

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.
3542 Emily Carr Lane

Meeting on: February 8, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd. relating to the property located at 3542 Emily Carr Lane, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 23, 2021 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 R5 (h-h-100-h-104-h-155-R5-7) Zone **TO** a Residential R5 (R5-7) 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 symbols from the zone map to permit the development of a cluster townhouse.

Rationale of Recommended Action

The conditions for removing the holding provisions have been satisfied, as required by Zoning By-law Z.-1. Specifically, security has been submitted; a 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.

Analysis

1.0 Background Information

On October 2, 2018 Council approved zoning for the plan of subdivision which included cluster forms of residential development for the site, subject to four holding provisions being satisfied. These holding provisions are listed below.

A site plan approval application was submitted along with the proposed Vacant Land Condominium in November, 2019. Site plan approval has been granted, Security has been provided and a development agreement entered into for the above mentioned applications.

To facilitate the proposed development, a Minor Variance application (A.021/20) to permit a density of 63 units/ha, and reduced front, rear, and exterior side yard setbacks was approved by the London Committee of Adjustment on July 16, 2020.

1.1 Property Description

The property is located on the north side of Limser Lane between Emily Carr Lane and David Milne Way. North of the site is a new subdivision currently under development and to the east is an existing residential neighbourhood. West of the site is mainly undeveloped lands with a few existing commercial uses and south of the site is undeveloped and is intended for future residential uses.

The proposal consists of one medium density residential block within a draft plan of subdivision (Block 6, Plan 33M-786). The site has full access to municipal services and is located in an area which is planned for future growth.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, High Density Residential
- Existing Zoning – Holding Residential R5 (h-h-100*h-104*h-155*R5-7) Zone

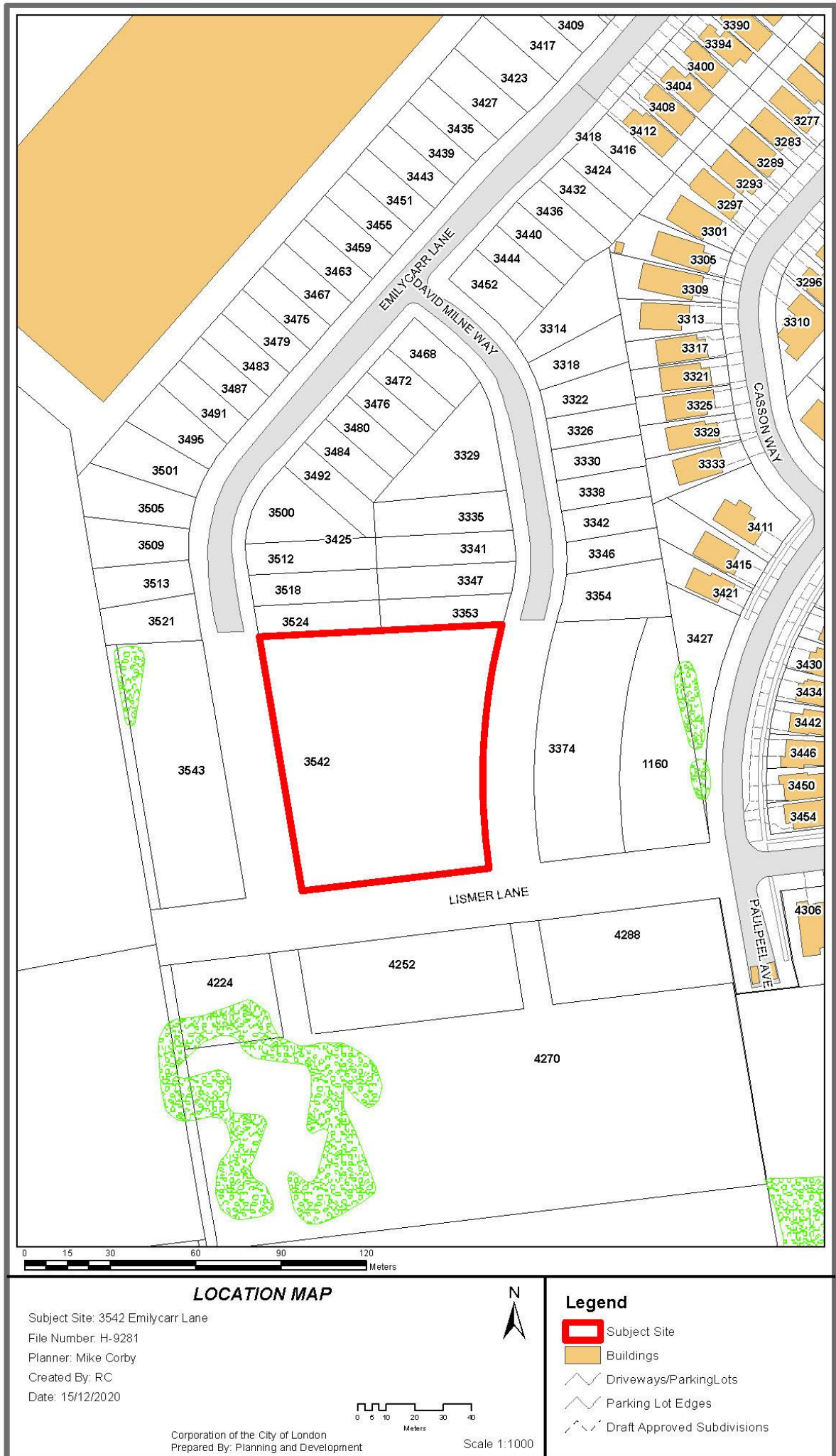
1.3 Site Characteristics

- Current Land Use – undeveloped
- Frontage – 66 metres (Lismer Lane)
- Depth – irregular
- Area – 0.64 ha (1.58 acres)
- Shape – irregular

1.4 Surrounding Land Uses

- North – Residential
- East – Residential
- South – Future Residential
- West – Future Residential

1.5 Location Map



2.0 Discussion and Considerations

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 to 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.

The requested amendment will facilitate the development of a 41-unit, cluster townhouse development that will be registered as a Vacant Land Condominium resulting in individual ownership for each unit. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by a single condominium corporation.

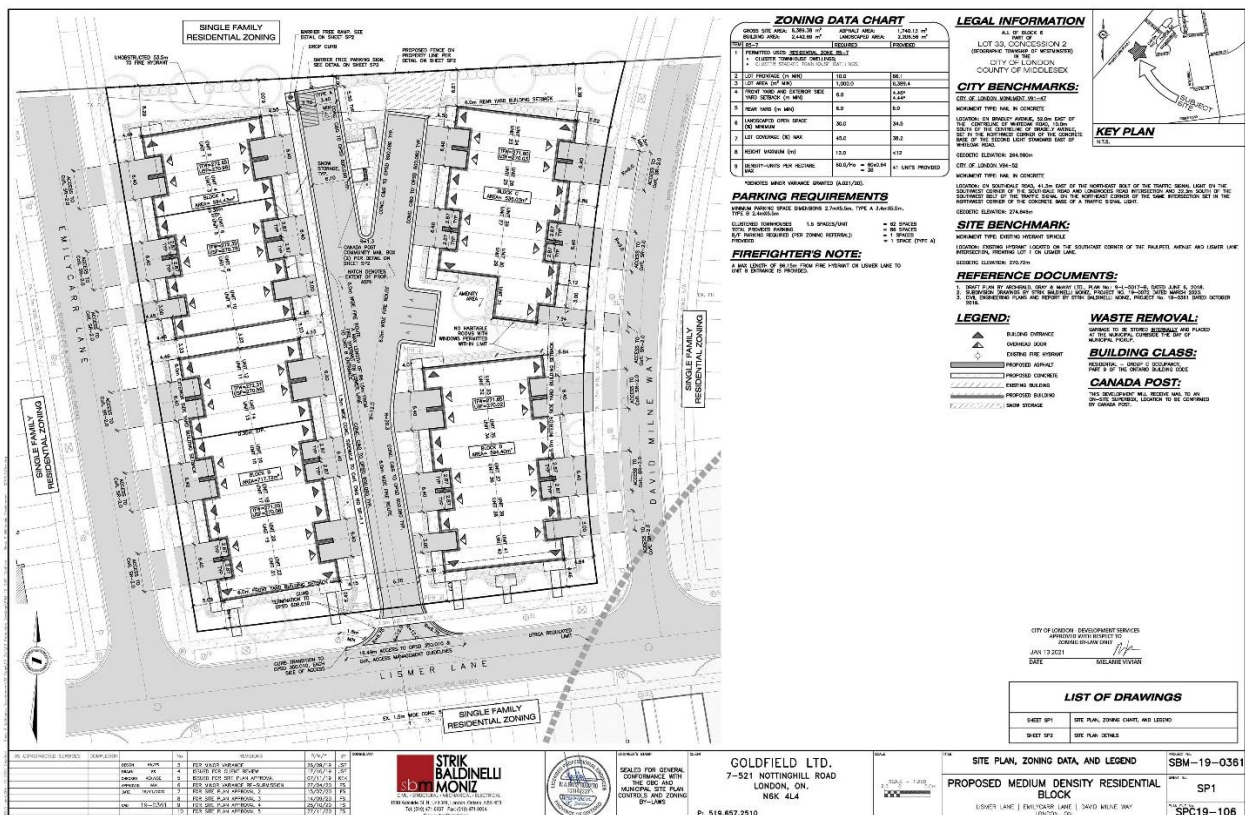


Figure 1 - Proposed Site Plan

3.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

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.

h-100 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 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. The proposed developments do not exceed 80 residential units and therefore the h-100 (for water servicing) can be removed specific to blocks 6.

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

h-104 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.

h-155 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.

More information and detail about public feedback and zoning is available in Appendix B & C.

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 have 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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Mike Pease, Manager, Development Planning

MC/mc

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2020\H-9281 - 3542 Emily Carr Lane
(MC)\PEC\DRAFT - 3542 Emily Carr Lane - H-9281 MC.docx

Appendix A

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

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 3542 Emily Carr Lane.

WHEREAS Goldfield Ltd. has applied to remove the holding provisions from the zoning for the lands located at 3542 Emily Carr Lane, 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 3542 Emily Carr Lane, as shown on the attached map, to remove the h, h-100, h-104 and h-155 holding provisions so that the zoning of the lands as a Residential R5 (R5-7) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

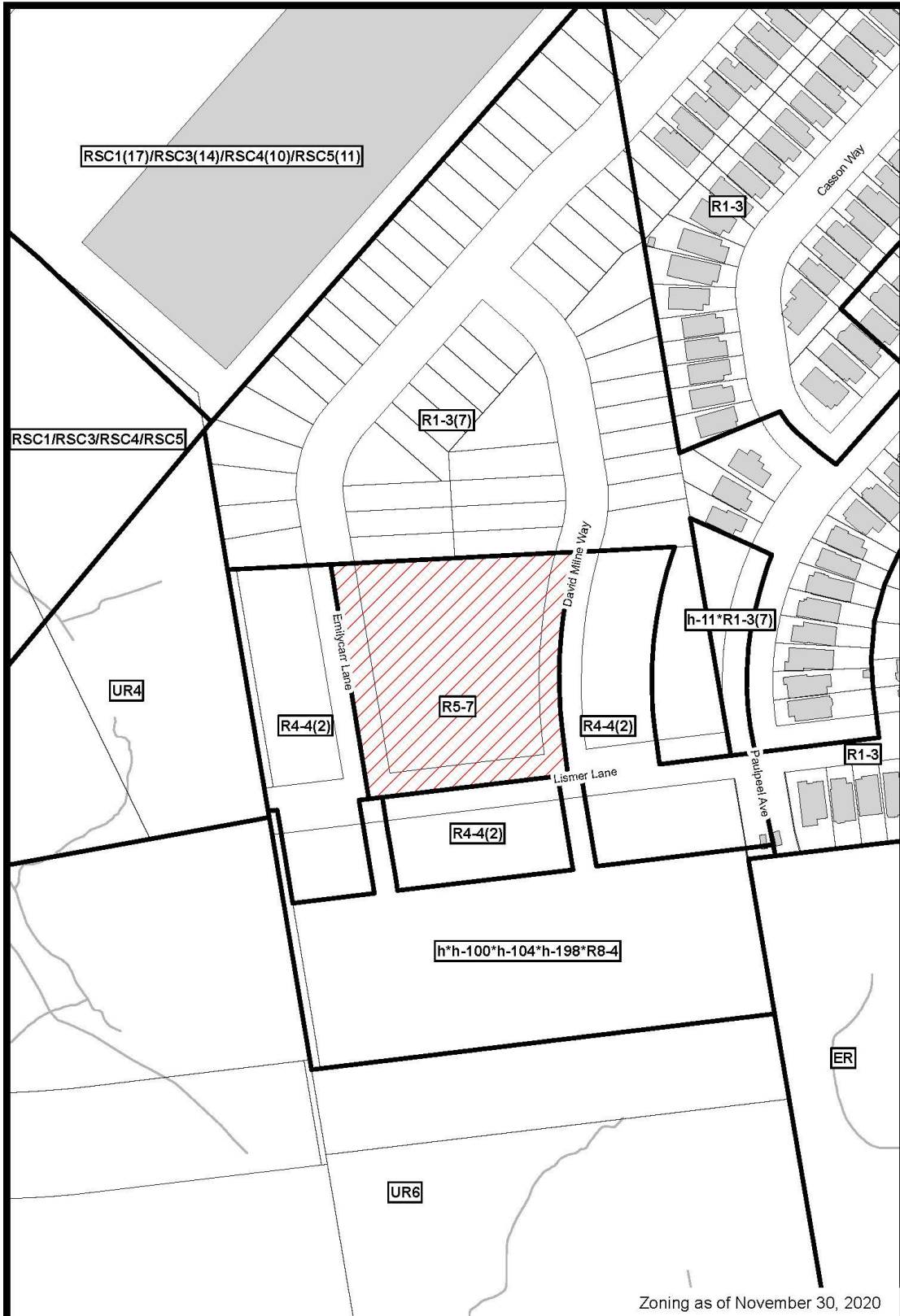
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor



Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



Zoning as of November 30, 2020

| | |
|--|---|
| <p>File Number: H-9281 Planner: MC Date Prepared: 2020/12/15 Technician: rc By-Law No: Z.-1-</p> | <p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters</p>  |
|--|---|

Appendix B – Public Engagement

Community Engagement

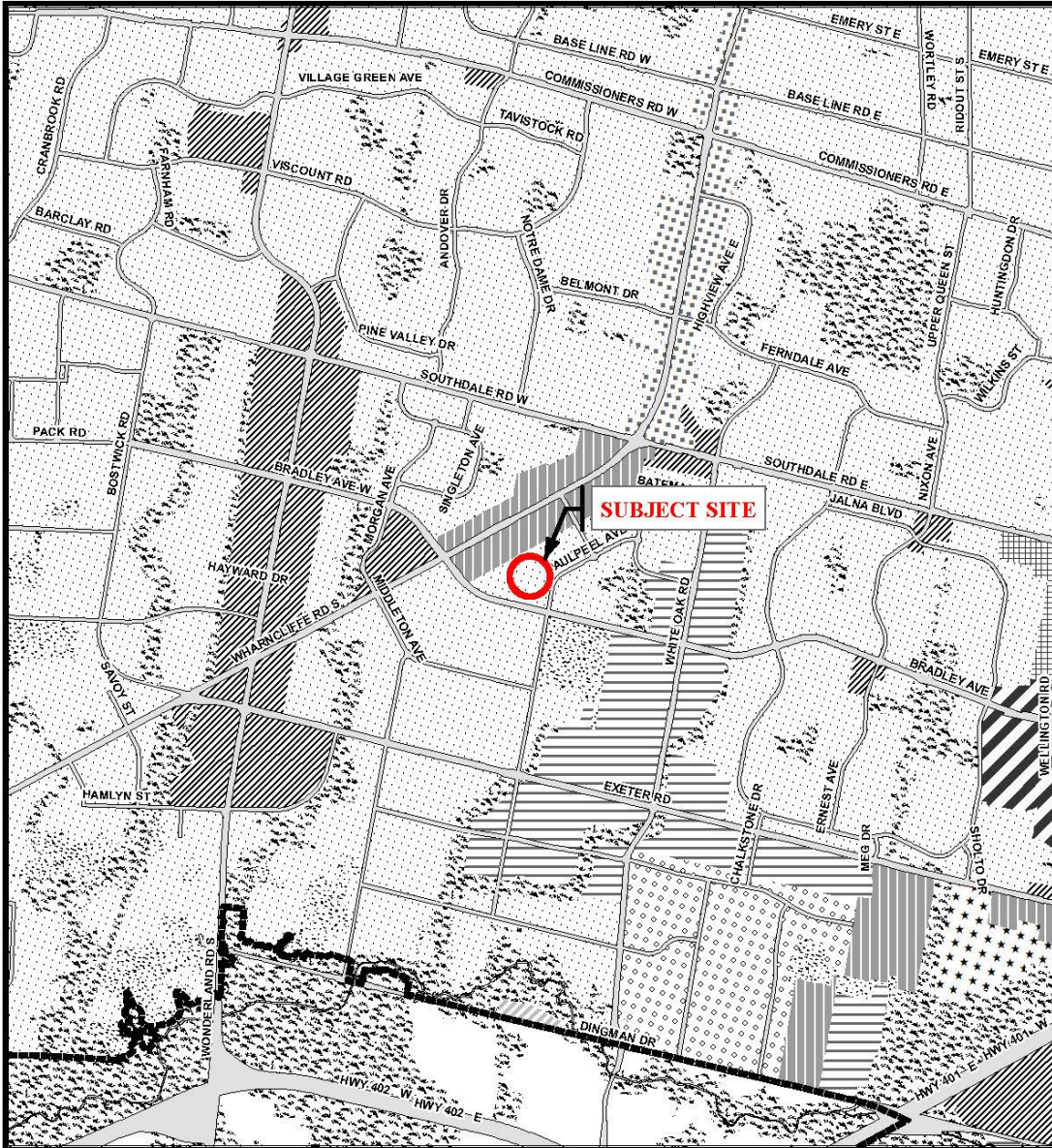
Public liaison: Notice of the application was published in the Londoner on December 3, 2020

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, “h-100”, “h-104”, and “h-155” Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol’s permitting 41 dwelling units, within multiple townhouses and a new private road providing access from Lismer Lane. 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 and/or a development agreement has been entered into for the subject lands. 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-104” provision is to ensure that a comprehensive storm drainage and stormwater management (SWM) report prepared by a consulting engineer is completed to address the SWM 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 SWM 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. 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. Council will consider removing the holding provisions as it applies to these lands no earlier than January 18, 2021.

Appendix C – Relevant Background

London Plan Excerpt



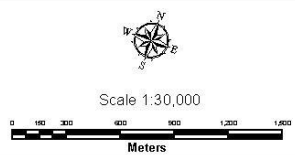
Legend

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

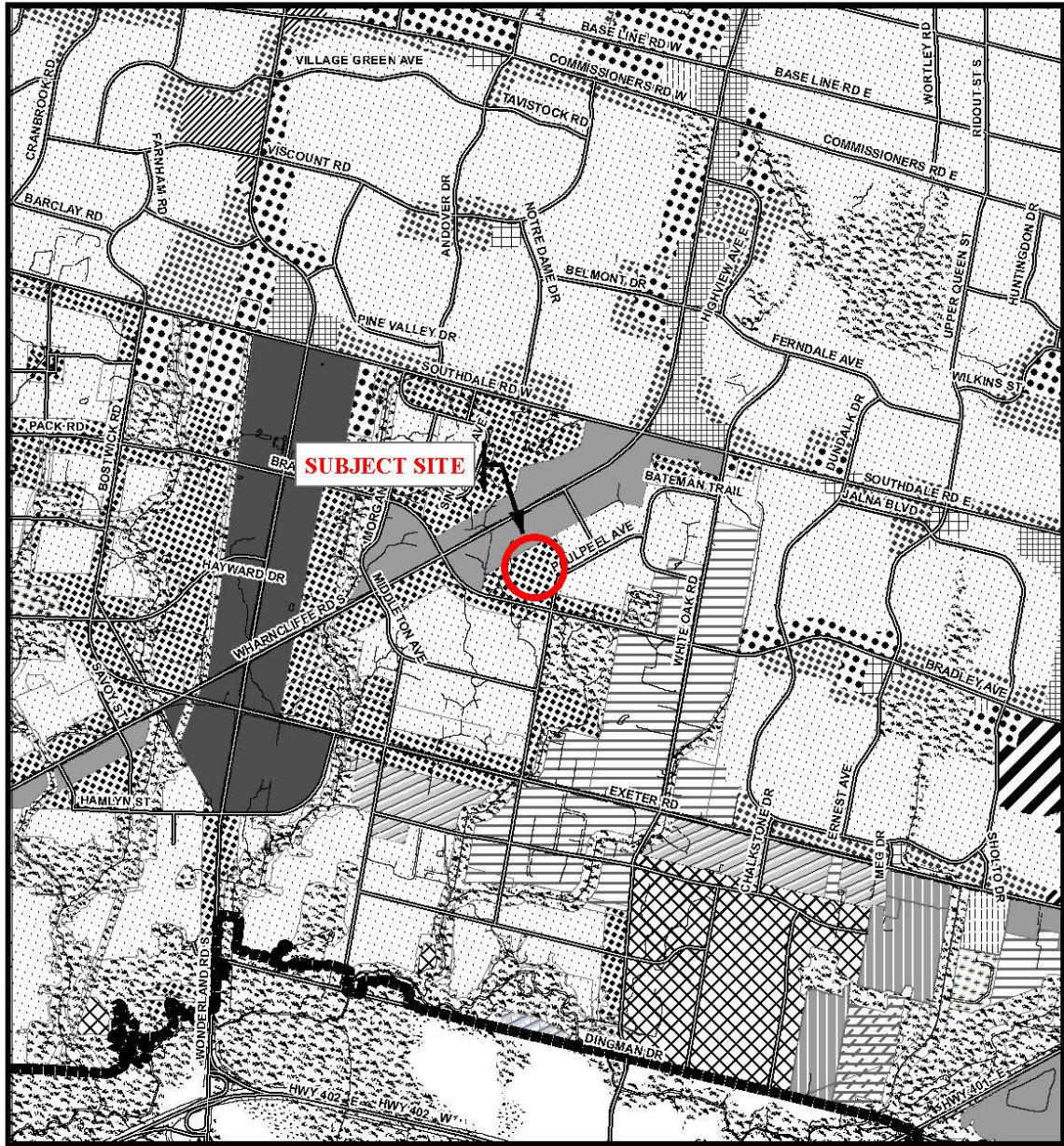
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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



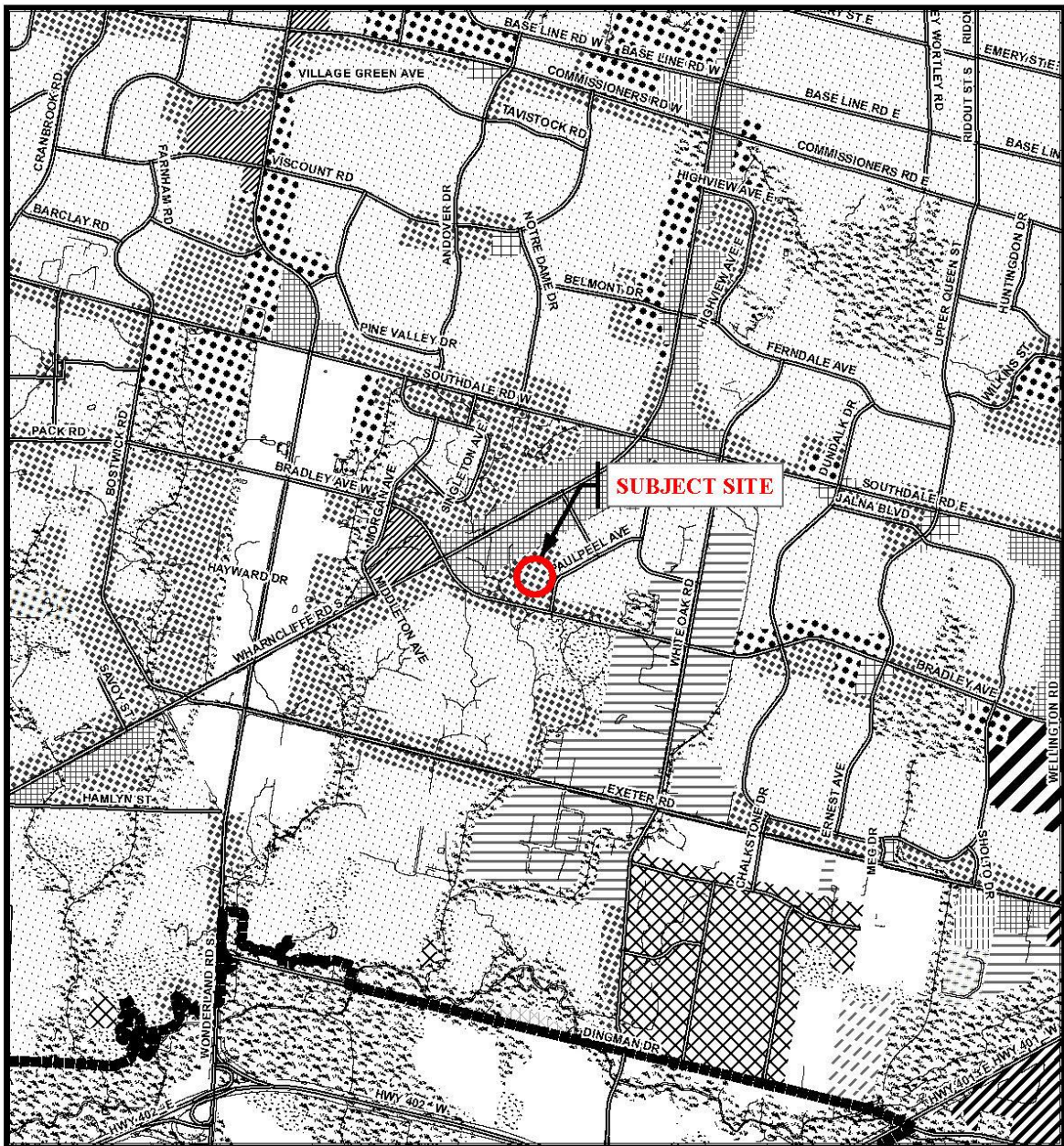
File Number: H-9281
Planner: MC
Technician: RC
Date: December 15, 2020

Southwest Area Plan Excerpt



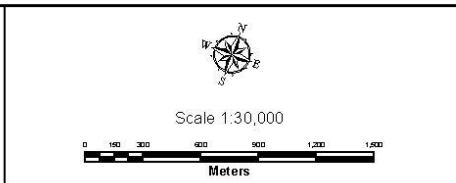
| | | |
|---|---|--|
| <p>Legend</p> <ul style="list-style-type: none"> High Density Residential Medium Density Residential Low Density Residential Commercial Office Wonderland Road Community Enterprise Corridor Main Street Lambeth North Main Street Lambeth South Open Space Institutional Industrial Commercial Industrial Transitional Industrial Urban Reserve Community Growth Urban Reserve Industrial Growth Rural Settlement Urban Growth Boundary | | |
| <p>CITY OF LONDON Planning Services / Development Services SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE - PREPARED BY: Graphics and Information Services</p> | Scale 1:30,000 0 100 200 300 400 500 600 700 800 900 1,000 1,200 1,400 Meters | <p>FILE NUMBER: H-9281 PLANNER: MC TECHNICIAN: RC DATE: December 15, 2020</p> |

1989 Official Plan Excerpt



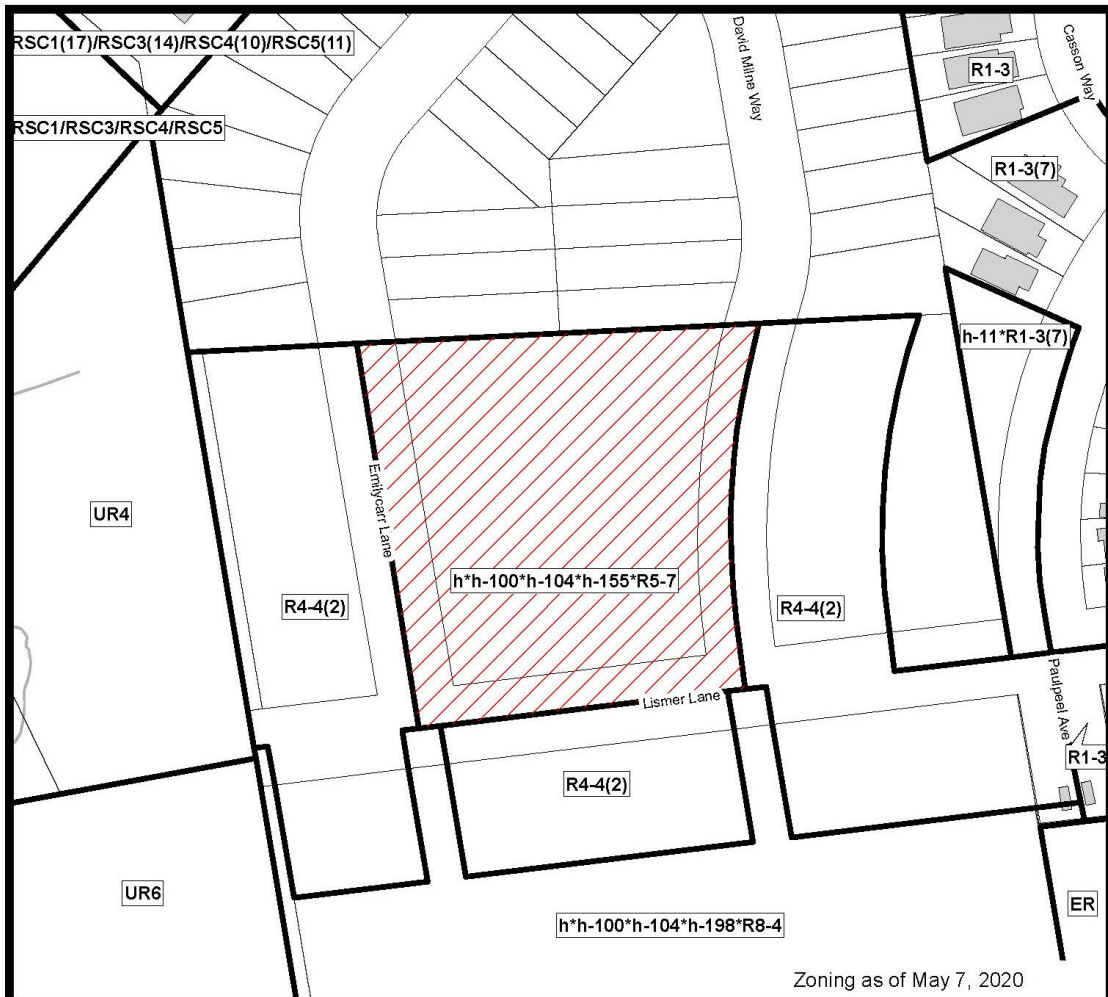
| Legend | |
|--------|--|
| | Downtown |
| | Enclosed Regional Commercial Node |
| | New Format Regional Commercial Node |
| | Community Commercial Node |
| | Neighbourhood Commercial Node |
| | Main Street Commercial Corridor |
| | Auto-Oriented Commercial Corridor |
| | Multi-Family, High Density 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-9281
 PLANNER: MC
 TECHNICIAN: RC
 DATE: 2020/12/15

Zoning Excerpt



Zoning as of May 7, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: LI1

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 RRC - 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 |
|--|---|

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-9281 MC

MAP PREPARED:
 2020/12/15 RC

1:1,500
 0 5 10 20 30 40
 Meters