

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: Sifton Properties Limited c/o Lindsay Clark
49 to 153 Middleton Avenue, 3695 to 3848 Somerston
Crescent, 3582 to 3642 Earliston Cross, 84 to 150 Knott Drive
and 3583 to 3617 Lynds Street
Removal of Holding Provision

Meeting on: November 2, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 49 to 153 Middleton Avenue, 3695 to 3848 Somerston Crescent, 3582 to 3642 Earliston Cross, 84 to 150 Knott Drive and 3583 to 3617 Lynds Street (Registered Plan 33M-785), 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 R1 Special Provision (h*h-100*R1-3(18)/h*h-100*R1-4(29)/ h*h-100*R1-13(7)) Zone **TO** a Residential R1 Special Provision (R1-3(18)/R1-4(29)/R1-13(7)) Zone to remove the h and h-100 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 and h-100) symbols to allow the development of phase 2 of this subdivision, including 123 single family dwellings permitted under the Residential R1 Special Provision (R1-3(18)/R1-4(29)/R1-13(7)) Zones.

Rationale of Recommended Action

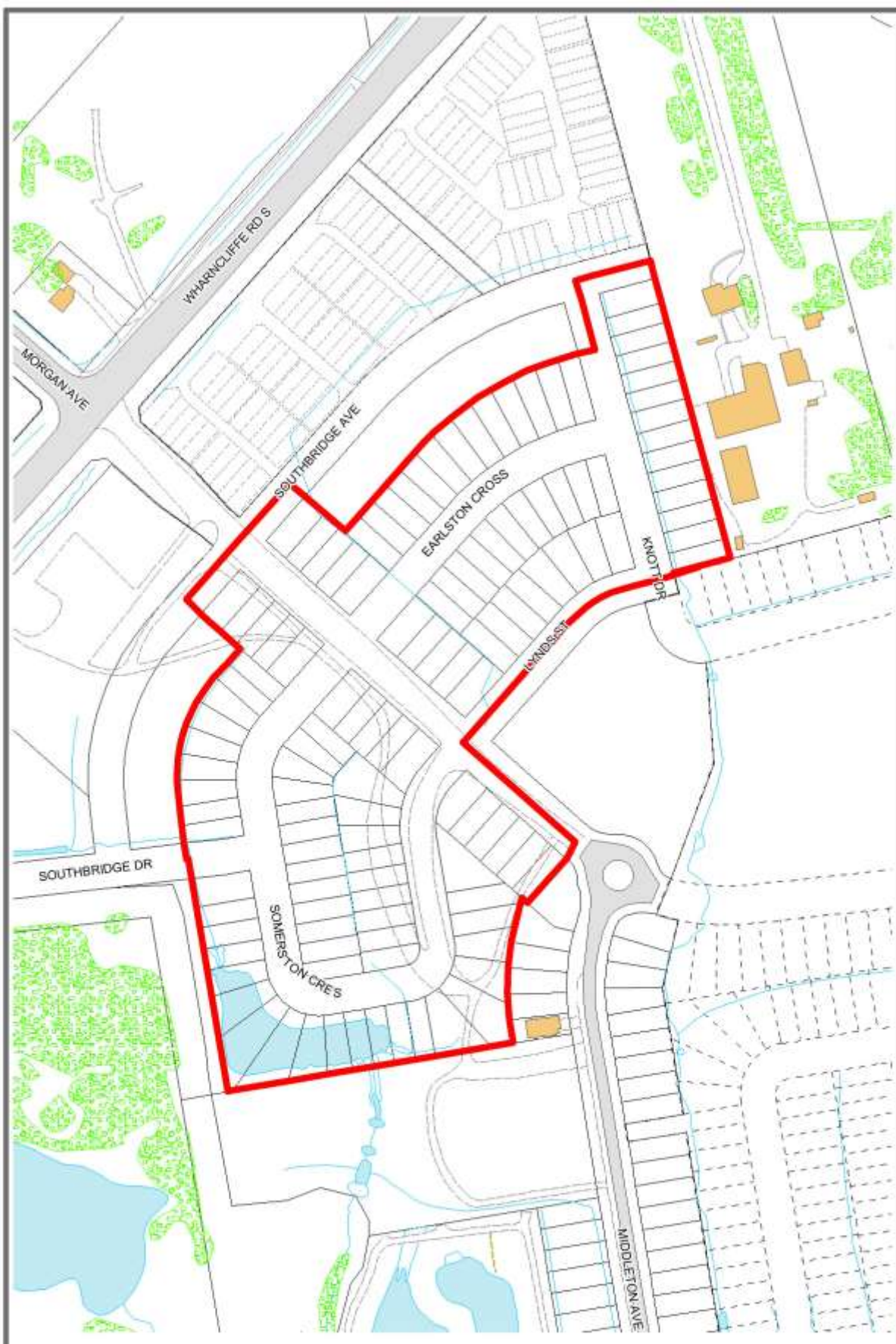
1. The conditions for removing the holding (h and h-100) provisions have been met and the recommended amendment will allow development of a proposed 16 unit townhouse development in compliance with the Zoning By-law.
2. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.
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.

Analysis

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Residential R1 Special Provision (h*h-100*R1-3(18)/h*h-100*R1-4(29)/ h*h-100*R1-13(7)) Zone

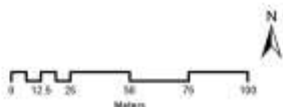
1.2 Location Map



LOCATION MAP

Subject Site: Middleton Avenue
File Number: H-9270
Planner: Sean Meksula
Date: 13/10/2020

Corporation of the City of London
Prepared By: Planning and Development



Scale 1:2500

Legend

-  Subject Site
-  Buildings
-  Driveways/Parking Lots
-  Parks

1.3 Site Characteristics

- Current Land Use – vacant
- Frontage – Varies
- Area – Varies
- Depth – Varies
- Shape – Irregular

1.4 Surrounding Land Uses

- North – future medium density residential
- East – low density residential
- South – low density residential
- West – future medium density residential /existing environmental reserve

2.0 Description of Proposal

This proposal is to remove the holding provisions to allow a residential development of 123 single family dwellings within registered plan of subdivision 33M-785.

2.1 Registered Plan of Subdivision (33M-785)



3.0 Relevant Background

3.1 Planning History

On June 2, 2020 the Approval Authority for the City of London granted Final Approval for the second phase of the Richardson Subdivision lands located at 132, 146 and 184 Exeter Road. Phase 2 consists of 116 single detached lots, two (2) street townhouse blocks, four (4) medium density blocks, one (1) park block, one (1) open space block, three (3) multi-use pathway blocks, one (1) servicing/multi-use pathway block, and several road widening's and 0.3 metre reserves, all served by the extension of Middleton Avenue and

five (5) new local roads/neighbourhood streets. The plan was subsequently registered on June 8, 2020 as Plan 33M-785. The 123 single family lots within the second phase of the Richardson Subdivision lands, Plan 33M-785 are the subject of this application for future development.

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.

The proposed development consists of 123 single family lots. The Subdivision Agreement between Sifton Properties Limited and the City of London for Phase 2 of the Richardson Subdivision was entered into on March 26, 2020 and registered as Instrument No. ER1307410 on June 18, 2020. Sifton Properties Limited have also posted security as required by City Policy and the Subdivision Agreement. As such, the condition has been satisfied for removal of the “h” provision. The h. holding provision will be retained for the balance of the lands that are not part of Plan 33M-785 southeast of Knott Drive and Lynds Street.

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.

The subdivision servicing drawings were previously reviewed and have been accepted by the City of London. An approved looped watermain system from the installed 250 mm diameter municipal watermain on Middleton Road with 200 mm connections to Somerston Crescent, Earlston Cross, Knott Drive and Lynds Street. Public road access to the subject lands will be provided from Middleton Avenue to Wharncliffe Road South. A second public access by means of Middleton Avenue to Exeter Road is also accessible. The h100 holding provision will be retained for the balance of the lands that are not part of Plan 33M-785 southeast of Knott Drive and Lynds Street.

5.0 Conclusion

The applicant has addressed the various requirements of the “h and h-100” holding provisions for the orderly development of land; water looping and access for the development of the land. The requirements of the holding provisions has been satisfied and the removal of the holding provisions is appropriate and recommended to Council for approval.

Prepared by:	Sean Meksula, 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.	

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

GK/PY/SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2020\H-9270 - Middleton Ave, Somerston Cres, Earlston Cross, Knott Drive and Lynds St (SM)\PEC\DRAFT_Middleton Ave, Somerston Cre_ Application by - H-9270_SM.docx

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 49 to 153 Middleton Avenue, 3695 to 3848 Somerston Crescent, 3582 to 3642 Earlston Cross, 84 to 150 Knott Drive and 3583 to 3617 Lynds Street; legally described as Plan 33M-785.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning on lands located at 49 to 153 Middleton Avenue, 3695 to 3848 Somerston Crescent, 3582 to 3642 Earlston Cross, 84 to 150 Knott Drive and 3583 to 3617 Lynds Street; legally described as Plan 33M-785, 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 49 to 153 Middleton Avenue, 3695 to 3848 Somerston Crescent, 3582 to 3642 Earlston Cross, 84 to 150 Knott Drive and 3583 to 3617 Lynds Street; legally described as Plan 33M-785, as shown on the attached map comprising part of Key Map No. 111, to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-3(18)/R1-4(29)/R1-13(7)) Zones comes into effect.
2. This By-law shall come into force and effect on the date of passage.

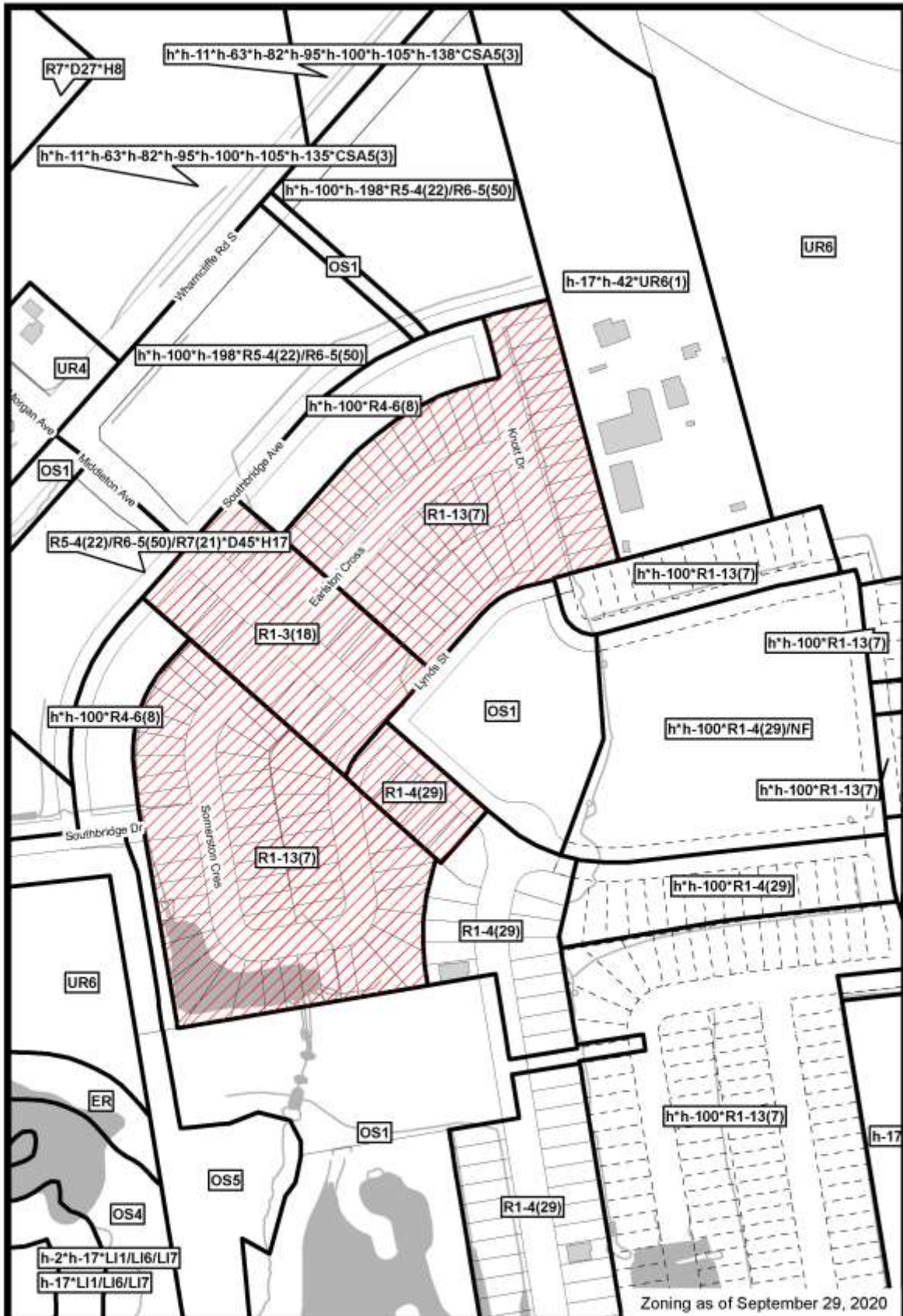
PASSED in Open Council on November 10, 2020.

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 September 29, 2020

File Number: H-9270
Planner: SM
Date Prepared: 2020/10/13
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 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 October 22, 2020.

0 replies were received

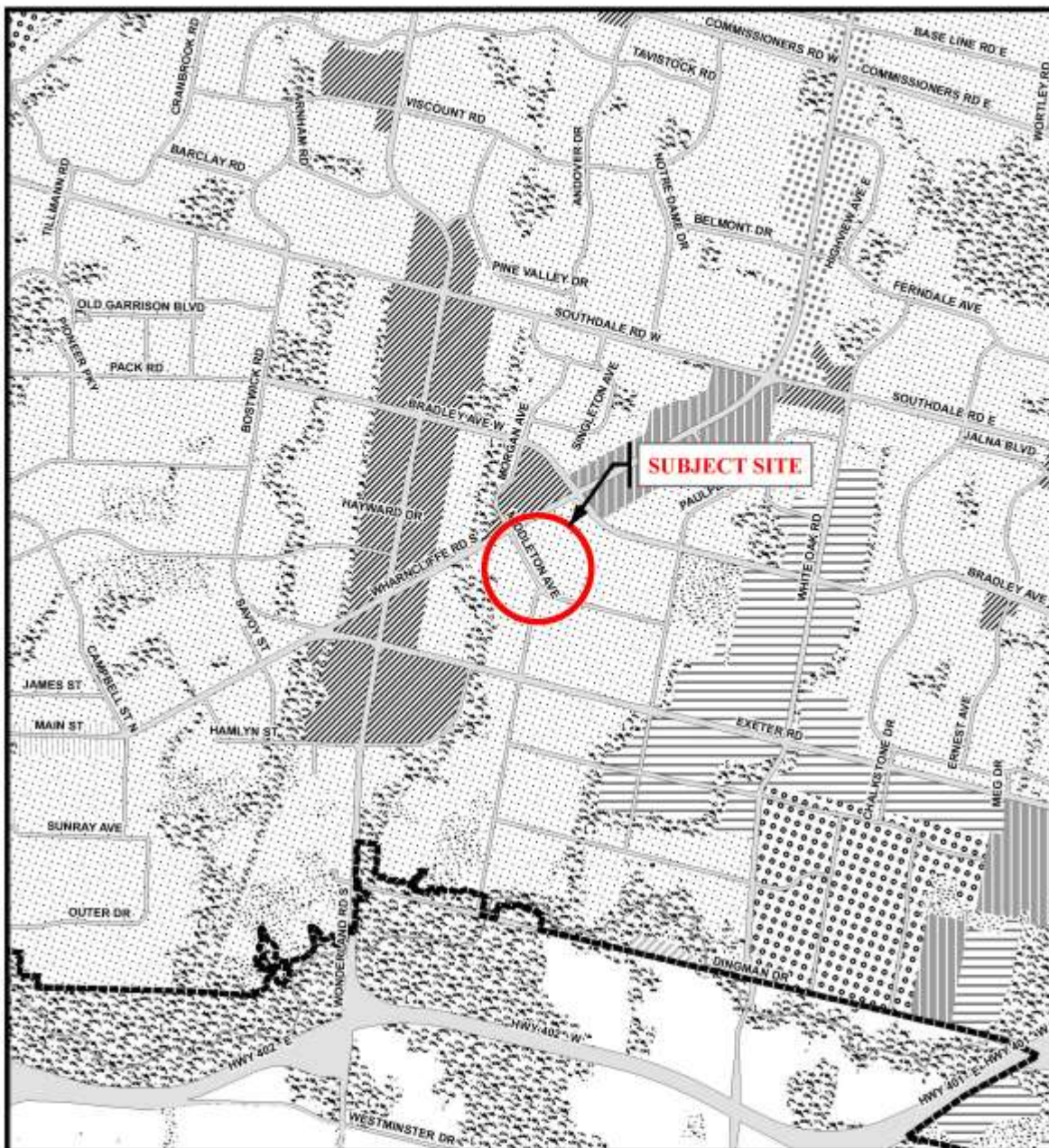
Nature of Liaison: 49 to 153 Middleton Avenue, 3695 to 3848 Somerston Crescent, 3582 to 3642 Earlston Cross, 84 to 150 Knott Drive and 3583 to 3617 Lynds Street (Registered Plan 33M-785) – City Council intends to consider removing the “h” and “h-100”, Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to permit future residential 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. Council will consider removing the holding provisions as it applies to these lands no earlier than November 2, 2020.

Agency/Departmental Comments:

None

Appendix C – Relevant Background

London Plan Excerpt



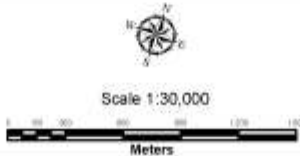
Legend

- | | | |
|------------------------|--------------------------|---|
| 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.

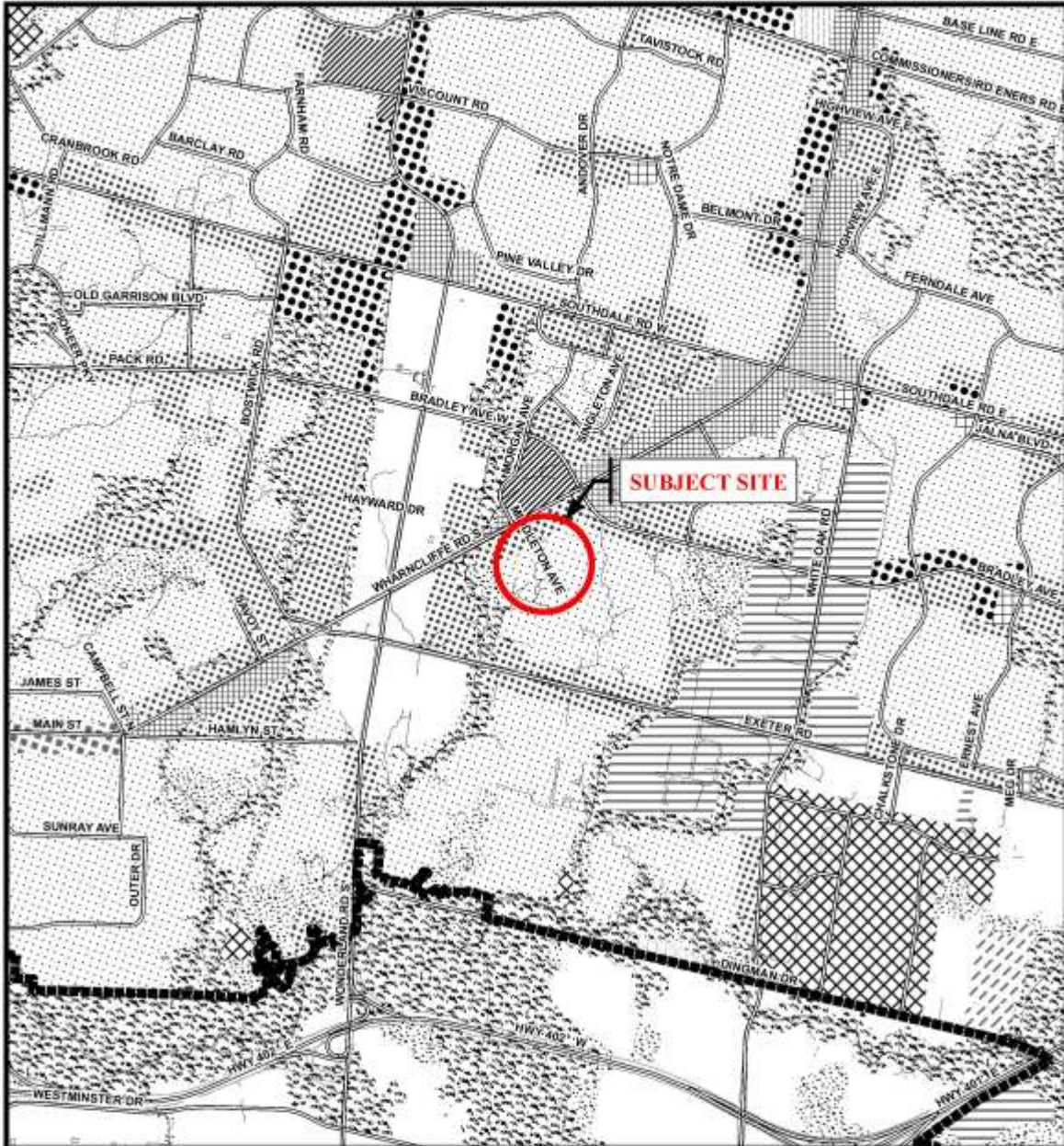
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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



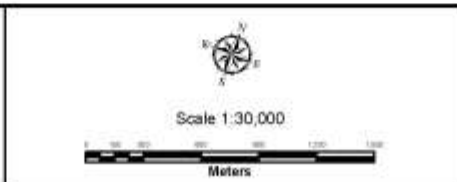
File Number: H-9270
Planner: SM
Technician: RC
Date: October 13, 2020

1989 Official Plan Excerpt



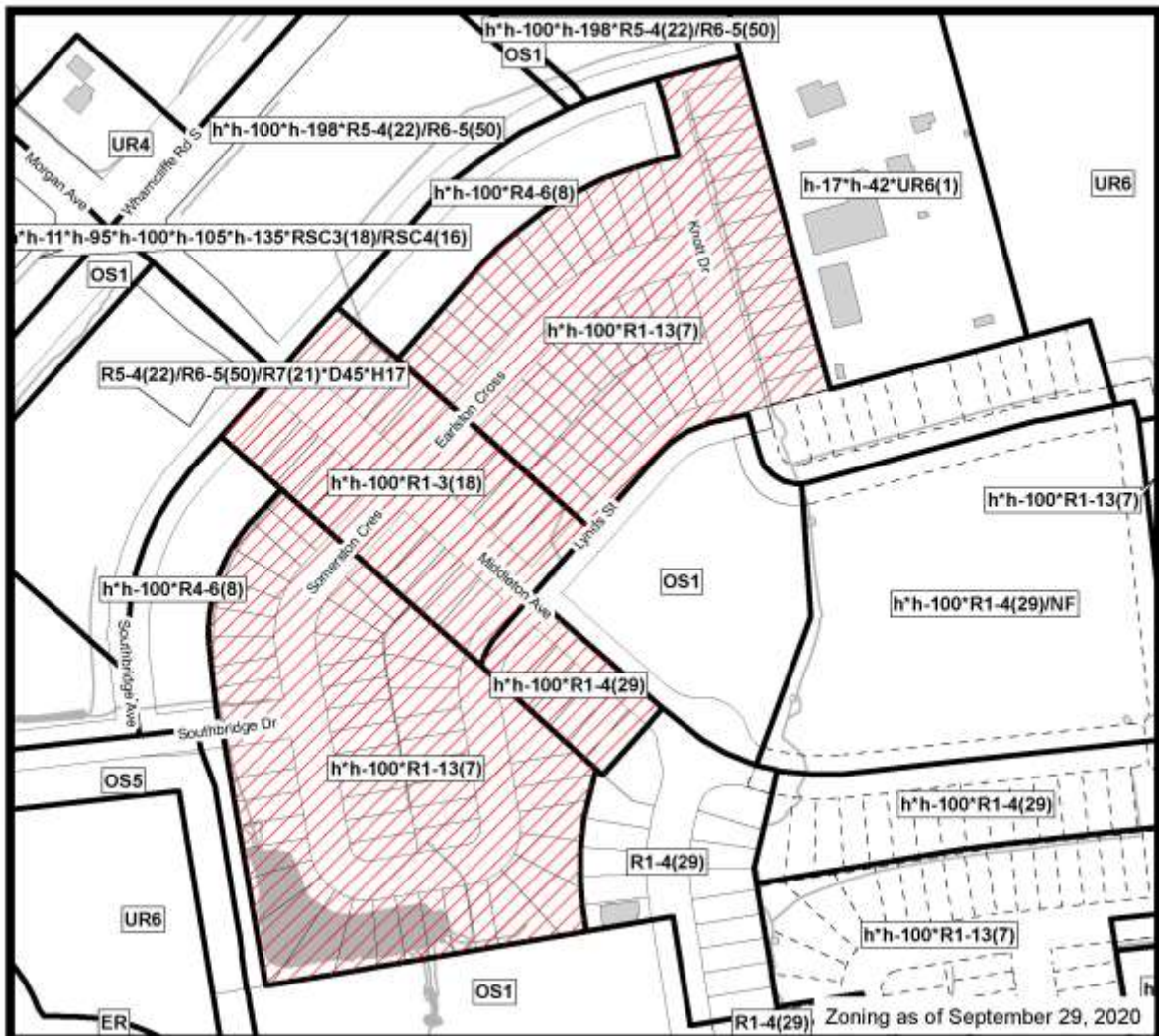
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented 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-9270
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2020/10/13

Existing Zoning Map



 **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 RR - 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 |
|--|--|

<p>CITY OF LONDON PLANNING SERVICES / DEVELOPMENT SERVICES</p> <p>ZONING BY-LAW NO. Z.-1 SCHEDULE A</p>	<p>FILE NO: H-9270 SM</p> <hr/> <p>MAP PREPARED: 2020/10/13 RC</p> <hr/> <p style="text-align: center;">1:3,000</p> <p style="text-align: center;">0 15 30 60 90 120  Meters</p>
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THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS