

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: W-3 Lambeth Farms Inc. (York Developments)
3700 Colonel Talbot Road
Removal of Holding Provision h and h-100

Meeting on: September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application of W-3 Lambeth Farms Inc. relating to the property located at 3700 Colonel Talbot Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 3700 Colonel Talbot Road **FROM** Holding Residential Special Provision R1 (h*h-100*R1-3(23)), Holding Residential Special Provision R1 (h*h-84*h-100*R1-3(23)), Holding Residential Special Provision R1 (h*h-100*R1-4(36)), Holding Residential Special Provision R2 (h*h-100*R2-1(17)), Holding Residential Special Provision R4 (h*h-100*R4-6(12)), Holding Residential Special Provision R6 (h*h-100*R6-5(62)), Holding Residential Special Provision R8 (h*h-100*R8-4(49)), Holding Residential Special Provision R8 (h*h-100*R8-4(50)), Holding Residential Special Provision R8 (h*h-100*R8-4(51)), Holding Convenience Commercial Special Provision 6 (h*h-100*CC6(11)), Holding Convenience Commercial Special Provision 6 (h*h-100*CC6(12)), Holding Neighbourhood Facility Special Provision 1 (h*h-100*NF1(17)), and Open Space 1 (OS1) Zones **TO** Residential Special Provision R1 (R1-3(23)), Holding Residential Special Provision R1 (h-84*R1-3(23)), Residential Special Provision R1 (R1-4(36)), Residential Special Provision R2 (R2-1(17)), Residential Special Provision R4 (R4-6(12)), Residential Special Provision R6 (R6-5(62)), Residential Special Provision R8 (R8-4(49)), Residential Special Provision R8 (R8-4(50)), Residential Special Provision R8 (R8-4(51)), Convenience Commercial Special Provision 6 (CC6(11)), Convenience Commercial Special Provision 6 (CC6(12)), Neighbourhood Facility Special Provision 1 (NF1(17)), and Open Space 1 (OS1) Zones 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 258 single detached dwellings, three (3) commercial / residential mixed-use blocks and one (1) cluster / low-rise residential block can proceed in accordance with the approved zoning.

Rationale of Recommended Action

The conditions for removing the h and h-100 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.

1. The removal of the h and h-100 holding provisions is in conformity with The London Plan and (1989) Official Plan and in compliance with the Zoning By-law.
2. Through the draft plan approval process, the required security has been submitted to the City of London and a development agreement has been executed. The “h” holding provision is no longer required.

3. Through the draft plan approval process, confirmation on how the site can be appropriately serviced by a looped watermain system has been satisfied and secondary emergency access in conjunction with the subdivision to the south has been provided. The “h-100” holding provision is no longer required.

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

April 26, 2010 - Report to Planning Committee to present the draft Southwest Area Plan and associated background studies.

November 20, 2012 - Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (Southwest Secondary Plan).

September 23, 2019 - Report to Planning and Environment Committee to recommend approval of the draft plan of subdivision and associated official plan and zoning by-law amendments (39T-17503/OZ-8838).

April 26, 2021 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-17503 - Phase 1).

1.2 Planning History

The subject lands were previously a part of the Town of Westminster. In 1993, the subject lands, and the larger area south to Lambeth, were annexed to the City of London.

The subject site is located within the Southwest Area Secondary Plan (SWAP). The Southwest London Area Planning Study was a City-initiated and funded project that provided a comprehensive assessment of the opportunities and constraints for the planning and development of the study area. City Council approved the SWAP and associated Official Plan amendments in November 2012, which were subsequently appealed to the Ontario Municipal Board (OMB). A decision from the OMB, making some changes to the SWAP was issued on April 29, 2014.

The application for Official Plan Amendment, Zoning By-Law Amendment, and Draft Plan of Subdivision was accepted on October 23, 2017. After several modifications the applications were approved by Municipal Council on October 1, 2019. Special Provisions for Phase 1 of the W-3 Farms Subdivision were approved by Council on May 4, 2021.

1.3 Property Description

The subject lands are located in the southwest quadrant of the City and are included in the Southwest Area Plan. The lands are to the south of Pack Road, to the east of Colonel Talbot Road. The lands consist of Phase 1 of the W-3 Farms Subdivision which was draft approved on October 18, 2019 (39T-17503). Adjacent to the south is the Heathwoods Subdivision (39T-12503) which is draft approved for development by Colonel Talbot Developments Inc. (Auburn Developments).

The subject lands are proposed to be developed as 269 single detached dwelling, three (3) commercial / residential mixed use blocks, one (1) cluster / low-rise residential block, and park and walkway blocks. The subject lands are proposed to be serviced by two (2) new secondary collector/neighbourhood connector roads (Royal Magnolia Ave and Campbell Street North), and four (4) new local/neighbourhood streets (Heathwoods Avenue, Ayrshire Avenue, Big Leaf Trail and Petalpath Way).

Secondary public access and a looped watermain are proposed to be provided via an extension to Campbell Street North to the south of the subject lands.

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

- The London Plan Place Type – Neighbourhoods Place Type
- Southwest Area Plan – Medium Density Residential, Low Density Residential, Open Space and Environmental Review
- 1989 Official Plan Designation – Multi-Family Medium Density Residential, Low Density Residential, Open Space
- Existing Zoning – h*h-100* R1-3(23) / R1-4(36) / R2-1(17) / R4-6(12) / R6-5(62) / R8-4(49) / R8-4(50) / R8-4(51); h*h-84*h-100* R1-3(23); and OS1

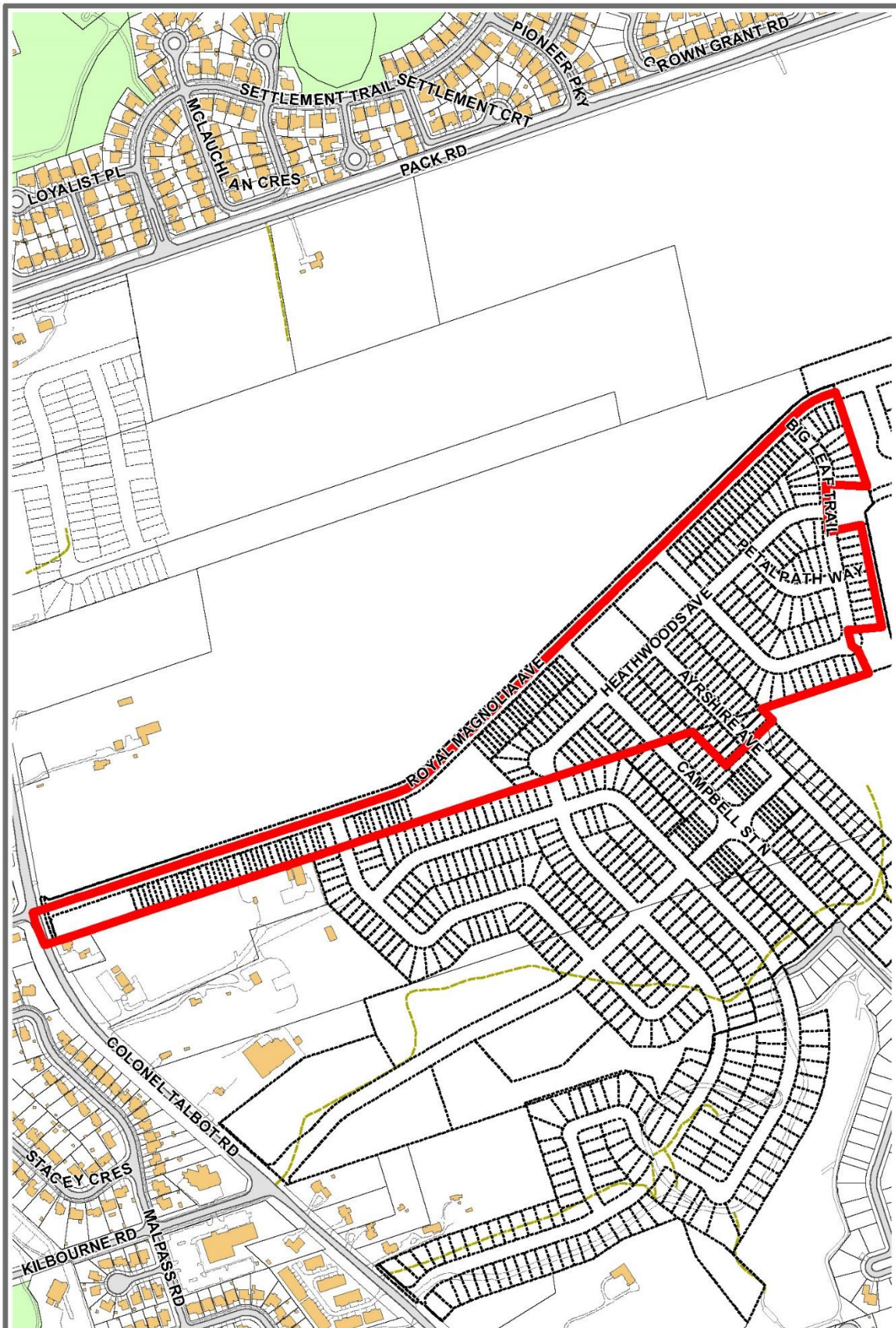
1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – approx. 64m on Colonel Talbot Rd. (Civic Boulevard), 21.5m on a future extension to Campbell Street North (Neighbourhood Collector), 20m on future Neighbourhood Streets to the south (Heathwoods Ave. and Ayrshire Ave.)
- Area – approx. 186,300 m² (18.63 ha)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – vacant, future residential
- East – vacant, open space, future residential
- South – vacant, future residential
- West – existing low density residential

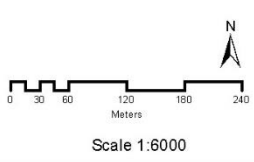
1.7 Location Map




LOCATION MAP

Address: 3700 Colonel Talbot Road
File Number: H-9387
Planner: Michael Clark
Date: 2021/08/26

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



Legend

-  Subject Site
-  Buildings
-  Driveways/Parking Lots
-  Assessment Parcels
-  Submitted Under Review Subdivisions

2.0 Discussion and Considerations

The applicant is requesting to remove the h, and h-100 holding provision from the subject 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 public access being provided be provided. The removal of the h, and h-100 holding provisions will allow for the development of 258 single detached dwellings, three (3) commercial/residential mixed use blocks, and one (1) cluster / low-rise residential block on the subject lands. Part Blocks for 11 future single detached dwellings are also included on the subject lands. Development will only be permitted once these blocks have been consolidated into developable lots and the h-84 holding provision has been satisfied.

2.1 Community Engagement (see more detail in Appendix B)

On August 19, 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 90 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 the Holding Provisions?

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.

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

The Applicant has provided the necessary securities to the City of London and the development agreement has been executed by both the applicant and the City of London. 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 through the subdivision to the south.

The primary access to the subject lands is proposed to be provided from Colonel Talbot Road at the western limit of the site. A secondary public access will be provided through the subdivision to the south. Development Engineering staff have confirm that they have no comments or objections to the application.

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

h-84 Holding Provision

The (h-84) holding provision states that:

Purpose: To ensure that there is a consistent lotting pattern in this area, the "h-84" symbol shall not be deleted until the part block has been consolidated with adjacent lands.

The part lots have not been consolidated at this time, and the conditions have not been met to satisfy the requirements for removal of the “h-84” holding provision. The applicant has not requested that the h-84 holding provision be removed at this time and has indicated that a future application to remove the holding provision will be submitted once the part lots have been consolidated.

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 adequate water servicing can be provided to the subject site through a looped watermain system, a secondary public access will be provided through the lands to the south to the satisfaction of the Development Engineering staff.

Prepared by: Michael Clark, MA
Planner, Planning & Development

Reviewed by: Bruce Page, MCIP, RPP
Manager, Planning & Development

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

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

cc: Matt Feldberg, Manager, Development Planning (Subdivisions)
cc: Bruce Page, Manager, Development Planning (Subdivisions)
cc: Peter Kavcic, Manager, Development Planning (Subdivisions)

H-9387
M. Clark

cc: Michael Pease, Manager, Development Planning (Site Plan)

BP/mc

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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 3700 Colonel Talbot Road.

WHEREAS W-3 Lambeth Farms Inc. have applied to remove the holding provision from the zoning for the lands located at 3700 Colonel Talbot 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 3700 Colonel Talbot Road, as shown on the attached map, to remove the h and h-100 holding provision so that the zoning of the lands as Residential Special Provision R1 (R1-3(23)), Holding Residential Special Provision R1 (h-84*R1-3(23)), Residential Special Provision R1 (R1-4(36)), Residential Special Provision R2 (R2-1(17)), Residential Special Provision R4 (R4-6(12)), Residential Special Provision R6 (R6-5(62)), Residential Special Provision R8 (R8-4(49)), Residential Special Provision R8 (R8-4(50)), Residential Special Provision R8 (R8-4(51)), Convenience Commercial Special Provision 6 (CC6(11)), Convenience Commercial Special Provision 6 (CC6(12)), Neighbourhood Facility Special Provision 1 (NF1(17)), and Open Space 1 (OS1) Zones comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 5, 2021

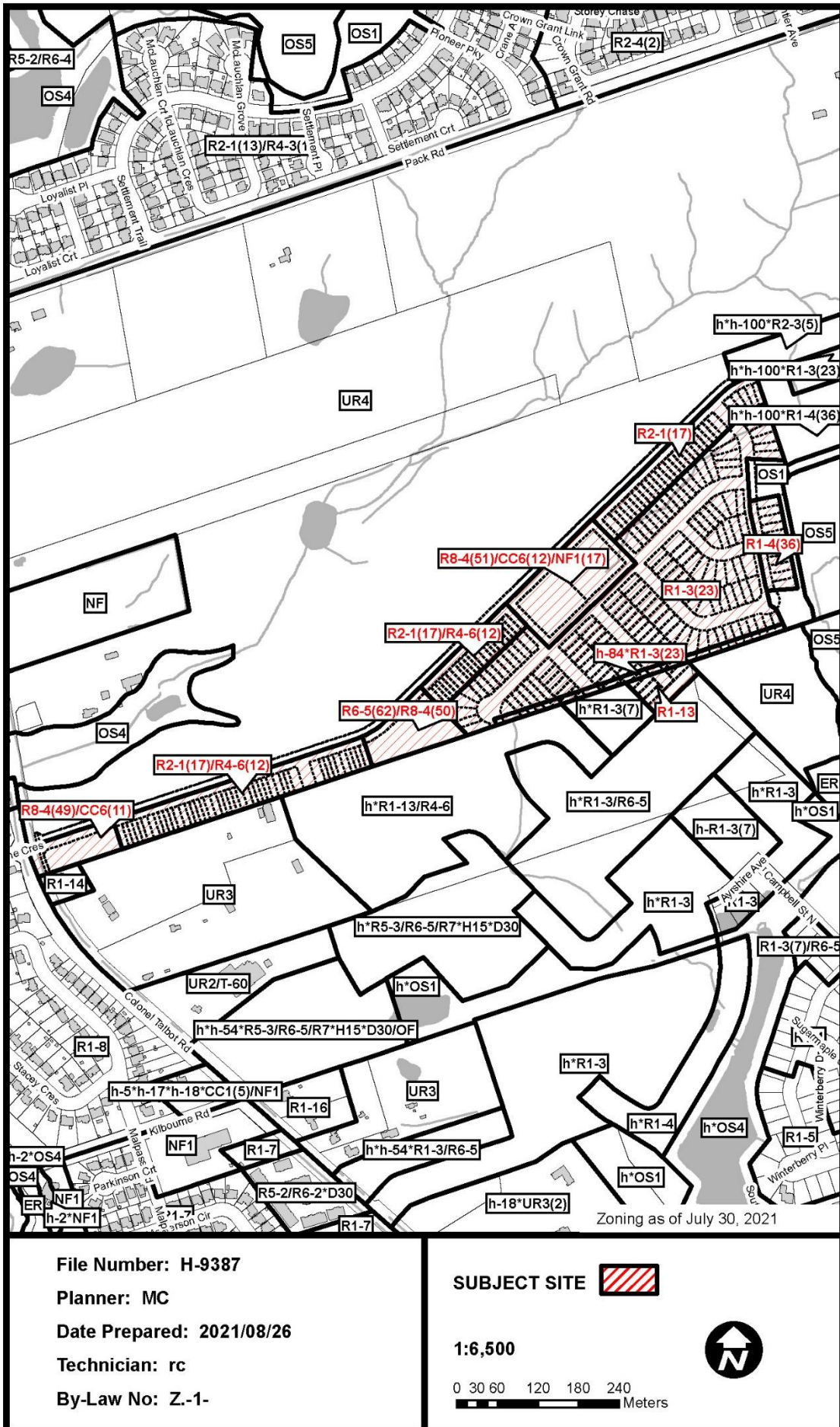
Ed Holder
Mayor

Catharine Saunders
City Clerk

H-9387
M. Clark

First Reading - October 5, 2021
Second Reading - October 5, 2021
Third Reading - October 5, 2021

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



Zoning as of July 30, 2021

Appendix B – Public Engagement

Community Engagement

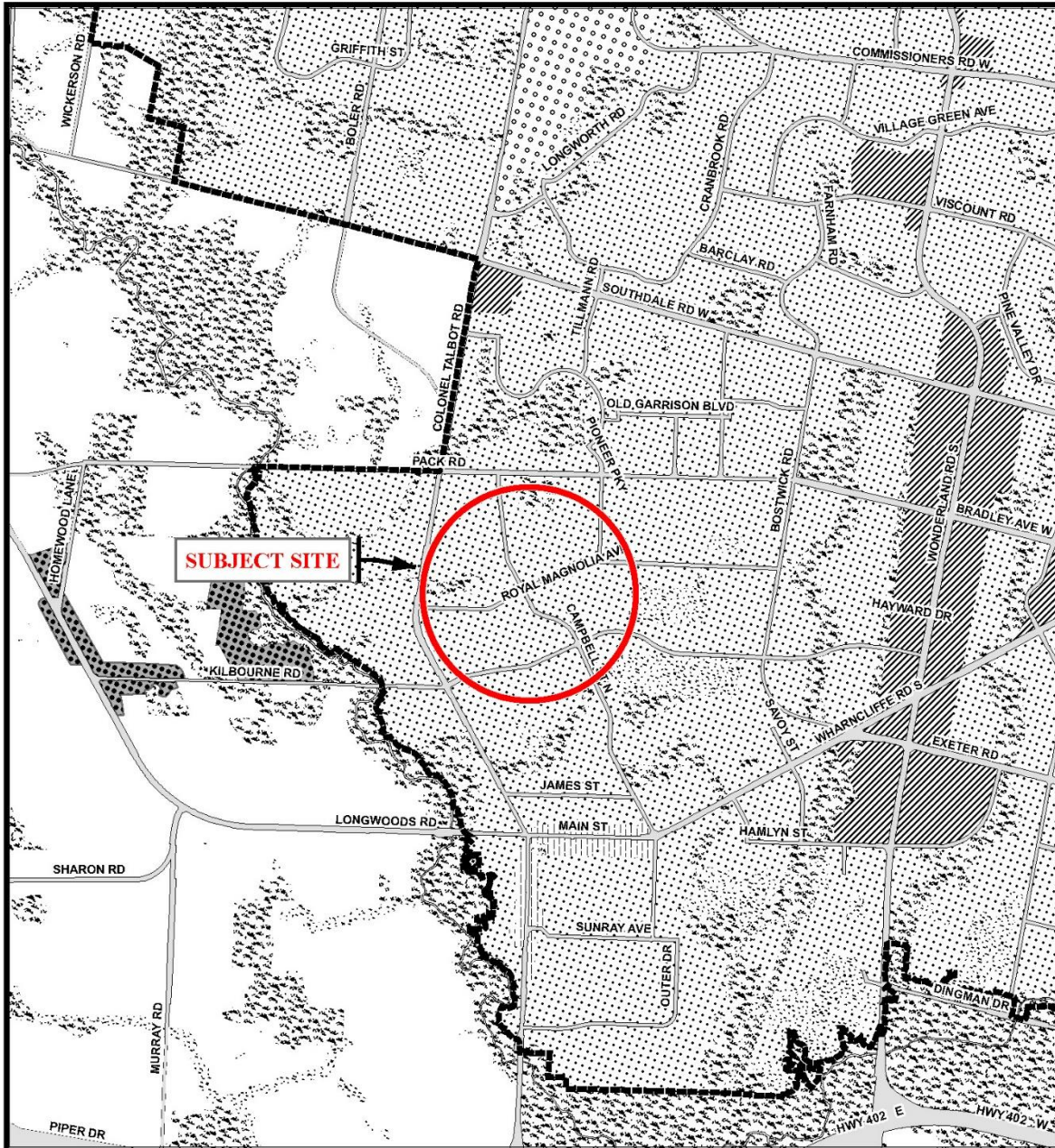
Public liaison: Notice of the application was published in the Londoner on August 19, 2021

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 September 20, 2021. File: H-9387
Planner: M.Clark ext.4586

Appendix C – Relevant Background

London Plan Excerpt



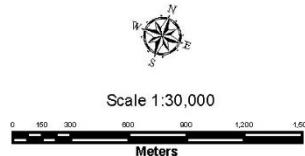
Legend

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

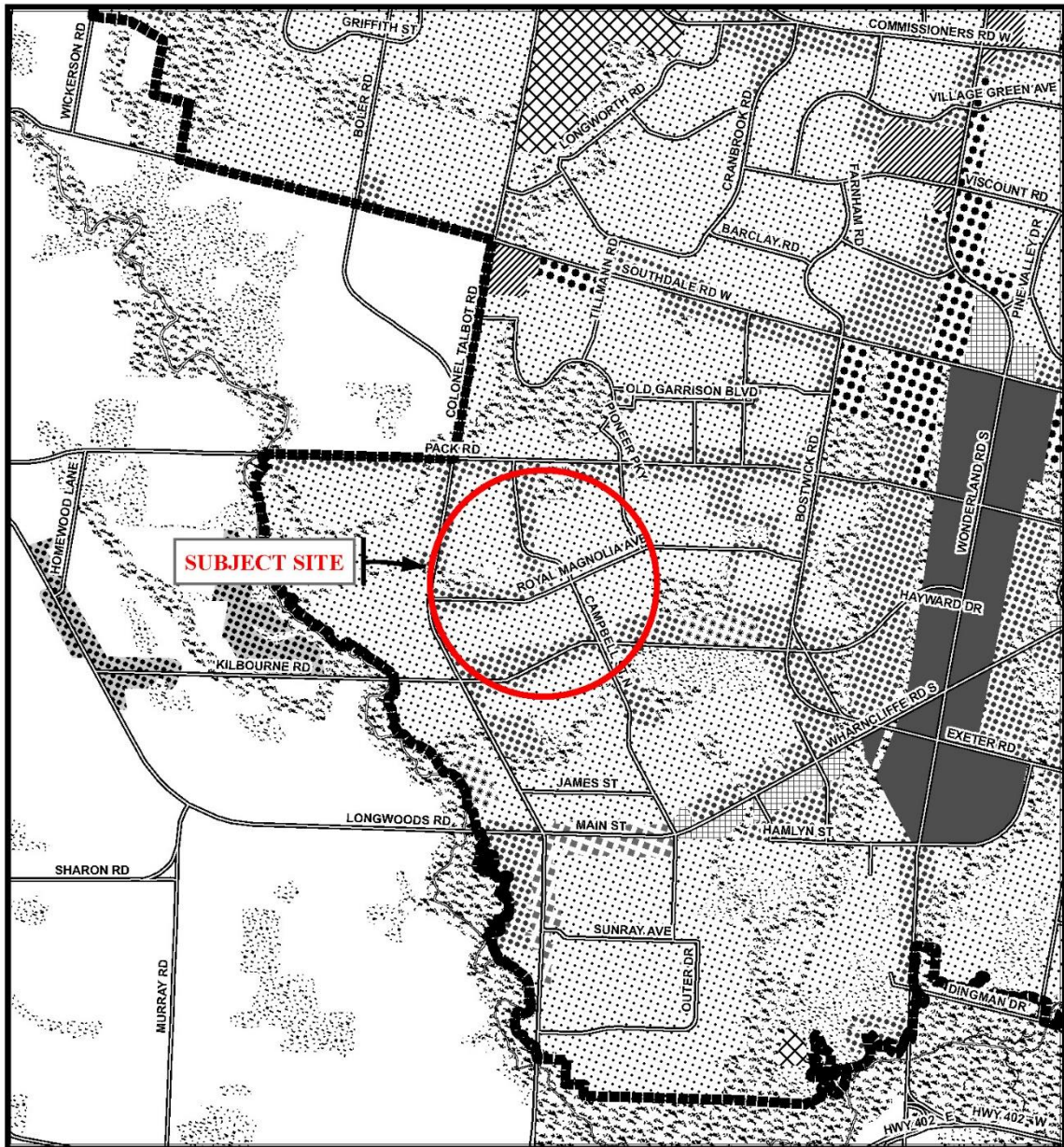
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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



File Number: H-9387
Planner: MC
Technician: RC
Date: August 26, 2021

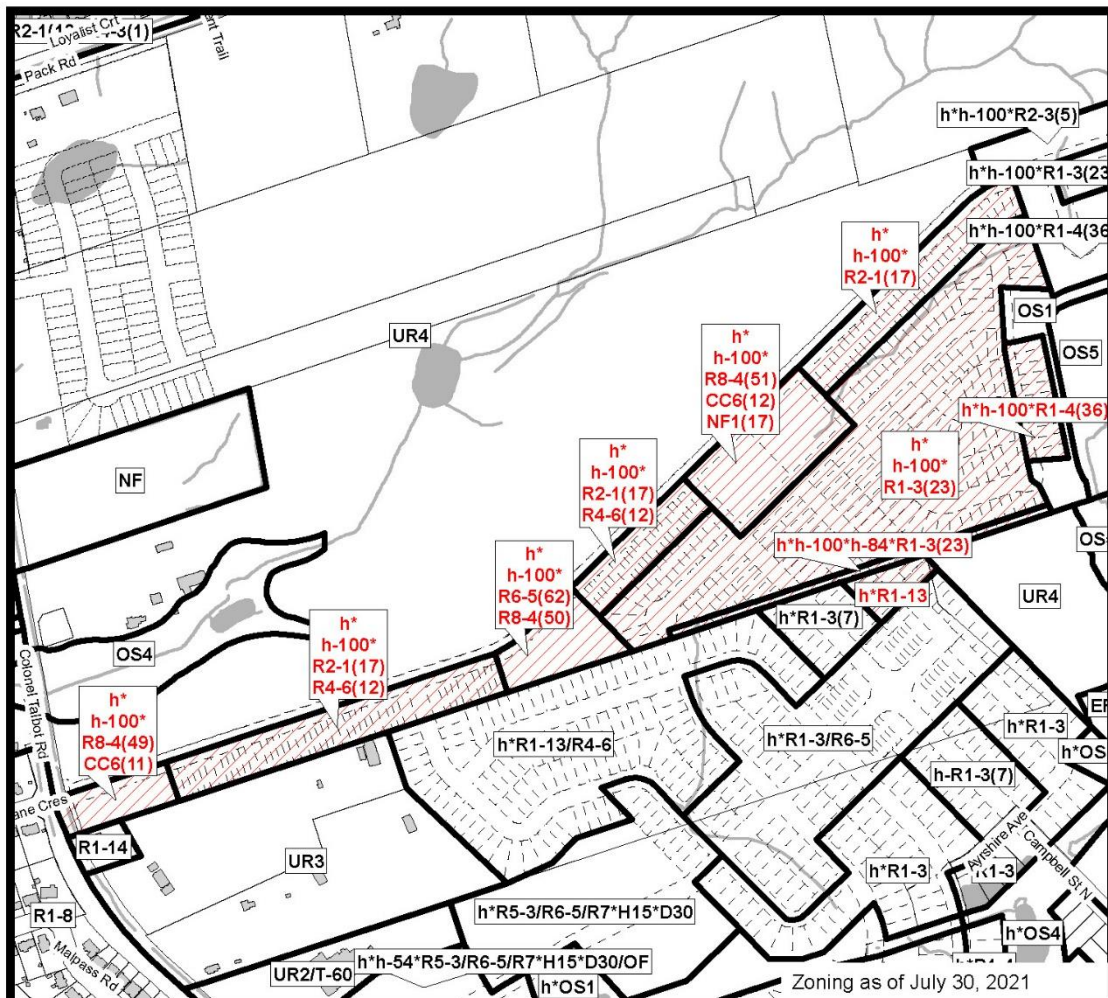
1989 Official Plan Excerpt



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>0 100 200 300 400 500 600 700 800 900 1,000 1,100 1,200</p> <p>Meters</p>	<p>FILE NUMBER: H-9387</p> <p>PLANNER: MC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/08/26</p>
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Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE

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-9387 MC

MAP PREPARED:

2021/08/26 RC

1:6,500

