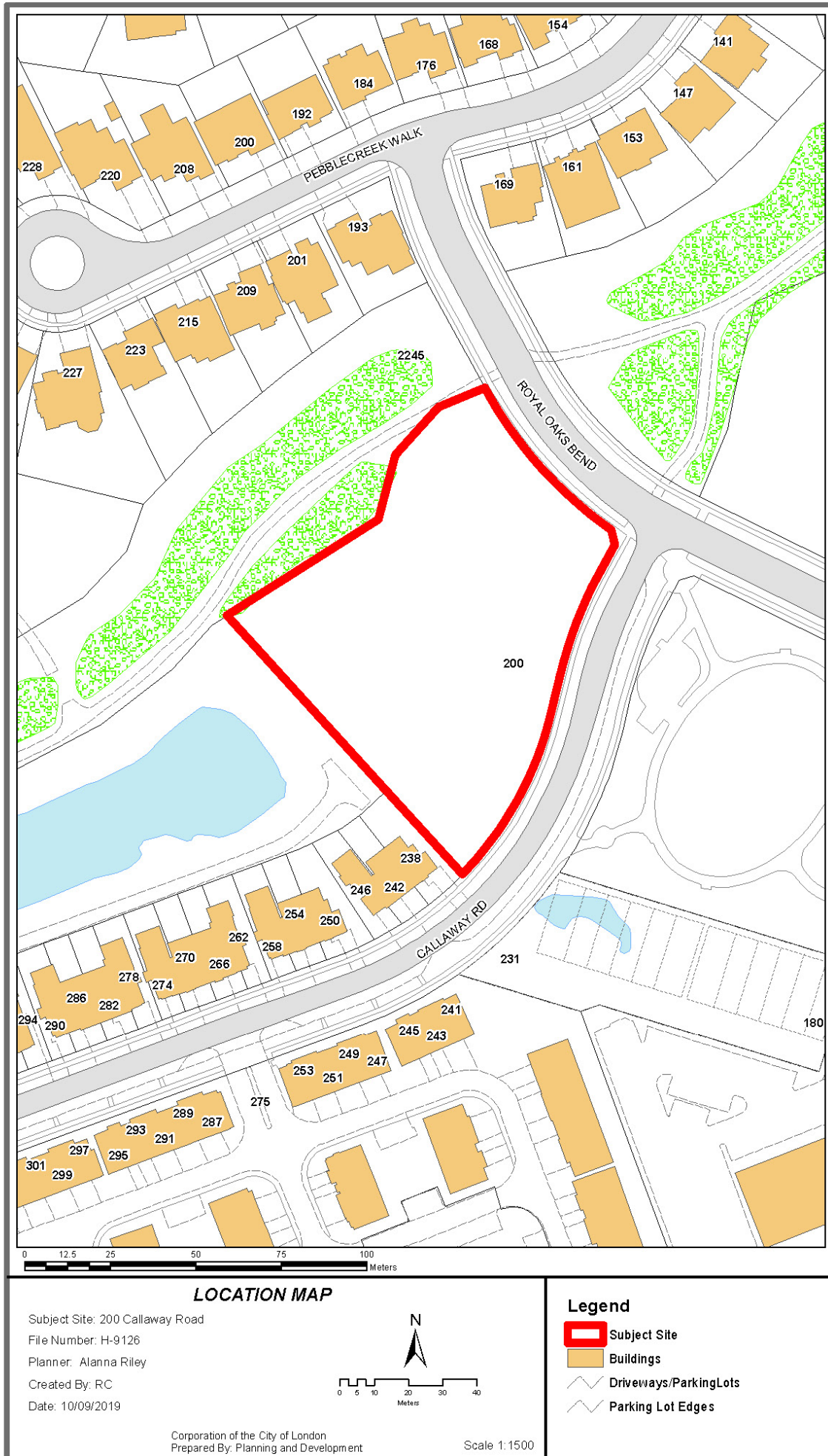
Analysis

1.0 Site at a Glance

1.1 Property Description

The property is located north of Callaway Road and west of Royal Oaks Bend. The proposal consists of one multi-family, medium density residential block within a registered plan of subdivision. The site fronts on both Callaway Road and Royal Oaks Bend. The site has full access to municipal services and is located in an area which is planned for future growth. Access to transit, pathways, and green spaces are available to the site.

1.2 Location Map



3.0 Relevant Background

3.1 Planning History

The subject lands are located in the City of London within the Sunningdale North Area Plan. Amendments to the Official Plan were approved in April of 2005 to designate the area with various forms of Low Density Residential, Multi-Family, Medium Density Residential, Multi-Family, High Density Residential, Business District Commercial and Open Space. The Sunningdale North Area Plan also provided community planning and design principles to support the development of a distinctive, attractive and self-sustaining community. Design principles and policies for the subject lands are also contained in the 2006 Council approved Upper Richmond Village Urban Design Guidelines.

Zoning of the subject lands was passed by City Council on June 23, 2008 and the subdivision was draft approved on July 4, 2008. A revision to the draft plan was requested by the land owner subsequent to initial approval and was granted on June 13, 2011.

Zoning to change the densities of the subject lands was passed by City Council March 5, 2013.

In August of 2019, a Site Plan Control Application (file SPA19-086) for a four (4) storey, 60 unit apartment building, was received by the City of London. Conditional approval was issued on September 16, 2019.

3.2 Requested Amendment

The applicant is requesting the removal of the “h-5, “h-99” and h-100” holding provisions from the site to allow for the development of a four (4) storey, 60 unit apartment building.

3.3 Community Engagement

No comments were received in response to the Notice of Application.

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, 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 including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the holding provisions and is it appropriate to consider their removal?

h-5: Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.

Permitted Interim Uses: Existing uses

A public participation meeting occurred on October 21, 2019 to satisfy the requirement for the public site plan meeting. The public participation meeting provided the public with an opportunity to provide input and comments into the site plan approval process. No members of the public attended the meeting. The Manager of Development

Planning (Site Plan) confirmed a development agreement has been executed and securities received on October 23, 2019.

h-99: Purpose: To ensure that new development is designed and approved consistent with the policies of the Sunningdale North Area Plan and the “Upper Richmond Village-Urban Design Guidelines”, to the satisfaction City of London, prior to removal of the “h-99” symbol.

Urban Design staff confirmed on October 3, 2019 that they are satisfied the development form implements the various requirements of the Upper Richmond Village – Urban Design Guidelines through the elevations, building orientation and pedestrian access through the site. The urban design and guidelines have been implemented as part of the Site Plan review process.

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. Permitted Interim Uses: Existing Uses

Permitted Interim Uses: A maximum of 80 residential units

Water engineering confirmed that the development has incorporated water servicing through the development agreement and the holding provision is appropriate to remove.

5.0 Conclusion

The requirements for removing the holding provisions have been met. A public site plan meeting was held on October 21, 2019, the accepted site plan implements the urban design principles set out in the Upper Richmond Village – Urban Design Guidelines, and the accepted development plans provide adequate water-looping and access. It is appropriate to remove the holding provisions to allow the zoning to come into force.

Prepared by:	Alanna Riley, 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	

October 28, 2019

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ismail Abushehada, Manager, Development Engineering
Michael Pease, Manager, Development Planning (Site Plan)

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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 200 Callaway Road.

WHEREAS 2682207 Ontario Limited has applied to remove the holding provisions from the zoning for the lands located at 200 Callaway Road, 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 200 Callaway Road, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(23)/R7(11) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

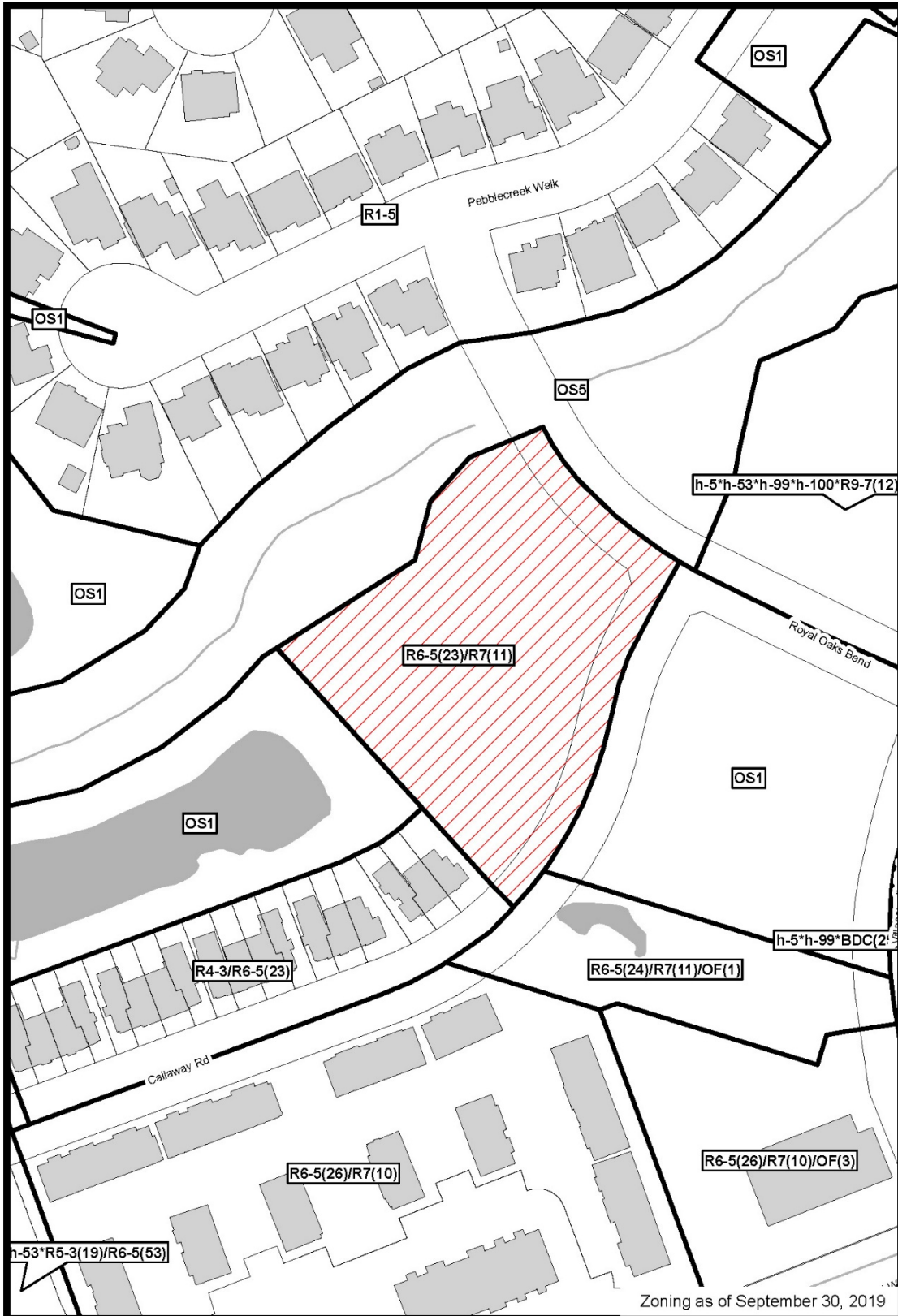
PASSED in Open Council on November 12, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 12, 2019
Second Reading – November 12, 2019
Third Reading – November 12, 2019

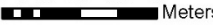
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9126
 Planner: AR
 Date Prepared: 2019/10/09
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

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