

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: Foxhollow North Developments Inc.
1258 and 1388 Sunningdale Road West
Removal of Holding Provisions

Meeting on: November 2, 2020

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Foxhollow North Developments Inc. relating to the properties located at 1258 and 1388 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 10, 2020 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R1 (h*h-100*R1-3) Zone and Holding Residential Special Provision R1 (h*h-100*R1-3(8)) Zone **TO** Residential R1 (R1-3) 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 “h” and h-100” holding provisions to permit the development of 53 single detached dwellings.

Rationale of Recommended Action

The conditions for removing the holding provisions have been met, as the required security has been submitted, the development agreement has been signed and adequate water servicing and appropriate access has been provided.

1.0 Site at a Glance

The subject lands are located in the northwest quadrant of the City and are included in the Foxhollow Community Plan. The lands are on the south side of Sunningdale Road West along the edge of the Urban Growth Boundary. Phase 3B of the subdivision is located just north of Headcreek Trail, west of Saddlerock Ave and south of the future Buroak Drive extension. The phase will consist of 53 single detached lots with approximately 11m frontages.

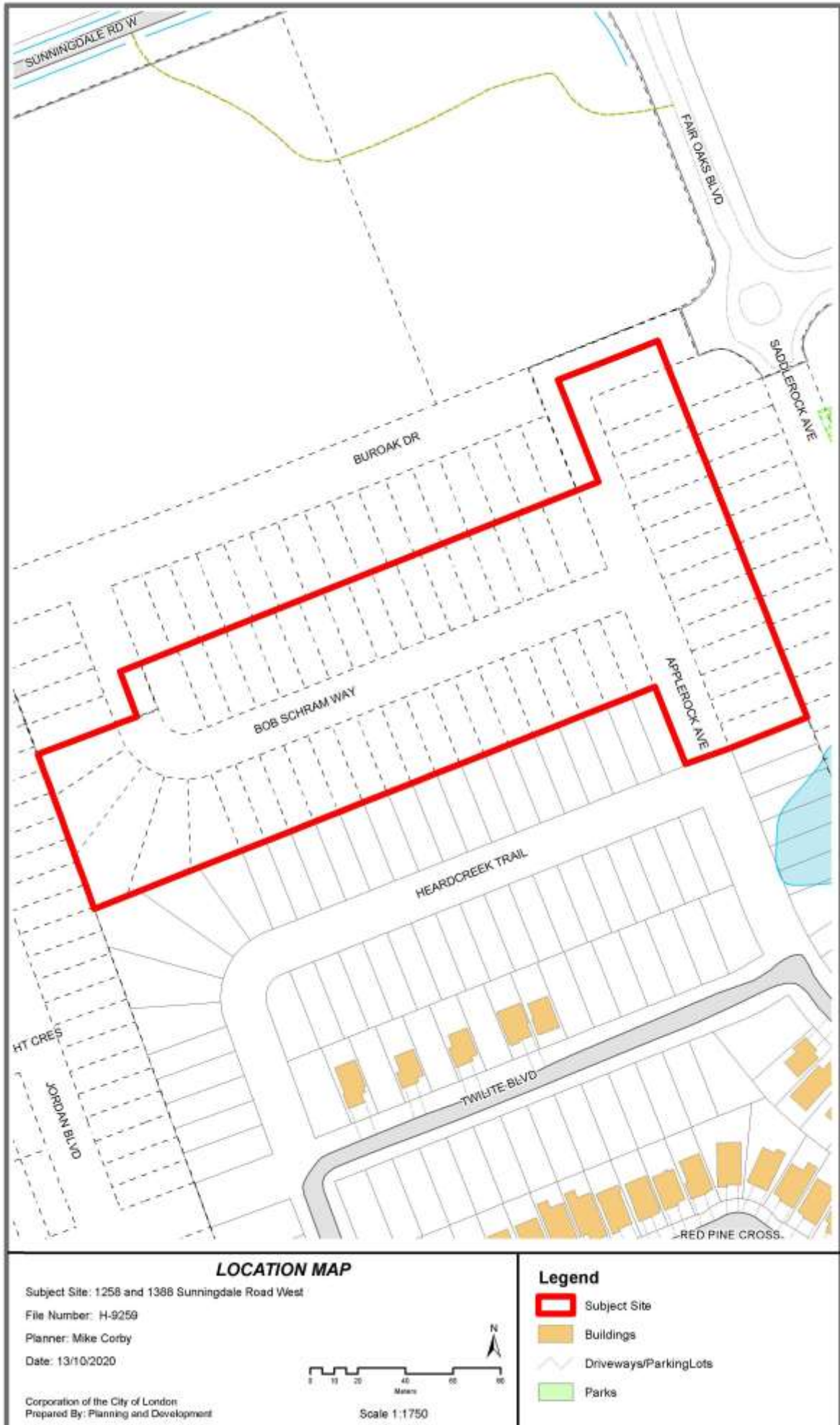
1.1 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – h*h-100*R1-3 and h*h-100*R1-3(*) Zone

1.2 Surrounding Land Uses

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

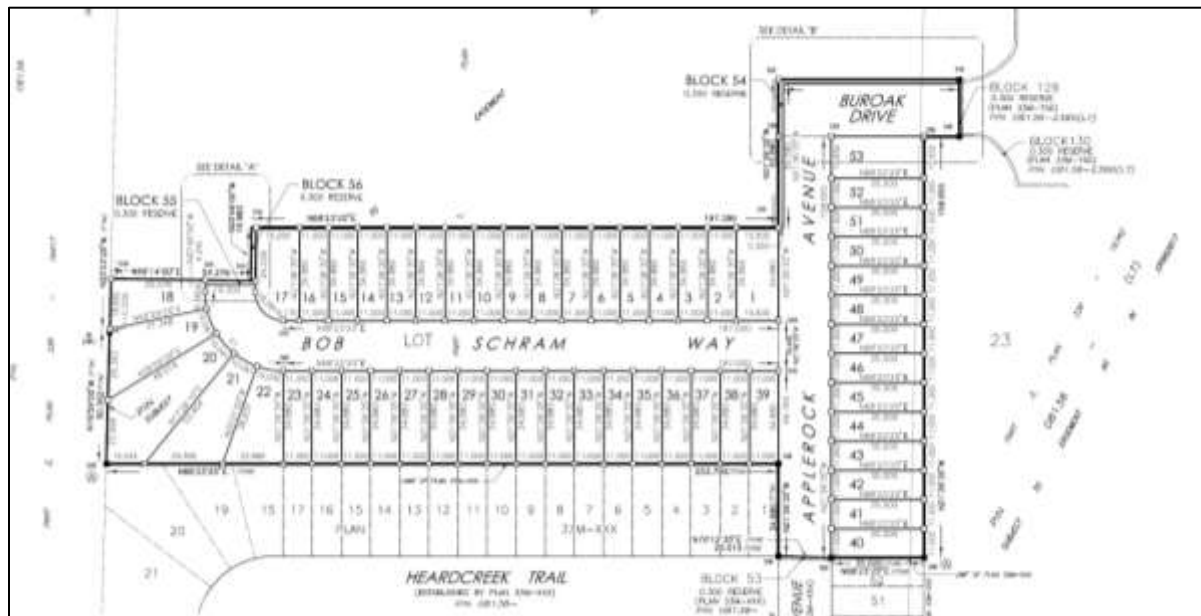
1.3 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendment will allow for the future development of 53 lots for single detached dwellings.



3.0 Relevant Background

3.1 Planning History

The application for Draft Plan of Subdivision Approval was originally accepted on November 17, 2004. After a number of modified versions of the plan it was approved by the Approval Authority on October 14, 2009. The first and second phase of this subdivision have been registered (33M-703). Phase 3a was registered on June 2nd, 2020 as 33M-784.

This application is to remove the holding provisions from Phase 3b of this subdivision. On September 28, 2020 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner has signed the subdivision agreement and securities have been posted. Final registration for Phase 3B of the subdivision is imminent.

This application is to remove the holding provisions from Phase 3 of this subdivision. On November 17, 2018 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securities have been posted. Final registration for phase 3 of the subdivision is imminent.

3.2 Requested Amendment

The applicant is requesting the removal of the "h" and h-100" "h" holding provisions from the lands to permit development.

3.3 Community Engagement

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

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, 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

4.1 What is the purpose of the “h and h-100, 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 to the City of London and the subdivision agreement has been executed. This satisfies the requirement for 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

Development Engineering Staff have 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.

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

5.0 Conclusion

It is appropriate to remove the “h” and “h-100” holding provisions from the subject lands at this time as full municipal services are available, the required security has been submitted, and the subdivision agreement has been executed by both the applicant and the City of London. Water engineering confirmed that the development has incorporated water servicing through the development agreement. Final registration for the subdivision is imminent.

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	

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Planning
Ted Koza, Manager, Development Engineering

October 26, 2020
MC/mc

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 for lands located at 1258 and 1388 Sunningdale Road West.

WHEREAS Foxhollow North Kent Developments Inc. have applied to remove the holding provisions from the zoning for the lands located at 1258 and 1388 Sunningdale Road West, 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 1258 and 1388 Sunningdale Road West, as shown on the attached map, to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R1 (R1-3) Zone and Residential Special provision (R1-3(8)) come into effect.
2. This By-law shall come into force and effect on the date of passage.

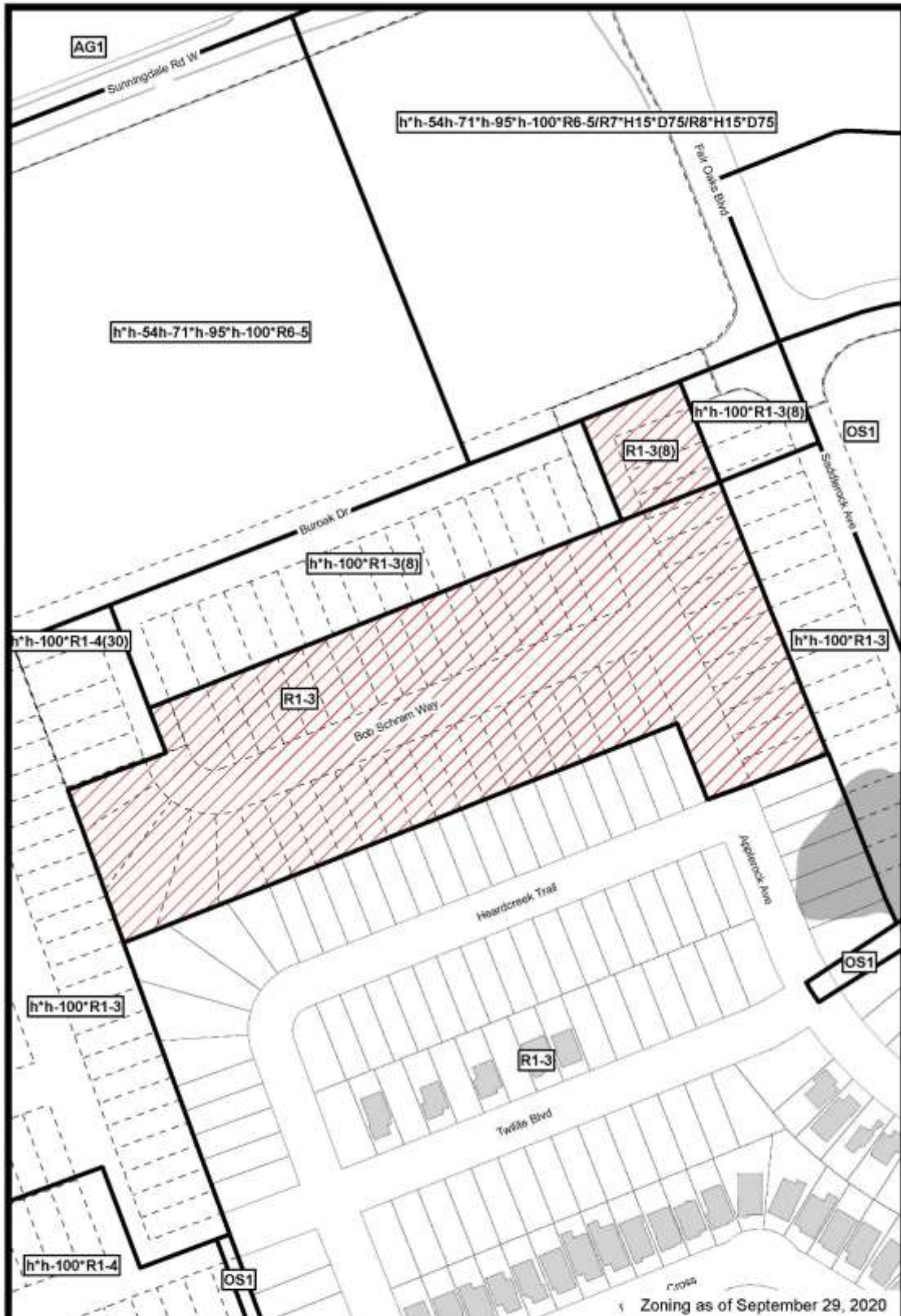
PASSED in Open Council on November 10, 2020.

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)




File Number: H-9259
Planner: MC
Date Prepared: 2020/10/13
Technician: RC
By-Law No: Z-1-

SUBJECT SITE 

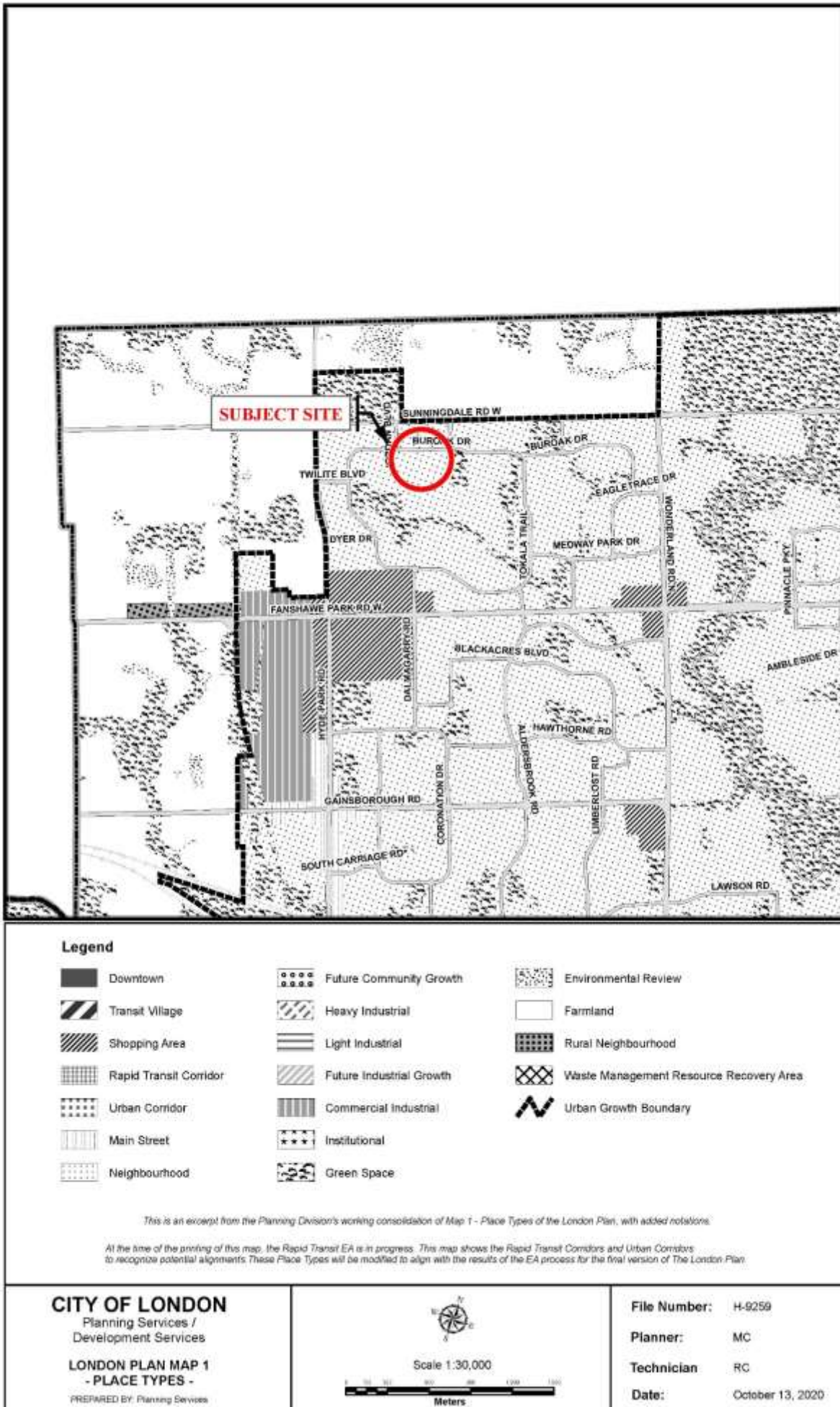
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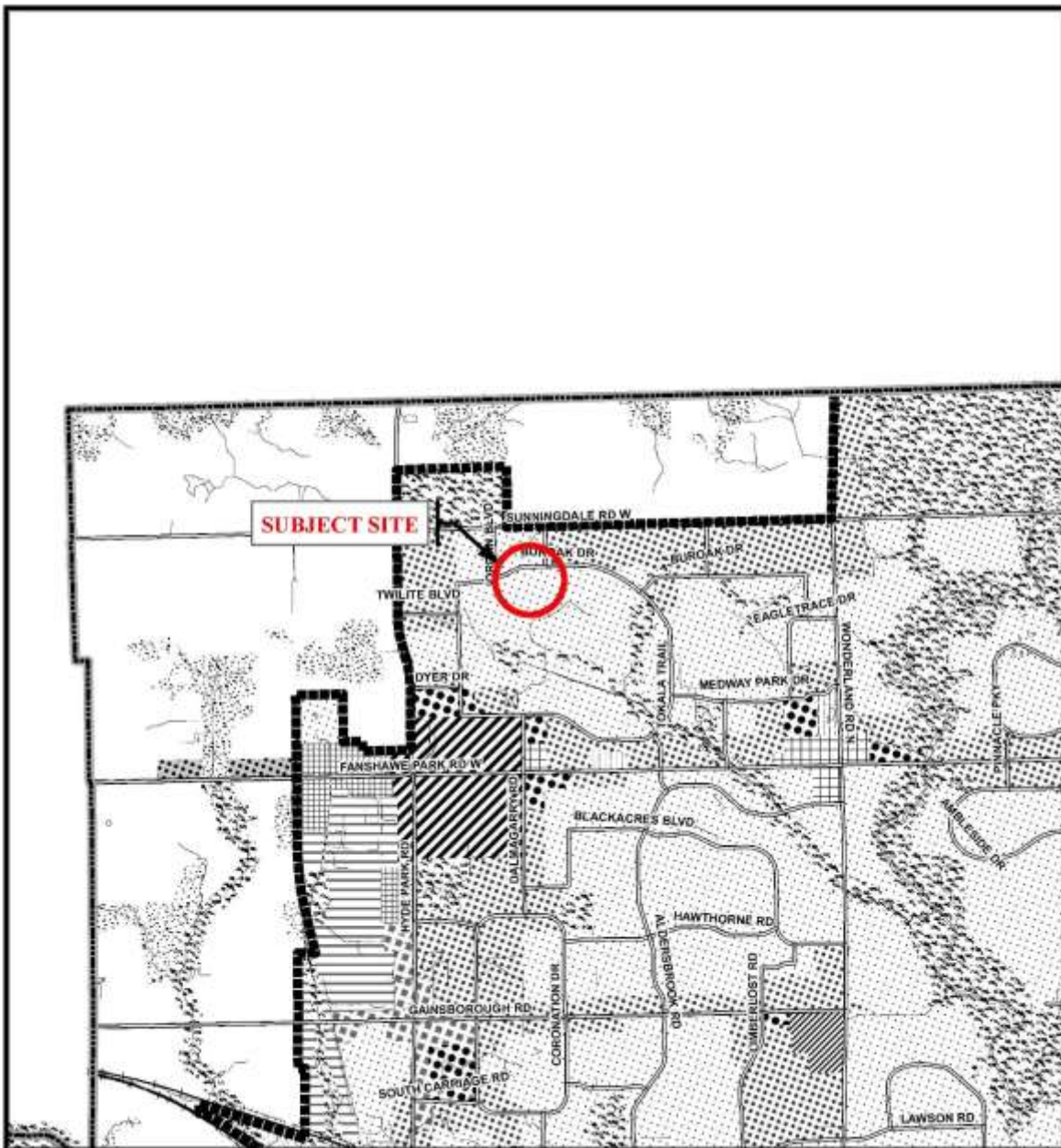
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Appendix B – Relevant Background

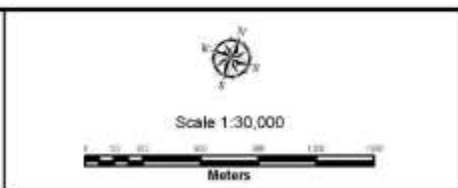
London Plan Excerpt



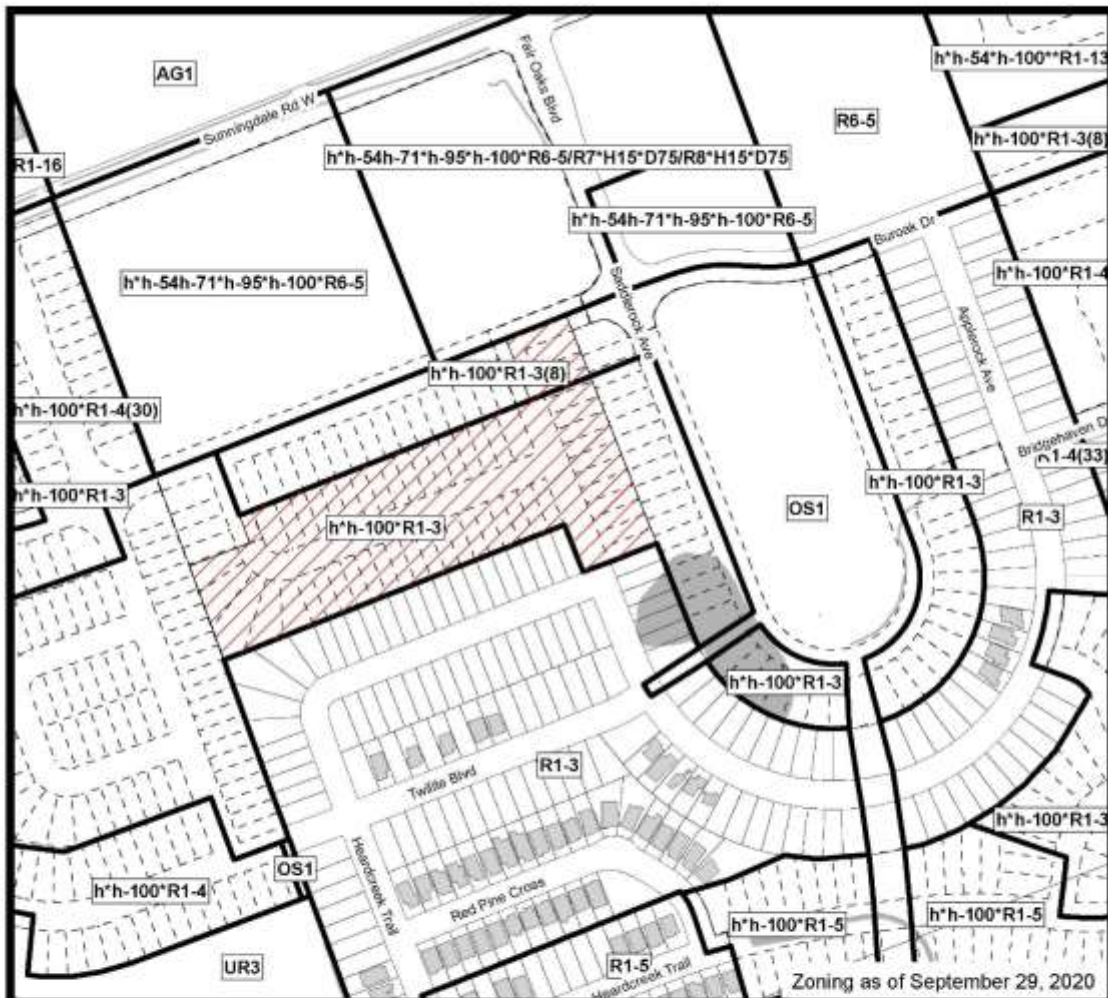


Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low 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-9259
PLANNER: MC
TECHNICIAN: RC
DATE: 2020/10/13



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 | "H" - HOLDING SYMBOL |
| SS - AUTOMOBILE SERVICE STATION | "D" - DENSITY SYMBOL |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HEIGHT SYMBOL |
| OR - OFFICE/RESIDENTIAL | "B" - BONUS SYMBOL |
| OC - OFFICE CONVERSION | "T" - TEMPORARY USE SYMBOL |
| RO - RESTRICTED OFFICE | |
| OF - OFFICE | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-9259

MC

MAP PREPARED:

2020/10/13

RC

1:4,000

0 20 40 80 120 160
Meters