

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: Southbridge Health Care G.P. Inc.
184 Exeter Road
Removal of Holding Provision

Meeting on: June 22, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Southbridge Health Care G.P. Inc. relating to the property located at 184 Exeter Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 30, 2020 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning for a portion of 184 Exeter Road **FROM** a Holding Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (h-100*R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone **TO** a Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone to remove the “h-100” holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

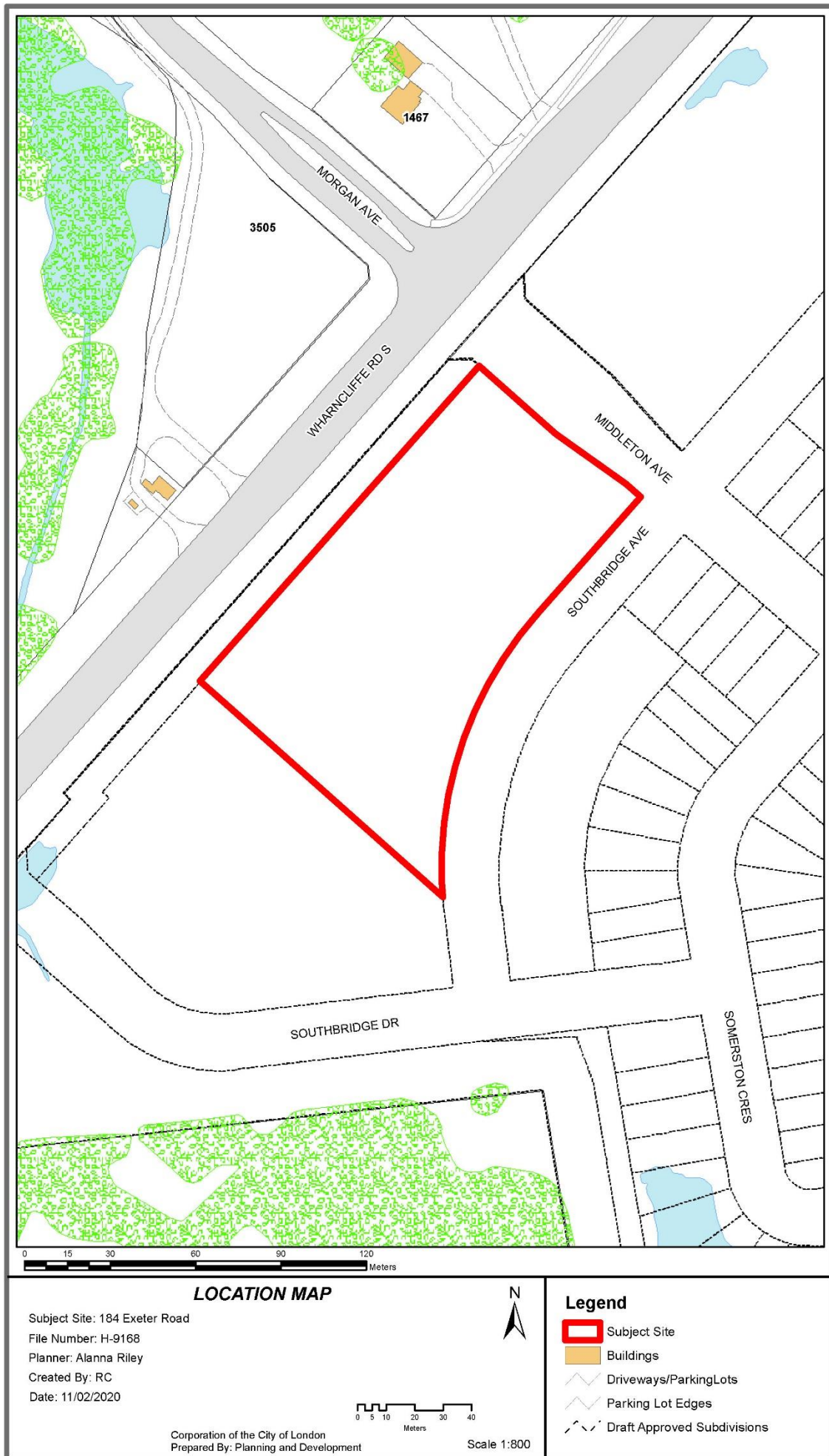
The purpose and effect of this zoning change is to remove the “h-100” holding provision to permit the development of a Long Term Care Facility.

Rationale of Recommended Action

1. The removal of the “h-100” holding provision is in conformity with The London Plan and (1989) Official Plan and in compliance with the Zoning By-law.
2. Through the site plan approval process, confirmation that a staged looped water system design for the Middleton subdivision has been reviewed and approved by the City to accommodate the business needs of this site. Full Site Plan approval is contingent on the final clearance of the services prior to issuance of a full building permit. The “h-100” holding provision is no longer required.

Analysis

1.1 Location Map



2.0 Description of Proposal

The removal of the “h-100” holding provision applies to this property which is currently going through Site Plan Approval (SPA19-102). The future development of this site consists of a 3-storey long term care facility.

3.0 Relevant Background

3.1 Requested Amendment

The applicant is requesting the removal of the “h-100” holding provision from a portion of the property located at 184 Exeter Road.

3.2 Community Engagement (see more detail in Appendix B)

In response to the Notice of Application, no comments were received.

3.3 Planning History

The subject site is part of Plan of Subdivision – 39T-15501 that was accepted on March 12, 2015. It was circulated to the required agencies and municipal departments on March 23, 2015 and advertised in the *Londoner* on April 2, 2015. A revised application and plan was received on April 20, 2016 and was advertised in the *Londoner* on May 19, 2016. Notice of Public Meeting was sent out on November 29, 2016 and was advertised in the *Londoner* on November 24, 2016. The Public Meeting was held on December 12, 2016. Draft Approval was granted on January 27, 2017 by the Approval Authority. The Plan of Subdivision consists of 26 low density blocks, 11 medium density blocks, 1 school block, 2 park blocks, 4 multi-use pathway blocks, 1 open space block, 1 stormwater management facility block, 1 future stormwater management facility or residential block, 1 light industrial block, 2 future road blocks, and 11, 0.3 m reserves and road widenings, all served by 5 new secondary collector roads, and 11 new local streets. Phase 1, the residential portion of the plan was registered in October of 2019.

These lands form part of Phase 2 of this subdivision. A request for final approval has been made and is imminent.

On May 25, 2020, a report was brought to PEC recommending the removal of the “h” and “h-198” holding provisions for this site. At that time the “h-100” was not recommended to be removed as a water system was not constructed nor was the applicant able to demonstrate that a looped watermain system is available for this site. This recommendation was endorsed by Council June 2, 2020.

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 the “h-100” holding Provision?

h-100 Holding Provision

The (h-100) holding provision states that:

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: A maximum of 80 residential units.

Through the site plan approval process, the applicant has been working with staff to identify how the site can be appropriately serviced by water. Development Engineering staff have now confirmed that a staged looped water system design for the Middleton subdivision has been reviewed and approved by the City to accommodate the business needs of this site. Full Site Plan approval is contingent on the final clearance of the services prior to issuance of a full building permit.

Therefore, the requirement for removal of the “h-100” holding provision has been satisfied.

More information and detail about public feedback and zoning is available in Appendix B.

5.0 Conclusion

It is appropriate to remove the “h-100” holding provision from the subject lands at this time. A staged looped water system design for the Middleton subdivision has been reviewed and approved by the City to accommodate the business needs of this site. Full Site Plan approval is contingent on the final clearance of the services prior to issuance of a full building permit

Prepared by:	Alanna Riley, MCIP, RPP Senior Planner, Development Planning
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.	

June 17, 2020

MC/

cc: Matt Feldberg, Manager, Development Services (Subdivisions)

cc: Lou Pompilii, Manager, Development Planning

cc: Ted Koza, Manager Development Engineering

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 provision from the zoning from lands located at 184 Exeter Road.

WHEREAS Southbridge Health Care G.P. Inc. have applied to remove the holding provision from the zoning for a portion of the lands located at 184 Exeter 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 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 184 Exeter Road, as shown on the attached map, to remove the h-100 holding provision so that the zoning of the lands as Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

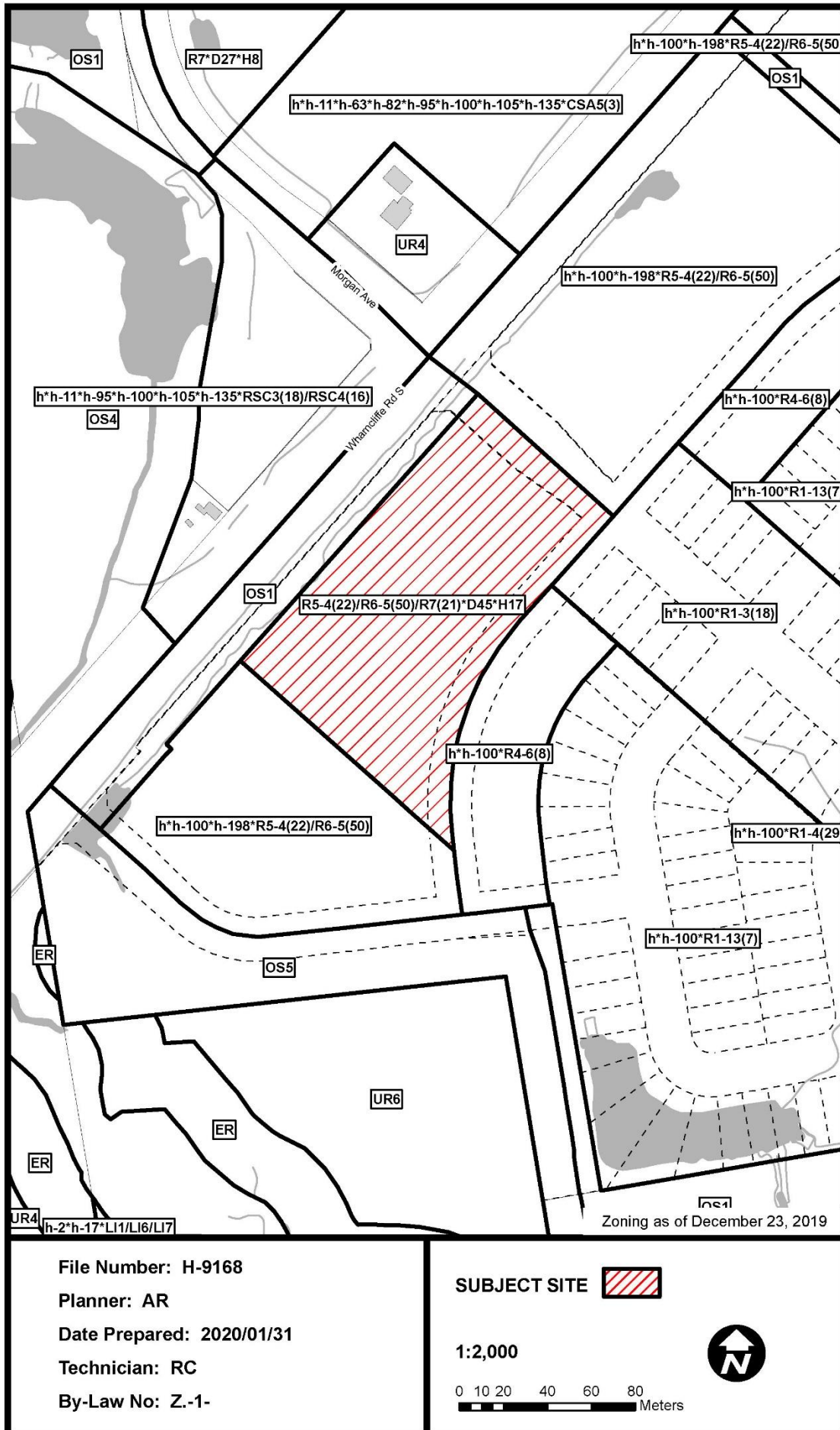
PASSED in Open Council on June 30, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – June 30, 2020
Second Reading – June 30, 2020
Third Reading – June 30, 2020

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




File Number: H-9168
Planner: AR
Date Prepared: 2020/01/31
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on February 6, 2020.

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, “h-100”, and “h-198” holding provisions from the lands which requires for the provision of all municipal services, two or more public access, discouragement of noise walls, street orientation, and an agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than March 9, 2020.