

## 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 Townline Orchard Property Limited  
1478 Westdel Bourne  
Removal of Holding Provision

**Date:** November 22, 2021

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Townline Orchard Property Limited relating to lands located at 1478 Westdel Bourne, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on December 7, 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 (h•R1-4) Zone, a Holding Residential R1 (h•R1-5) Zone, a Holding Residential R6/R8 Special Provision (h•h-54•h-209•R6-5(77)/R8-4(64)) Zone, and a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6(11)/R5-7(9)/R6-5(61)/R8-3(5)) Zone **TO** a Residential R1 (R1-4) Zone, a Residential R1 (R1-5) Zone, a Holding Residential R6/R8 Special Provision (h-54•h-209•R6-5(77)/R8-4(64)) Zone, and a Holding Residential R4/R5/R6/R8 Special Provision (h-54•h-209•R4-6(11)/R5-7(9)/R6-5(61)/R8-3(5)) Zone to remove the holding (h) provision.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the standard "h" holding provision to allow development of the single detached lots within the applicant's subdivision to proceed. Holding (h-54 and h-209) provisions applying to the medium density residential blocks will remain in place until such time as conditions specified in the Zoning By-law have been met to remove those holding symbols from the zone map.

### Rationale of Recommended Action

1. The conditions for removing the holding (h) provision have been met and the recommended amendment will allow development of single detached residential dwellings 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.

## 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

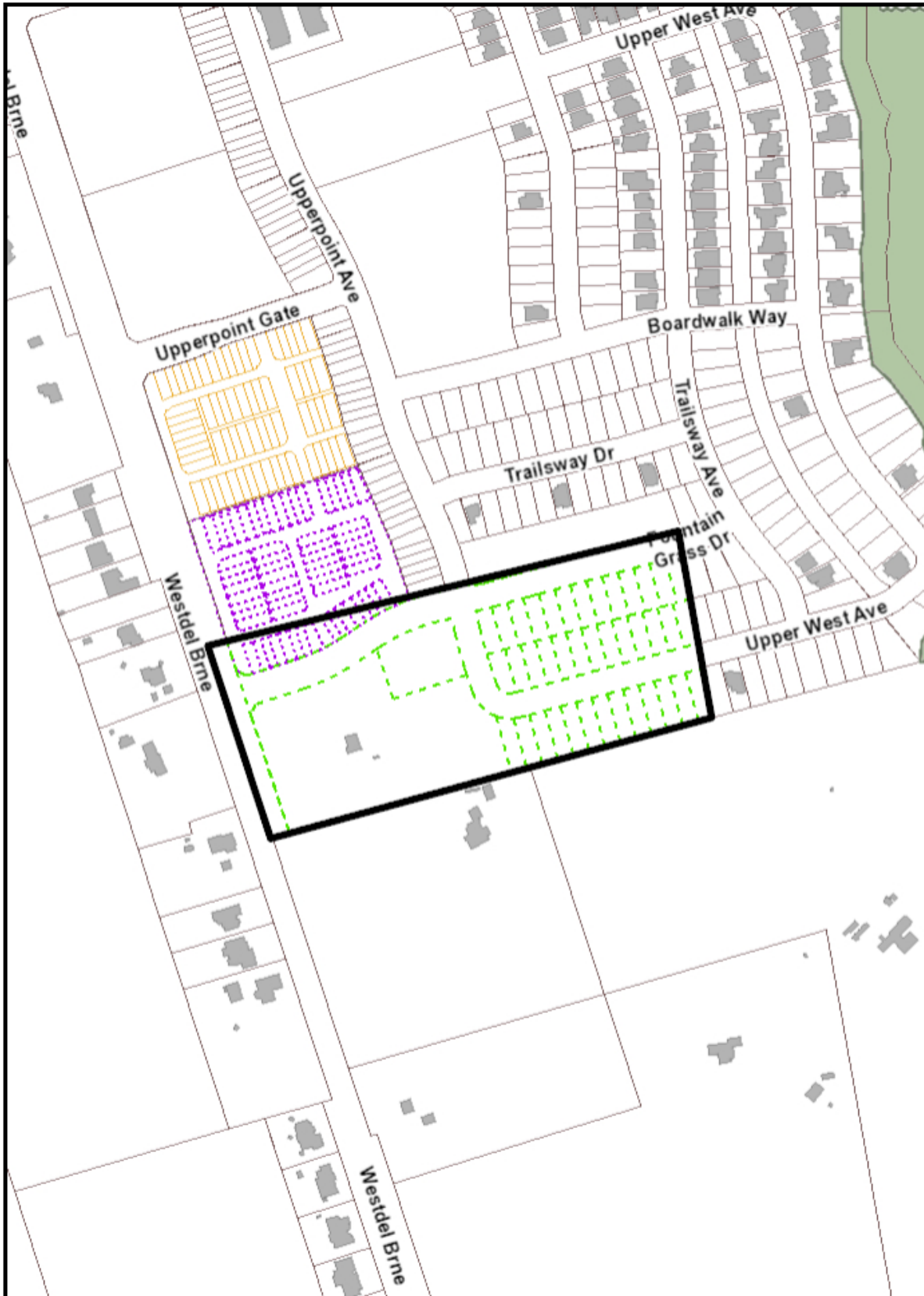
### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

October 18, 2021 – Report to Planning and Environment Committee – 1478 Westdel Bourne – Townline Orchard Property Limited - Special Provisions for Subdivision Agreement (File No. 39T-20503).

## 2.0 Discussion and Considerations






### 2.1 Location Map



#### Location Map

Project Title: H-9412  
Description: 1478 Westdel Bourne  
Created By: Larry Mottram  
Date: 9/21/2021  
Scale: 1:4000

#### Legend

-  Subject Site
-  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 (h) symbol to permit 39 residential lots within the subdivision zoned to permit single detached dwellings to proceed. Other holding (h-54 & h-209) provisions dealing with noise mitigation measures and urban design considerations will continue to be applied to the two (2) medium density residential blocks until such time as the City has approved Site Plans and Development Agreements. Separate applications for removal of holding provisions have been submitted related to specific development proposals for these blocks (File H-9362 – Sifton Properties Limited and File H-9411 – Stantec Consulting c/o Amelia Sloan).

## **2.3 Planning History**

On April 28, 2021, the Approval Authority for the City of London issued draft-approval for the plan of subdivision submitted by Townline Orchard Property Ltd. representing the third and final phase of development within the Riverbend South Secondary Planning Area. The draft-approved plan consists of 39 low density residential single detached lots, 2 medium density residential blocks, 1 future development block, 1 park block, 1 road widening block, and 2 reserve blocks, served by 2 new streets being the extensions of Fountain Grass Drive and Upper West Avenue. On April 13, 2021, Municipal Council passed an amendment to the Zoning By-law to apply zoning to the various lots and blocks within the subdivision plan.

## **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) 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. 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 Townline Orchard Property Limited (Craig Linton, President) and the City of London. Subdivision securities were also posted as required by City policy and the Subdivision Agreement. Engineering drawings have been completed and accepted by the City for the installation of all services to lots and blocks within this subdivision plan. Therefore, the condition has been met for removal of the h provision.

The purpose and effect of the recommended action is to remove the general ‘h’ holding provision to allow development of 39 single detached dwellings as permitted under the Residential R1 (R1-4 and R1-5) Zones. With respect to the multi-family, medium density blocks within the subdivision, the zoning on these blocks includes more than one holding provision in addition to the standard “h”. These holding provisions will continue to remain in place for now until such time as the conditions specified in the Zoning By-law have been met to remove the holding symbols from the zone map.

## **Conclusion**

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbol from the zoning map.

**Prepared by:** **Larry Mottram, MCIP, RPP**  
**Senior Planner, Subdivisions and Condominiums**

**Reviewed by:** **Bruce Page, MCIP, RPP**  
**Manager, Subdivision Planning**

**Recommended by:** **Gregg Barrett, AICP**  
**Director, Planning and Development**

**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 Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

November 11, 2021  
GK/GB/BP/LM/lm

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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 the holding provision from the  
zoning for lands located at 1478  
Westdel Bourne.

WHEREAS Townline Orchard Property Limited has applied to remove the holding provision from the zoning on lands located at 1478 Westdel Bourne, 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 1478 Westdel Bourne, as shown on the attached map, to remove the holding (h) provision so that the zoning of the lands as a Residential R1 (R1-4) Zone, a Residential R1 (R1-5) Zone, a Holding Residential R6/R8 Special Provision (h-54•h-209•R6-5(77)/R8-4(64)) Zone, and a Holding Residential R4/R5/R6/R8 Special Provision (h-54•h-209•R4-6(11)/R5-7(9)/R6-5(61)/R8-3(5)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

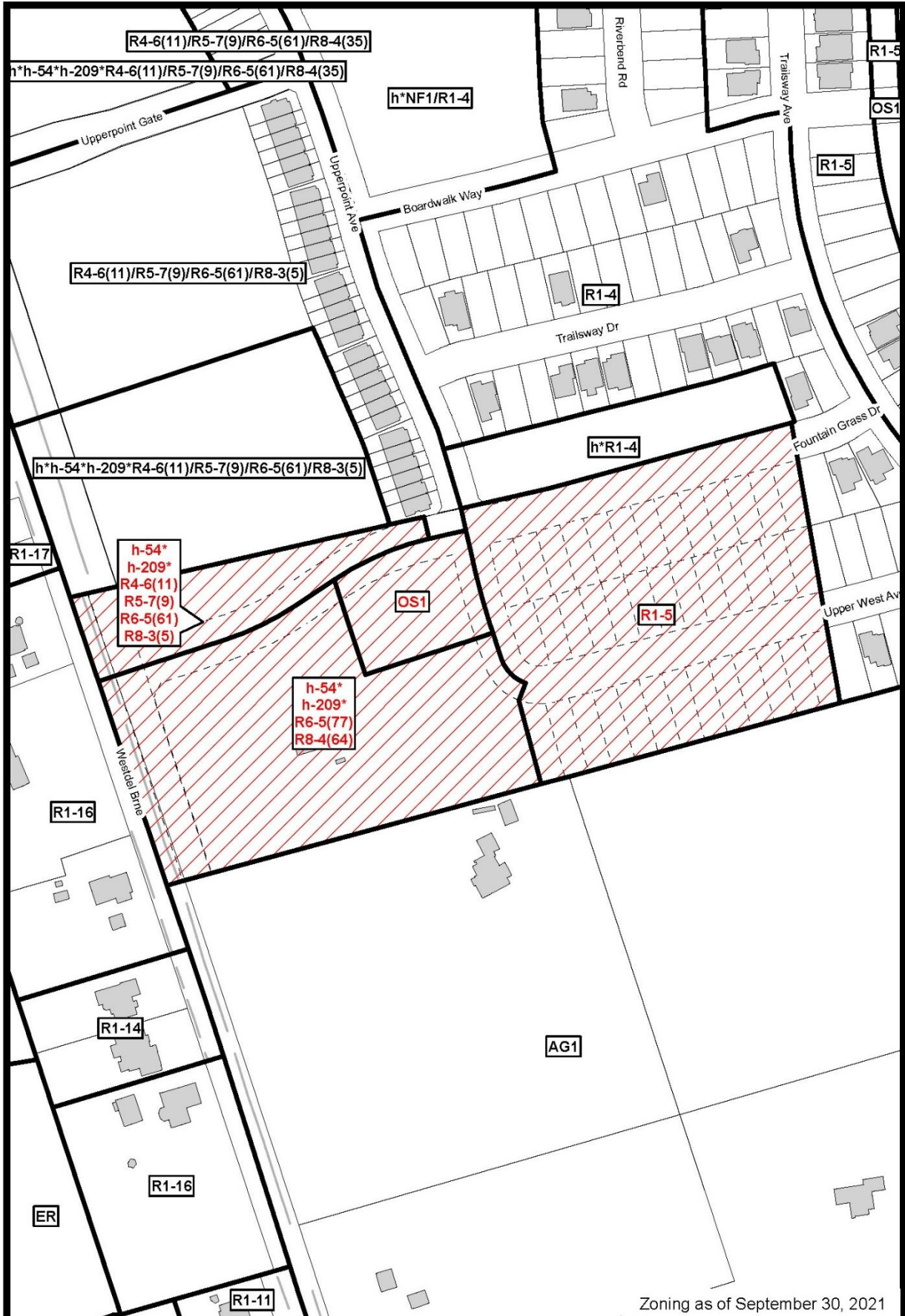
PASSED in Open Council on December 7, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – December 7, 2021  
Second Reading – December 7, 2021  
Third Reading – December 7, 2021

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



Zoning as of September 30, 2021

File Number: H-9412  
 Planner: LM  
 Date Prepared: 2021/11/02  
 Technician: RC  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 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 September 30, 2021.

**Responses:** None

**Nature of Liaison:** 1478 Westdel Bourne; located on the east side of Westdel Bourne, south of Oxford Street West (identified as Lots 1-39 and Blocks 40, 41 and 42 on a draft-approved plan of subdivision File No. 39T-20503) – City Council intends to consider removing the Holding (“h”) Provision from the zoning of the subject lands to allow development of a residential plan of subdivision. 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 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. Council will consider removing the holding provision as it applies to these lands no earlier than November 16, 2021.

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

**Telephone:**  
None

**Written:**  
None

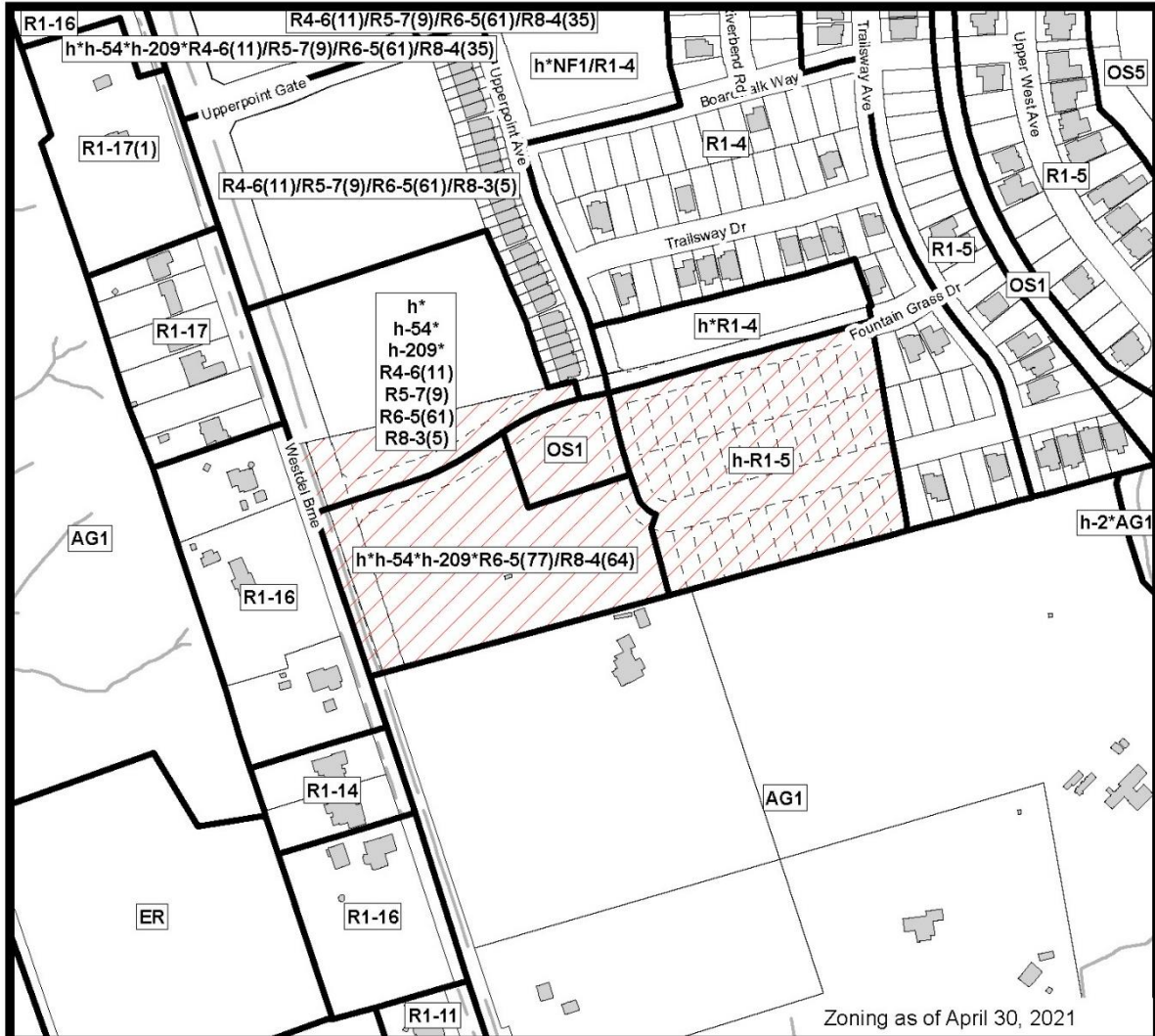
### Significant Agency/Departmental Comments:

None



# Appendix C – Relevant Background

## Existing Zoning Map



### 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



FILE NO:

H-9412

LM

MAP PREPARED:

2021/10/26

rc

1:4,000

0 20 40 80 120 160 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS