

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: Sunningdale Golf & Country Club Ltd.
600 and 800 Sunningdale Road West
Removal of Holding Provision

Meeting on: December 2, 2019

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Sunningdale Golf & Country Club Ltd. relating to the properties located at 600 and 800 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 10, 2019 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R1 (h*R1-9) Zone **TO** Residential R1 (R1-9) Zone to remove the h holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h holding symbol to permit the development of single detached dwellings.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law.
2. Through the subdivision approval process the required security has been submitted and the subdivision agreement has been signed by both the applicant and the City of London. Therefore, the h. holding provision is no longer required.

Analysis

1.1 Location Map



Description of Proposal

To remove the h holding provision from the lands this provision is applied to ensure that the security has been provided for the subdivision and that the subdivision agreement has been executed. The removal of the h holding provision at 600 and 800 Sunningdale Road West will allow for the construction of 43 single detached dwellings.

3.0 Relevant Background

3.1 Planning History

On April 28, 2005 the City accepted an application for Draft Plan of Subdivision approval, and a Zoning By-law Amendment, including all required reports/studies identified during pre-consultation.

A public meeting was held at Planning Committee on June 4, 2006. On July 21, 2006 this draft plan was approved by the Approval Authority. The first phase of this subdivision was registered on June 27, 2008 (33M-593).

Three (3) year extensions for this subdivision have been granted on July 14, 2009, and June 14, 2012. An emergency 6 month draft approval extension was granted in July of 2015 to allow sufficient time for the Owner and Planning staff to consider the request for draft plan extension.

At its' meeting on November 24, 2015, City Council requested that the Approval Authority approve a three year extension and revision subject to the attached conditions of draft approval. The new draft approval expiry date was July 21, 2018 .

An emergency 6 month draft approval extension was granted in July of 2018 to allow sufficient time for the Owner and Planning staff to consider the request for the draft plan extension.

At its' meeting on December 18, 2018 City Council requested that the Approval Authority approve the request for a three year extension of the draft plan of subdivision subject to the revised conditions of draft approval contained in the attached Appendix "39T-05508". The new draft approval expiry date is January 21, 2022.

This application is to remove the holding provision from the remaining lots of this subdivision. On August 27, 2019 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securities have been posted. Final registration for the subdivision is imminent.

3.2 Requested Amendment

The applicant is requesting the removal of the "h" holding provision from the lands to permit development.

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 (see more detail in Appendix C)

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, the process, and notification and removal procedures.

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

The h. holding provision states that:

“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.”

The applicant has submitted the required security to the City of London and the subdivision agreement has been executed by both the applicant and the City of London. This satisfies the requirement for removal of the “h” holding provision.

5.0 Conclusion

It is appropriate to remove the h holding provision from the subject lands at this time as full municipal services are available, the required security has been submitted, and the subdivision agreement has been executed by both the applicant and the City of London. Final registration for the subdivision is imminent.

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	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompillii, Manager, Development Planning
Ted Koza, Manager, Development Engineering

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 provision from the zoning for lands located at 600 and 800 Sunningdale Road West.

WHEREAS Sunningdale Golf & Country Club Ltd. have applied to remove the holding provision from the zoning for the lands located at 600 and 800 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said land;

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 the lands located at 600 and 800 Sunningdale Road West, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-9) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on December 10, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk


First Reading - December 10, 2019.
Second Reading – December 10, 2019.
Third Reading - December 10, 2019.

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



Zoning as of October 31, 2019

File Number: H-9135
Planner: AR
Date Prepared: 2019/11/11
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120
Meters



Appendix B – Public Engagement

Community Engagement

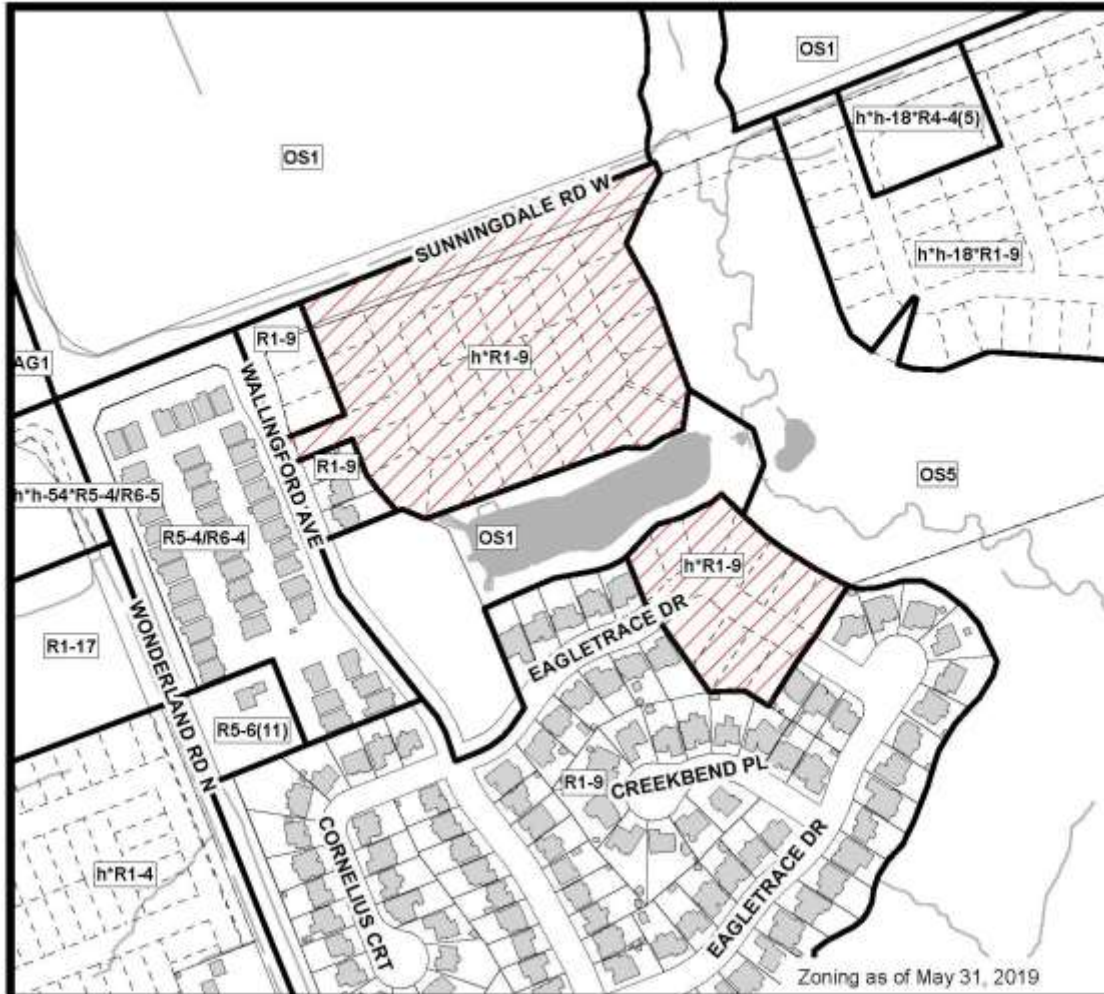
Public liaison: Notice of the application was published in the Londoner on November 21, 2019

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h” holding provision from the subject site. 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 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. Council will consider removing the holding provision as it applies to these lands no earlier than December 10, 2019.

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
 "N" - 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**



FILE NO:
H-9135 AR

MAP PREPARED:
2019/11/11 RC

1:4,000

0 25 50 100 150 200 Meters

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