

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: Ironstone
234 Edgevalley Road
Removal of Holding Provisions

Meeting on: May 31, 2012

Recommendation

That on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Ironstone relating to the property located at 234 Edgevalley Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 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 R5/Residential R6 (h*R5-7/R6-5) Zone **TO** a Residential R5/Residential R6 (R5-7/R6-5) Zone to remove the "h" holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding ("h") symbol from Block 132 registered plan of subdivision (33M-757) to permit the development of cluster townhouses under the Residential R5/Residential R6 (R5-7/R6-5) Zone..

Rationale of Recommended Action

1. The conditions for removing the holding (h) provisions have been met and the recommended amendment will allow development of cluster townhouses 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.

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, 2006 - Report to Planning Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments (39T-05505/Z-6897)

December, 2011 - Report to Built and Natural Environment Committee to recommend a revised draft plan of subdivision and associated zoning by-law amendments (39T-05505/Z-7942)

January 8, 2018 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-05505)

January 21, 2019 - Report to Planning and Environment Committee on Removal of Holding Provisions for a portion of the subdivision (H-8892)

1.2 Planning History

Drewlo Holdings Inc. submitted an application for draft plan of subdivision and zoning by-law amendment on March 31, 2005. The public meeting was held on February 27, 2006. Council resolved that the draft plan and concurrent zoning by-law amendment be approved on March 6, 2006. Draft approval was granted on March 22, 2006. A three-year extension to the draft approval was granted by the Approval Authority on March 22, 2009.

On May 4, 2011, the applicant submitted a revised draft plan of subdivision consisting of 129 single detached lots, 5 medium density blocks, 1 high density block, 2 park blocks, all served by the extension of Edgevalley Road, Agathos Street and Purser Street and 2 new local streets. The public meeting was held on December 12, 2011. A three (3) year extension and approval of the revised draft plan with conditions was granted by the Approval Authority on February 10, 2012.

Since this time, several draft approval extensions have been granted by the Approval Authority and Council (August of 2015, January of 2017, and most recently, an emergency extension in July of 2018). Final Approval was granted on December 19, 2018 and the plan has been registered as 33M-757. Most recently, a removal of holding provision (H-8892) application was approved by Planning and Environment Committee and Municipal Council in January of 2019. The application to remove the holding provisions permitted the development of the single detached lots within the plan of subdivision.

1.3 Property Description

The subject property is located just south of the Thames River, east of Highbury Avenue North and on the south side of Edgevalley Road. The subject site is within a recently approved Plan of Subdivision known as the Edgevalley Subdivision (former file 39T-05505), which was registered on December 18, 2018 as 33M-757. The subject site is approximately 1.5ha in size.

1.4 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Multi Family, Medium Density Residential
- Existing Zoning - a Holding Residential R5/Residential R6 (h*R5-7/R6-5) Zone

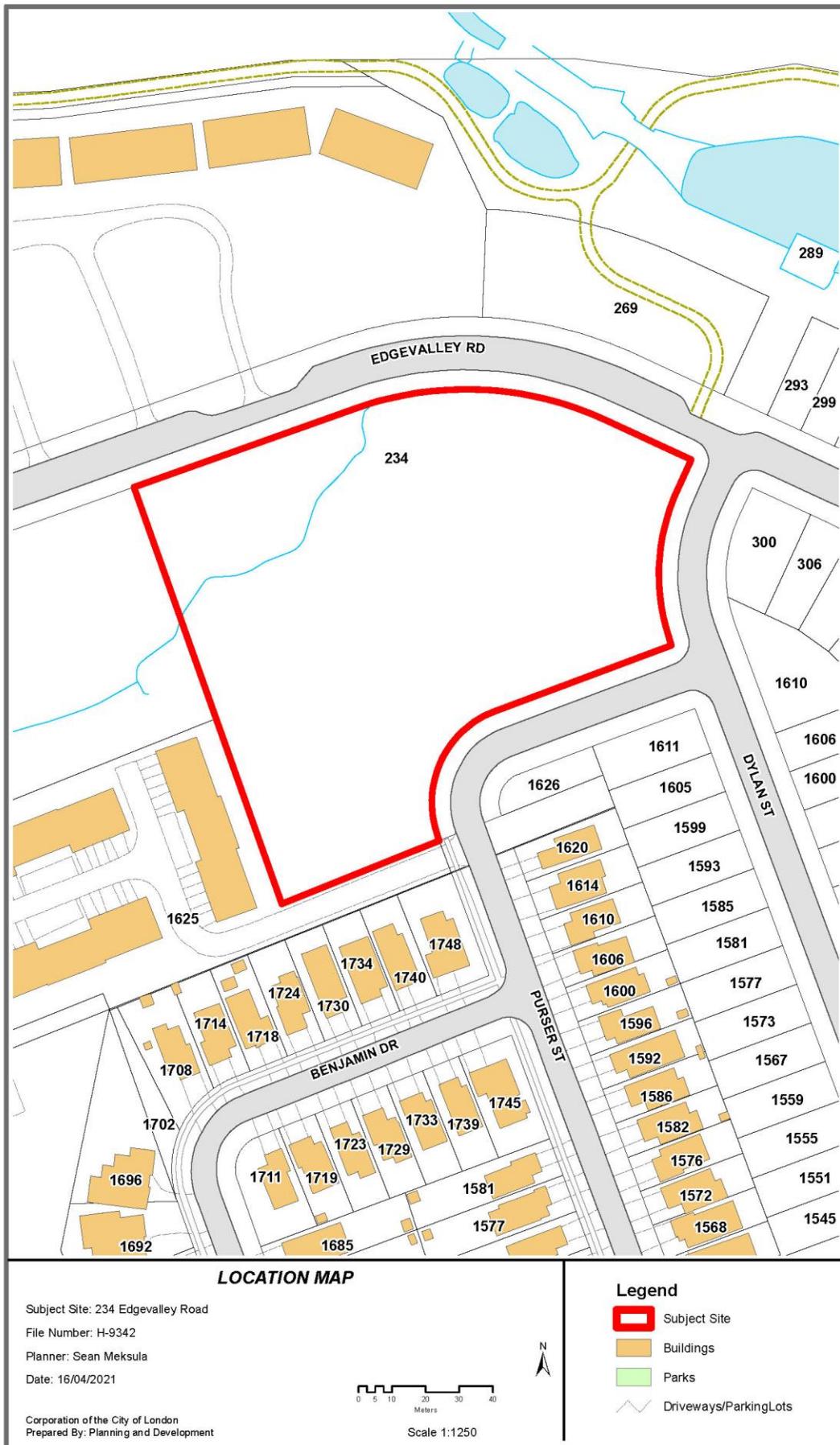
1.5 Site Characteristics

- Current Land Use – vacant
- Area – 1.5 ha (3.7 acres)
- Shape – irregular

1.6 Surrounding Land Uses

- North – cluster townhouse dwellings
- East – Stormwater Management Pond/open space/future single-family residential uses
- South – single-family residential uses
- West – cluster townhouse dwellings and vacant/future multi-family or high-density residential uses

1.7 Location Map



2.0 Discussion and Considerations

The proposed application is to remove the “h” holding provision from the subject lands. The holding provision was included in the zone to ensure:

1. there is orderly development of land;
2. there are provisions for municipal services including water, sanitary and storm along with appropriate access; and
3. a development agreement is entered into to the satisfaction of the City.

The removal of the “h” holding provision will allow for the construction of the recently approved site plan for a cluster townhouse development comprised of 91 residential units.

2.1 Community Engagement (see more detail in Appendix B)

On April 29, 2021 a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

2.2 Policy Context (see more detail in Appendix C)

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.

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

4.0 Key Issues and Considerations

What is the purpose of the “h” holding provision and is it appropriate to consider its removal?

h 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.

Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.”

The Owner has provided the necessary security and has entered into a development agreement with the City. This satisfies the requirement for removal of the “h” holding provision.

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. Therefore, the required conditions have been met to remove the “h” holding provision. The removal of the holding provision is recommended to Council for approval.

Prepared by: Sean Meksula, 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

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
cc: Bruce Page, Manager, Development Services (Subdivisions)
cc: Peter Kavcic, Manager, Development Services (Subdivisions)
cc: Michael Pease, Manager, Development Services (Site Plan)

SM/sm

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

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 234
Edgevalley Road.

WHEREAS Ironstone has applied to remove the holding provision from the zoning for the lands located at 234 Edgevalley 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 provision 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 234 Edgevalley Road, as shown on the attached map, comprising part of Key Map No. 103 to remove the holding provisions so that the zoning of the lands as a Residential R5/Residential R6 (R5-7/R6-5) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

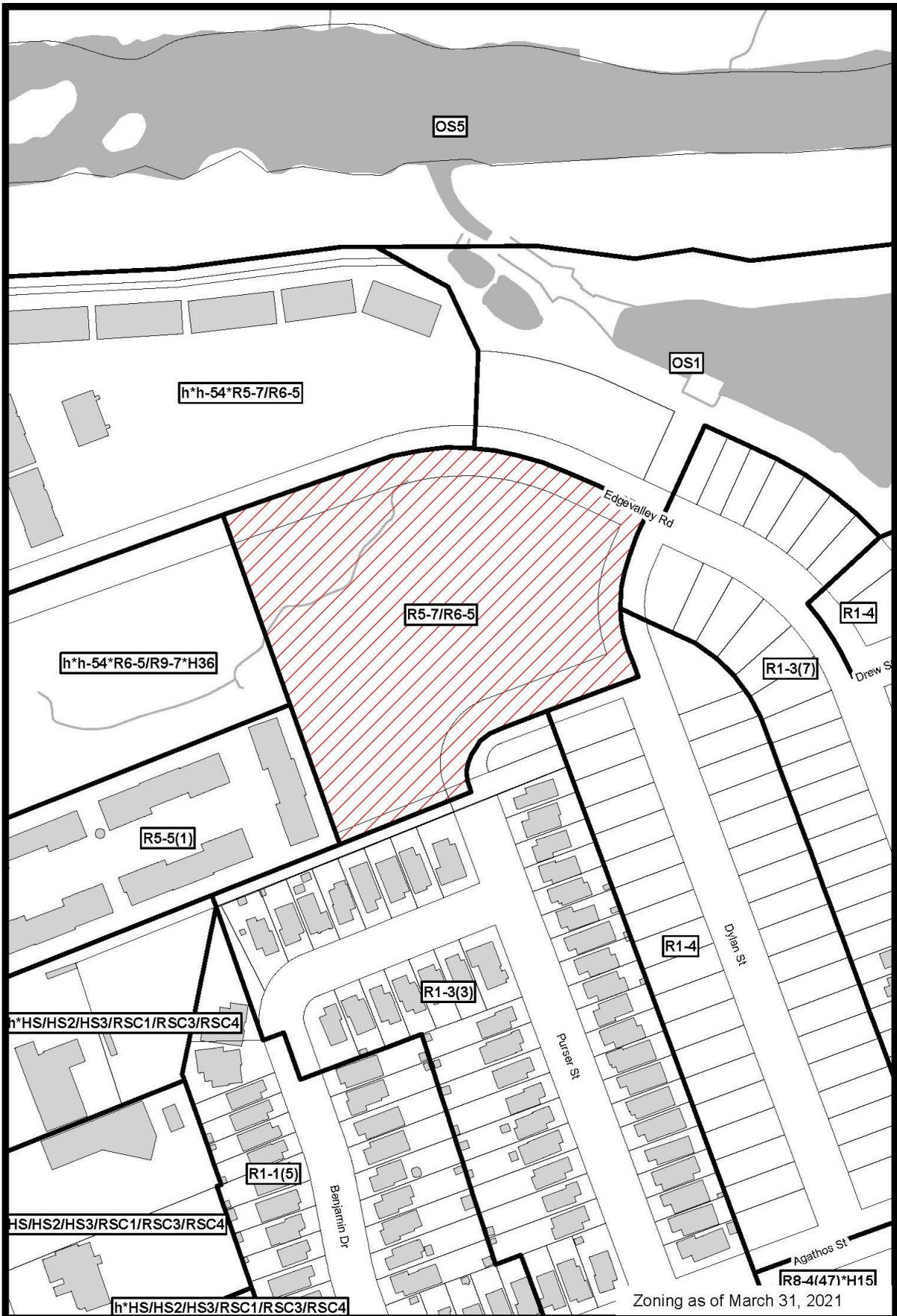
PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

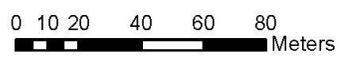
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9342
 Planner: SM
 Date Prepared: 2021/04/16
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000



Appendix B – Public Engagement

Community Engagement

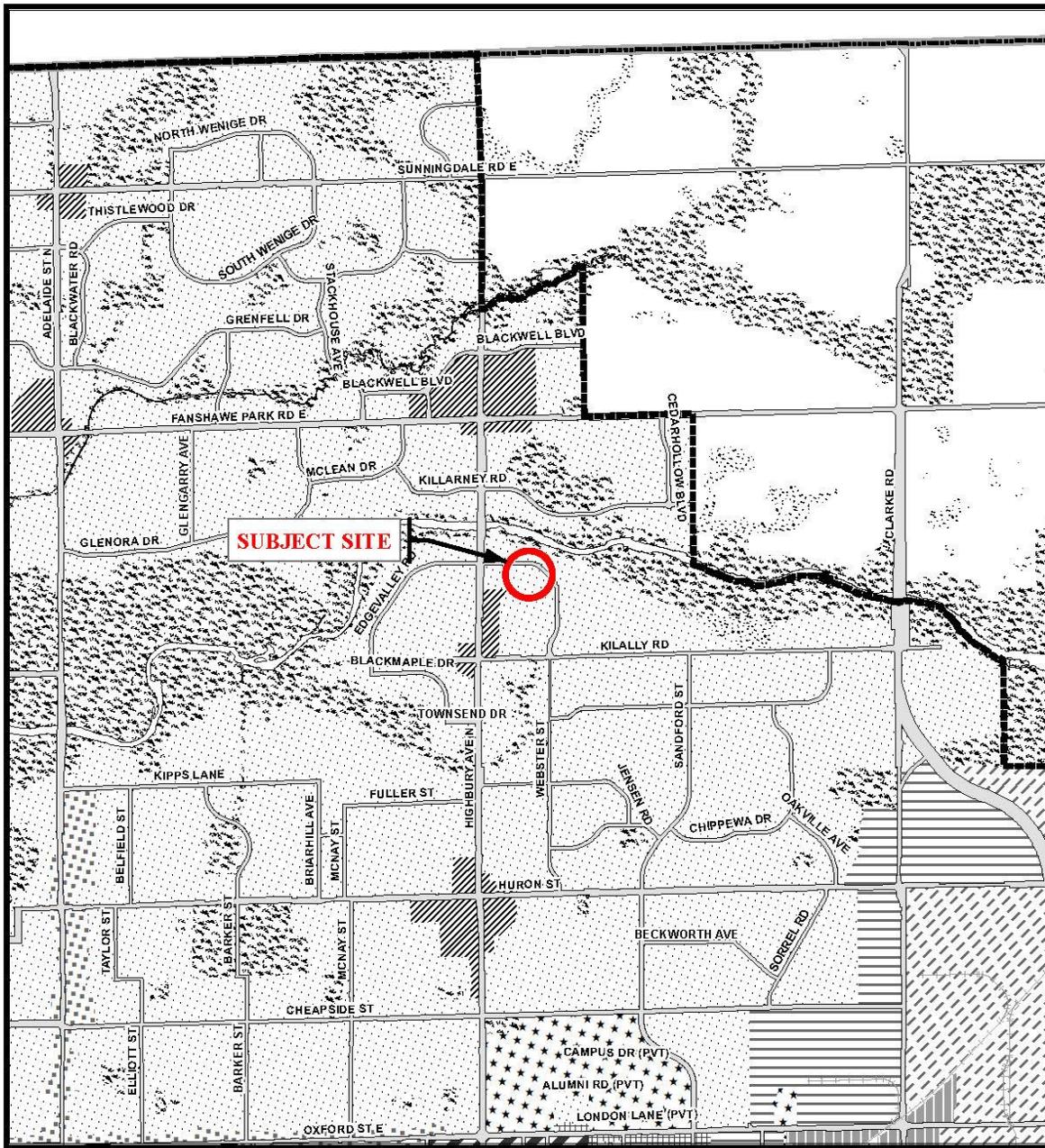
Public liaison: Notice of the application was published in the Londoner on April 29, 2021

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol permit further expansion of the existing church. 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. Council will consider removing the holding provisions as it applies to these lands no earlier than May 31, 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



Scale 1:30,000



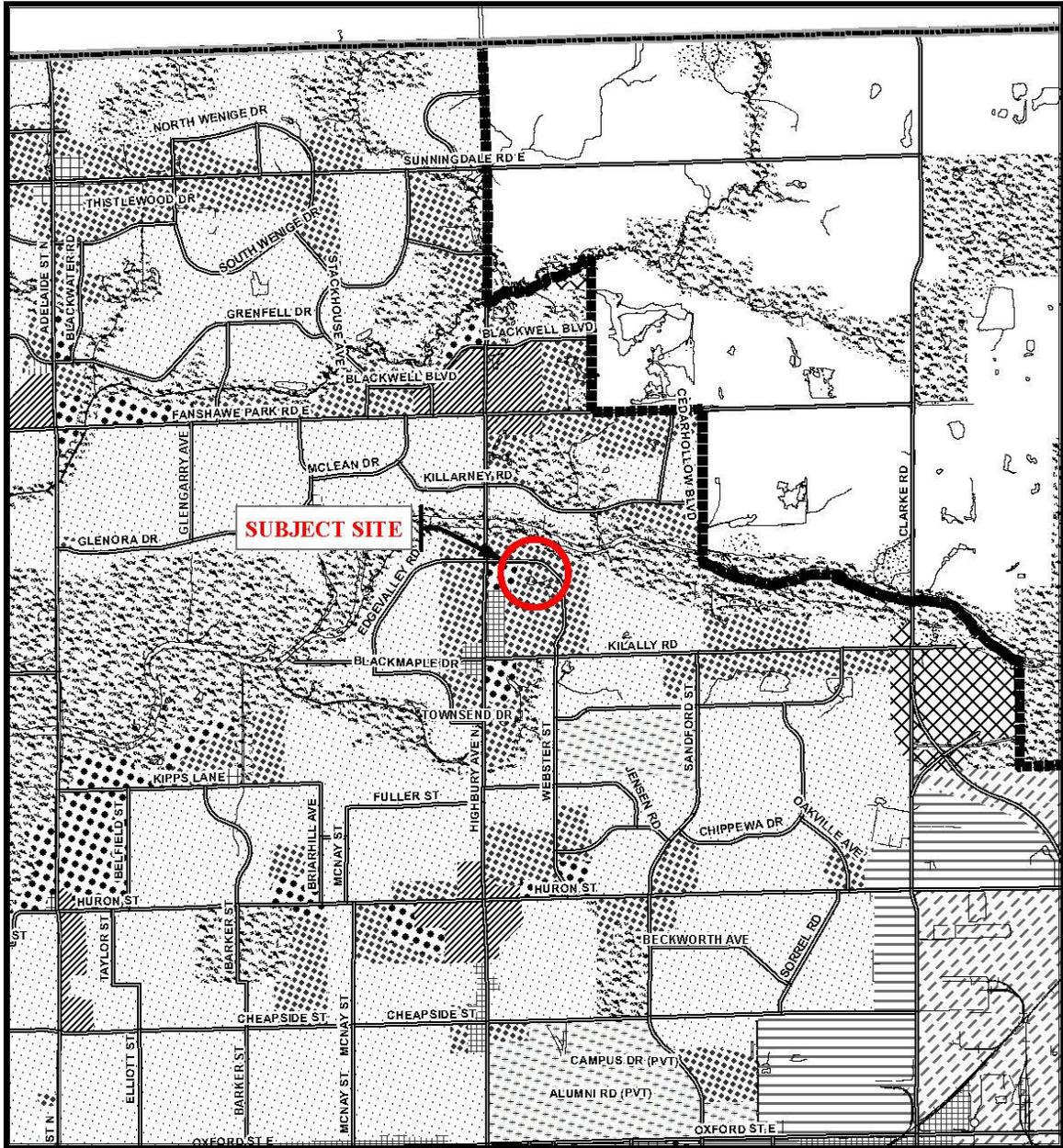
File Number: H-9342

Planner: SM

Technician RC

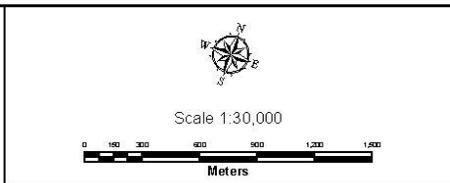
Date: April 16, 2021

1989 Official Plan Excerpt



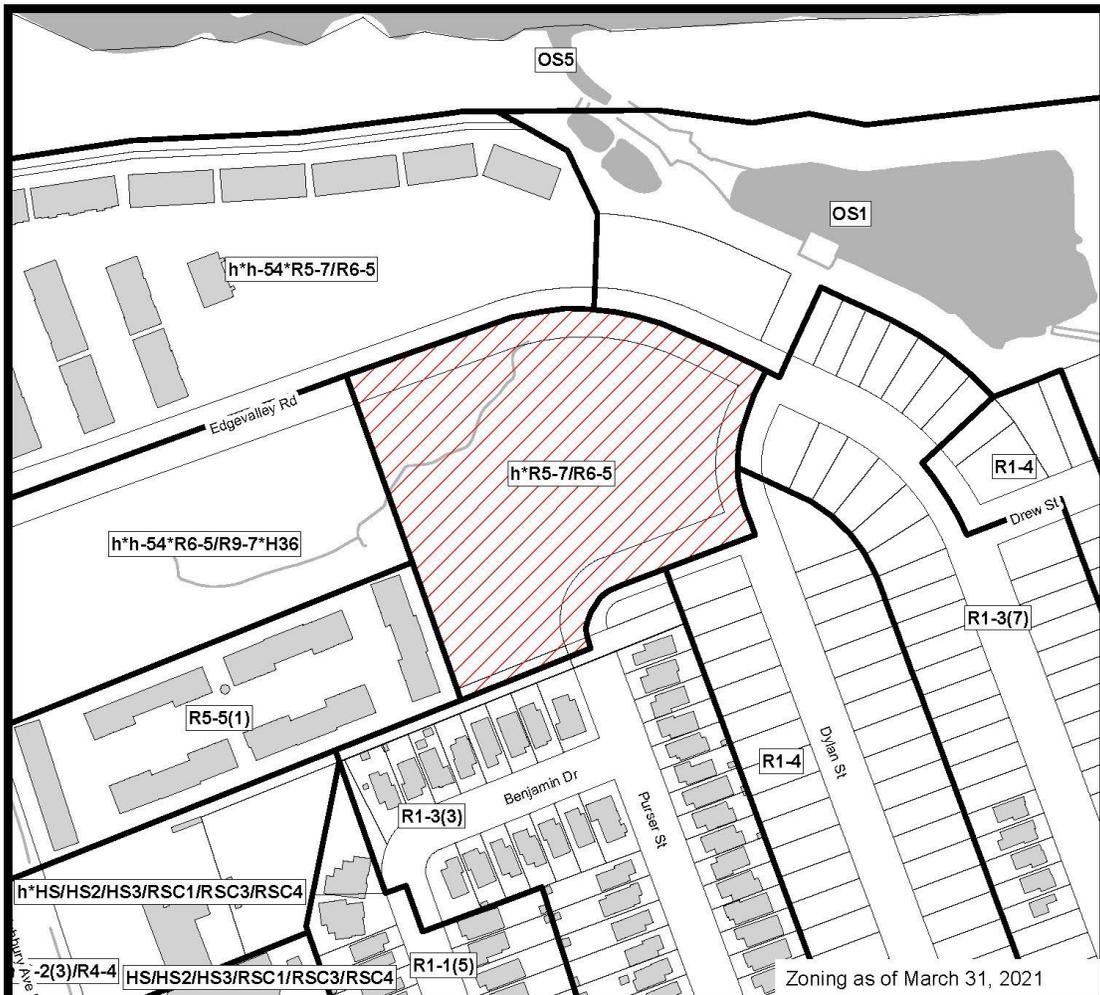
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented 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
			Enterprise

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9342
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2021/04/16

Existing Zoning Map



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-9342

SM

MAP PREPARED:

2021/04/16

RC

1:2,500

0 12.5 25 50 75 100 Meters