

## 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 Vista Wood Estates Limited c/o MTE  
Consultants Inc.  
Vista Wood Estates – Phase 3, S/W Sunningdale Road West  
and Wonderland Road North  
Removal of Holding Provisions

**Date:** February 7, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by MTE Consultants Inc., relating to portion of lands located southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West), the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting to be held on February 15, 2022 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 R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) Zone **TO** a Residential R1 (R1-4) Zone, Holding Residential R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) 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 (h) holding symbol to permit the development of 33 single detached lots within a residential plan of subdivision (Vista Wood Estates – Phase 3).

### 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 dwellings in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for Phase 3 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

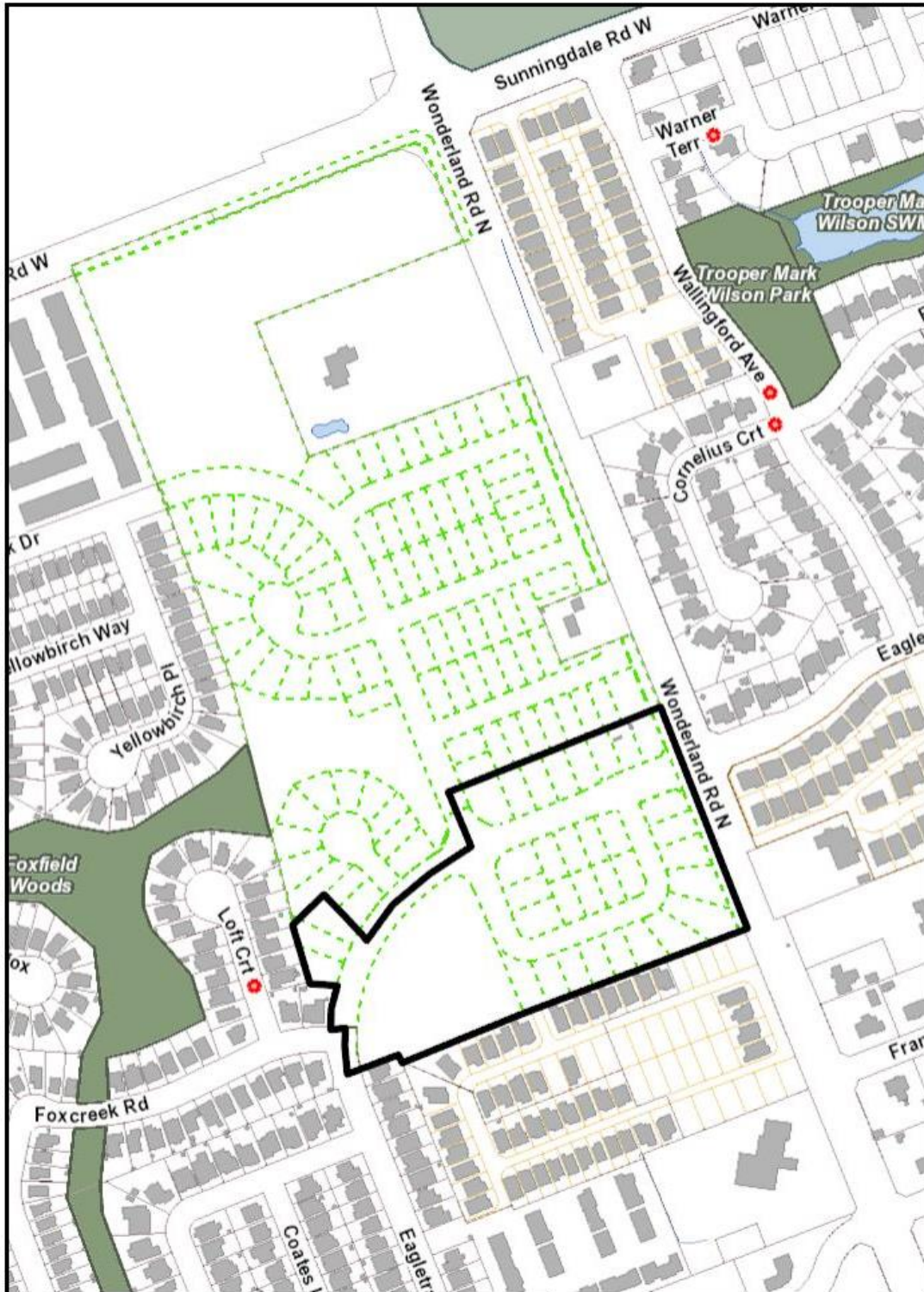
### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

39T-03505/Z-6463 Draft Approval report to Planning Committee - November 2004  
39T-03505/Z-6463 Amend zoning report to Planning Committee – January 2005  
39T-03505 Draft Approval extension report to Planning Committee - June 2009  
39T-03505 Draft Approval extension report to Planning Committee - March 2014  
39T-03505 Draft Approval extension report to Planning Committee - December 2016

## 2.0 Discussion and Considerations

### 2.1 Location Map



#### Location Map

Project Title: H-9448  
Description:  
Created By: Mark Johnson  
Date: 1/24/2022  
Scale: 1:4000

#### Legend

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



## **2.2 Description of Proposal**

This proposal is for consideration of a request to remove the holding provision from lots 1 to 33 within the Vista Wood Estates Subdivision (Phase 3) to permit development of single detached dwellings.

## **2.3 Planning History**

The plan of subdivision was draft approved in 2004 and since that time the applicant has requested several draft approval extensions. Phase 1 of this draft plan was registered on December 12, 2011 (33M-639) and Phase 2 of this draft plan was registered on November 5, 2015 (33M-687). The owner requested a 3 year extension of draft approval in 2019. At its meeting on November 12, 2019, City Council requested that the Approval Authority approve the three year extension. The new draft approval expiry date is December 23, 2022 (three years after the last extension of draft approval).

The holding “h” provision was applied in November 2004 at the time the Draft Plan of Subdivision was approved.

## **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 Considerations**

### **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. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, one holding provision was added to the subject site to ensure the orderly development of lands and the adequate provision of municipal services. The holding provision, and confirmation as to how each requirement has been satisfied, are noted below:

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 Vista Wood Estates Limited and the City of London. Vista Wood Estates Limited has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the h provision.

## **Conclusion**

The requirements for holding provision on the subject lands have been addressed which will allow the issuance of residential building permits for 33 single detached lots in Phase 3. A holding provision will continue to remain in place on the multi-family residential development blocks (Block 34) until such time as site plan and development applications have been submitted and approved. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to remove the holding provisions from the zoning for the lands.

**Prepared by:** Mark Johnson, MCIP, RPP  
Senior Planner, Planning and Development

**Reviewed by:** Bruce Page  
Manager, Planning and Development

**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 Development Services.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

## Appendix A

Bill No. (Number to be inserted by  
Clerk's Office)  
2022

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
remove holding provisions from the  
zoning for lands located at southwest of  
corner of Sunningdale Road West and  
Wonderland Road North (formerly  
known as 751 Fanshawe Park Road  
West).

WHEREAS Vista Wood Estates Limited has applied to remove the holding provisions from the zoning on lands located at southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park 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 provisions 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 southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West), as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-4) Zone, Holding Residential R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

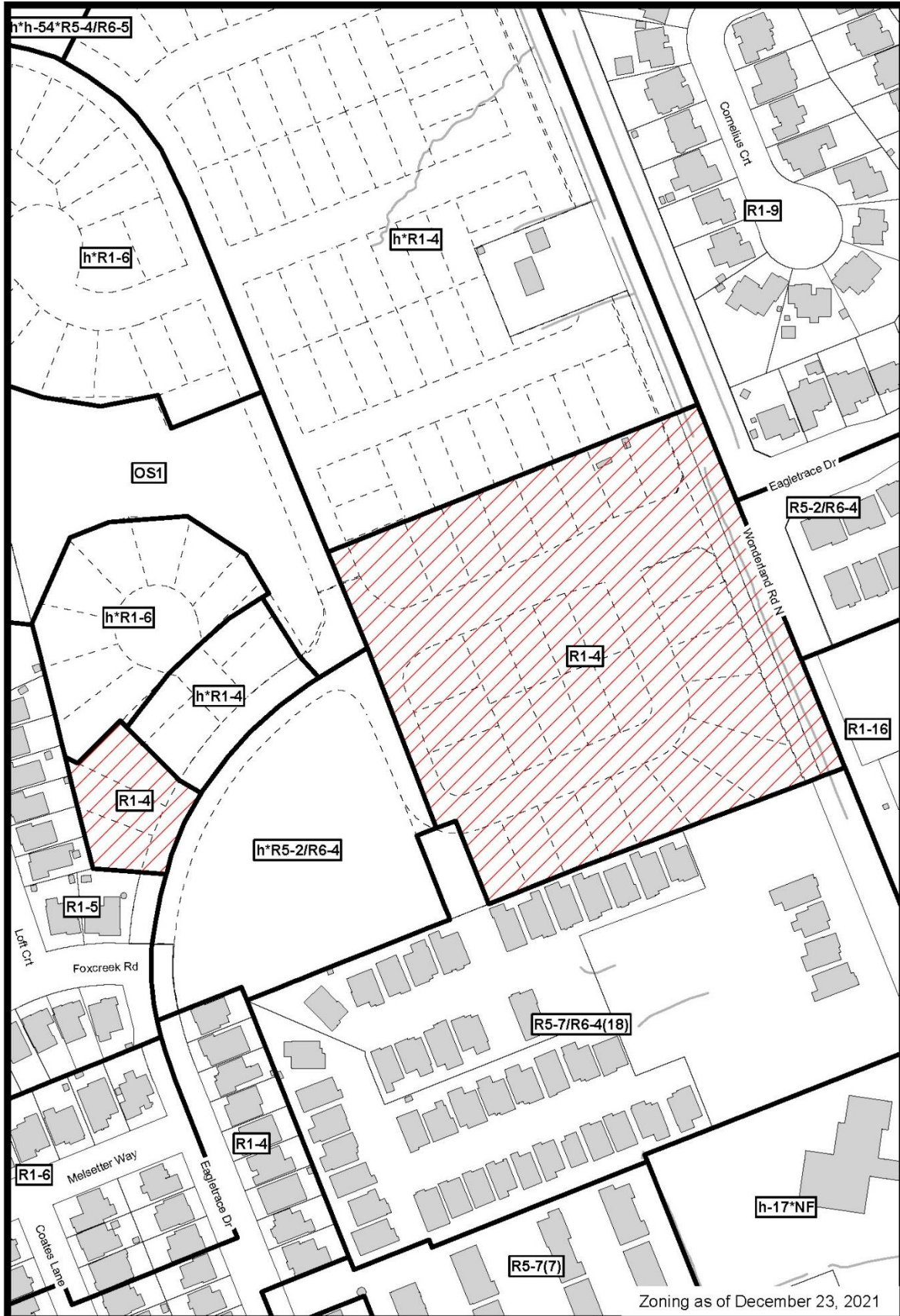
PASSED in Open Council on February 15, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 2022

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



Zoning as of December 23, 2021

File Number: H-9448

Planner: MJ

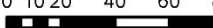
Date Prepared: 2022/01/21

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:2,250

0 10 20 40 60 80  
 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 December 23, 2021.

**Responses:** No replies

**Nature of Liaison: 751 Fanshawe Park Road West** – 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 (Vista Wood Subdivision - Phase 3). 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 **February 15, 2022**.

### 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-9448

MJ

MAP PREPARED:

2022/1/21

RC

1:2,250

0 10 20 40 60 80  
Meters

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