

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: 2557727 Ontario Inc.
3425 Emilycarr Lane

Meeting on: May 25, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by 2557727 Ontario Inc. relating to the property located at 3425 Emilycarr Lane, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 2 2020 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 Special Provision (h-94*R1-3(7)) Zone **TO** a Residential R1 Special Provision (R1-3(7)) Zone to remove the "h-94" holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h-94" holding symbol from the zone map to permit the development of single detached dwellings.

Rationale of Recommended Action

The conditions for removing the holding provision have been met. Provisional Consent (B.047/19) was granted on February 18, 2020 to consolidate the remnant part blocks. The applicant has submitted a complete clearance of conditions package that has been accepted by staff as of the deadline date for finalization of this report. It is anticipated that certificates of consent will be issued and registered by the time that this matter goes to Municipal Council. The removal of the holding provision will allow the applicant to submit and be issued building permits and supports re-building the local economy.

1.0 Site at a Glance

1.1 Property Description

The site is addressed as 3425 Emilycarr Lane. These lands are within a draft plan of subdivision application (39T-18506). The lands are currently vacant.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
Existing Zoning – Holding Residential R1 Special Provision (h-94*R1-3(7))
Zone

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 60.1 m (197.2 feet)
- Depth – approx. 255 m (836.6 feet)
- Area – 3.0 ha (7.4 acres)
- Shape – irregular

1.4 Surrounding Land Uses

- North – commercial (Teppermans)
- East – residential (single detached)
- South – future residential
- West – vacant - future commercial

2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will permit the development of up to six (6) single detached dwellings.

3.0 Relevant Background

3.1 Planning History

This application for Draft Plan of Subdivision was accepted on December 3, 2018. The Public Meeting was held on April 15, 2019. Draft Approval was granted on May 27, 2019. Through this draft approval, the h-94 holding provision was added to several part blocks that were created. It was anticipated that these lands would amalgamate in the future with adjacent part lots and through the previous subdivision located to the northeast. A Consent application (B.047/19) was received and processed in 2019 and Provisional Consent was issued on February 18, 2020.

3.2 Requested Amendment

The applicant is requesting the removal of the “h-94” holding provision from the Zone on the subject lands, which requires that the part residential blocks be consolidated with adjacent lands.

3.3 Community Engagement (see more detail in Appendix B)

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, Municipal Council must pass a zoning by-law with holding provisions (“h” symbol), 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.

Location Map



4.0 Key Issues and Considerations

4.1 What is the purpose of the “h-94” holding provision and is it appropriate to consider its removal?

The “h-94” holding provision states:

Purpose: To ensure that there is a consistent lotting pattern in this area, the “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands.

Provisional Consent (B.047/19) was granted on February 18, 2020 to consolidate the remnant part blocks with adjacent lands to create a consistent lotting of single detached lots. The applicant has submitted a complete clearance of conditions package that has been accepted by staff as of the deadline date for finalization of this report. It is anticipated that certificates of consent will be issued and registered by the time that this matter goes to Municipal Council on June 2, 2020.

This satisfies the requirement for the removal of the “h-94” holding provision.

5.0 Conclusion

The Applicant has completed the necessary severance application to consolidate the remnant part blocks with adjacent lands to create a consistent lotting of single detached lots. The removal of the holding provision will allow the applicant to submit and be issued building permits and is being recommended to Council for approval. The removal of this holding provision supports the re-building of our local economy.

Prepared by:	Nancy Pasato, 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	

May 13, 2020

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning

NP/np

Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3425 Emily Carr Lane.

WHEREAS 2557727 Ontario Inc. has applied to remove the holding provision from the zoning for the lands located at 3425 Emily Carr Lane, 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 the lands located at 3425 Emily Carr Lane, as shown on the attached map, to remove the h-94 holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-3(7)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on June 2, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 2, 2020
Second Reading – June, 2020
Third Reading – June, 2020

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



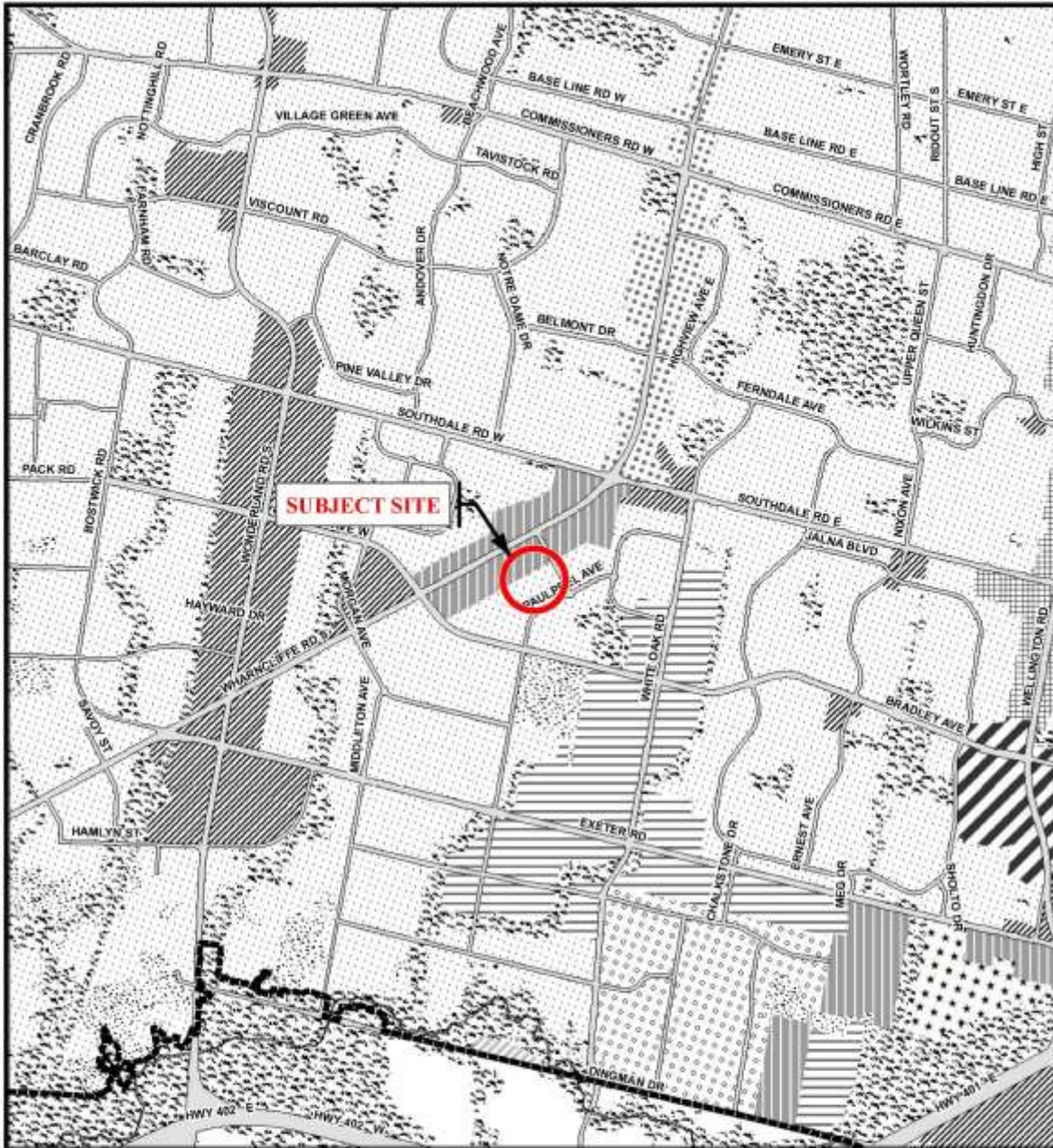
Previous Reports and Applications Relevant to this Application

April 15, 2019 – Draft Approval and Zoning By-law amendment report to PEC for subdivision located at 3425 Emilyarr Lane (39T-18506/Z-8988)

November 22, 2019 – Removal of holding provision from draft plan lands (h, h-100) (H-9139)

Appendix B – Relevant Background

London Plan Excerpt



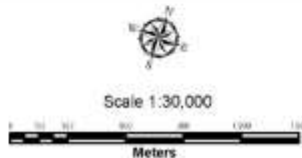
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

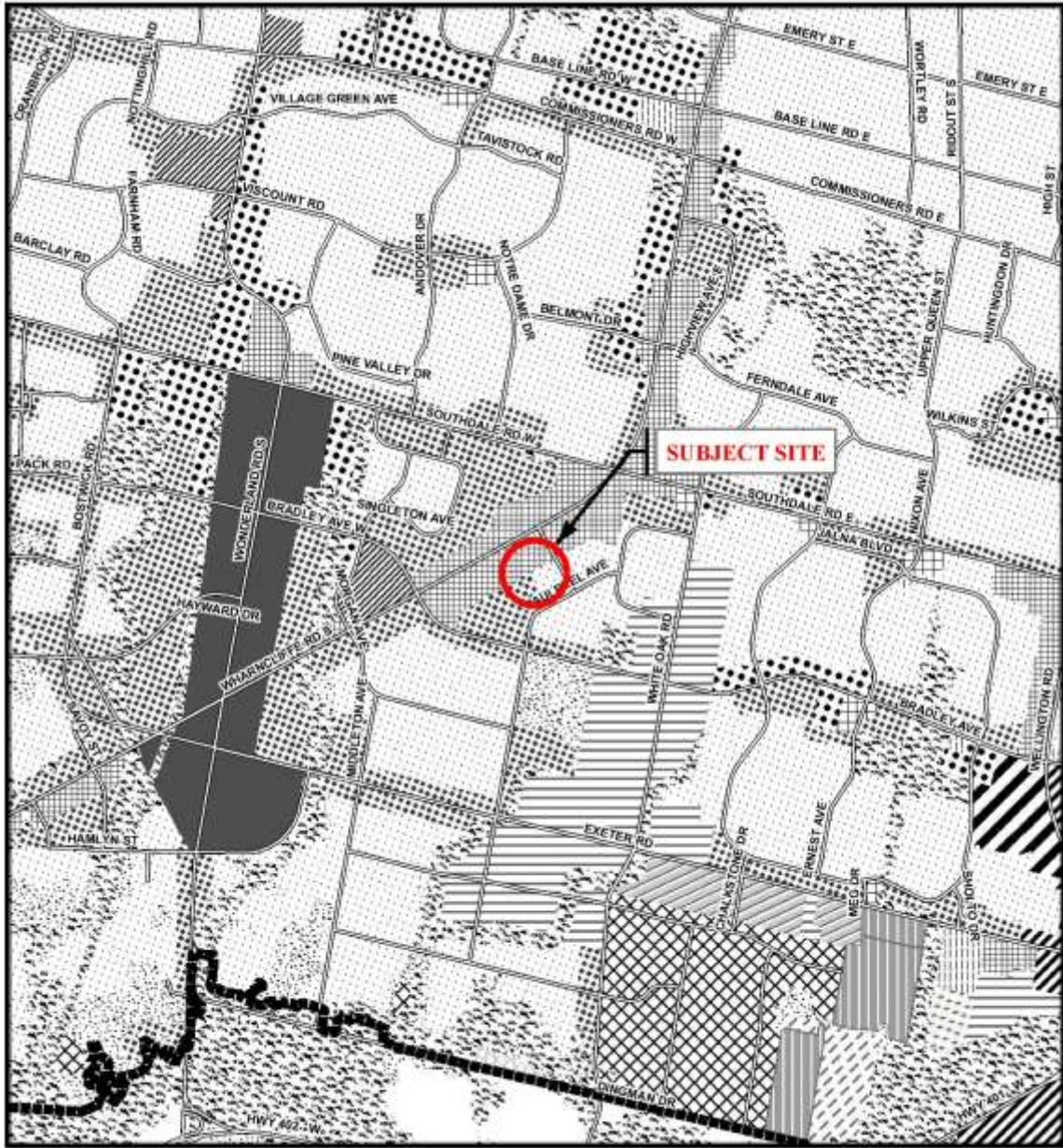
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: H-9149
Planner: NP
Technician: RC
Date: May 13, 2020

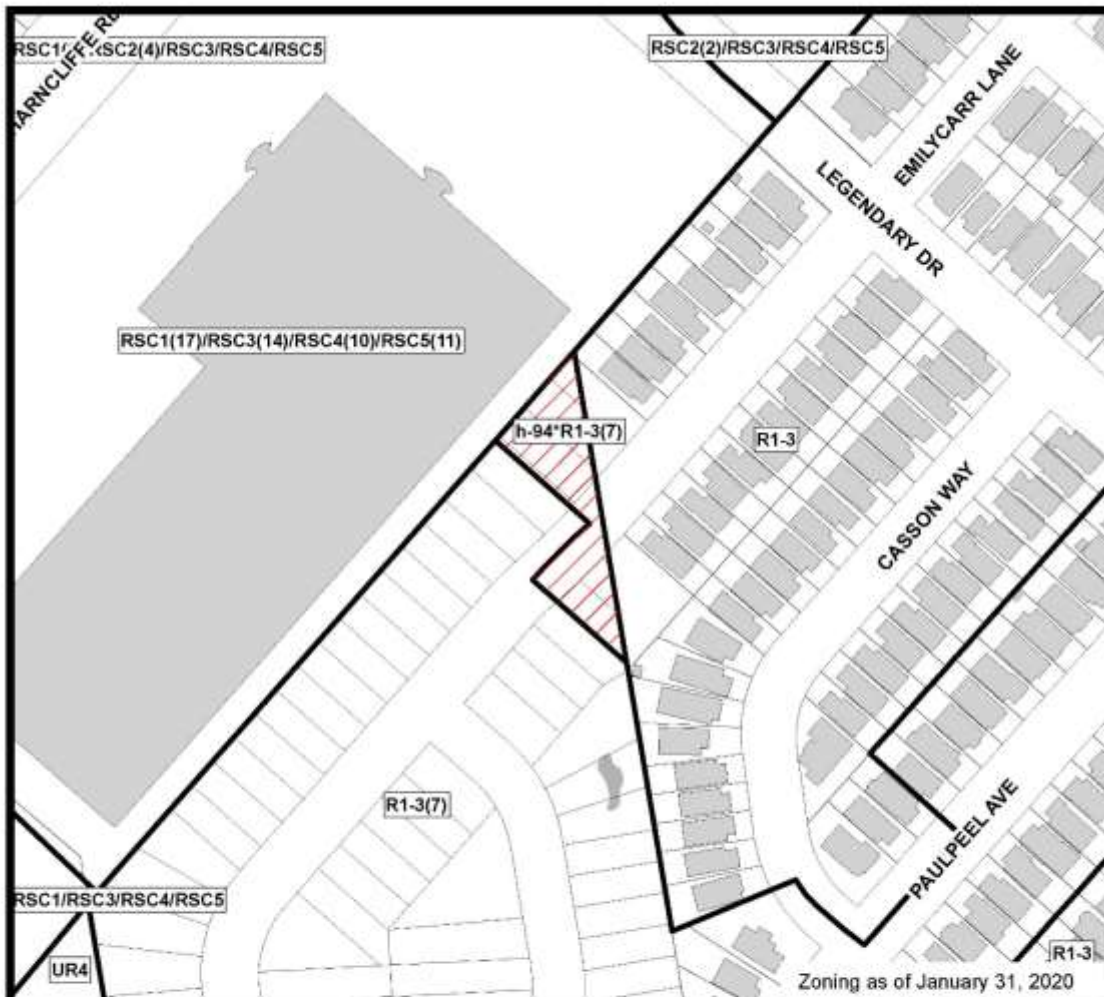
1989 Official Plan Excerpt



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON City Planning / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Development Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: H-9149</p>
		<p>PLANNER: NP</p>
		<p>TECHNICIAN: RC</p>
		<p>DATE: 2020/05/13</p>

Zoning Excerpt



 **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
 "H" - 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**



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

FILE NO:
 H-9149 NP

MAP PREPARED:
 2020/05/13 RC

1:2,000

0 12.5 25 50 75 100 Meters