

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: Foxhollow North Kent Development Inc.
1284 Sunningdale Road West
Foxhollow North Kent Phase 3C
Removal of Holding Provisions h and h-100

Meeting on: July 26, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application of Sifton Properties Ltd. relating to the property located at 1284 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on August 10, 2021 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1284 Sunningdale Road West **FROM** a Holding Residential Special Provision R1 (h*h-100*R1-3(8)) Zone, a Holding Residential Special Provision R4 (h*h-100*R4-6(14)) Zone, a Holding Residential R1 (h*h-100*R1-3) Zone, and an Open Space (OS1) Zone **TO** a Residential Special Provision R1 (R1-3(8)) Zone, a Residential Special Provision R4 (R4-6(14)) Zone, a Residential R1 (R1-3) Zone, and an Open Space (OS1) 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 so that the development of fifty-two (52) single detached dwellings can proceed in accordance with the approved zoning.

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.

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

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 3C of the subdivision is located just north of Applerock Avenue and south of Buroak Drive. Phase 3C of the plan of subdivision will consist of forty-nine (49) single detached lots (Lots 1 to 49), and three (3) park blocks to be dedicated to the City, all served by a new local street Saddlerock Avenue and an extension to Bridgehaven Drive. In addition, 3 single detached lots within Phase 3B are included at the southeast corner of Applerock Avenue and Buroak Drive.

1.1 Previous Reports Related to this Matter

February 1999 - Report to Planning Committee to recommend approval of Foxhollow Community Plan (O-5604)

December 2008 - Report to Planning Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendments (39T-04510 / Z-6824)

July 20, 2009 - Report to Planning Committee to recommend a revised draft plan of subdivision and associated zoning by-law amendments (39T-04510 / Z-6824)

February 19, 2019 - Report to Planning and Environment Committee to recommend a 3 year extension of draft plan approval until April 21, 2022 (39T-04510)

November 2, 2020 - Report to Planning and Environment Committee to recommend removal of the holding provisions from Phase 3B of the subdivision (H-9259).

November 30, 2020 - Report to Planning and Environment Committee to revise Draft Plan of Subdivision and zoning by-law amendments to permit additional uses, including street townhouse dwellings on the lands fronting the south side of Buroak Drive (39T-04510 / Z-9216).

May 10, 2021 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-04510-3C)

1.2 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 Phases 1 & 2 of this subdivision have been registered (33M-703). The third phase was broken into three subphases and Phase 3A was registered on June 2nd, 2020 as 33M-784 and Phase 3B was registered on December 17, 2020 as 33M-793.

On November 10, 2020, Council approved a zoning by-law amendment to remove h and h-100 holding provisions from Phase 3B of the Subdivision. On December 8, 2020 Council approved a zoning by-law amendment and redline revision to the Draft Plan which rezoned the single detached dwelling lots along the south side of Buroak Drive in Phases 3B, 3C and future phases of the subdivision. The December 8, 2020 decision had the effect of reapplying the holding provisions to a portion of the lands within Phase 3B which had been lifted by Council's decision on November 10, 2020.

This application is to remove the holding provisions from Phase 3C of this subdivision and a small portion of Phase 3B. On May 10, 2021 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London for Phase 3C. The Owner has signed the subdivision agreement and securities have been posted. Final registration for Phase 3C of the subdivision is imminent.

1.3 Property Description

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 3C of the subdivision is located just north of Applerock Avenue and south of Buroak Drive. Phase 3C of the plan of subdivision will consist of forty-nine (49) single detached lots (Lots 1 to 49), and three (3) park blocks to be dedicated to the City, all served by a new local street Saddlerock Avenue. and an extension to Bridgehaven Drive. In addition, 3 single detached lots within Phase 3B are included on the east side of Applerock Avenue and south of Buroak Drive.

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

- The London Plan Place Type – Neighbourhoods and Green Space Place Type
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – h*h-100*R1-3(8)/R4-6(14), h*h-100*R1-3, and OS1

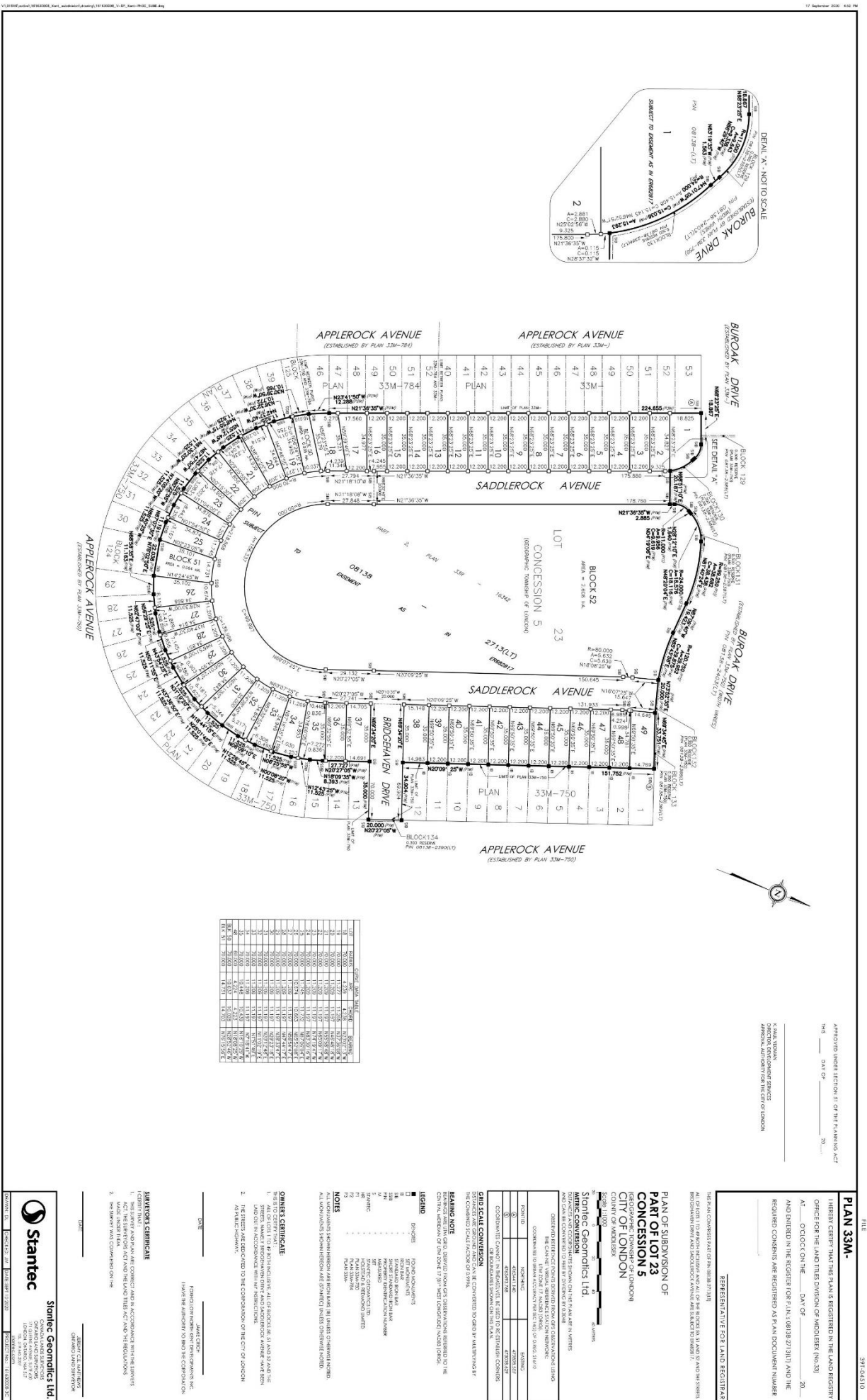
1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – approx. 220 m on Buroak Dr. (Neighbourhood Connector), 20 m on Bridgehaven Dr. (Neighbourhood Street)
- Area – approx. 63,000 m²
- Shape – Irregular

1.6 Surrounding Land Uses

- North – future medium density residential
- East – low density residential
- South – low density residential
- West – low density residential

1.7 Draft Plan



LOT	AREA (SQM)	AREA (SQ FT)
1	75.00	81.17
2	75.00	81.17
3	75.00	81.17
4	75.00	81.17
5	75.00	81.17
6	75.00	81.17
7	75.00	81.17
8	75.00	81.17
9	75.00	81.17
10	75.00	81.17
11	75.00	81.17
12	75.00	81.17
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48	75.00	81.17
49	75.00	81.17
50	75.00	81.17
51	75.00	81.17
52	75.00	81.17
53	75.00	81.17

APPROVED UNDER SECTION 51 OF THE PLANNING ACT
THIS PLAN ON _____ 20____

I, PAUL WIGNAN,
REGISTERED PLANNING SERVICES
APPROVAL AUTHORITY FOR THE CITY OF LONDON

FILE 391-924110

PLAN 33M-

LIBERTY CEMETERY: THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLE DIVISION OF ANGLIA (M253) AT _____ O'CLOCK ON THE _____ DAY OF _____ 20____ AND ENTERED IN THE REGISTRY FOR PLAN 33M-750(21/13) AND THE REQUIRED COMMENTS ARE REGISTERED AS A DOCUMENT NUMBER _____

REPRESNTATIVE FOR LAND REGISTRY AS

THE PLAN COMPLETES PART OF THE LIBERTY CEMETERY. ALL OF THE PLANNING PERMISSIONS AND ALL OF THE NOTES TO BE ADHERED TO, INCLUDING THE DESIGNATION OF ANGRY AND THE RESULTING FENCING AND CONDUITS, ARE SUBJECT TO APPROVAL.

PLAN OF SUBDIVISION OF PART OF LOT 23 CONCESSION 5 CITY OF LONDON

Stantec Geomatics Ltd.

Stantec Geomatics Ltd. (INCORPORATED IN CANADA) is the author of this plan. All of the information contained herein is the property of Stantec Geomatics Ltd. and shall be confidential to the City of London and shall not be disclosed to any other person without the written consent of Stantec Geomatics Ltd.

LEGEND

	PROPOSED ROADWAY
	PROPOSED DRIVEWAY
	PROPOSED SIDEWALK
	PROPOSED BENCH MARK
	PROPOSED MEASUREMENT POINT
	PROPOSED UTILITY
	PROPOSED LOT BOUNDARY
	PROPOSED LOT CENTERLINE
	PROPOSED LOT CORNER POINT
	PROPOSED LOT AREA
	PROPOSED LOT PERIMETER

OWNER'S CERTIFICATE

I, the undersigned, owner of the land shown on this plan, hereby certify that the information contained herein is true and correct and that the information is in accordance with the plan and the regulations and that the information is in accordance with the regulations.

STANTEC'S CERTIFICATE

I, the undersigned, Stantec Geomatics Ltd., certify that the information contained herein is true and correct and that the information is in accordance with the plan and the regulations and that the information is in accordance with the regulations.

NOTES

1. ALL DIMENSIONS SHOWN HEREON ARE IN METERS UNLESS OTHERWISE SPECIFIED.

2. ALL DIMENSIONS SHOWN HEREON ARE TO BE ADHERED TO.

3. THE DIMENSIONS SHOWN HEREON ARE TO BE ADHERED TO.

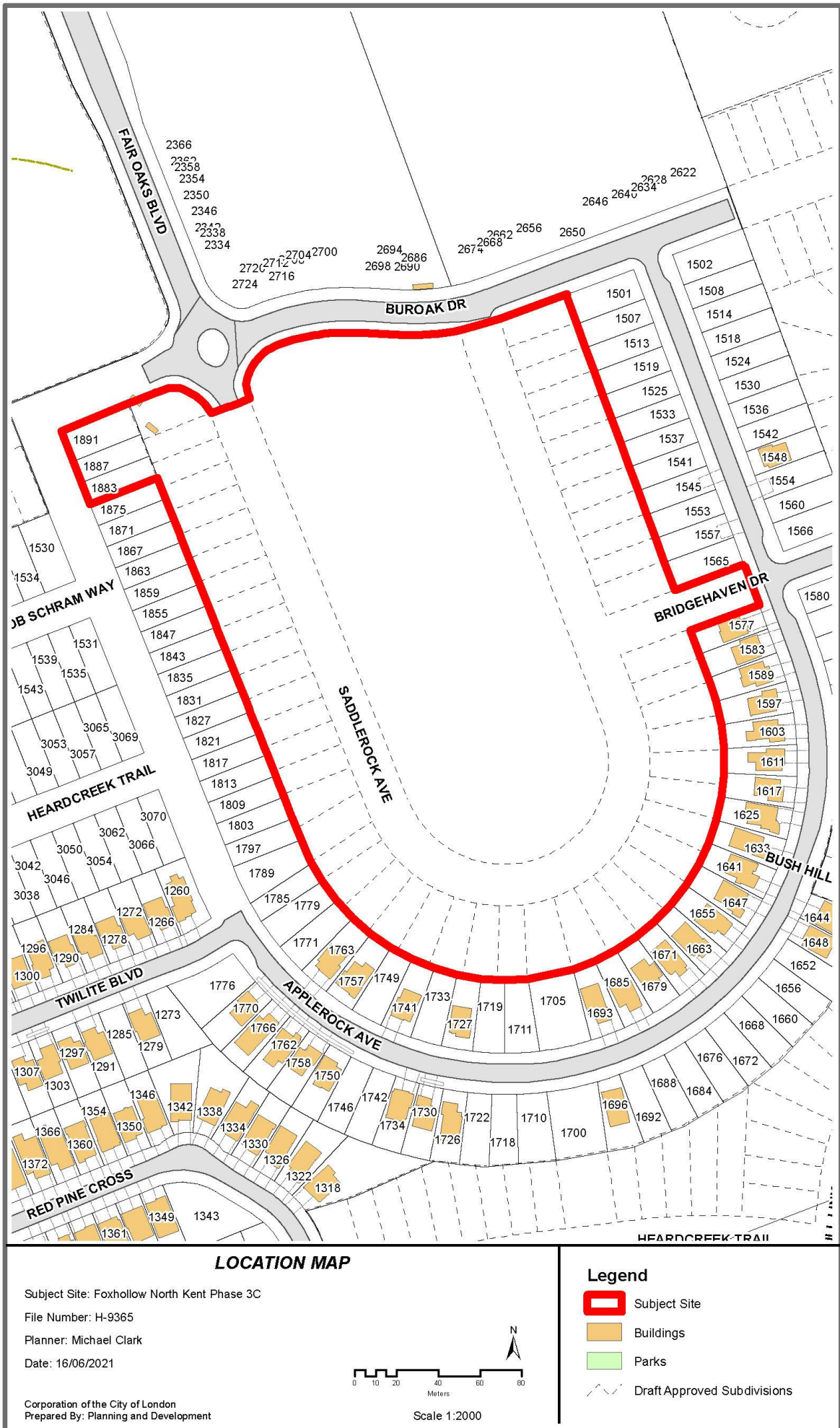
Stantec Stantec Geomatics Ltd.

1500 ...

Stantec Geomatics Ltd. is a registered professional engineering firm in Ontario, Canada. It is a member of the Institution of Professional Engineers of Ontario and the Institution of Professional Engineers of Canada.

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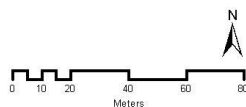
1.8 Location Map



LOCATION MAP

Subject Site: Foxhollow North Kent Phase 3C
 File Number: H-9365
 Planner: Michael Clark
 Date: 16/06/2021

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:2000

Legend

- Subject Site
- Buildings
- Parks
- Draft Approved Subdivisions

2.0 Discussion and Considerations

The purpose of this amendment application is to remove the h, and h-100 holding provision from these lands. This h holding provision requires orderly development of lands and the adequate provision of municipal services. The h-100 holding provision requires that adequate water service and appropriate access being provided be provided. The removal of the h, and h-100 holding provisions will allow for the future development of fifty-two (52) lots for single detached dwellings on the subject lands.

2.1 Community Engagement (see more detail in Appendix B)

On June 17, 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, 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 this application.

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

h Holding Provision

The h holding provision states that:

“h 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.

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.

h-100 Holding Provision

The “h-100” holding provision states that:

“h-100 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.”

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.

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.

Prepared by: Michael Clark, MA
Planner, Planning and Development (Subdivisions)

Reviewed by: Bruce Page, RPP
Manager, Planning and Development (Subdivisions)

Recommended by: Gregg Barrett, RPP, PLE
Director, Planning and Development

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

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

BP/mc

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 provision from the zoning for lands located at 1284 Sunningdale Road West.

WHEREAS Foxhollow North Kent Development Inc. have applied to remove the holding provision from the zoning for the lands located at 1284 Sunningdale 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 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 1284 Sunningdale Road West, as shown on the attached map, to remove the h and h-100 holding provision so that the zoning of the lands as a Residential R1 (R1-3)) Zone, Residential Special Provision R1 (R1-3(8)) and Residential Special Provision R4 (R4-6(14)) comes into effect.
2. This By-law shall come into force and effect on the date of passage.

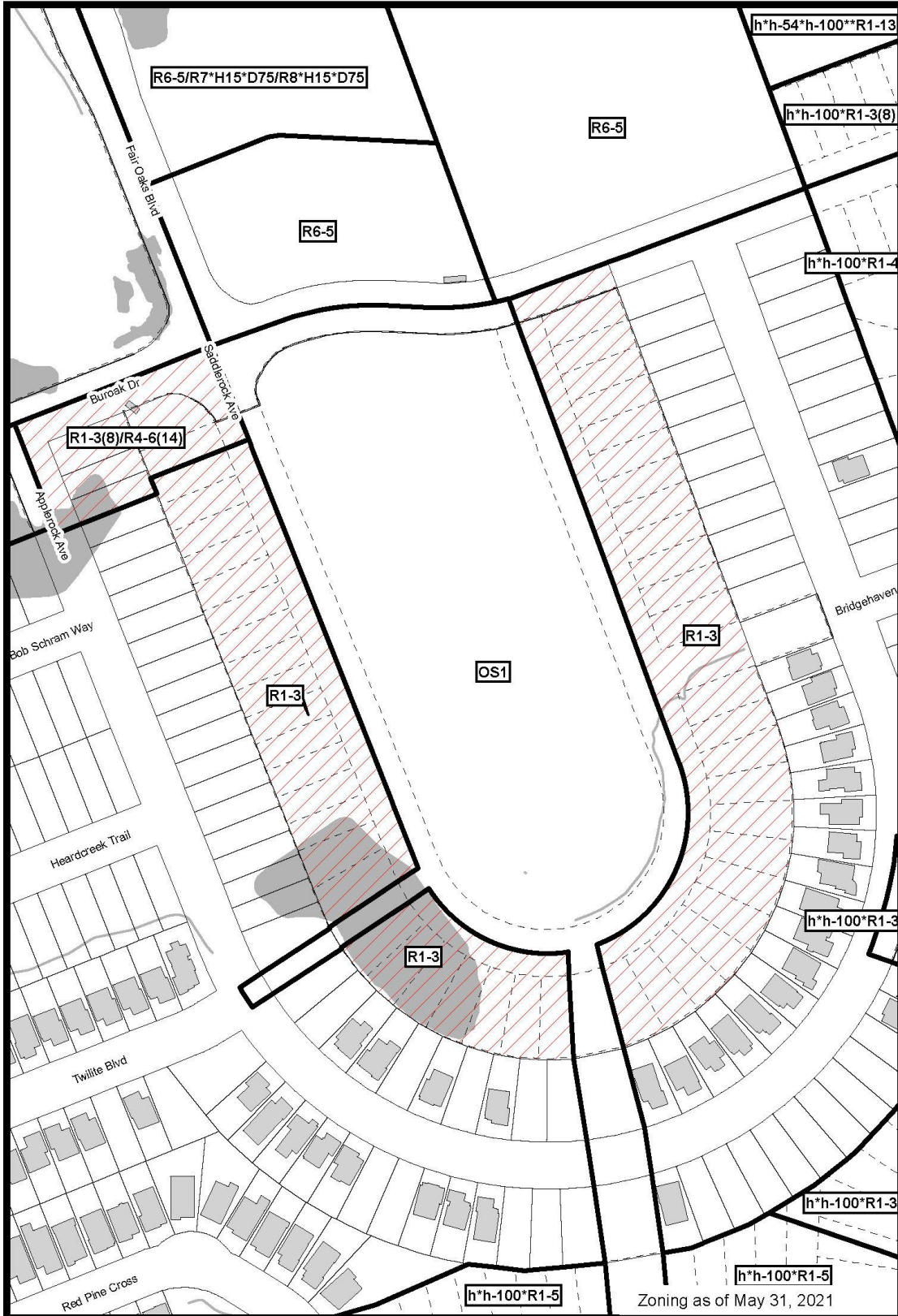
PASSED in Open Council on August 10, 2021

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading - August 10, 2021
Second Reading - August 10, 2021
Third Reading - August 10, 2021

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




File Number: H-9365
Planner: MC
Date Prepared: 2021/06/11
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

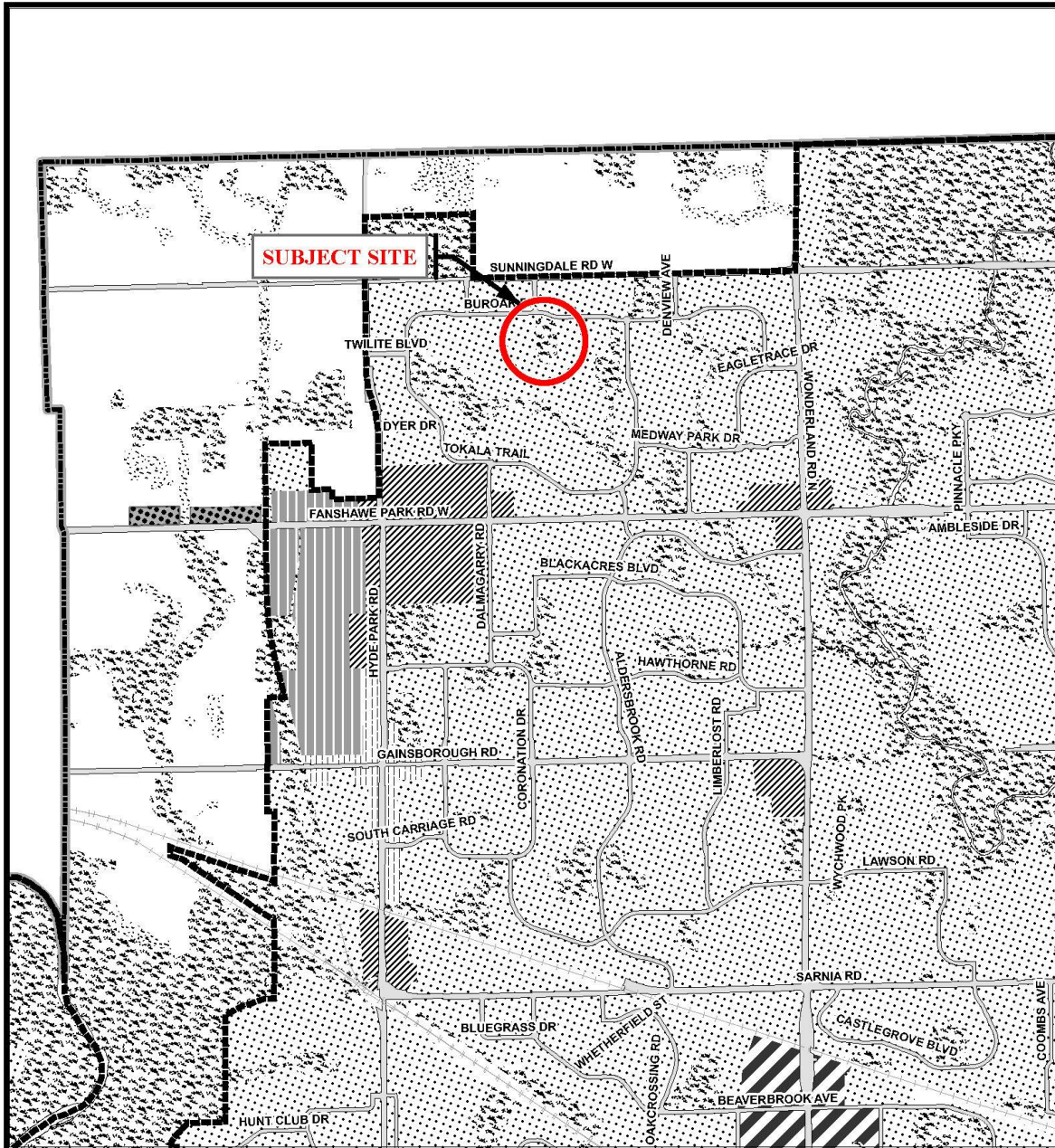
Public liaison: Notice of the application was published in the Londoner on June 17, 2021

0 replies were received

Nature of Liaison: City Council intends to consider removing the h and h-100 holding provisions from the lands which requires that the site is developed in an orderly manner and that there is an adequate provision of municipal services, including a looped watermain system and a second public access. Council will consider removing the holding provisions as it applies to these lands no earlier than July 26, 2021. File: H-9365 Planner: M. Clark (City Hall).

Appendix C – Relevant Background

London Plan Excerpt



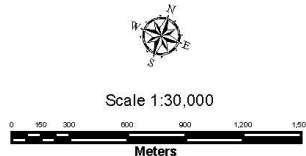
Legend

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

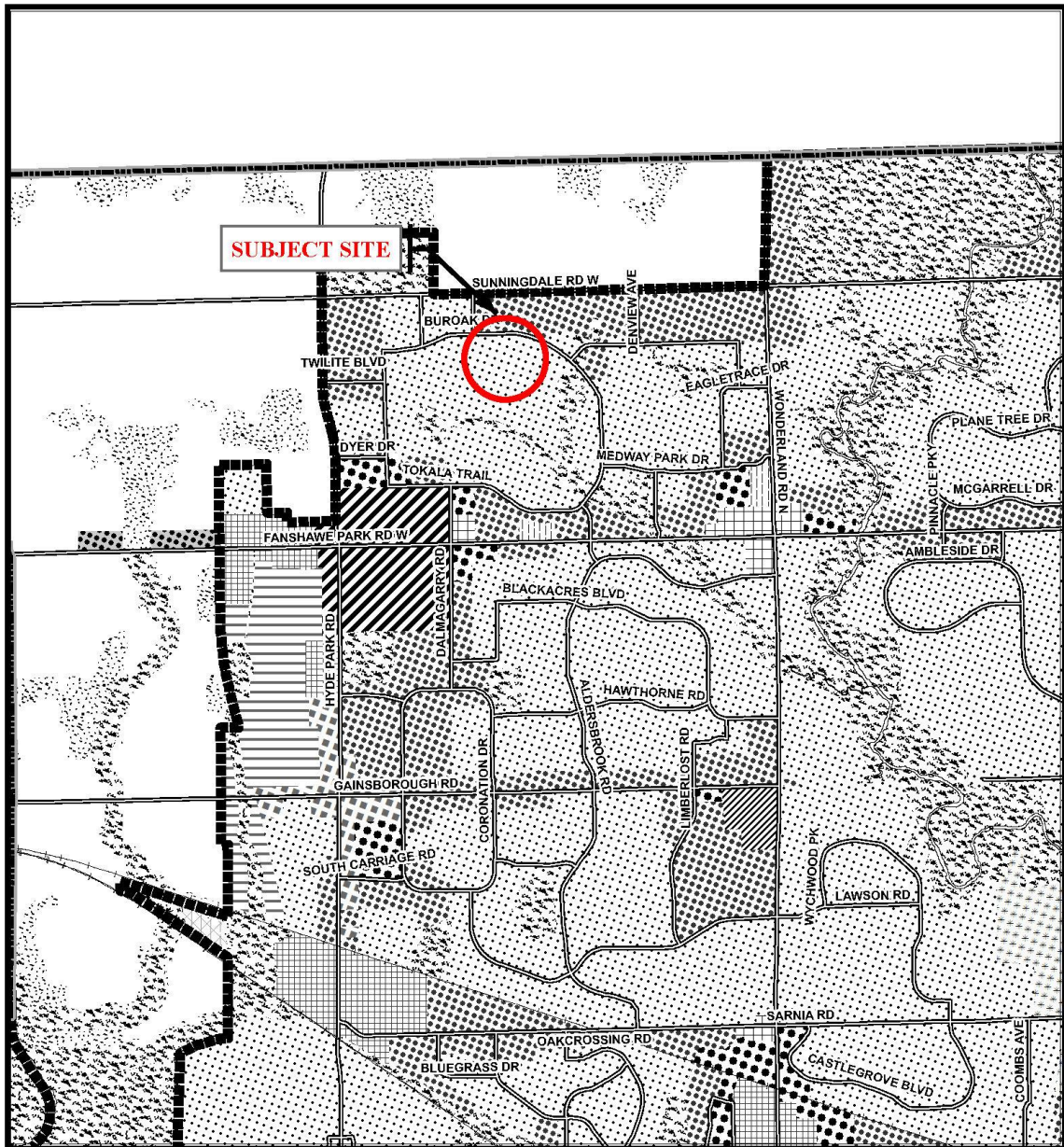
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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



File Number: H-9365
Planner: MC
Technician: RC
Date: June 16, 2021

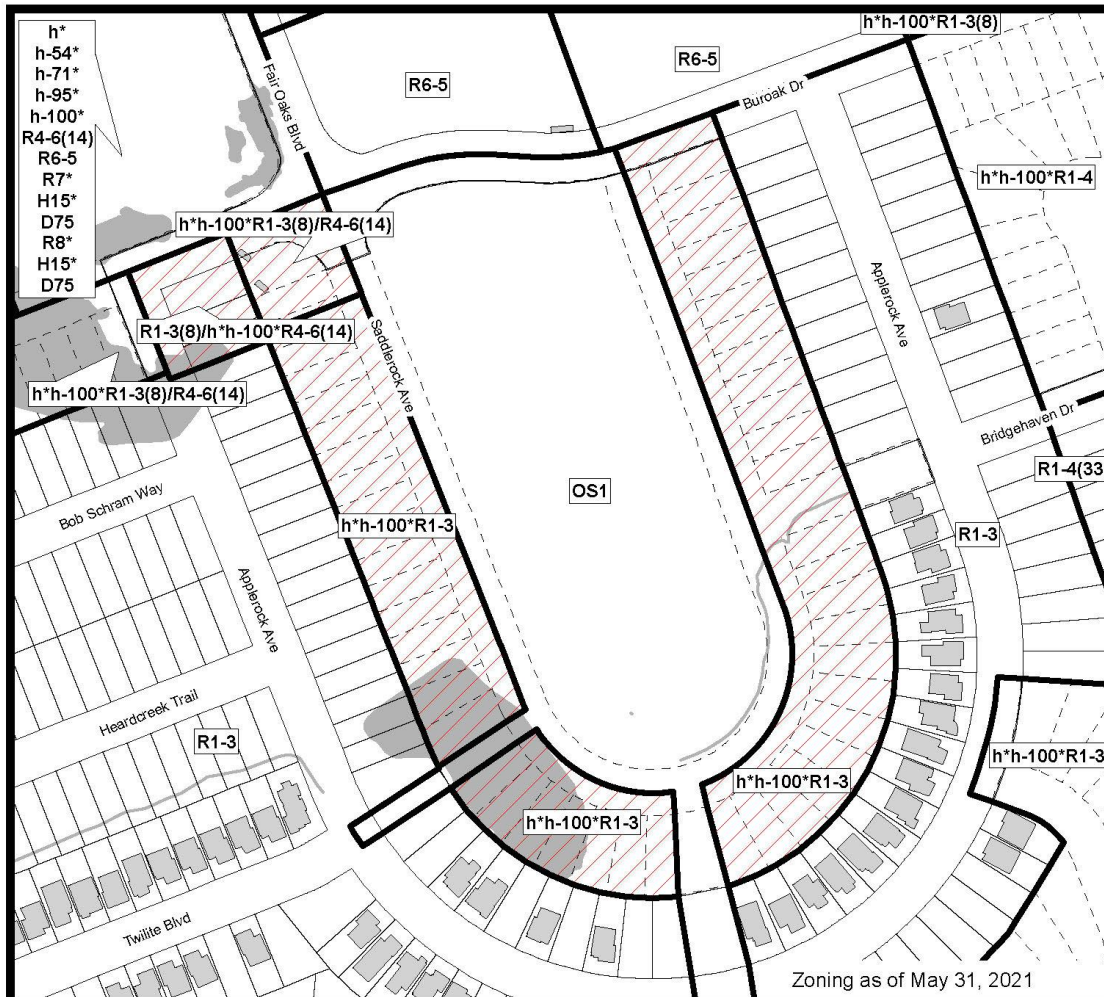
1989 Official Plan Excerpt



Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential		Commercial Industrial
	Community Commercial Node		Regional Facility		Transitional Industrial
	Neighbourhood Commercial Node		Community Facility		Rural Settlement
	Main Street Commercial Corridor		Open Space		Environmental Review
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth		Agriculture
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth		Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500 Meters</p>	<p>FILE NUMBER: H-9365 PLANNER: MC TECHNICIAN: RC DATE: 2021/06/16</p>
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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-9365

MC

MAP PREPARED:

2021/06/11

RC

1:2,500

0 12.525 50 75 100
Meters