

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: Goldfield Ltd.
1160 Wharnccliffe Road South

Meeting on: August 10, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd. relating to the property located at 1160 Wharnccliffe Road South, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 25, 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 R4 Special Provision (h-h-100-h-104-h-155-R4-4(2)) Zone **TO** a Residential R4 Special Provision (R4-4(2)) Zone to remove the "h, h-100, h-104 and h-155" holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

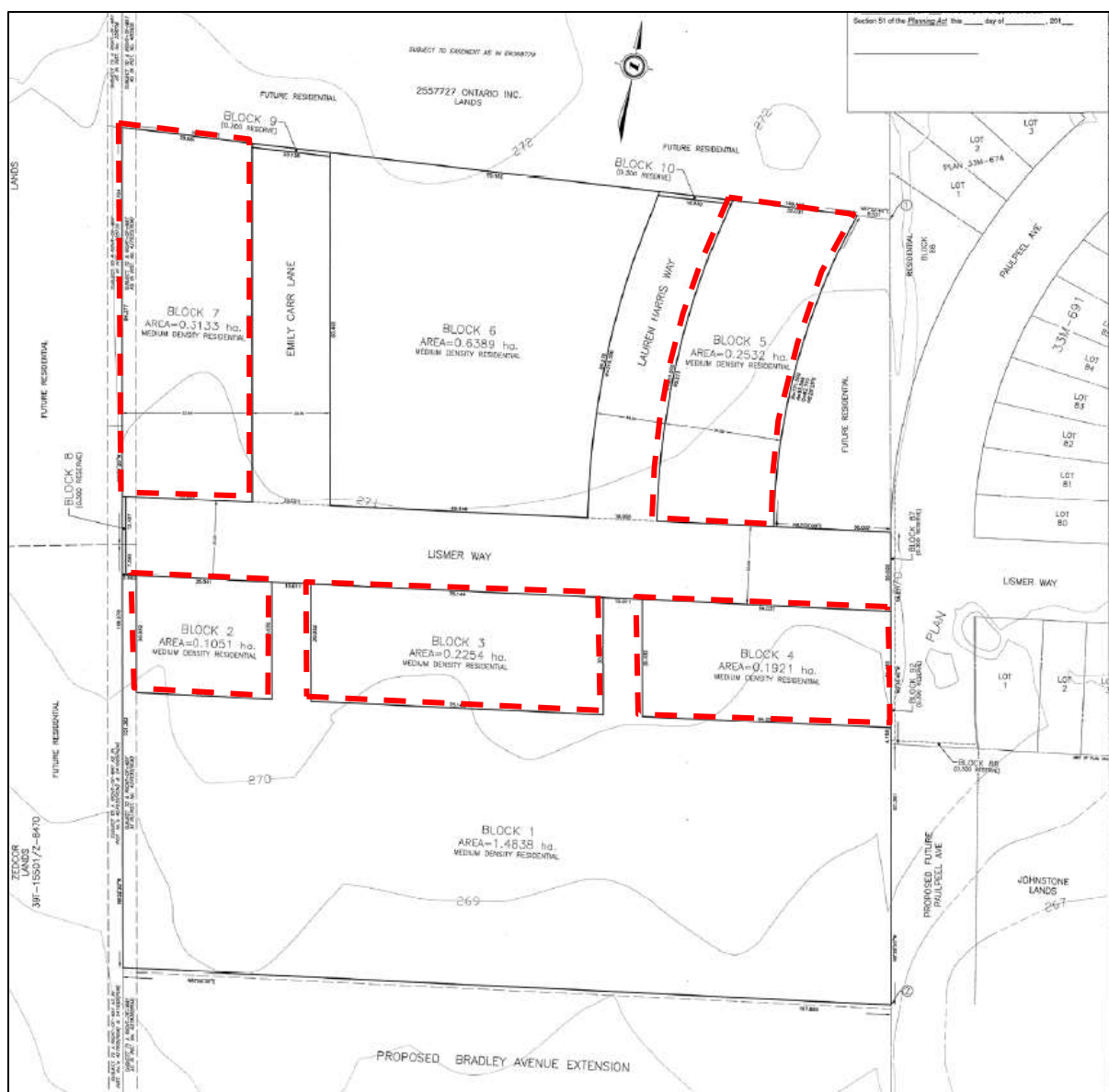
The purpose and effect of this zoning change is to remove the "h, h-100, h-104 and h-155" holding symbol's from the zone map to permit the future development of Blocks 2, 3, 4, 5 and 7 of Plan 33M-798 (39T-16508) for 44, three storey street townhouse units.

Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted, and the development agreement has been signed. Adequate water servicing and appropriate access has been provided and a comprehensive storm drainage and stormwater management report has been accepted to address the stormwater management strategy for all lands within the subject plan and external lands. The development agreement also ensures that development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan (SWAP). All issues have been resolved and the holding provisions are no longer required.

1.0 Site at a Glance

The properties are a collection of blocks (2, 3, 4, 5 and 7) within Plan 33M-798 (39T-16508) in the Longwoods Neighbourhood. The blocks are designated and zoned for medium density residential uses and located approximately 350m south of Wharnccliffe Road South, north of the future Bradley Ave W extension and west of the Paulpeel Ave and Lismer Lane intersection. There is an existing residential neighbourhood to the east, and future residential to the north. The lands to the west and south are currently undeveloped and used for agricultural purposes. The site has full access to municipal services and is located in an area which is planned for future growth.



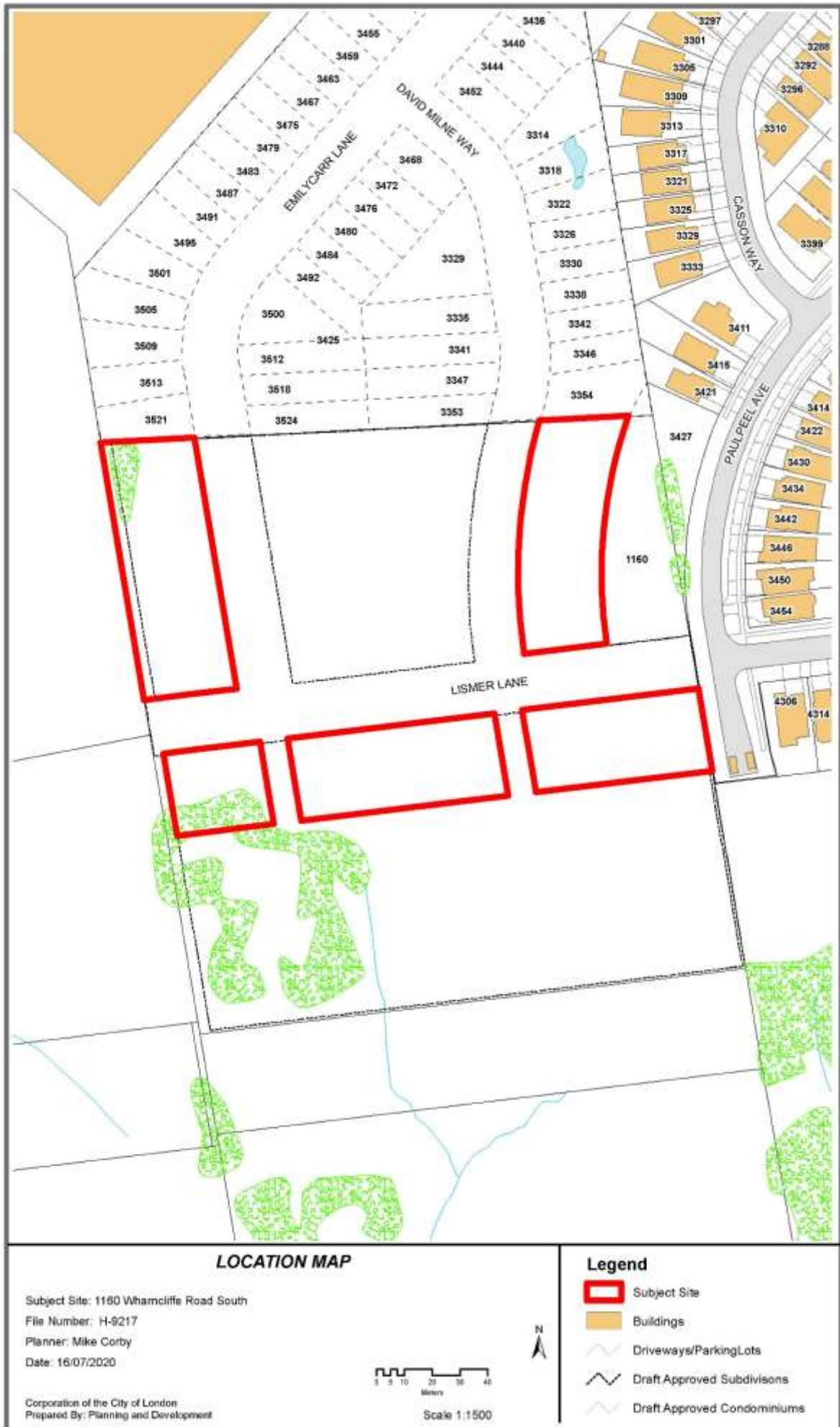
1.1 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – h*h-100*h-104*h-155*R4-4(2) Zone

1.2 Surrounding Land Uses

- North – future low density residential
- East – low density residential/open space
- South – agricultural
- West – commercial/agricultural

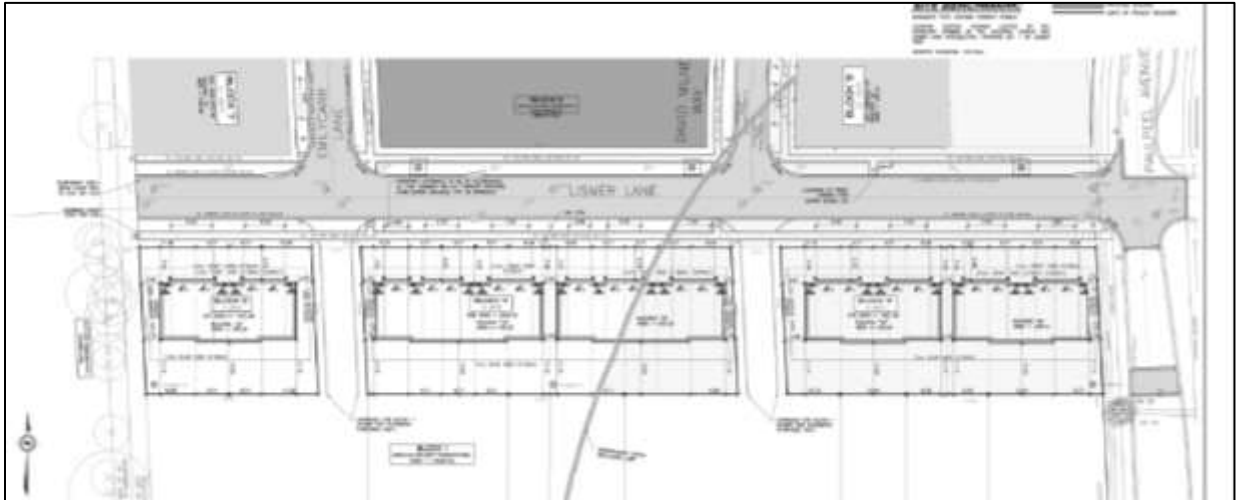
1.3 Location Map



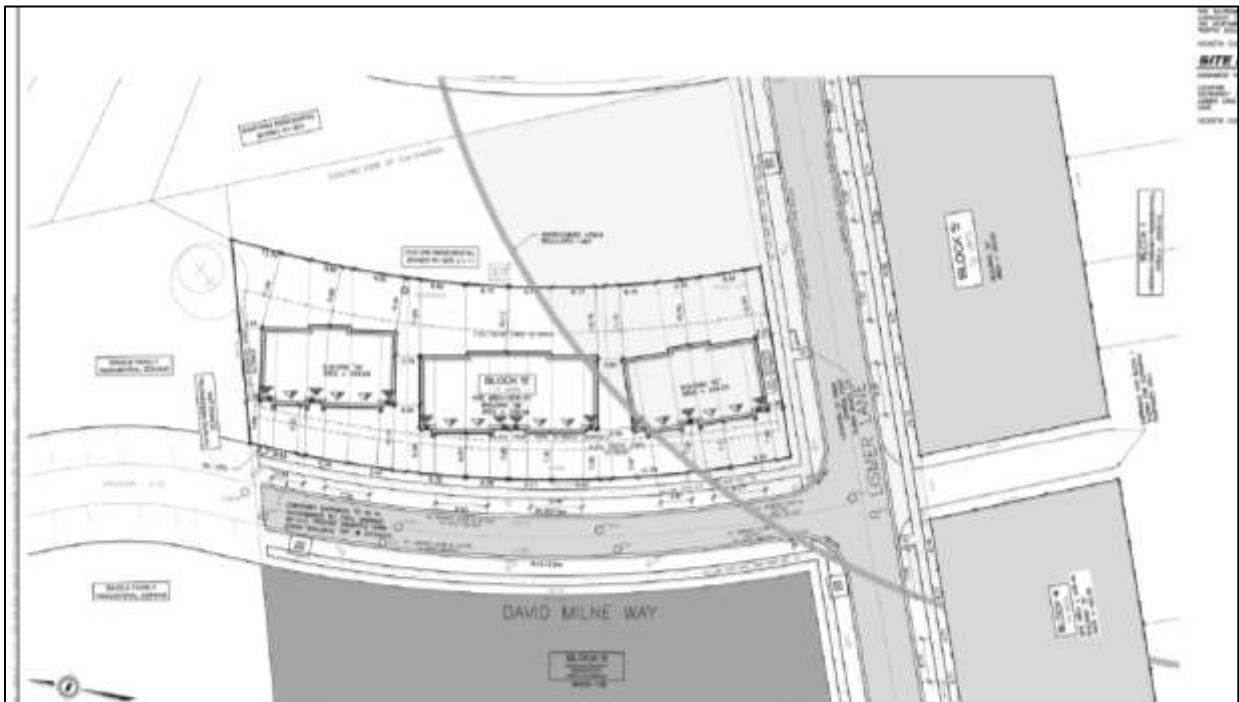
2.0 Description of Proposal

2.1 Development Proposal

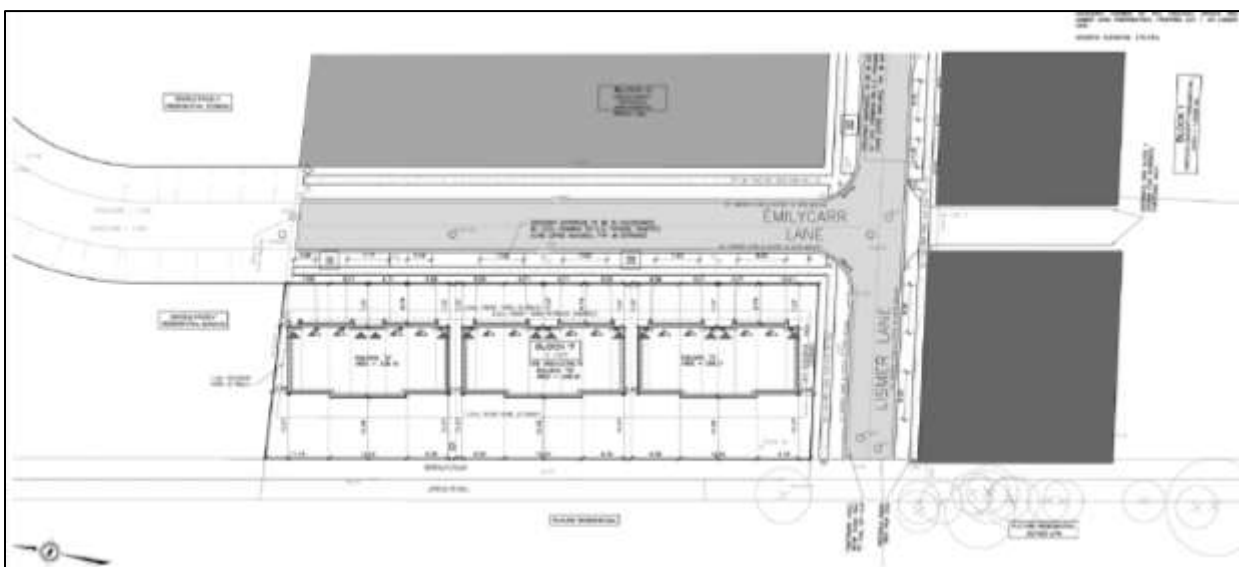
The requested amendment will allow for the future development of Blocks 2, 3, 4, 5 and 7 of Draft Plan 39T-16508 for 44, three storey street townhouse units.



Proposed Site Plan, Blocks 2, 3 and 4



Proposed Site Plan, Block 5



Proposed Site Plan, Block 7

3.0 Relevant Background

3.1 Planning History

The subject lands were part of a subdivision application submitted on September 18, 2006. Revised draft plan submissions were submitted by the Applicant on February 25, 2007, and on September 5, 2007. These applications were later appealed to the OMB on April 17, 2008 by the applicant. Subsequent to this, the appeals were withdrawn and the files closed. On October 17, 2016 a “new” application for draft plan of subdivision approval and zoning by-law amendment was accepted as complete for this property. The proposed plan of subdivision consisted of seven (7) medium density residential blocks, two (2) local public street and the extension of Lismer Way to the west. The application received draft approval on October 23, 2018 and final approval has recently been granted on June 29, 2020.

Blocks 2-5 and 7 were also subject to Site Plan Approval applications (SPA20-30, SPA20-31, SPA20-32). Security has been provided and a development agreement entered into on July 31, 2020 for the above mentioned applications.

A Part Lot Control application (P-9238) was also received on July 8, 2020 requesting that the blocks be broken into multiple lots allowing the townhouse units to have ownership of their own lots.

3.2 Requested Amendment

The applicant is requesting the removal of the “h, h-100, h-104 and h-155” holding provisions from the Zone on the subject lands. The “h” holding provision requires that the securities be received, and a development agreement be executed by the owner. The “h-100” requires 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. The h-104 requires that a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within the subject plan and external lands. The h-155 requires the development to consistent with and conform to the guidelines and vision of OPA 541, Southwest Area Secondary Plan.

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.

4.0 Key Issues and Considerations

4.1 What is the purpose of the “h, h-100, h-104 and h-155” holding provisions and is appropriate to consider their removal?

The “h” holding provision states:

“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 provided the necessary securities and has entered into a development agreement with the City. This satisfies the requirement for the removal of the “h” holding provision.

The “h-100” holding provision states:

“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 Development Engineering staff confirmed that adequate water servicing can be provided to the subject site through a looped watermain system and that at least two public access points are available. The proposed developments do not exceed 80 residential units therefore the h-100 (for water servicing) can be removed specific to blocks 2,3,4,5 and 7.

This satisfies the requirement for the removal of the “h-100” holding provision.

The “h-104” holding provision states:

To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-104" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.

Through the subdivision approval process Development Engineering staff confirmed that a comprehensive storm drainage and stormwater management report was completed and accepted for the proposed street town blocks.

This satisfies the requirement for removal of the “h-104” holding provision.

The “h-155” holding provision states:

The removal of the h-155 symbol shall not occur until such time as the Owner has entered into a development agreement with the City of London, to ensure that the development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan

The owner has entered into a development agreement with the City and through the site plan approvals process Staff have ensured the development conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan.

5.0 Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. The development agreement also ensures the proposed development is designed and approved consistent with the guidelines and vision of OPA 541, Southwest Area Secondary Plan. The applicant has also demonstrated that there is adequate water service and appropriate access through a looped watermain system and a comprehensive storm drainage and stormwater management report has been accepted by the City. Therefore, the required conditions have been met to remove the “h, h-100, h-104 and h-155” holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by:	Mike Corby, 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	

June 23, 2020

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

MC/mc

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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 1160 Wharnccliffe Road S.

WHEREAS Goldfield Ltd. has applied to remove the holding provisions from the zoning for the lands located at 1160 Wharnccliffe Road South, 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 1160 Wharnccliffe Road South, as shown on the attached map, to remove the "h, h-100, h-104 and h-155" holding provision so that the zoning of the lands as Residential R4 Special Provision (R4-4(2)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

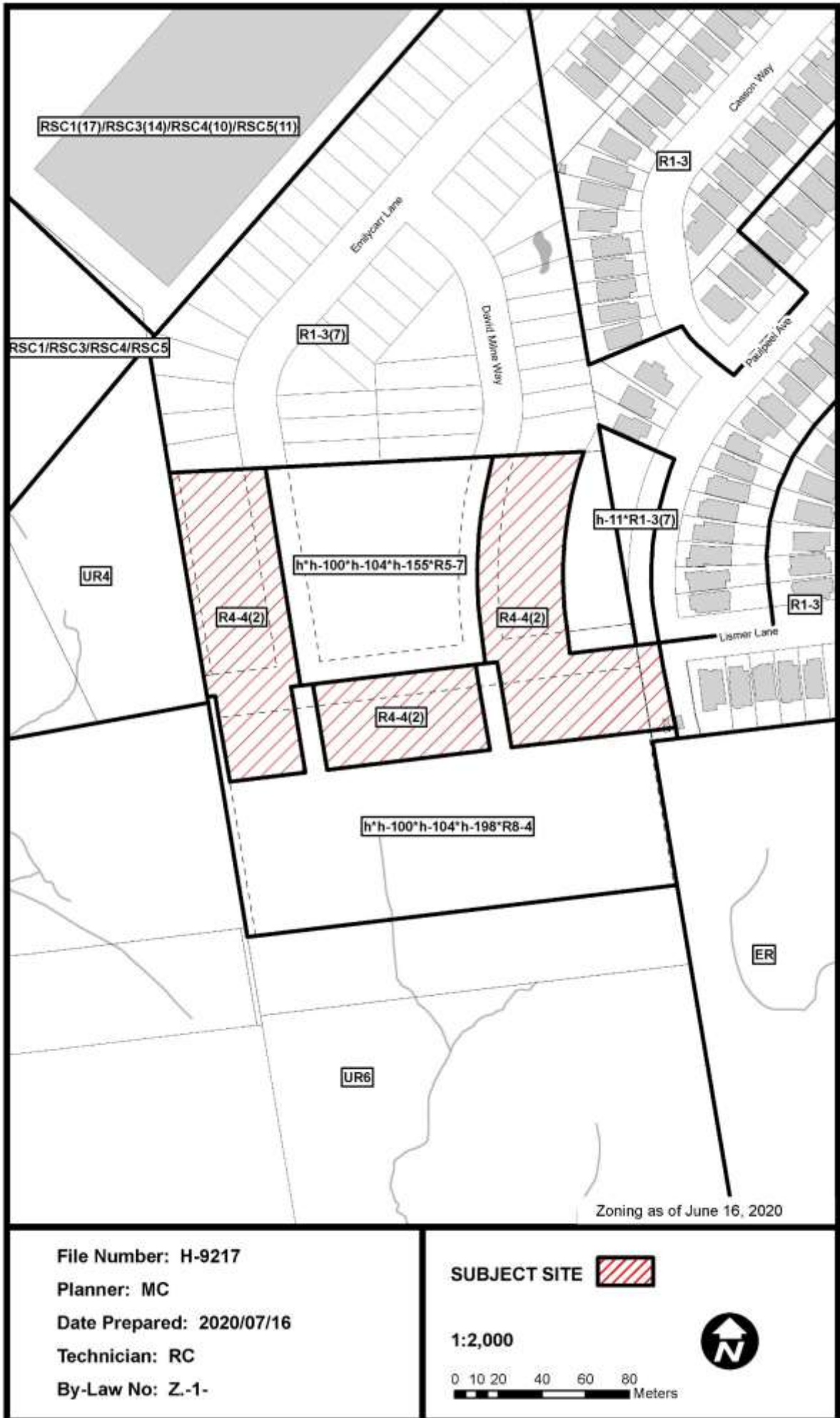
PASSED in Open Council on August 25, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – August 25, 2020
Second Reading – August 25, 2020
Third Reading – August 25, 2020

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



File Number: H-9217
Planner: MC
Date Prepared: 2020/07/16
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

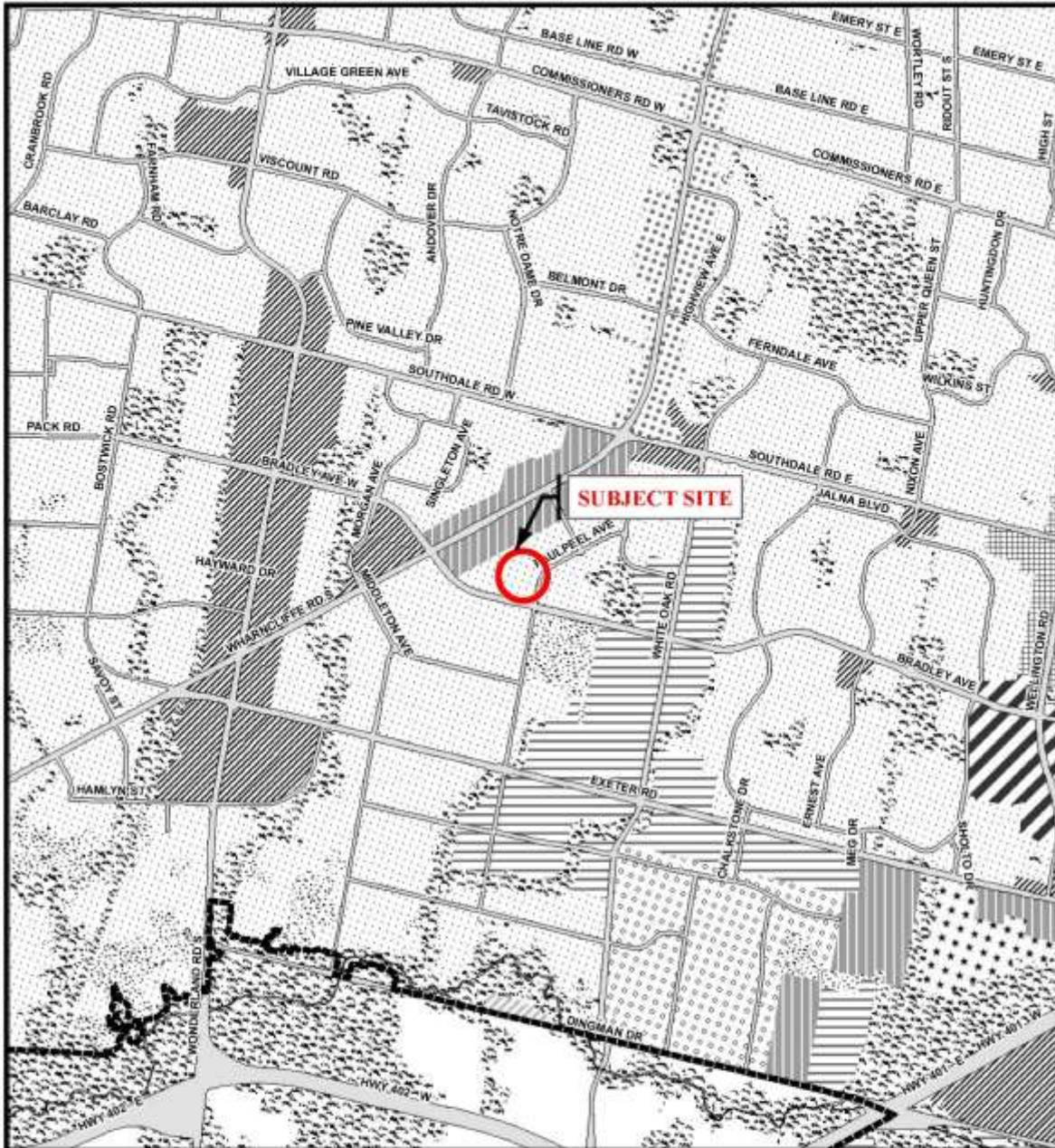
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Appendix B – Relevant Background

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.

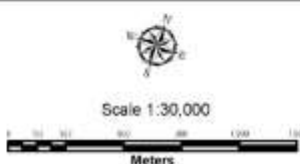
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

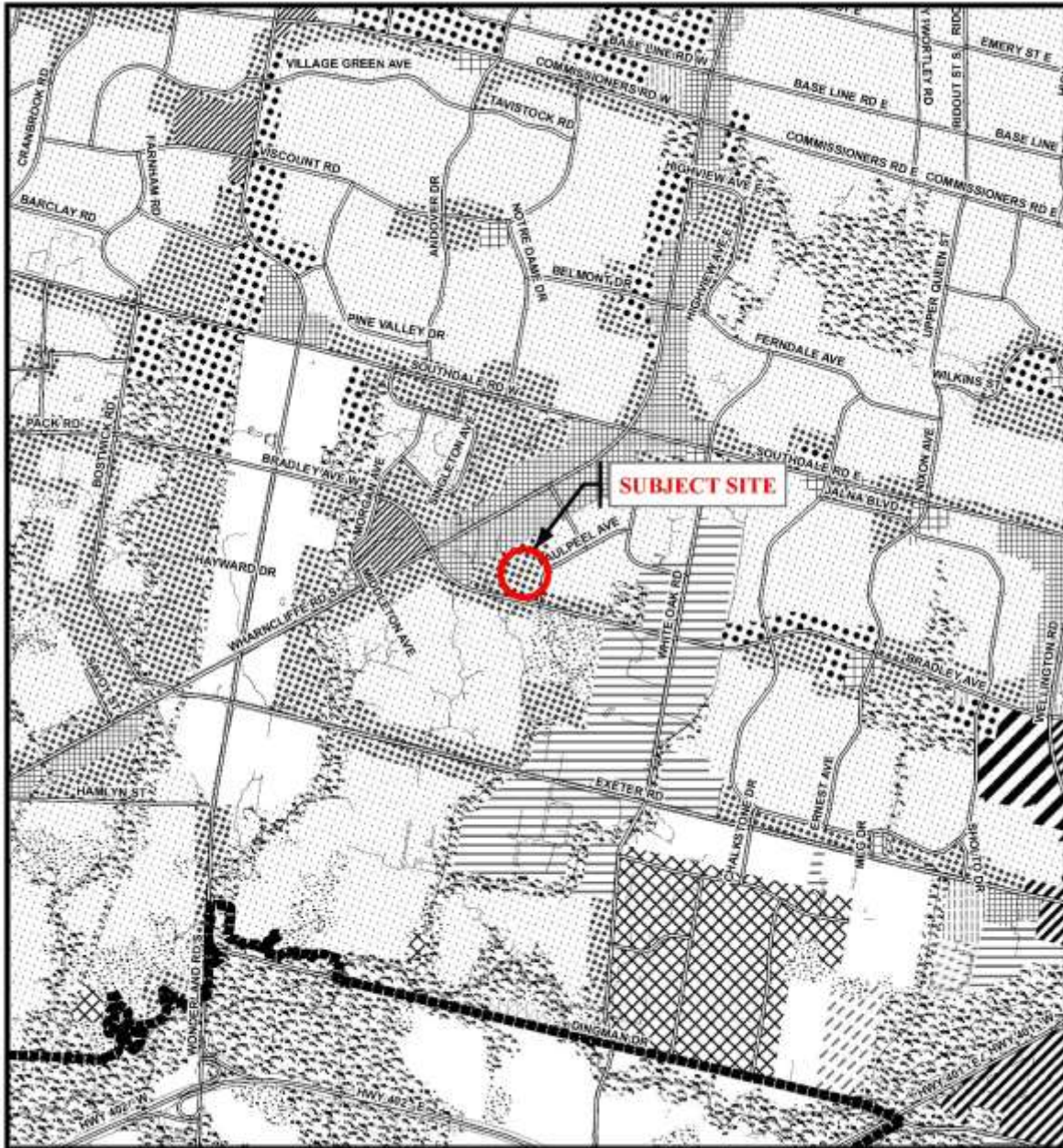
**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



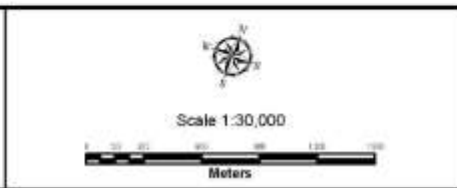
File Number: H-9217
Planner: MC
Technician: RC
Date: July 16, 2020

1989 Official Plan Excerpt



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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9217
 PLANNER: MC
 TECHNICIAN: RC
 DATE: 2020/07/16

Zoning Excerpt

