

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
Sifton Properties Limited
3260 Singleton Ave

Meeting on: November 18, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Sifton Properties Limited relating to the property located at 3260 Singleton Ave, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 26, 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 Special Provision R5/R6/R7/R8 (h-54*h-71*h-100*h-105*h-136*R5-7(8)*R6-5(48)*R7(20)D75H13*R8-4(32) Zone **TO** a Residential Special Provision R5/R6/R7/R8 (R5-7(8)*R6-5(48)*R7(20)D75H13*R8-4(32) Zone to remove the holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h-54", "h-71", "h-100" "h-105" and h-136" holding provisions from 3260 Singleton Ave, which are in place to ensure: there are no land use conflicts between arterial roads and the proposed residential uses, street orientation development, there is adequate water service and appropriate access, that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy, and that development in the plan of subdivision does not exceed a maximum interim threshold of 260 residential units.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h-54", "h-71", "h-100" "h-105" and h-136" holding symbols to facilitate the development of 62 cluster townhouse and semi-detached units, with access from Springmeadow 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.

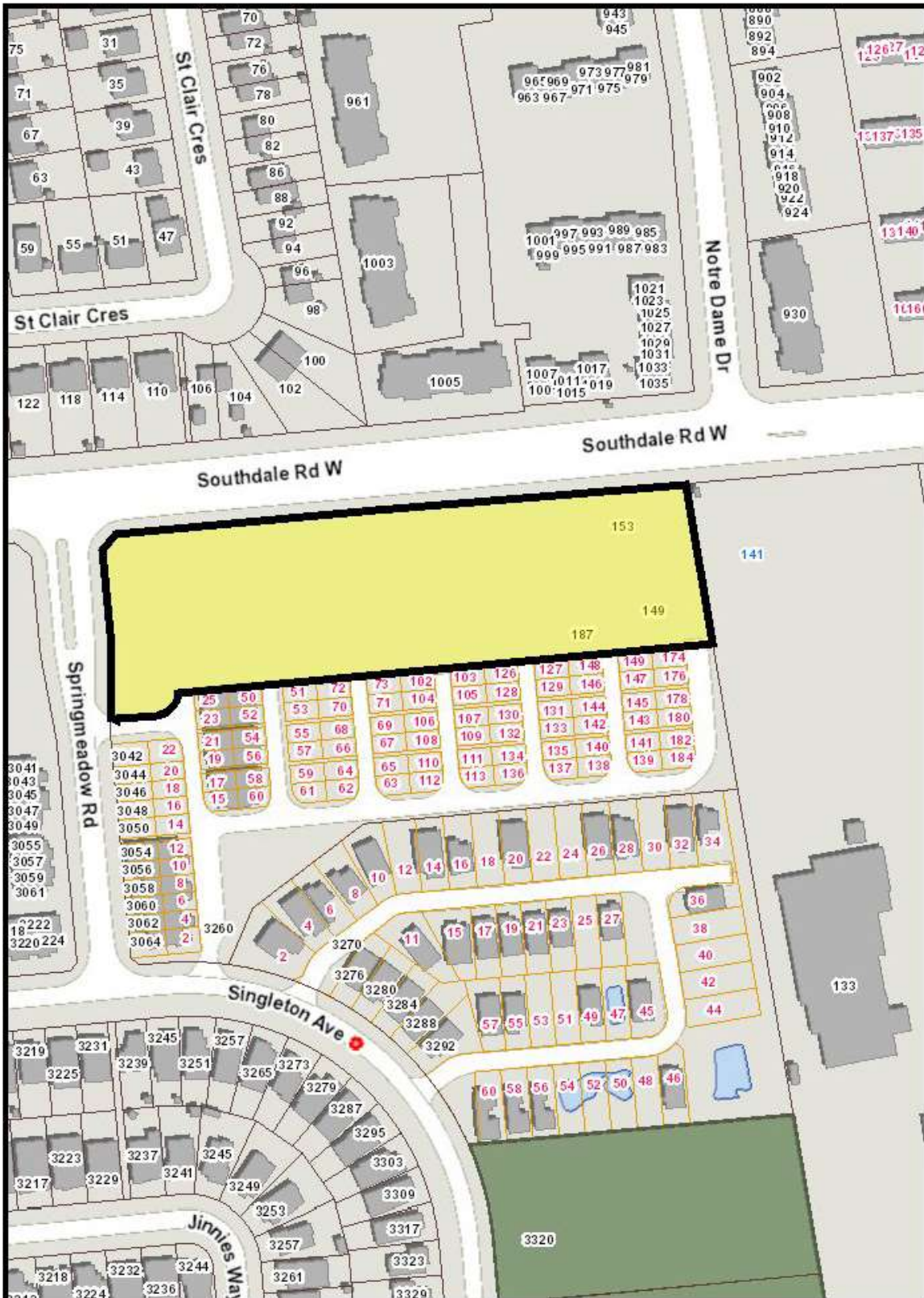
Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the south side of Southdale Road West, east of Springmeadow Road. The site is generally flat and is adjacent to the Holy Trinity Greek Orthodox Church to the east, and low density development and medium density residential development to the south and west. The proposal consists of one multi-family medium density residential block within a draft plan of subdivision (Plan 33M-636). The site is currently vacant and measures approximately 1.53 ha in size. The site has full access to municipal services and represents the final multi-family development block in this area.

1.2 Location Map



Location Map		Legend	
Subject Property:	3260 Singleton Avenue		Subject Property
Applicant:	SIFTON PROPERTIES LIMITED		Parks
File Number:	39CD-19513		Assessment Parcels
Created By:	Rob Carnegie		Buildings
Date:	9/17/2019		Address Numbers
Scale:	1:2000		

Corporation of the City of London

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1.3 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type –Neighbourhood
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h-54*h-71*h-100*h-105*h-136*R5-7(8)*R6-5(48)*R7(20)D75H13*R8-4(32)

1.4 Site Characteristics

- Current Land Use – Vacant
- Frontage – 72.95 metres
- Depth – Varies
- Area – 1.53 hectares
- Shape – Irregular

1.5 Surrounding Land Uses

- North – Southdale Road West/Residential
- East – Private Community Centre
- South – Residential
- West – Residential

2.1 Development Proposal

The removal of the holding provisions will permit the issuance of building permits, consistent with accepted site plans for 62 Vacant Land Condominium units in the form of cluster townhouse and semi-detached dwellings. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.



Figure 1: Conceptual Site Plan

Applications for Site Plan Approval (SP19-074) and Vacant Land Condominium (39CD-19513) have been made. Development related issues are being addressed through conditions in the Development Agreement and approved Site Plan, and the holding provisions are no longer required.

3.0 Relevant Background

3.1 Planning History

The subject lands form part of the approved Bostwick East Area Plan which were adopted by Municipal Council in June of 2005. The subject lands were designated Multi-Family, Medium Density Residential through this process.

Further, the lands are part of the Southwest Area Plan, amended and approved by the OMB on April 29, 2014. The subject lands are within the North Longwoods Residential Area of this plan.

The subject lands are also within the Bierens Subdivision (39T-08508/Z-7621), which was draft approved in October of 2009. Through this process, the site was rezoned to permit cluster housing with multiple holding provisions being applied. The subject parcel at 3260 Singleton Avenue was created through the registration of the subdivision (33M-636) on November 25, 2011.

Site plan approval, and vacant land condominium, along with a minor variance application were submitted in 2019 to accommodate the proposed cluster residential development. The requested variances were approved by the Committee of Adjustment on October 28, 2019 and the site plan application has run in parallel with the Vacant Land Condominium application.

3.2 Requested Amendment

The applicant is requesting the removal of the h-54*h-71*h-100*h-105*h-136* holding provisions from the site to allow for the development of 62 cluster dwelling units on the subject lands.

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-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 Assessment Report, completed by Stantec Consulting Ltd., dated February 23, 2016. An updated memorandum was provided on July 23, 2019.

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 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 building orientation plan and architectural design that front onto Southdale Road West and Springmeadow Road which provides for a row of townhouses and semi-detached units that are orientated towards Southdale Road West and Springmeadow Road has been accepted. Urban Design staff have confirmed that they are satisfied with the orientation of the units in the accepted plan. It is appropriate to remove this holding provision at this time

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 and Development Services staff have confirmed that the development has incorporated an accepted water servicing strategy, through the development agreement and the holding provision is appropriate to remove.

h-105 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-105" 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.

Through the site plan approval process, Development Engineering has accepted all engineering servicing drawings for the development of this site. The accepted engineering drawings ensure that the stormwater management, individual sanitary, water services and access have been provided to the satisfaction of the City. This satisfies the requirements for removal of the holding provision.

h-136 Purpose: To ensure that development in draft plan 39T-08508 does not exceed a maximum interim threshold of 263 residential units, the h-136 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: Maximum of 263 residential units on the multi-family lands.

Wastewater and Drainage Engineering and Development Services staff provided confirmation on October 25, 2019, that there is capacity at Bostwick sanitary sewage pumping station and forcemain, and they have no concerns with the removal of the holding provision.

5.0 Conclusion

The requirements for holding provisions on a portion of the subject lands have been addressed through the acceptance of all Site Plan documents and the execution of a Development Agreement. The applicant has also provided the required securities associated the accepted Site Plan and Development Agreement. Removal of these

holding provisions will allow for the issuance of building permits for the 62 unit cluster residential development.

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	

November 7, 2019

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ted Koza, 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 3260
Singleton Ave.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning for the lands located at 3260 Singleton Ave, 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 3260 Singleton Ave, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential Special Provision R5/R6/R7/R8 (R5-7(8)*R6-5(48)*R7(20)D75H13*R8-4(32) 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 26, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 26, 2019
Second Reading – November 26, 2019
Third Reading – November 26, 2019

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

