

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: Adriano and Francesca Monopoli
8447-8473 Longwoods Road
Removal of Holding Provision

Meeting on: July 13, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Adriano and Francesca Monopoli relating to the property located at 8447-8473 Longwoods Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 21, 2020 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning for a portion of 8447-8473 Longwoods Road **FROM** a Holding Residential R1 (h-195*R1-14) Zone **TO** a Residential R1 (R1-14) Zone to remove the “h-195” holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

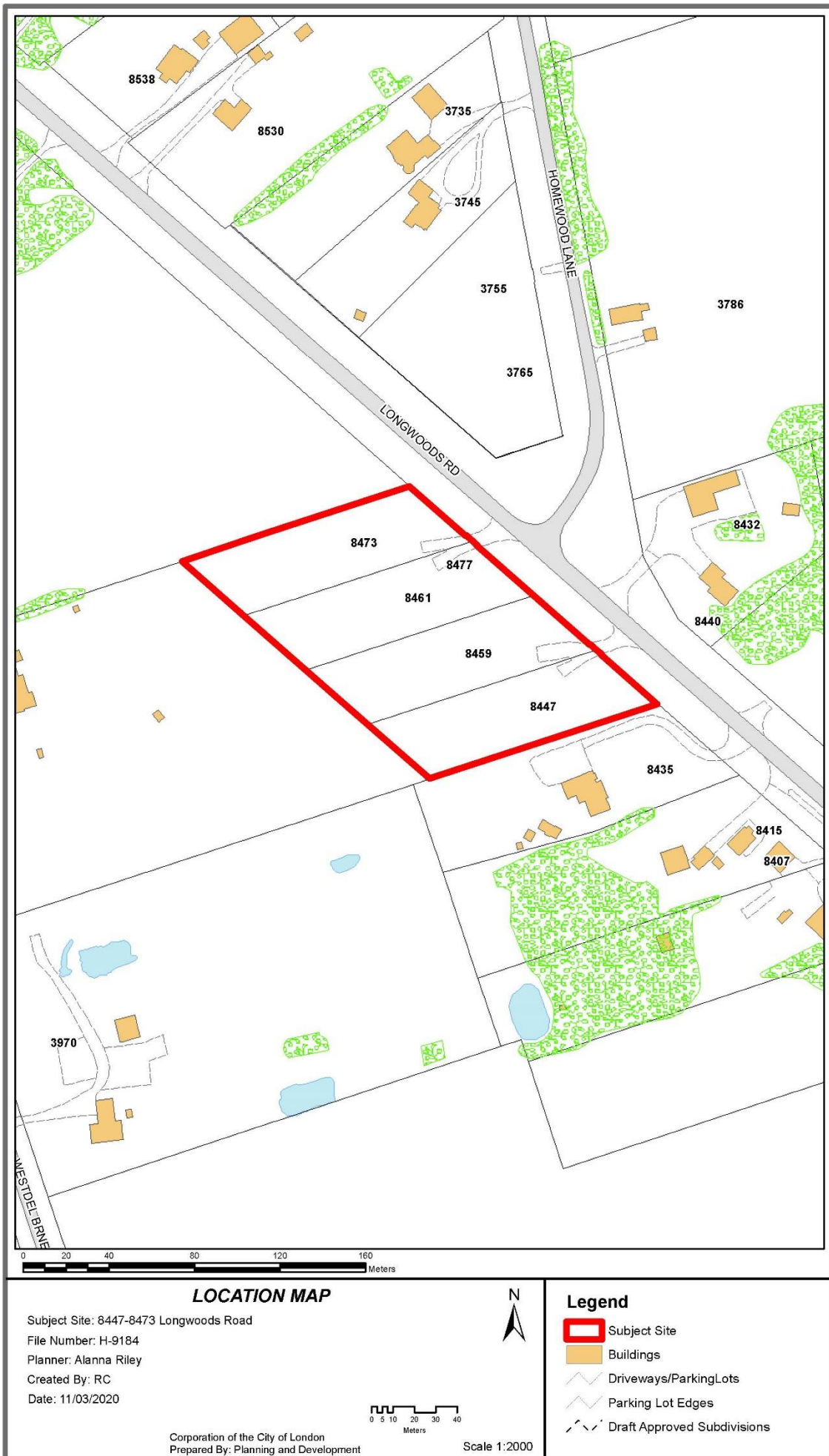
The purpose and effect of this zoning change is to remove the “h-195” holding provision to permit the development of four(4) single detached dwellings.

Rationale of Recommended Action

1. The removal of the “h-195” holding provision is in conformity with The London Plan and (1989) Official Plan and in compliance with the Zoning By-law.
2. Through the consent process, confirmation that all studies required by Development Services were submitted including Hydrogeological report, and addressed the issues of Stormwater Management, Water and Sanitary Servicing and grading.
3. The requirements of the holding provision “h-195” have been satisfied by the consent conditions and executed agreement. The “h-195” holding provision is no longer required.

Analysis

1.1 Location Map



2.0 Description of Proposal

The removal of the “h-195” holding provision applies to these properties which went through Consent (B.47/16). The future development of the subject lands consists of four(4) single detached dwellings.

3.0 Revelant Background

3.1 Requested Amendment

The applicant is requesting the removal of the “h-195” holding provision from the properties located at 8447-8473 Longwoods 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 was part of a consent application – B.47/16 that was was accepted on December 16, 2016. It was circulated to the required agencies and municipal departments and advertised in the Londoner. The application was to sever four (4) lots, each with a frontage of approximately 33 metres and a lot area of approximately 0.4 hectares for the purpose of future single detached residential dwellings, and to retain a lot with a frontage of approximately 133 metres and a lot area of approximately 2.5 hectares for the purpose of existing agricultural uses.

This consent was granted on April 19, 2017 and all conditions were cleared on April 19, 2018.

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-195” holding Provision?

h-195 Holding Provision

The (h-195) holding provision states that:

Purpose: The owner shall submit all studies required by Development Services including a Hydrogeological report, and will address issues of Stormwater Management, Water and Sanitary Servicing and grading. Any recommendation contained therein to achieve acceptable on-site servicing conditions shall be incorporated in the proposed development to the satisfaction of the City of London Chief Building Official prior to removal of the holding provision symbol.

Through the consent process, the applicant submitted all required studies addressing any outstanding development related issues. Confirmation has been received by Development Services that the Hydrogeological report has been submitted and that issues of Stormwater Management, Water and Sanitary Servicing and grading have all been addressed and accepted. Development Engineering staff have confirmed the requirements of the holding provision “h-195” have been satisfied by the consent conditions and executed agreement.

Therefore, the requirement for removal of the “h-195” 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-195” holding provision from the subject lands at this time. Development Engineering staff have confirmed the requirements of the holding provision have been satisfied by the consent conditions and executed agreement.

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.	

July 3, 2020
AR/

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 8447-8473 Longwoods Road.

WHEREAS Adriano and Francesca Monopoli have applied to remove the holding provision from the zoning for lands located at 8447-8473 Longwoods 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 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 8447-8473 Longwoods Road, as shown on the attached map, to remove the h-195 holding provision so that the zoning of the lands as Residential R1 (R1-14) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

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



Zoning as of February 28, 2020

File Number: H-9184
Planner: AR
Date Prepared: 2020/03/11
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100
Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on March 12, 2020.

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h-195” holding provision from the subject site. The purpose of the “h-195” provision is to ensure that all studies required by Development Services are submitted including Hydrogeological report, and will address issues of Stormwater Management, Water and Sanitary Servicing and grading.