

## 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:** Application by: 731675 Ontario Ltd (York Developments)  
3080 Bostwick Road – Site 5

**Meeting on:** January 20, 2020

## Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of 731675 Ontario Ltd (York Developments) relating to the property located at 3080 Bostwick Road – Site 5, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on January 28, 2020 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (h\*h-213\*h-220\*h-221\*h-222\*R9-7/CC4(5)/RO2(32)\*B-57\*H40) Zone **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)\*B-57\*H40) Zone.

## Executive Summary

### Summary of Request

The applicant has requested the removal of the “h\*h-213\*h-220\*h-221\*h-222\*” holding provisions from 3080 Bostwick Road – Site 5, which were put in place to ensure: the orderly development of land; that sufficient sanitary servicing capacity is available; that Urban Design Guidelines be prepared and accepted; that the development form be consistent with the Design Guidelines; that development will not have a negative impact on the hydrology, hydrogeology and natural heritage system; and that a development agreement be entered into for the subject lands.

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the h\*h-213\*h-220\*h-221\*h-222 holding symbols to facilitate the development of a three (3) storey commercial building and a seventeen (17) storey residential apartment building.

### Rationale of Recommended Action

The requirements for removing the holding provisions have been met, and no further work is required. 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 site consists of 1.1 ha of vacant land, which also forms part of a larger parcel of land owned by the applicant (approximately 15 ha) with frontage on Southdale Road West and Bostwick Road. The portion of the site that is the subject of the Official Plan and Zoning By-law amendment is identified as “Site 5” which is located at the northeastern most part of the site, just east of the Bostwick Community Centre. The site

is vacant and located south of an existing medium density neighbourhood, situated on the north side of Southdale Road West.

**1.2 Current Planning Information (see more detail in Appendix C)**

- The London Plan Place Type – Neighbourhoods & High Density Residential Overlay
- (1989) Official Plan Designation – Multi-Family, High Density Residential (MFHDR)
- Southwest Area Plan Designation – Multi-Family, High Density Residential (MFHDR)
- Existing Zoning – Urban Reserve (UR4) Zone

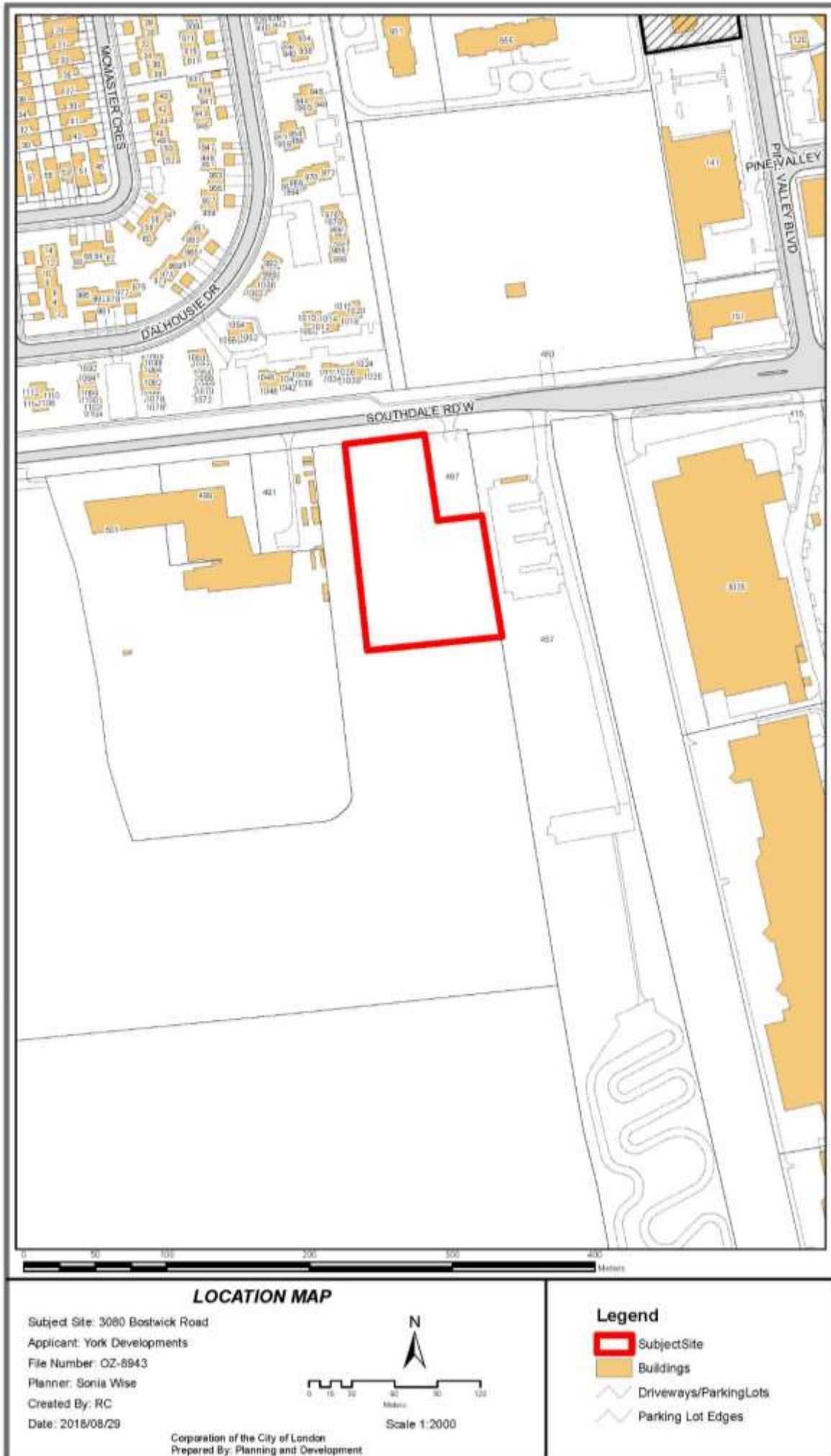
**1.3 Site Characteristics**

- Current Land Use – vacant
- Frontage – 57m (Southdale Road West)
- Depth – 146m
- Area – 1.1ha
- Shape – Irregular

**1.4 Surrounding Land Uses**

- North – Residential
- East – Vacant land
- South – Vacant land
- West – Community Centre

1.5 Location Map



## 2.0 Description of Proposal

### 2.1 Development Proposal

The approved development for Site 5 consists of a three (3) storey, stand-alone commercial and office building, and a seventeen (17) storey (68m) residential apartment building. The three (3) storey building is oriented to Southdale Road West and contains 2,000m<sup>2</sup> of office space and 1,000m<sup>2</sup> of convenience commercial gross floor area. A wide range of convenience commercial uses are permitted, including studios, food stores, restaurants, personal service establishments, clinics, financial institutions and pharmacies.

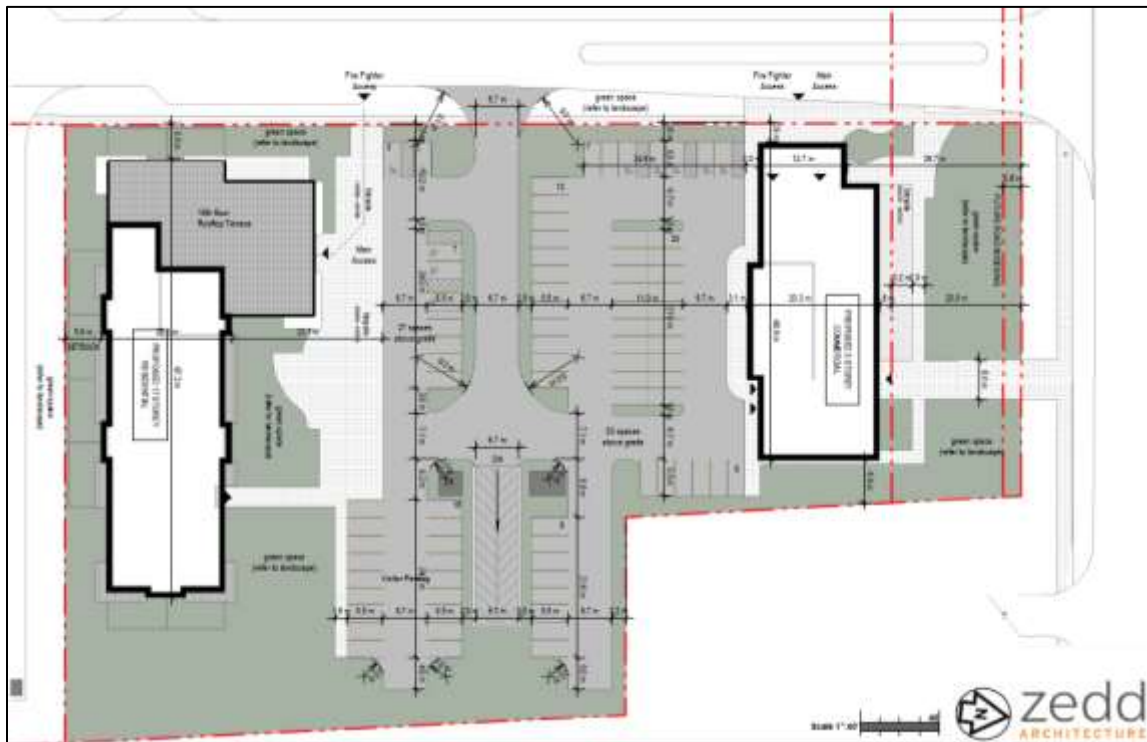


Figure 4: Conceptual Site Plan



Figure 5: Conceptual Rendering

## 3.0 Relevant Background

### 3.1 Planning History

The site is within the Southwest Area Secondary Plan area which came into full force and effect in April of 2014. Through the review of the SWAP, the Multi-Family, High Density Residential designation was approved by Council in October of 2012. In 2014, a portion of the lands at 3080 Bostwick Road were severed and re-zoned (Z-8386) to facilitate development of the Bostwick Community Centre.

### 3.2 Previous Reports and Applications Relevant to this Application

On October 9, 2018 the proposed development was first considered by the Planning and Environment Committee and a Public Participation Meeting was held. An overview of the proposed development was provided as well as a summary of the public and stakeholder comments received. On November 12, 2018, the Planning and Environment Committee held a second Public Participation Meeting and approved the proposed amendment for the subject site, with four holding provisions.

### 3.3 Requested Amendment

The applicant is requesting the removal of the “h”, “h-213”, “h-220” and “h-222” holding provisions from the site to allow for the development of the apartment building and office building.

### 3.4 Community Engagement

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

### 3.5 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

*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.*

On January 9, 2020, a signed Development Agreement and security was provided to the City.

#### h-213

*Purpose: To ensure the orderly development of the lands the “h-213” symbol shall not be deleted until a sanitary servicing capacity report has been prepared and confirmation that a municipal sanitary sewer outlet is available to service the site to the satisfaction of the City Engineer.*

On June 10, 2019, Wastewater and Drainage Engineering confirmed there is adequate sanitary capacity for Site 5 and the holding provision can be removed.

#### h-220

*Purpose: To ensure that the built form is guided by a consistent design approach, Urban Design Guidelines shall be prepared for the High Density Residential designated lands*

*within the Bostwick Neighbourhood, and adopted under Section 19.2.2 (Guideline Documents) of the Official Plan; with the input of the Urban Design Peer Review Panel and to the satisfaction of the City of London, to establish an overall design vision based on holistic and comprehensive consideration of all development sites within the master plan lands.*

*Permitted Interim Uses: Existing uses*

Urban Design Guidelines for 3080 Bostwick Road were prepared and adopted by Council on July 30, 2019.

#### h-221

*Purpose: To ensure that new development is designed and approved consistent with the Urban Design Guidelines prepared for the High Density Residential designated lands within the Bostwick Neighbourhood, the site plan, building elevations, and landscape plan will be assessed for compliance with the approved Urban Design Guidelines during the site plan approval review process; and a development agreement entered into to the satisfaction of the City of London prior to the removal of the h-(221) symbol.*

*Permitted Interim Uses: Existing uses*

Urban Design Guidelines for 3080 Bostwick Road were prepared and adopted by Council on July 30, 2019. A Development Agreement has been entered into that implements the guidelines in the site plan and building elevations.

#### h-222

*Purpose: To ensure that development will not have a negative impact on the hydrology and hydrogeology or on the natural heritage system including the abutting wetland and woodland features, an Environmental Impact Study, a Water Balance Study and a Hydrogeological Study and a Stormwater Management Study shall be prepared and accepted to the satisfaction of the UTRCA and the City of London, prior to removal of the "h-(222)" symbol.*

*Permitted Interim Uses: Existing uses*

On May 14, 2019 the Upper Thames River Conservation Authority (UTRCA) evaluated the impacts of the development proposed for Site 5 and is prepared to clear the h-222 holding provision for Site 5. A section 28 permit is also not required for Site 5, and accordingly, the UTRCA has no objections to this application to remove the holding provision. The City confirmed on May 17, 2019 the necessary SWM servicing and drainage requirements and control to service this site will be implemented at the time of Site Plan approval and Development Agreement.

## 5.0 Conclusion

The Applicant has undertaken sufficient works to remove the holding provisions. The resulting development has adequate sanitary capacity, no negative impact on the hydrology and hydrogeology of the natural area, and implemented the urban design guidelines through site plan approval and an executed development agreement. It is appropriate to remove the holding provisions to allow the zoning to come into force.

<b>Prepared by:</b>	<b>Sonia Wise, MCIP, RPP Planner II, Development Services</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
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	

January 13, 2020

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cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Ted Koza, Manager, Development Engineering  
cc: Lou Pompili, Manager, Development Planning

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**Appendix A**

Bill No. (number to be inserted by Clerk's Office)  
2020

By-law No. Z.-1-20\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
remove the holding provisions from the  
zoning for lands located at 3080  
Bostwick Road – Site 5.

WHEREAS 731675 Ontario Ltd (York Developments) has applied to  
remove the holding provisions from the zoning for the lands located at 3080 Bostwick  
Road – Site 5, 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 3080 Bostwick Road – Site 5, as shown on the attached  
map, to remove the holding provisions so that the zoning of the lands as a Residential  
R9/Convenience Commercial Special Provision/Restricted Office Special Provision  
Bonus (R9-7/CC4(5)/RO2(32)\*B-57\*H40) 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 January 28, 2020.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – January 28, 2020  
Second Reading – January 28, 2020  
Third Reading – January 28, 2020



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

