

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application by Sifton Properties Limited
146 and 184 Exeter Road
Middleton Subdivision - Phase 3
Removal of Holding Provisions

Date: May 10, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 146 and 184 Exeter Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on May 25, 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 R1 Special Provision (h•h-100•R1-4(29)) Zone and a Holding Residential R1 Special Provision (h•h-100•R1-13(7)) Zone **TO** a Residential R1 Special Provision (R1-4(29)) Zone and a Residential R1 Special Provision (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 h and h-100 holding symbols to permit the development of 138 single detached dwelling lots.

Rationale of Recommended Action

1. The conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow development of single detached dwellings in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for Phase 3 has been executed by the applicant and the City.
3. Provision has been made for a looped watermain system to ensure adequate water service, as well as provision for a second public road access to the satisfaction of the City.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

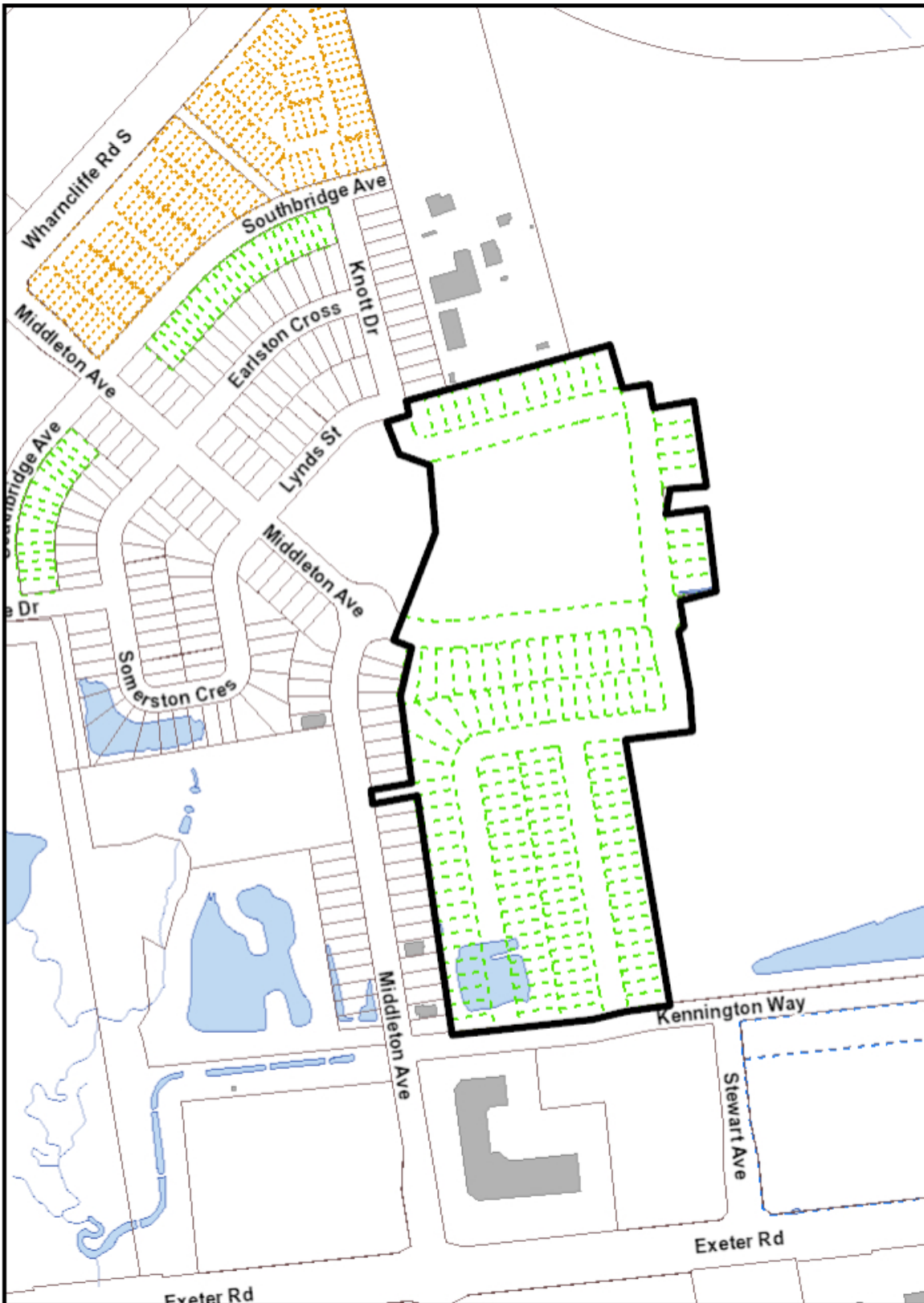
1.0 Background Information

1.1 Previous Reports Related to this Matter

February 8, 2021 – Report to Planning and Environment Committee - 146 & 184 Exeter Road – Middleton Subdivision Phase 3 – Special Provisions – Sifton Properties Limited (File No. 39T-15501).

2.0 Discussion and Considerations






2.1 Location Map



Location Map

Subject Property: 184 Exeter Rd
 Applicant: Z GROUP HOMES INC
 File Number: 39T-15501
 Created By: Larry Mottram
 Date: 12/4/2020
 Scale: 1:4000

Legend

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

Corporation of the City of London



2.2 Description of Proposal

This proposal is for consideration of a request to remove the holding provisions from Lots 1 to 138 within the Middleton Subdivision (Phase 3) to permit development of single detached dwellings.

2.3 Planning History

The Middleton Subdivision (formerly known as the Richardson Subdivision) was draft approved by the City of London Approval Authority on January 27, 2017. Phase 1 was registered in two parts – Phase 1A on July 12, 2019 as Plan 33M-765, and Phase 1B on October 9, 2019 as Plan 33M-769. Phase 2 was registered on June 8, 2020 as Plan 33M-785. The subdivision servicing drawings for Phase 3 have been reviewed and accepted by the City, and a Subdivision Agreement has now been executed by Sifton Properties Limited and the City of London.

2.4 Community Engagement (see more detail in Appendix B)

There were no responses received to the Notice of Application.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Conclusions

4.1 Have the conditions for removal of the holding (h & h-100) provision been met?

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, two holding provisions were added to the subject site to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and to ensure that there is adequate water service and appropriate access. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

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.

A Subdivision Agreement has been executed between Sifton Properties Limited and the City of London. Sifton Properties Limited has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the h 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.

The subdivision servicing drawings have been accepted by the City, and Sifton Properties Limited has commenced with the installation of services, including the watermains and water looping of the subdivision with connections to the existing 250 mm diameter watermain on Roy McDonald Drive and 200 mm diameter watermain on Knott Drive, as well as the 200 mm diameter watermain on Byers Street and 200 mm diameter watermain on Auckland Avenue both of which are “T” connections from the existing watermain on Kennington Way. Multiple public road accesses are also provided to the subdivision street network with existing connections via Knott Drive, Lynds Street, Middleton Avenue, and Kennington Way. Therefore, the condition has been satisfied for removal of the h-100 provision.

Conclusion

The requirements for two holding provisions on the subject lands have been addressed which will allow the issuance of residential building permits for 138 single detached lots in Phase 3 of the Middleton Subdivision. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbols from the zoning map.

Prepared by: **Larry Mottram, MCIP, RPP**
Senior Planner, Development Services

Recommended by: **Paul Yeoman, RPP, PLE**
Director, Development Services

Submitted by: **George Kotsifas, P. Eng.**
Deputy City Manager, Planning and Economic
Development

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)
Bruce Page, Manager, Development Planning
Peter Kavcic, Manager, Development Engineering

May 3, 2021
GK/PY/LM/lm

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 146 and 184
Exeter Road.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning on lands located at 146 and 184 Exeter 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 146 and 184 Exeter Road, 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 Special Provision (R1-4(29)) Zone and a Residential R1 Special Provision (R1-13(7)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

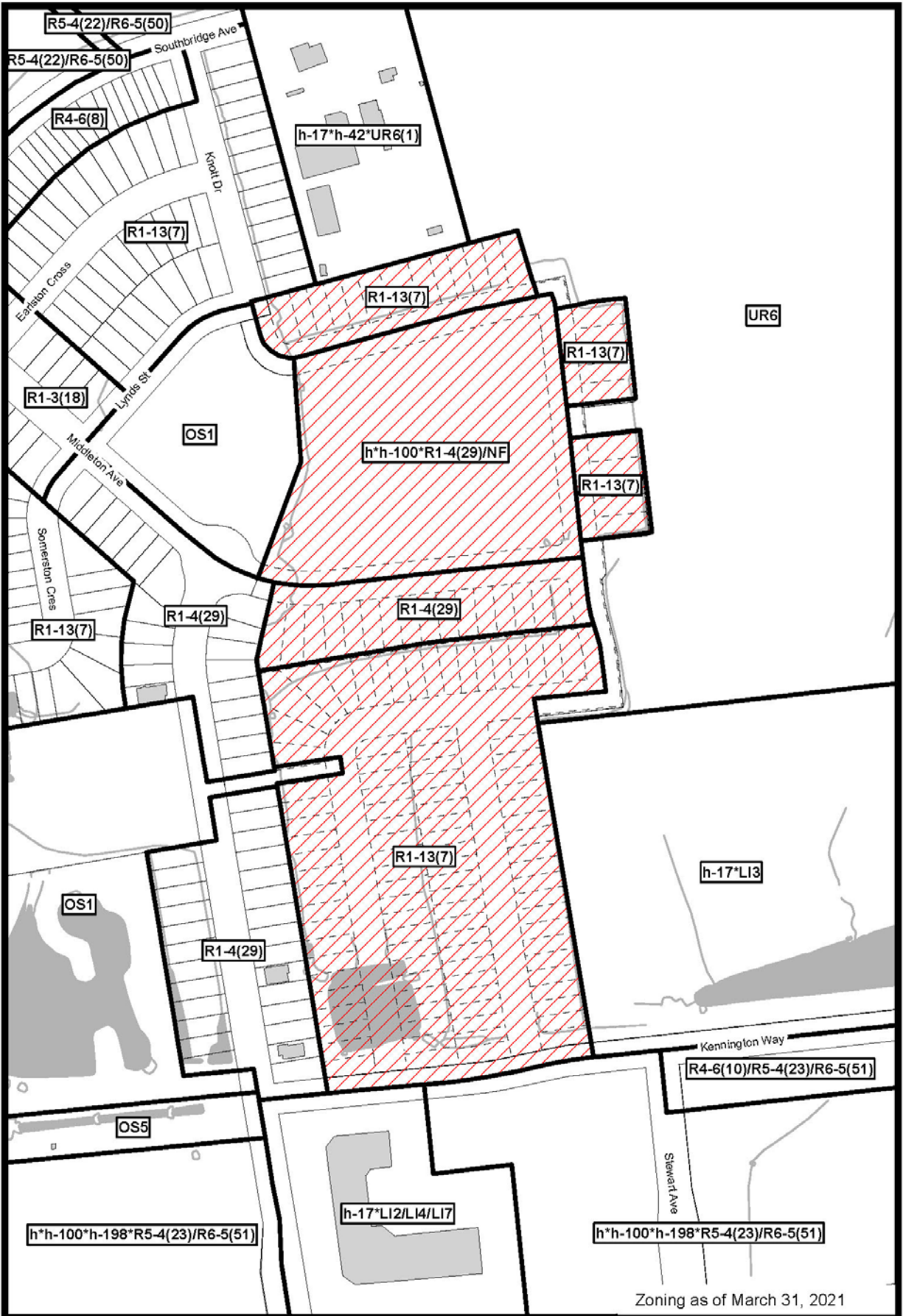
PASSED in Open Council on May 25, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 25, 2021
Second Reading – May 25, 2021
Third Reading – May 25, 2021

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



File Number: H-9294
 Planner: LM
 Date Prepared: 2021/04/14
 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 January 21, 2021.

Responses: No replies

Nature of Liaison: 146 & 184 Exeter Road, located north of Exeter Road, east of Middleton Avenue, and south of Wharncliffe Road South; known as Middleton Subdivision (Phase 3) – City Council intends to consider removing the Holding (h and h-100) Provisions from the zoning of the subject lands to allow development of 138 single detached dwelling lots permitted under the Residential R1 Special Provision (R1-4(29)) Zone and Residential R1 Special Provision (R1-13(7)) Zone. The purpose of the “h” provision is to ensure the orderly development of lands and 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 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 h-100 symbol is intended 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. Interim uses may be permitted up to 80 units maximum. Council will consider removing the holding provision as it applies to these lands no earlier than March 23, 2021.

Response to Notice of Application and Publication in “The Londoner”

Telephone:
None

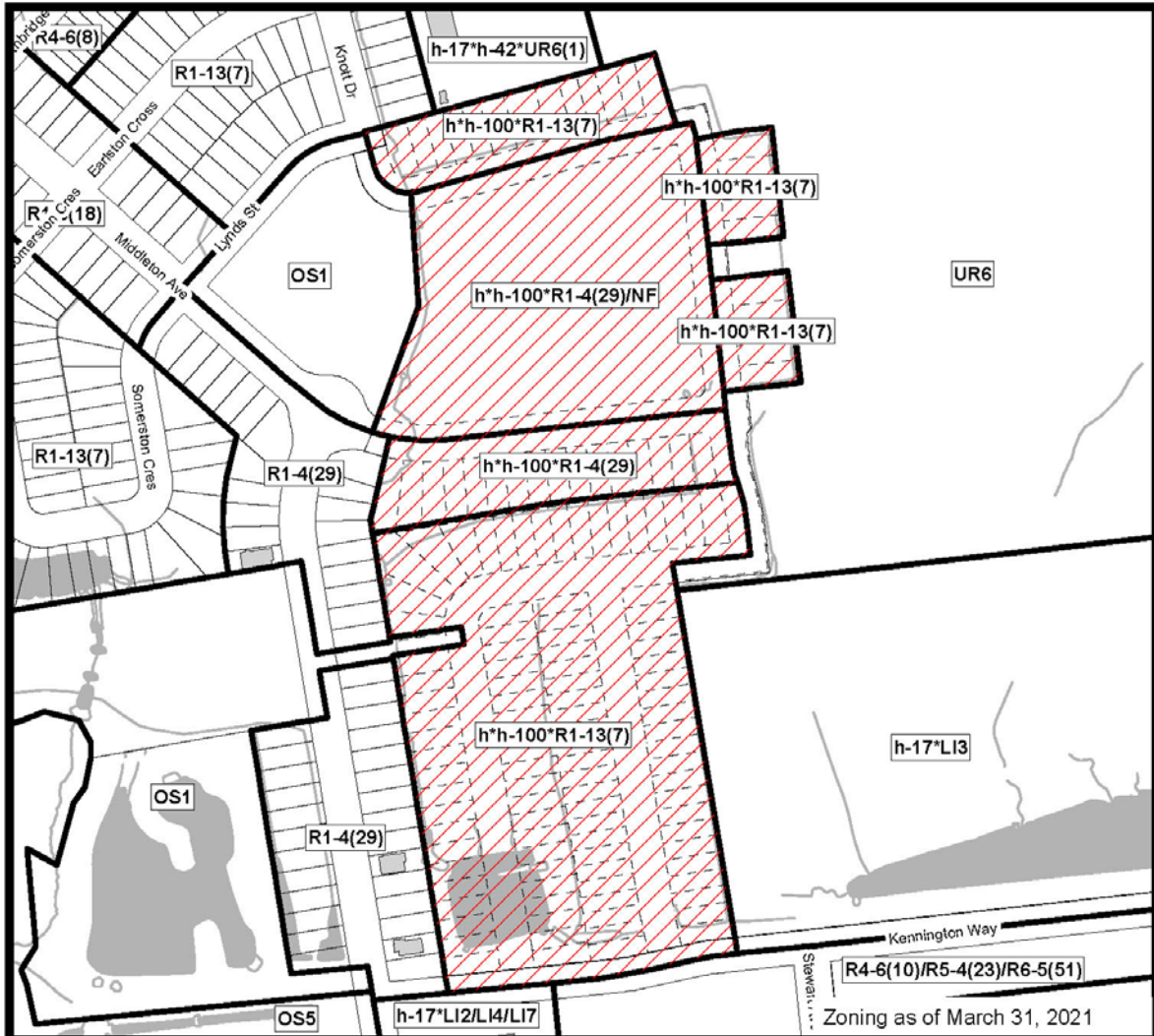
Written:
None

Significant Agency/Departmental Comments:

None

Appendix C – Relevant Background

Existing Zoning Map



Zoning as of March 31, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- 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

- 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-9294

LM

MAP PREPARED:

2021/04/14

RC

1:3,547

0 15 30 60 90 120 Meters