

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: Corlon Properties Inc.
600 Sunningdale Road West
Removal of h and h-18 Holding Provisions

Meeting on: October 18, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application of Corlon Properties Inc. relating to the property located at 600 Sunningdale Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 26, 2021 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 600 Sunningdale Road West **FROM** Holding Residential Special Provision R1 (h*h-18*R1-9) Zone **TO** Residential Special Provision R1 (R1-9) Zone to remove the h and h-18 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-18 holding provisions so that the development of 42 single detached dwellings can proceed in accordance with the approved zoning.

Rationale of Recommended Action

The conditions for removing the h and h-18 holding provisions have been met, as the required security has been submitted, the development agreement has been signed and all archaeological concerns have been addressed, given that:

1. The removal of the h and h-18 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. The proponent has retained an archaeological consultant, completed a Stage 4 Archaeological Assessment and has provided the City of London with the MTCS compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied.

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

June 1998 - The Sunningdale Area Plan was adopted by Council June 1998

November 12, 2018 - Report to Planning and Environment Committee regarding the public participation meeting for the draft plan of subdivision and zoning by-law amendment (39T-18501/Z-8888).

July 22, 2019 - Report to Planning and Environment Committee to recommend approval of the draft plan of subdivision and associated zoning by-law amendment (39T-18501/Z-8888).

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

1.2 Planning History

In 1996, the City initiated an Area Study for the lands. The Sunningdale Area Plan was adopted by Council in June 1998. Through the Area Planning process the 20.6ha site was identified for Low Density Residential and Open Space.

An application for Zoning By-Law Amendment and Draft Plan of Subdivision was approved by Municipal Council on 31, 2019. Special Provisions for Phase 1 of the subdivision were approved by Council on July 6, 2021.

1.3 Property Description

The subject lands are located in the northwest quadrant of the City and are located to the south of Sunningdale Road West, to the north and west of the Medway Valley Creek and Heritage Forest ESA. The Subject lands are part of the Sunningdale Court Subdivision which is planned to include 100 single detached dwellings, two (2) residential townhouse blocks, and four (4) open space blocks, served by three new neighbourhood streets once it is fully built out.

The subject lands are known as Phase 1 of the Sunningdale Court Subdivision and are proposed to be developed as 42 single detached dwellings, two (2) open space blocks, and two (2) new neighbourhood streets.

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

- The London Plan Place Type – Neighbourhoods Place Type
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – h*h-18* R1-9; and OS5

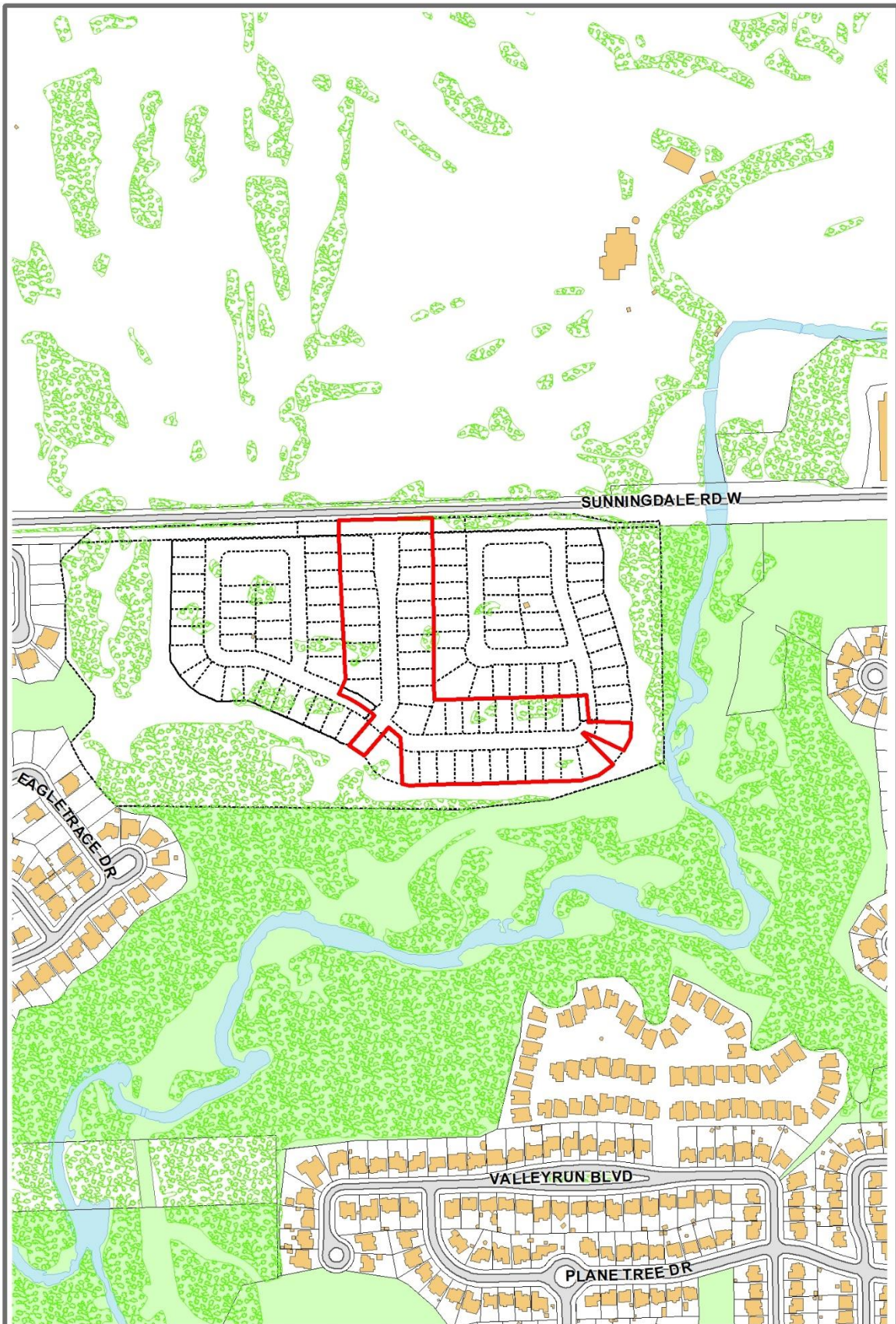
1.5 Site Characteristics

- Current Land Use – golf course
- Frontage – approx. 106m on Sunningdale Road West (Civic Boulevard)
- Area – approx. 45,563 m² (4.56 ha)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – open space, golf course
- East – open space, natural environment, low density residential
- South – open space, natural environment
- West – open space, natural environment, low density residential

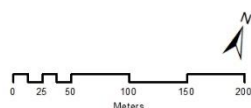
1.7 Location Map



LOCATION MAP






Subject Site: 600 Sunningdale Rd W
File Number: H-9394
Planner: Michael Clark
Date: 2021/10/01

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



Scale 1:5000

Legend

-  Subject Site
-  Buildings
-  Assessment Parcels
-  Parks
-  Vegetation

2.0 Discussion and Considerations

The applicant is requesting to remove the h, and h-18 holding provision from the subject lands. This h holding provision requires orderly development of lands and the adequate provision of municipal services. The h-18 holding provision requires that the proponent retain a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out an archaeological assessment of the property, and if necessary, ensure that any archaeological resources have been conserved by removal and documentation, or by site preservation. The removal of the h, and h-18 holding provisions will allow for the development of 42 single detached dwellings on the subject lands.

2.1 Community Engagement (see more detail in Appendix B)

On August 26, 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-18” holding provision states that:

“h-18 Purpose: The proponent shall retain a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of the London Plan.

All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MTCS has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted on site.

No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MTCS compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied.”

Heritage Staff have confirmed that they are in receipt of all the archaeological assessment reports and compliance letters from the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for the Sunningdale Court subdivision. Heritage staff have confirmed that they are satisfied that the archaeological matters related to the Sunningdale Court subdivision (39T-18501) have been addressed and they have no comments or objections to the application.

This satisfies the requirement for removal of the “h-18” holding provision.

Conclusion

It is appropriate to remove the “h” and “h-18” 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; all archaeological matters related to the Sunningdale Court subdivision have been addressed; and the City has received all archaeological reports and clearances.

Prepared by: Michael Clark, MA
Planner, Subdivision Planning

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

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Peter Kavcic, Manager, Subdivision Engineering

H-9394
M. Clark

cc: Michael Pease, Manager, Site Plans

BP/mc

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9394 - 600 Sunningdale Road West (M. Clark)\05 - PEC\Draft PEC
- H-9394- 600 Sunningdale Road West (M Clark).docx

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 600 Sunningdale Road West.

WHEREAS Corlon Properties Inc. have applied to remove the holding provision from the zoning for the lands located at 600 Sunningdale Road West, 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 600 Sunningdale Road West, as shown on the attached map, to remove the h and h-18 holding provision so that the zoning of the lands as Residential Special Provision R1 (R1-9) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

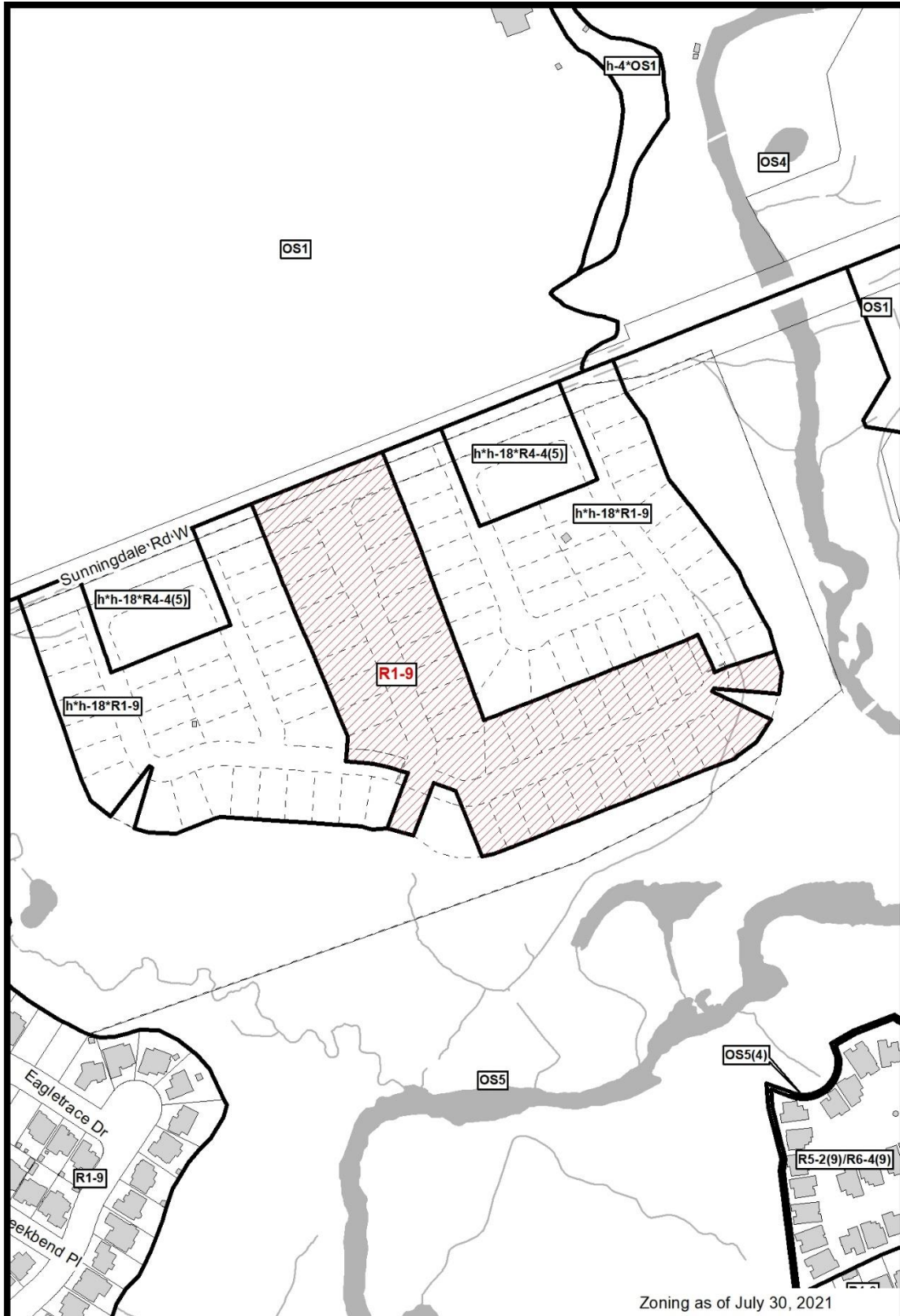
PASSED in Open Council on October 26, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - October 26, 2021
Second Reading - October 26, 2021
Third Reading - October 26, 2021

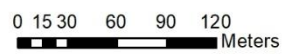
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9394
Planner: MC
Date Prepared: 2021/10/01
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:3,500



Appendix B – Public Engagement

Community Engagement

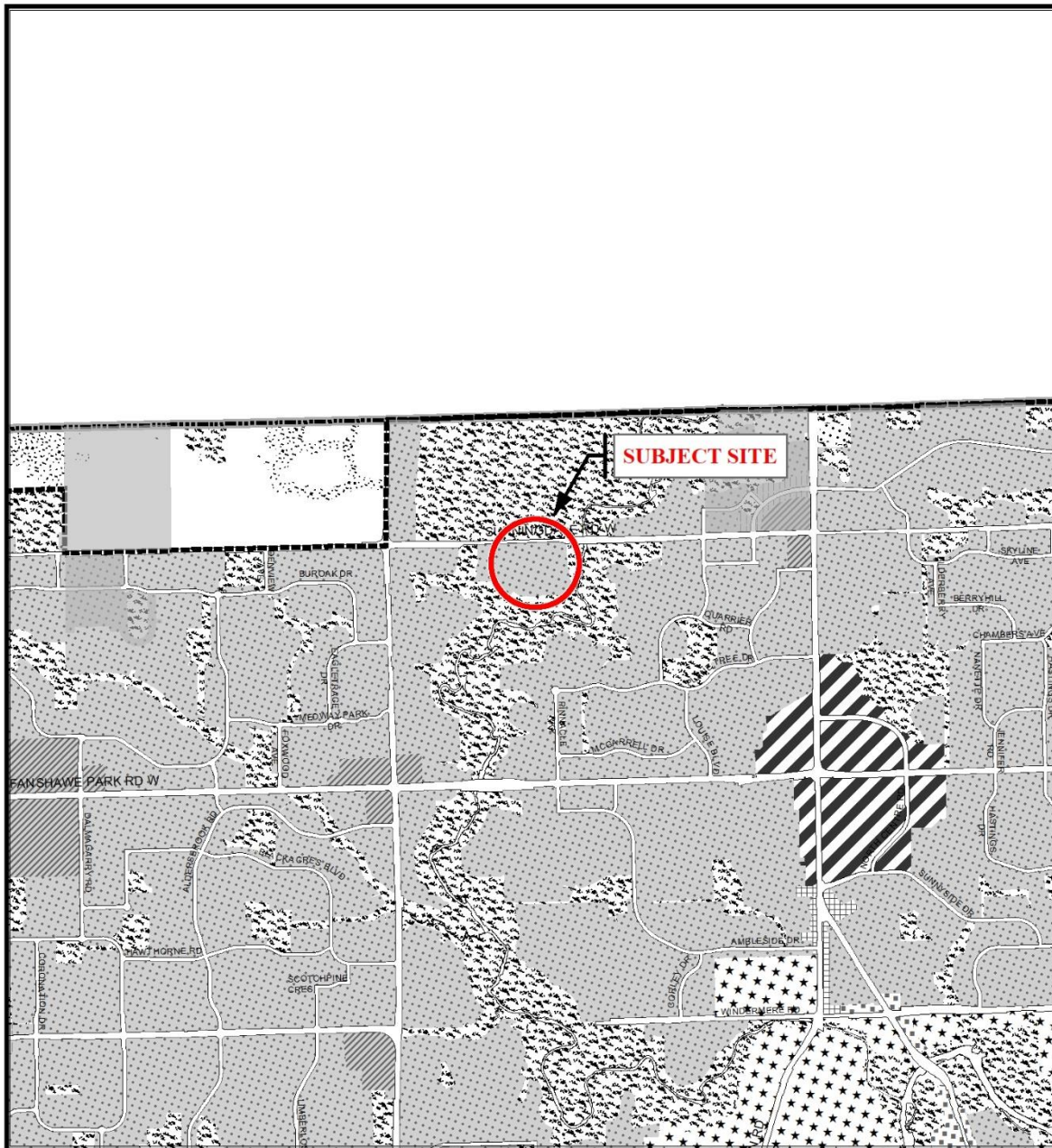
Public liaison: Notice of the application was published in the Londoner on August 26, 2021

0 replies were received

Nature of Liaison: City Council intends to consider removing the h and h-18 holding provisions from the lands. The 'h' holding provision requires that security has been provided for the subdivision agreement, and that a subdivision agreement is executed by the applicant and the City prior to development. Prior to the removal of the 'h-18' holding provision, it is required that a Stage 1 (or Stage 1-2) archaeological assessment of the entire property is completed and that any archaeological resources identified have been conserved by removal and documentation, or by site preservation. Council will consider removing the holding provisions as they apply to these lands no earlier than September 27, 2021. File: H-9394 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	Areas Withheld from LPAT Approval
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.

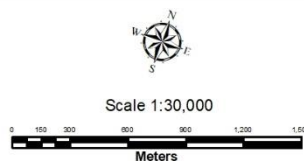
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning & Development

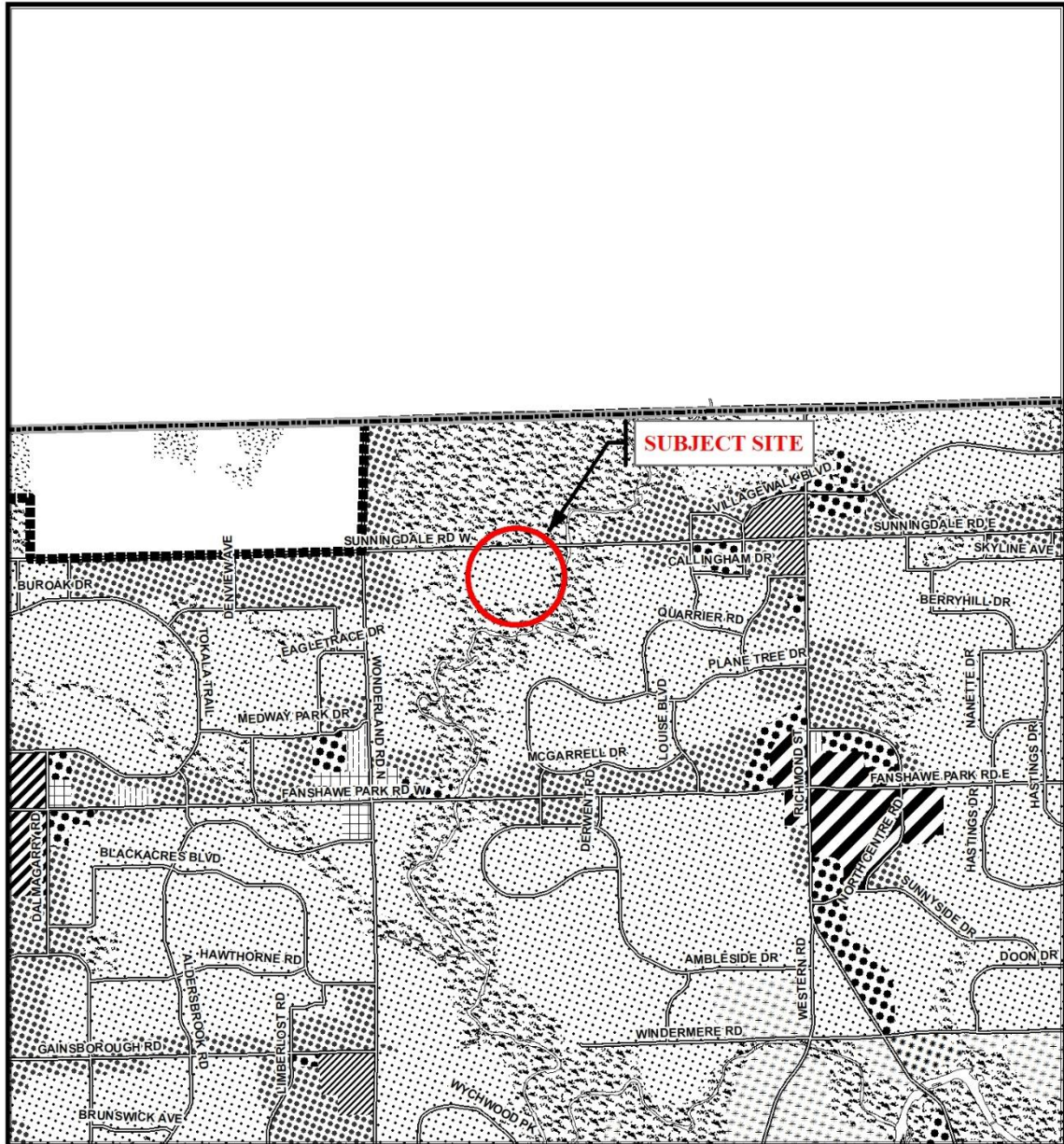
**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning & Development



File Number: H-9394
Planner: MC
Technician: MB
Date: 2021/10/01

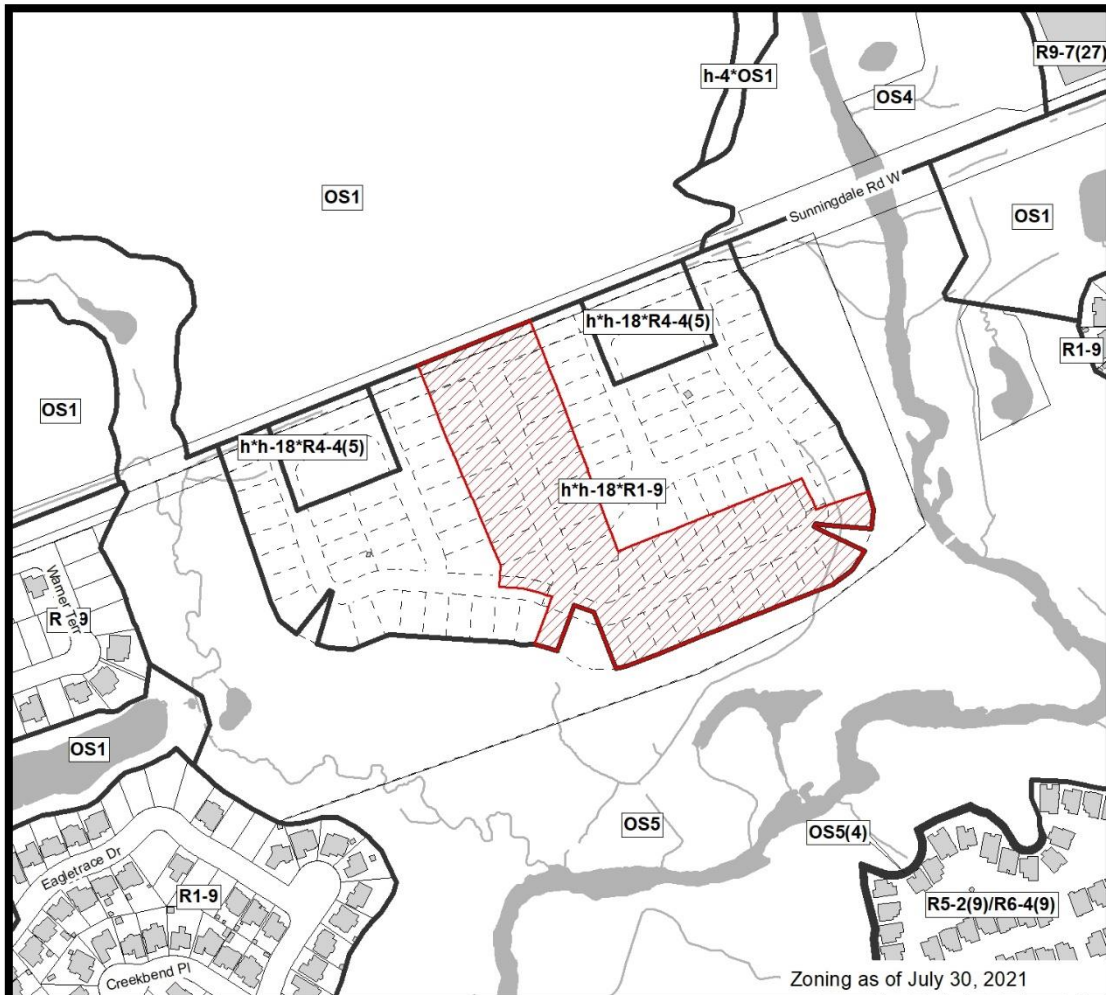
1989 Official Plan Excerpt



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 Meters</p>	<p>FILE NUMBER: H-9394</p>
		<p>PLANNER: MC</p> <p>TECHNICIAN: MB</p> <p>DATE: 2021/10/01</p>

Existing Zoning Map



Zoning as of July 30, 2021

 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-18*R1-9**

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-9394 MC

MAP PREPARED:
2021/10/01 MB

1:5,000
0 25 50 100 150 200
Meters