

## 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: 2219008 Ontario Ltd. (York Developments)  
3493 Colonel Talbot Road  
Removal of Holding Provision

**Meeting on:** November 2, 2020

## Recommendation

That, on the recommendation of the Director, Development Services, based on the application by 2219008 Ontario Ltd. c/o York Developments, relating to lands located at 3493 Colonel Talbot Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on November 10, 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 R6 Special Provision/Residential R8 Special Provision/Convenience Commercial /Service Station Special Provision (h\*h-100\*h-198\*R6-5(46)/R8-4(30)/CC6(10)/SS2(2)) Zone **TO** Residential R6/R8 Special Provision/Convince Commercial Special Provision/Service Station Special Provision (R6-5(46)/R8-4(30)/CC6(10)/SS2(2)) Zone to remove the h, h-100 and h-198 holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding (h, h-100 and h-198) symbols to allow the development of convenience store, restaurant with drive thru, gas bar and car wash permitted under the Service Station Special Provision (SS2(2)) Zone.

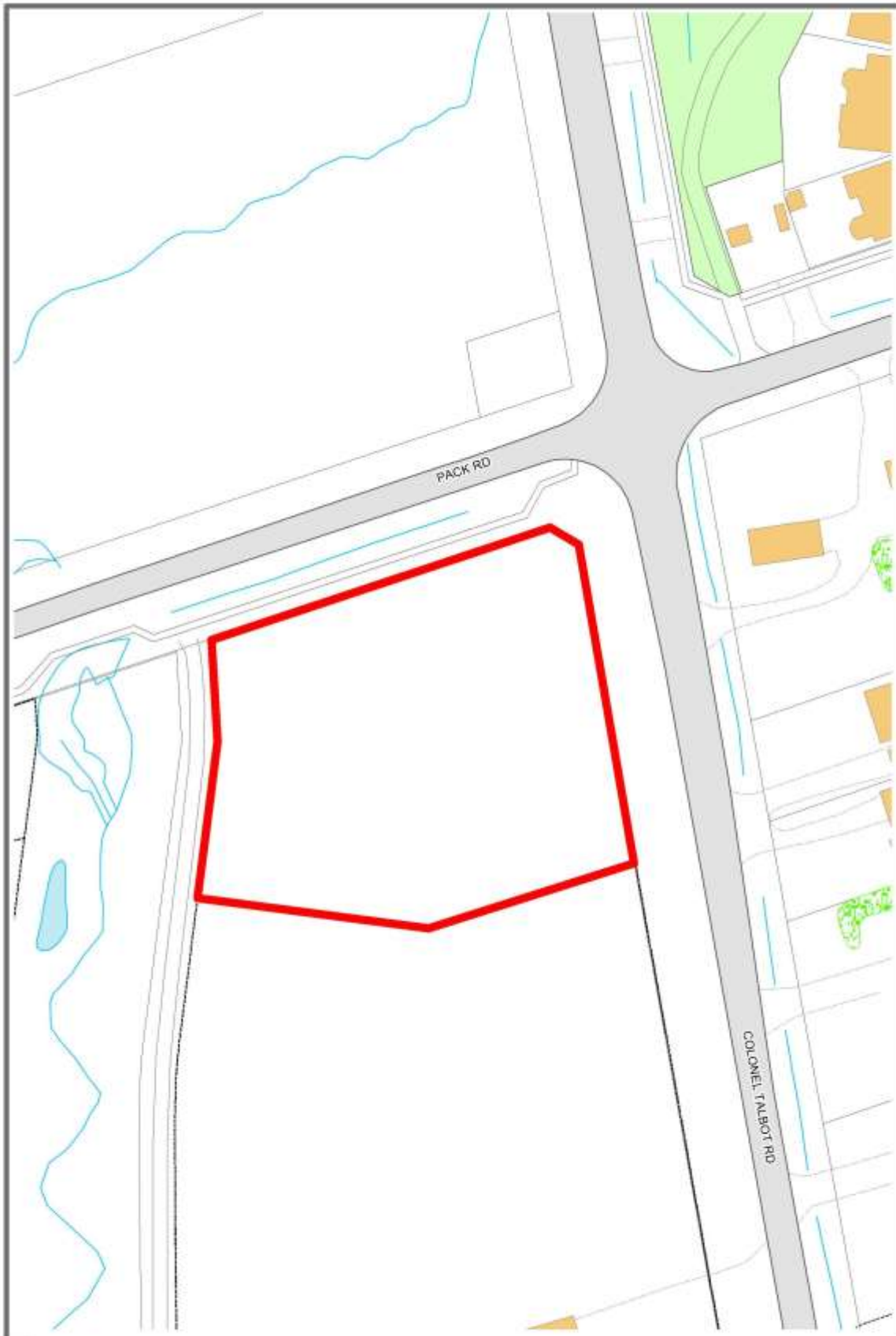
### Rationale of Recommended Action


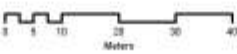




1. The conditions for removing the holding (h, h-100 and h-198) provisions have been met and the recommended amendment will allow development of a proposed convenience store, restaurant with drive thru, gas bar and car wash development in compliance with the Zoning By-law.
2. A Development Agreement has been entered into and securities have been posted as required by City Policy.
3. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.
4. Provisions have been made for a looped watermain system to ensure adequate water service, and provision of a temporary emergency access to the satisfaction of the City.
5. The proposed convenience store, restaurant with drive thru, gas bar and car wash provides a street-oriented development which has been reviewed by urban design staff through the site plan approval process. The "h-198" is no longer required on this portion of the property.

**Analysis**

**1.0 Site at a Glance**

**1.1 Location Map**



<b>LOCATION MAP</b>	
Subject Site: 3493 Colonel Talbot Road	
File Number: H-9218	
Planner: Sean Meksula	
Date: 13/10/2020	
Corporation of the City of London Prepared By: Planning and Development	
Scale 1:1000	
	
<b>Legend</b>	
	Subject Site
	Buildings
	Driveways/Parking Lots
	Parks

## 1.2 Property Description

The subject site is located at the Pack Road and Colonel Talbot Road intersection and forms a portion of lands within the Silverleaf Subdivision. Part of the plan has been registered as plan 33M-742 which is currently under construction, and part of the plan, including the subject lands, have been draft approved but not yet registered. The subdivision provides for a range of dwellings types and sizes with some convenience commercial uses planned. The property is within the City of London's Southwest Area Secondary Plan and forms part of the North Lambeth Residential Neighbourhood.

## 1.2 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 – Holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial /Service Station Special Provision (h\*h-100\*h-198\*R6-5(46)/R8-4(30)/CC6(10)/SS2(2)) Zone

## 1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 71.44 m (234.38 ft.) along Colonel Talbot Road
- Area – 6293m<sup>2</sup> (67,737 sq. ft.)
- Depth – 99.77m (327.33 ft.)
- Shape – irregular

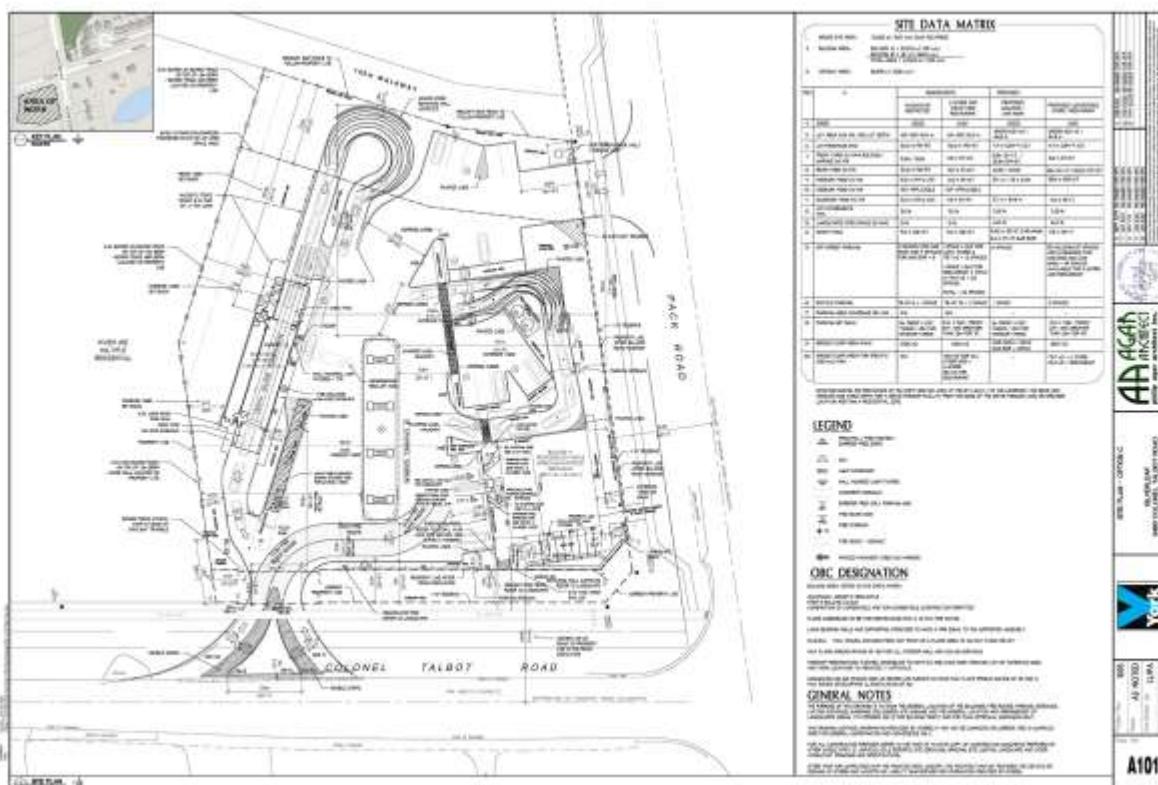
## 1.4 Surrounding Land Uses

- North – existing open space and agricultural lands
- East – existing and future low density residential
- South – future medium density residential or convenience commercial uses
- West – low density residential

## 2.0 Description of Proposal

This proposal is to remove the holding provisions to permit the proposed site plan development ((SPA20-021) for a convenience store, restaurant with a drive thru, gas bar and car wash.

## 2.1 Site Plan



Conceptual Site Plan

## 3.0 Relevant Background

### 3.1 Planning History

The subject site is part of the Silverleaf Subdivision (39T-14504) which is situated in the southwest quadrant of the City, and at the southwest corner of Colonel Talbot Road and Pack Road. The total subdivision area is approximately 40.5 ha (100ac) in size and is situated entirely within the City's Urban Growth Boundary with frontage along Colonel Talbot Road and Pack Road (both identified as arterial roads).

The application for Draft Plan of Subdivision was received on September 15, 2014, and was granted draft approval on March 24, 2016. The draft approval included: 172 single detached dwellings lots, three (3) medium density residential blocks, one (1) mixed use block, five (5) walkway blocks, one (1) future development block, two (2) park blocks, two (2) open space blocks, and a stormwater management block; serviced by Pack Road, and six (6) local public streets (including the extension of Isaac Drive to the north).

Phase 1 of the subdivision has been registered as plan 33M-742, which consists of 108 single family detached lots, the Stormwater Management Facility Dingman Tributary B4, six (6) park blocks, one (1) medium density block and several road widening's and 0.3 m (one foot) reserve blocks. Future phase(s) will include the balance of the lands which are draft approved but have not yet received final approval.

Most recently, an Official Plan, and Zoning By-law (OZ-9049) application was approved by Planning and Environment Committee and Municipal Council in September of 2019. The application permitted the proposed development of the service station uses to the site to be used for a car wash and gas bar and to expand the convenience commercial uses to allow for restaurants, take-out use, within the plan of subdivision. This site is also the subject of an application for Site Plan Approval by 2219008 Ontario Ltd. (York Developments) for a restaurant and service station development (File No. SPA20-021).

## 4.0 Key Issues and Considerations

### 4.1 Have the conditions for removal of the holding (h) provision been met?

The purpose of the holding ("h") provision in the zoning by-law is as follows:

*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.*

An application for Site Plan Approval has been submitted by 2219008 Ontario Ltd. (York Developments) (SPA20-021). The proposed development consists of a convenience store, restaurant with a drive thru, gas bar and car wash. The Owner has provided the necessary security and has entered into a development agreement with the City. This satisfies the requirement for removal of the "h" holding provision.

The purpose of the holding ("h-100") provision in the Zoning By-law is as follows:

*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.*

Water looping for this site is not required since it is connected directly to looped municipal mains and the fact that it is a standalone commercial development.

The purpose of the holding (“h-198”) provision in the Zoning By-law is as follows:

*The purpose of the “h-198” provision is to encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement has been entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan.*

The proposed convenience store, restaurant with a drive thru, gas bar and car wash buildings provide a street-oriented development which has been reviewed by Urban Design Staff through the site plan approval process. A development agreement has been entered into to ensure that the new development is designed and approved consistent with the Southwest Area Secondary Plan. This satisfies the requirements for removal of the “h-198” holding provision.

## **5.0 Conclusion**

The applicant has addressed the various requirements of the “h, h-100 and h-198” holding provisions for the orderly development of land; water looping, access to the lands and a development design which is consistent with the Southwest Area Secondary Plan. The requirements of the holding provisions has been satisfied and the removal of the holding provisions is appropriate and recommended to Council for approval.

<b>Prepared by:</b>	<b>Sean Meksula, MCIP, RPP</b> <b>Planner, Development Planning</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE</b> <b>Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng.</b> <b>Managing Director, Development and Compliance</b> <b>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.	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)  
Lou Pompillii, Manager, Development Services (Subdivisions)  
Ted Koza, Manager, Development Services (Subdivisions)  
Michael Pease, Manager, Development Services (Site Plan)

GK/PY/SM/sm

**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 3493 Colonel Talbot Road.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning on lands located at 3493 Colonel Talbot 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 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 3493 Colonel Talbot Road, as shown on the attached map, to remove the h, h-100 and h-198 holding provisions so that the zoning of the lands as a Residential R6/R8 Special Provision/Convince Commercial Special Provision/Service Station Special Provision (R6-5(46)/R8-4(30)/CC6(10)/SS2(2))Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

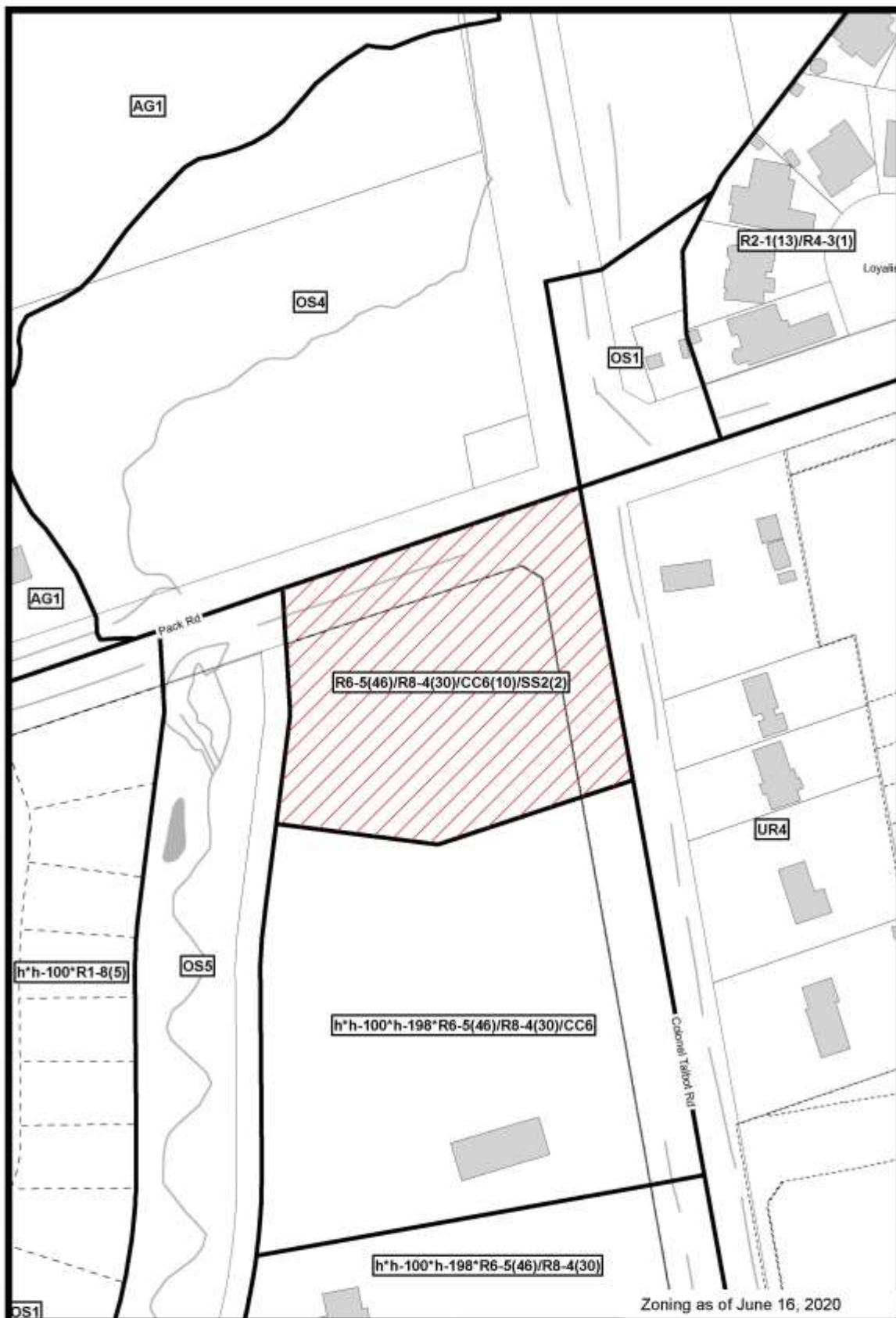
PASSED in Open Council on November 10, 2020.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk


First Reading – November 10, 2020  
Second Reading – November 10, 2020  
Third Reading – November 10, 2020

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




Zoning as of June 16, 2020

File Number: H-9218  
Planner: SM  
Date Prepared: 2020/06/25  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40  
 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on July 2, 2020.

0 replies were received

**3493 Colonel Talbot Road (Block 173A Draft Plan 39T-14504) –** City Council intends to consider removing the “h”, “h-100”, and “h-198”, Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbols to permit the future commercial development of the subject lands. The purpose of the “h” provision is 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 purpose of the “h-100” provision is 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. The purpose of the “h-198” provision is encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan. Council will consider removing the holding provisions as it applies to these lands no earlier than August 10, 2020.

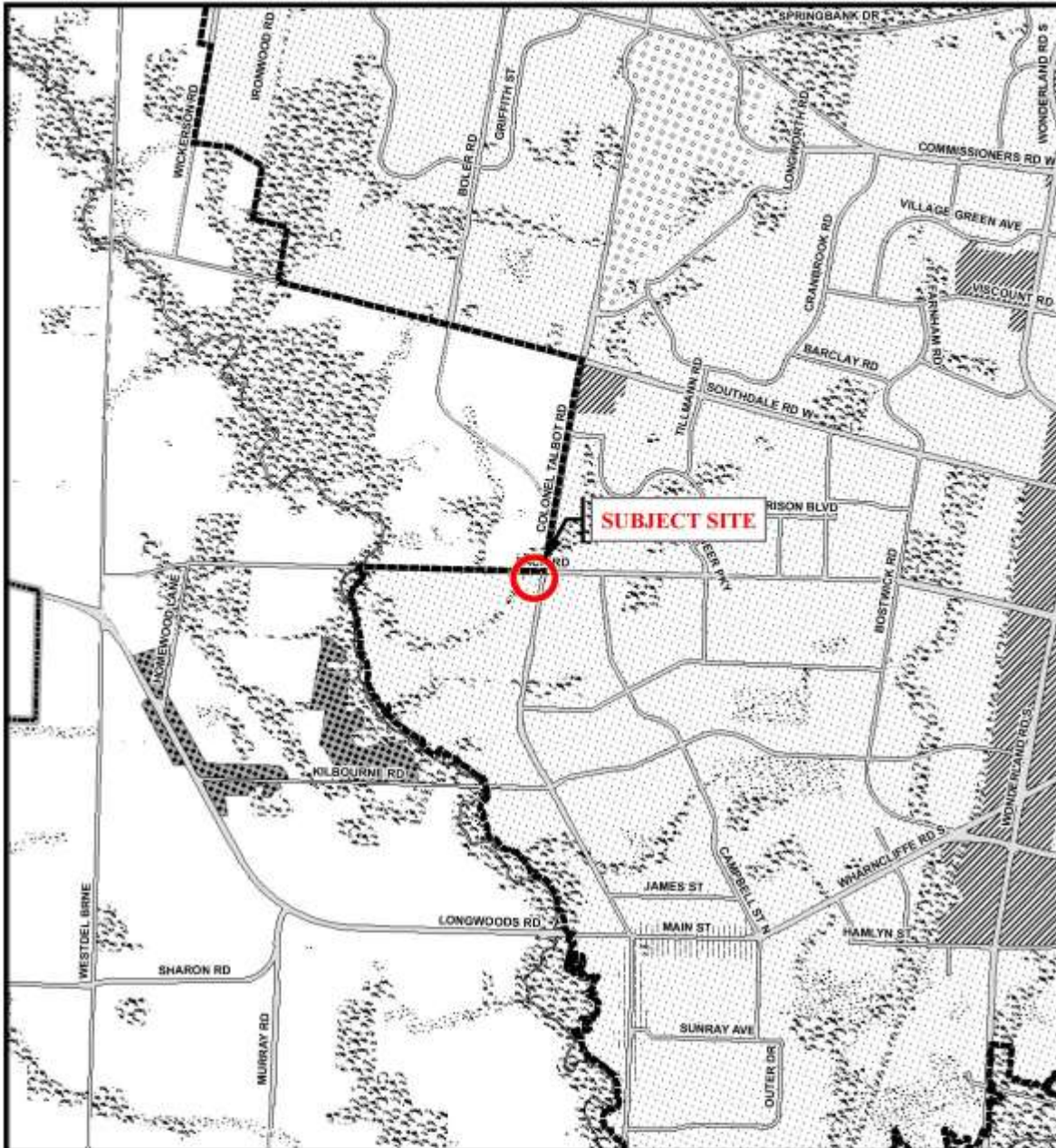
**Agency/Departmental Comments:**

None



**Appendix C – 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



Scale 1:30,000



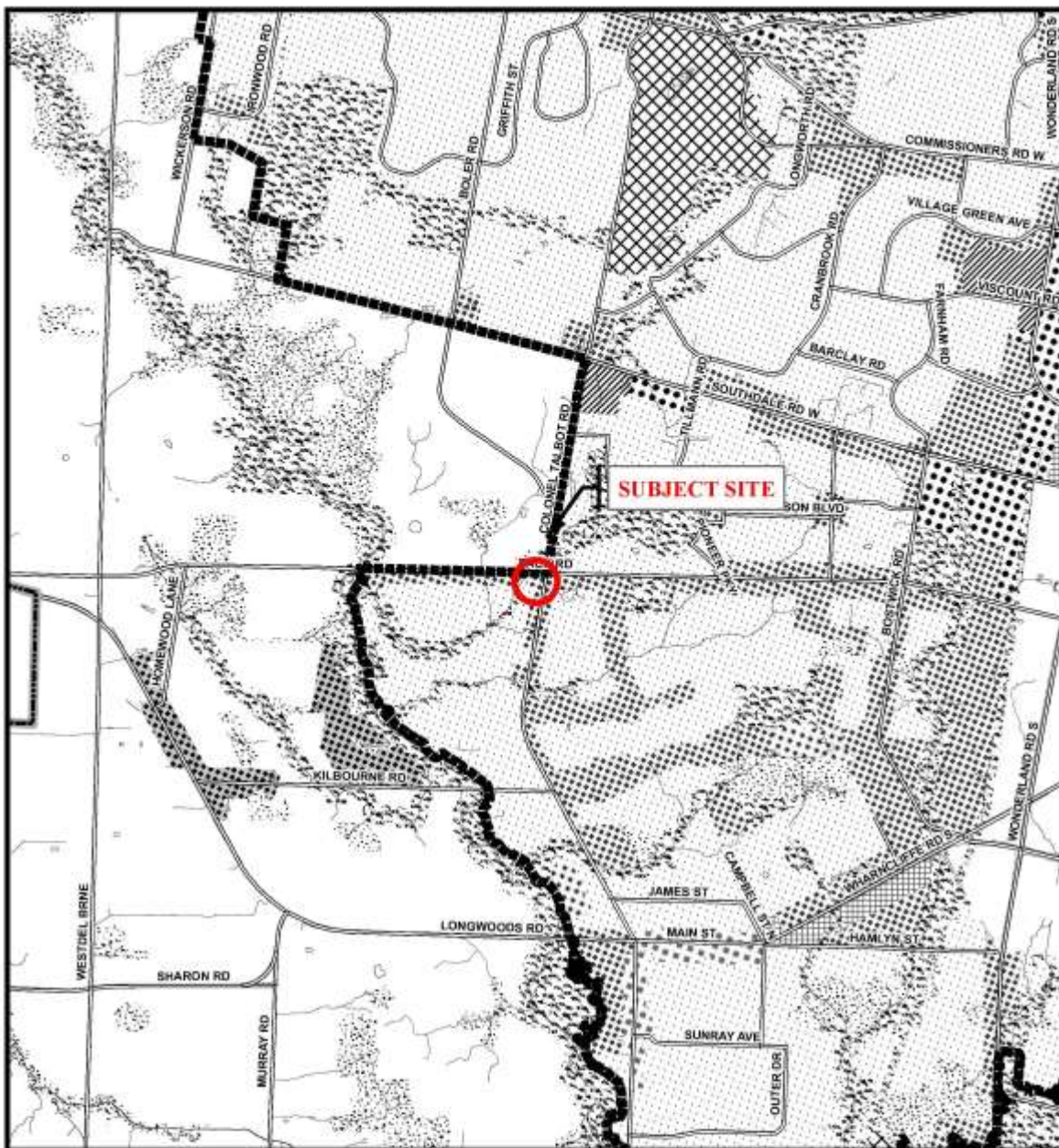
**File Number:** H-9218

**Planner:** SM

**Technician:** RC

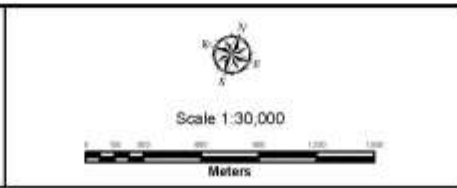
**Date:** June 25, 2020

1989 Official Plan Excerpt



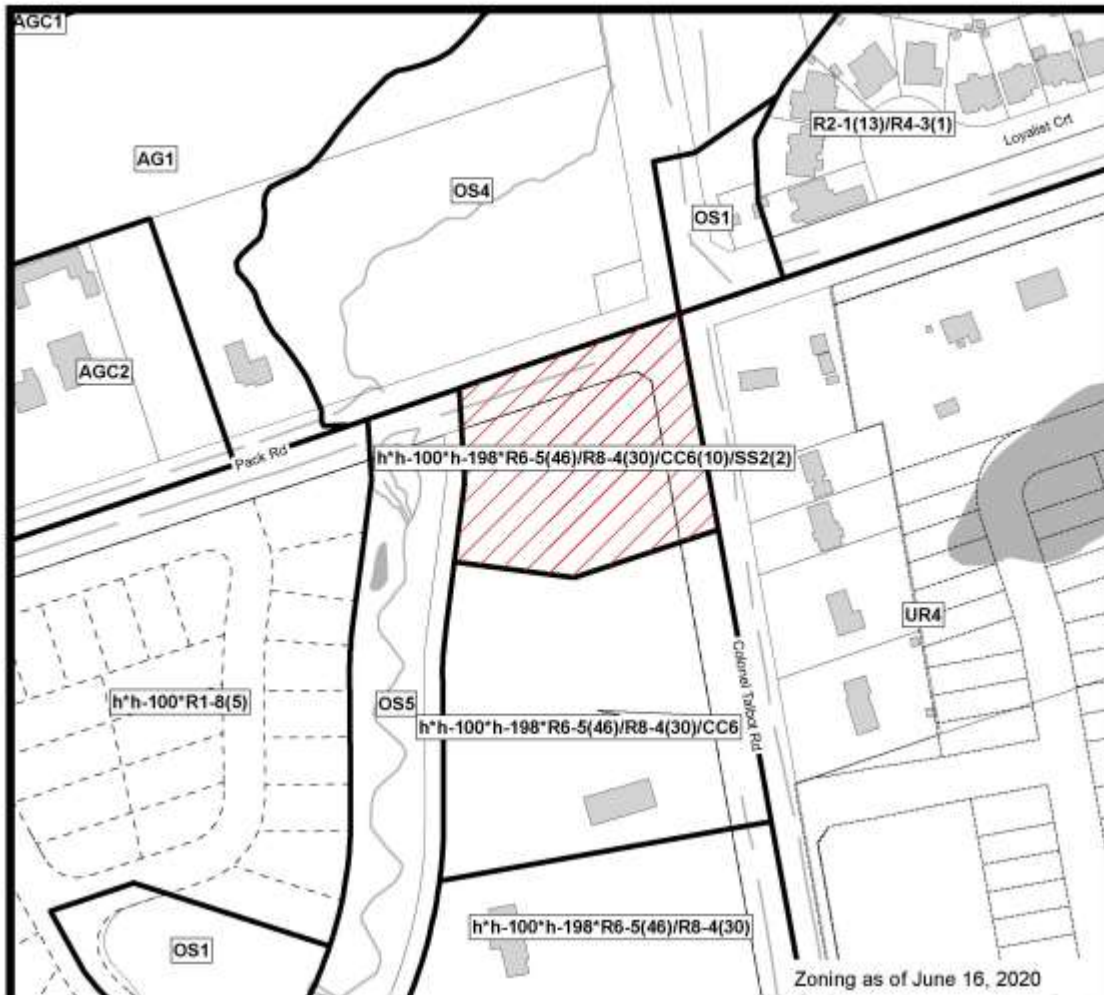
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
	Multi-Family, Medium Density Residential		Rural Settlement
	Low Density Residential		Environmental Review
	Office Area		Agriculture
	Office/Residential		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-9218  
 PLANNER: SM  
 TECHNICIAN: RC  
 DATE: 2020/06/25

Existing Zoning Map



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) *LEGEND FOR ZONING BY-LAW Z-1*

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            | OS - OPEN SPACE                   |
| R7 - SENIOR'S HOUSING                     | CR - COMMERCIAL RECREATION        |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | ER - ENVIRONMENTAL REVIEW         |
| R9 - MEDIUM TO HIGH DENSITY APTS.         | OB - OFFICE BUSINESS PARK         |
| R10 - HIGH DENSITY APARTMENTS             | LI - LIGHT INDUSTRIAL             |
| R11 - LODGING HOUSE                       | GI - GENERAL INDUSTRIAL           |
| DA - DOWNTOWN AREA                        | HI - HEAVY INDUSTRIAL             |
| RSA - REGIONAL SHOPPING AREA              | EX - RESOURCE EXTRACTIVE          |
| CSA - COMMUNITY SHOPPING AREA             | UR - URBAN RESERVE                |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | AG - AGRICULTURAL                 |
| BDC - BUSINESS DISTRICT COMMERCIAL        | AGC - AGRICULTURAL COMMERCIAL     |
| AC - ARTERIAL COMMERCIAL                  | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL           | TGS - TEMPORARY GARDEN SUITE      |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RT - RAIL TRANSPORTATION          |
| CC - CONVENIENCE COMMERCIAL               |                                   |
| SS - AUTOMOBILE SERVICE STATION           | "Y" - HOLDING SYMBOL              |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "D" - DENSITY SYMBOL              |
| OR - OFFICE/RESIDENTIAL                   | "H" - HEIGHT SYMBOL               |
| OC - OFFICE CONVERSION                    | "B" - BONUS SYMBOL                |
| RO - RESTRICTED OFFICE                    | "T" - TEMPORARY USE SYMBOL        |
| OF - OFFICE                               |                                   |

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING  
BY-LAW NO. Z-1  
SCHEDULE A**



FILE NO:

H-9218

SM

MAP PREPARED:

2020/06/25

RC

1:2,500

0 12.525 50 75 100  
Meters

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