

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: G. Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Removal of Holding Provision
Norquay Developments
1093 Westdel Bourne

Date: December 14, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Norquay Developments relating to a portion of the lands located at 1093 Westdel Bourne, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 12, 2021 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R1 (h.h-82*R1-4) **TO** a Residential R1 (R1-4) Zone to remove the holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h" and "h-82" holding provisions from 1093 Westdel Bourne which is in place to ensure orderly development, and that there is a consistent lotting pattern in the area.

Purpose and the Effect of Recommended Action

The purpose and effect is to remove the "h" and "h-82" holding symbols to facilitate the development single detached dwelling lots within the Eagle Ridge approved plan of subdivision (33M-768).

Rationale of Recommended Action

The requirements for removing the holding provisions have been met. It is appropriate to remove the holding provisions as they are no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the west side of Westdel Bourne, north of Oxford Street West, south of Linkway Boulevard. The subject lands are located within the Riverbend Planning District, and within the Riverbend Area Plan prepared by the Planning and Development Department in April of 1998, and updated in June of 2001. As part of that Area Plan these lands were identified for future residential development and designated "Low Density Residential".

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods Place Type
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Residential R1 (h.h-82.R1-4) Zone

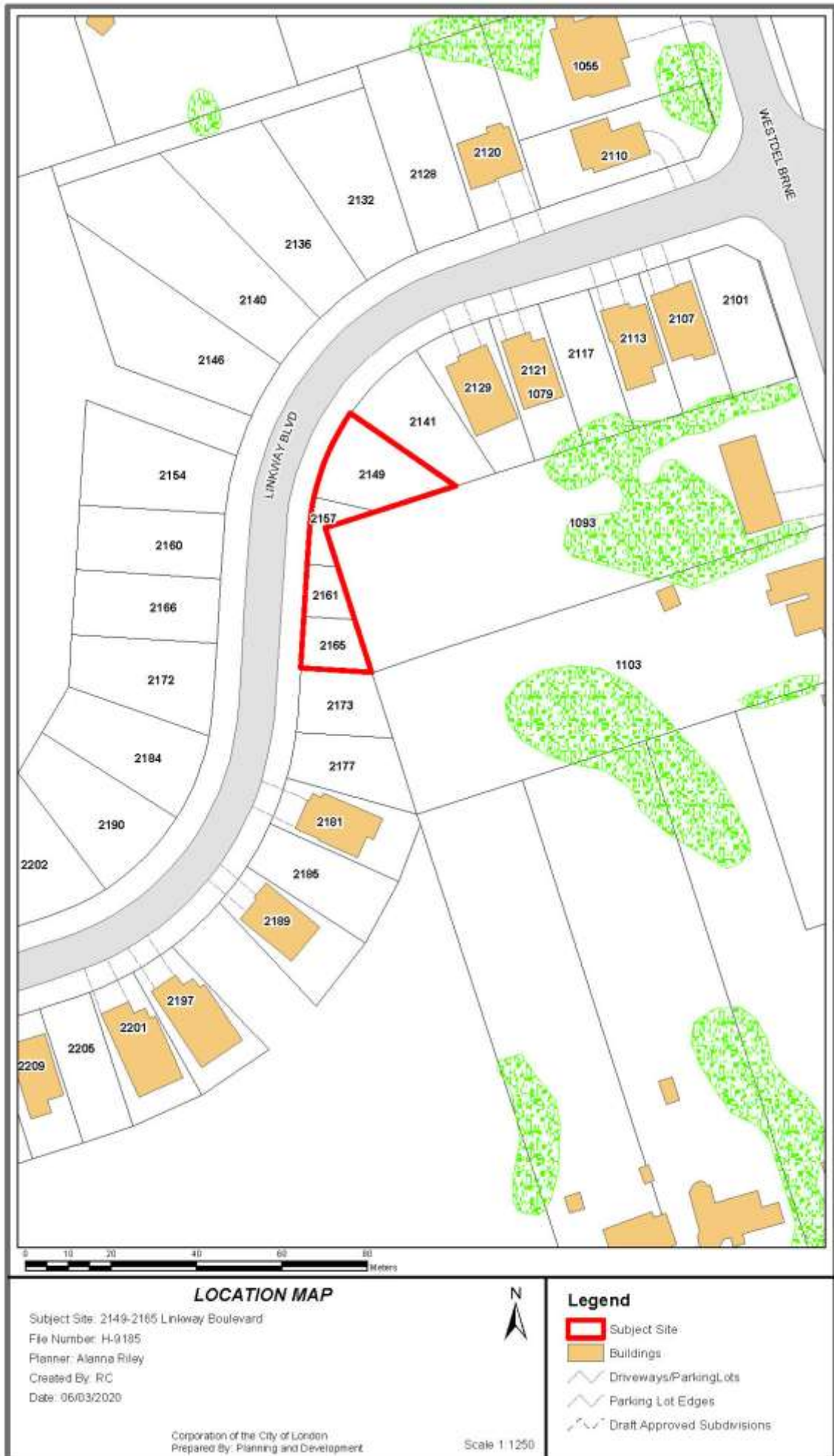
1.3 Site Characteristics

- Current Land Use – single detached dwelling on a large estate lot
- Frontage – N/A
- Depth – N/A
- Area – N/A
- Shape – irregular

1.4 Surrounding Land Uses

- North – residential
- East – residential
- South – residential
- West – residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The future development of this site consists of single detached dwellings in an existing plan of subdivision, with vehicular access from Linkway Boulevard.

Figure 1: Area holding provisions are proposed to be removed



3.0 Relevant Background

3.1 Planning History

The subject property is comprised of 5 blocks within the Eagle Ridge Subdivision, which was registered as Plan 33M-758. In 2018, these lands were rezoned and included the “h” and “h-82” holding provisions to ensure orderly development and to facilitate consolidation with adjacent lands in the form of single detached residential lots. The “h-82” provision requires that the part lots be consolidated with the adjacent lands to create full-sized, developable lots.

On December 13, 2019, The City of London Consent Authority, granted a consent (B.40/19) to sever 12.246m², 96.402m², 327.703m², 287.113m² and 169.412m² from 1093 Westdel Bourne and convey to 2141, 2149, 2157, 2161 and 2165 Linkway Boulevard for the purpose of consolidating with the blocks in the approved plan of subdivision to form single detached dwelling lots as discussed above.

3.2 Requested Amendment

The applicant is requesting the removal of the “h” and “h-82” holding provisions from the site to allow for the development of single detached dwellings.

3.3 Community Engagement

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, 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 including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What are the purpose of the holding provisions and is it appropriate to consider the removal request?

The “h” holding provision 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.

Through the subdivision approval process the required security was submitted to the City of London, the subdivision agreement executed, and servicing and access arrangements are in place. Therefore the “h” holding provision can be removed from these lands.

The “h-82” holding provision is as follows:

Purpose: To ensure that there is a consistent lotting pattern in this area, the “h-82” symbol shall not be deleted until the part block has been consolidated with adjacent lands.

The applicant has provided the City with records of the completion and registration of the application for the remainder of the blocks to consolidate parcels to create developable lots. Therefore the “h-82” holding provision can be removed from these remaining blocks on Linkway Boulevard at this time.

Conclusion

The requirements for removing the holding provisions have been met. Given that security was provided, the subdivision agreement has been executed and the remaining blocks have been consolidated with adjacent lands, it is appropriate to consider removal of the “h” and “h-82” holding provisions from these blocks at this time.

Prepared by:	Alanna Riley, MCIP RPP, Senior Planner, Development Services
Submitted by:	Paul Yeoman, RPP, PLE Director, Developments
Recommended by:	George Kotsifas, P. ENG Managing Director, Development and Compliance Services and Chief Building Official

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-2021 _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of the lands located at 1093 Westdel Bourne.

WHEREAS Norquay Developments has applied to remove the holding provisions from the zoning for a portion of the the lands located at 1093 Westdel Bourne, 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 a portion of the lands located at 1093 Westdel Bourne, as shown on the attached map, to remove the holding provisions so that the zoning of a portion of the lands as a Residential R1 (R1-4) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on January 12, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 12, 2021
Second Reading – January 12, 2021
Third Reading – January 12, 2021

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



Zoning as of February 28, 2020

File Number: H-9185
Planner: AR
Date Prepared: 2020/03/04
Technician: ZZ
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

