

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application by Baker Planning Group
1738, 1742, 1752 and 1754 Hamilton Road
Removal of Holding Provisions

Date: February 28, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Baker Planning Group, relating to lands located at 1738, 1742, 1752 and 1754 Hamilton Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on March 22, 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•h-100•R1-3) Zone, a Holding Residential R1 Special Provision (h•h-100•R1-3(19)) Zone, a Holding Residential R1 Special Provision (h•h-100•R1-3(20)) Zone, a Holding Residential R4 Special Provision (h•h-100•R4-6(9)) Zone, and a Holding Residential R6 Special Provision (h•h-100•R6-5(55)) Zone **TO** a Residential R1 (R1-3) Zone, a Residential R1 Special Provision (R1-3(19)) Zone, a Residential R1 Special Provision (R1-3(20)) Zone, a Residential R4 Special Provision (R4-6(9)) Zone, and a Residential R6 Special Provision (R6-5(55)) 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 symbols to permit the development of a residential subdivision consisting of 68 single detached lots, 1 street townhouse block, and 2 cluster housing blocks.

Rationale of Recommended Action

1. The conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow development of a residential plan of subdivision to proceed 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 has been executed by the subdivider and the City.
3. Provision has been made for a looped watermain system to ensure adequate water service, as well as provision for a second public road access to the satisfaction of 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

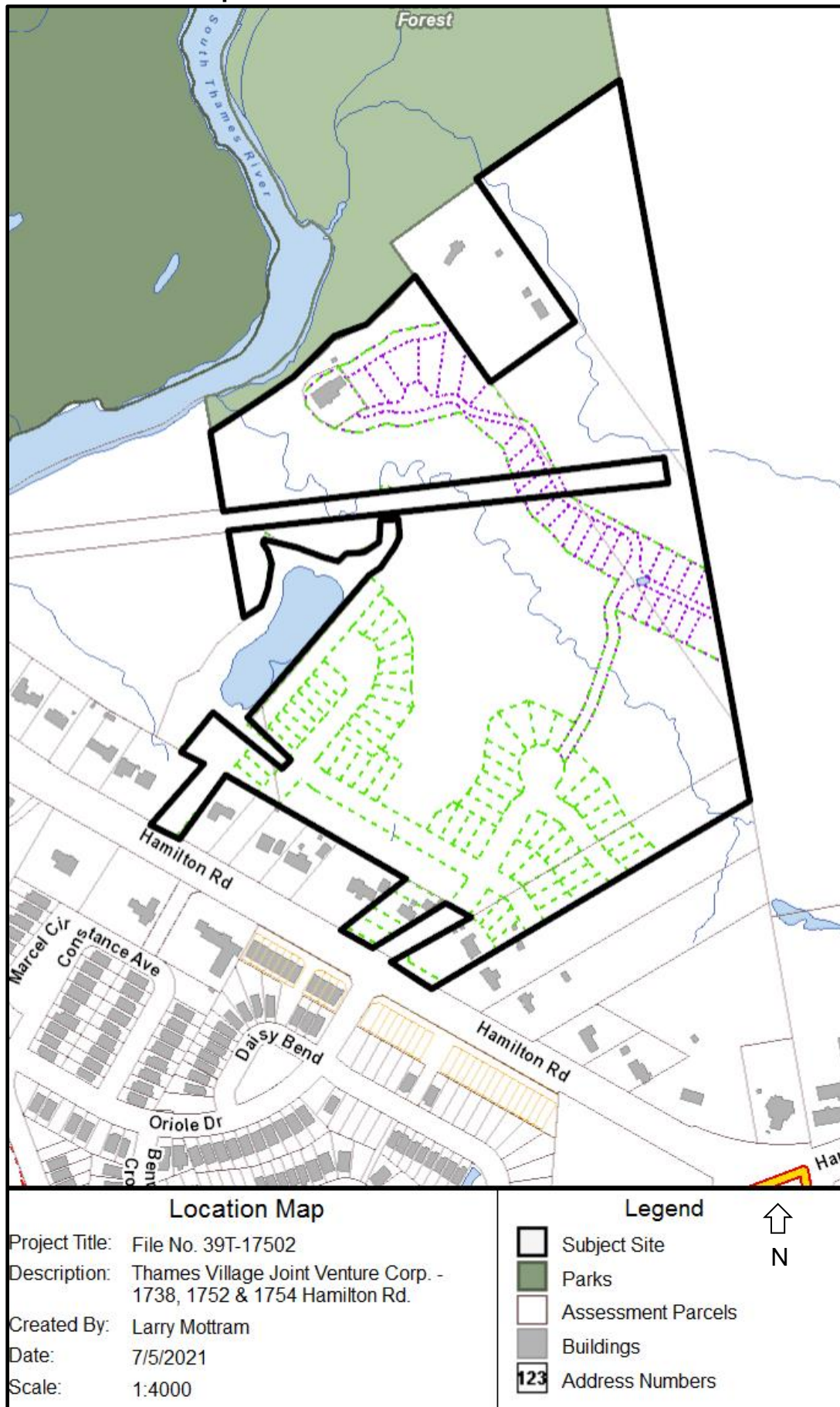
1.0 Background Information

1.1 Previous Reports Related to this Matter

July 26, 2021 – Report to Planning and Environment Committee - 1738, 1752 and 1754 Hamilton Road – Thames Village Joint Venture Subdivision Phases 1 and 2 – Special Provisions – Thames Village Joint Venture Corporation (File No. 39T-17502).

2.0 Discussion and Considerations

2.1 Location Map



2.2 Description of Proposal

This proposal is for consideration of a request to remove the holding provisions to permit development of a residential plan of subdivision consisting of 68 single detached lots, two (2) cluster housing blocks, one (1) street townhouse block, seven (7) open space blocks, two (2) road widening blocks, four (4) reserve blocks, two (2) temporary turning circles, and three (3) local streets (Bobolink Lane, Oriole Drive and Chickadee Trail).

2.3 Planning History

On August 15, 2018, the City of London Approval Authority approved a draft plan of subdivision for lands located at 1738, 1742, 1752 and 1754 Hamilton Road submitted by Thames Village Joint Venture Corporation. Municipal Council previously advised the Approval Authority of its support for the draft plan and related zoning by-law amendments at their meeting held June 26, 2018. The Approval Authority issued final approval of the subdivision plan on December 22, 2021 registered as Plan No. 33M-814.

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 & h-100) provisions 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, two holding provisions were added to the subject site to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and to ensure that there is adequate water service and appropriate access. The holding provisions, 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 Thames Village Joint Venture Corporation and the City of London registered as Instrument No. ER1439731. Thames Village Joint Venture Corp. 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.

The purpose of the holding (“h-100”) provision in the Zoning By-law is as follows:

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.

The subdivision servicing drawings have been reviewed and accepted by City staff. Thames Village Joint Venture Corp. has commenced with the installation of services, including the watermains and water looping of the subdivision with connections to the existing 250 mm diameter PVC watermain on Hamilton Road at both Bobolink Lane and Oriole Drive. A second public road access is also provided to the subdivision street network with separate road connections to Hamilton Road via Bobolink Lane and Oriole Drive. Therefore, the condition has been satisfied for removal of the h-100 provision.

Conclusion

The requirements for two holding provisions on the subject lands have been addressed which will allow the issuance of residential building permits. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbols from the zoning map.

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

Reviewed by: Bruce Page
Manager, Subdivision Planning

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

Submitted by: Scott Mathers, MPA
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

February 18, 2022
SM/GB/BP/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2022 PEC Reports\1_Current Cycle (Feb 28)\FINAL - 1738, 1742, 1752 and 1754 Hamilton Road - Baker Planning Group - H-9466 LM.docx

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 1738, 1742,
1752 and 1754 Hamilton Road.

WHEREAS Baker Planning Group has applied to remove the holding provisions from the zoning on lands located at 1738, 1742, 1752 and 1754 Hamilton 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 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 1738, 1742, 1752 and 1754 Hamilton Road, as shown on the attached map, to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R1 (R1-3) Zone, a Residential R1 Special Provision (R1-3(19)) Zone, a Residential R1 Special Provision (R1-3(20)) Zone, a Residential R4 Special Provision (R4-6(9)) Zone, and a Residential R6 Special Provision (R6-5(55)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

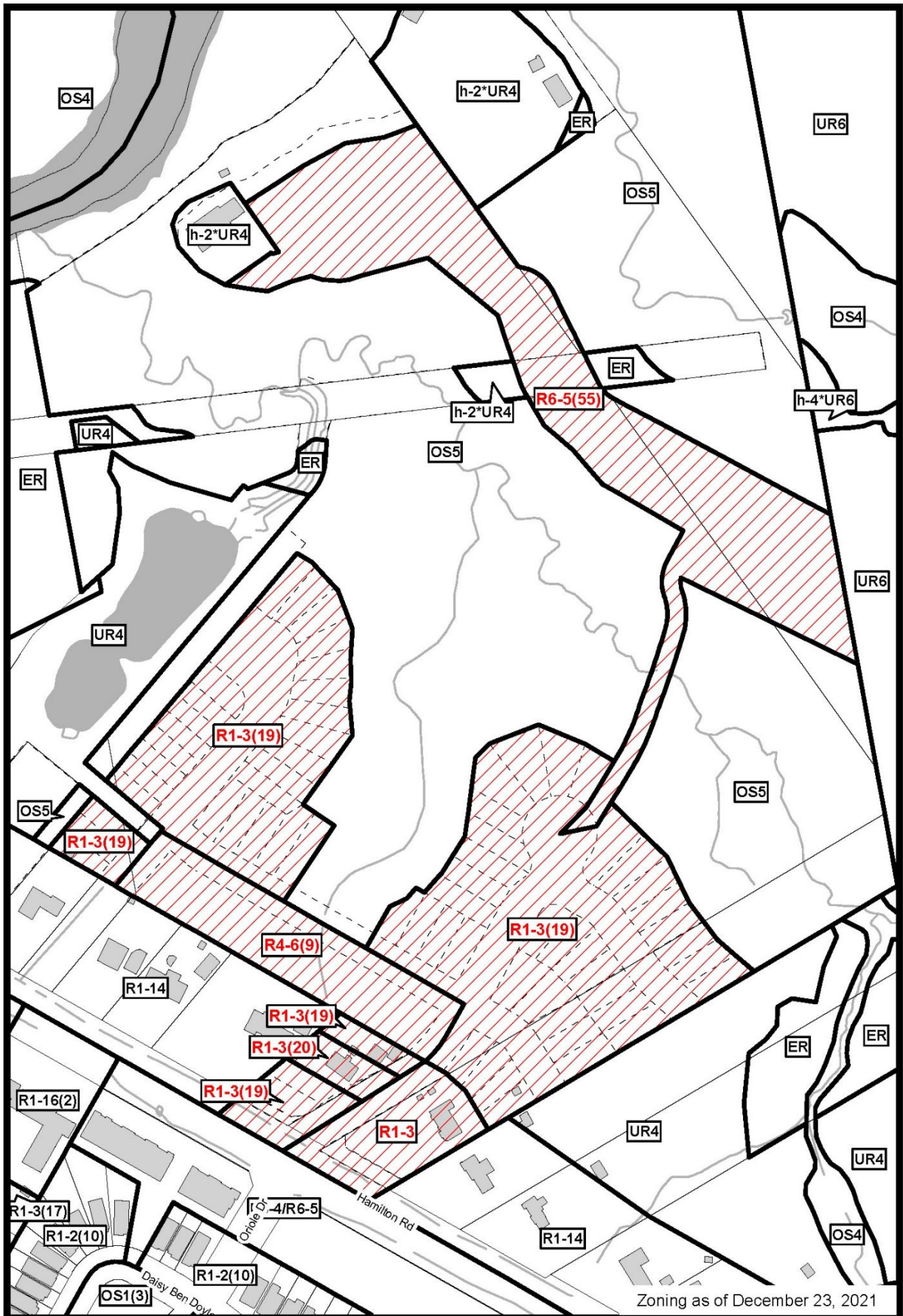
PASSED in Open Council on March 22, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 2022

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



File Number: H-9466
Planner: LM
Date Prepared: 2022/02/02
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 February 3, 2022.

Responses: No replies

Nature of Liaison: 1738, 1742, 1752 and 1754 Hamilton Road; located on the east side of Hamilton Road, north of Commissioners Road East and south of the Thames River – City Council intends to consider removing the Holding (“h” and “h-100”) Provisions 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. The purpose of the h-100 symbol is 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. Interim uses may be permitted up to 80 units maximum. Council will consider removing the holding provision as it applies to these lands no earlier than **March 22, 2022**.

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

Telephone:
None

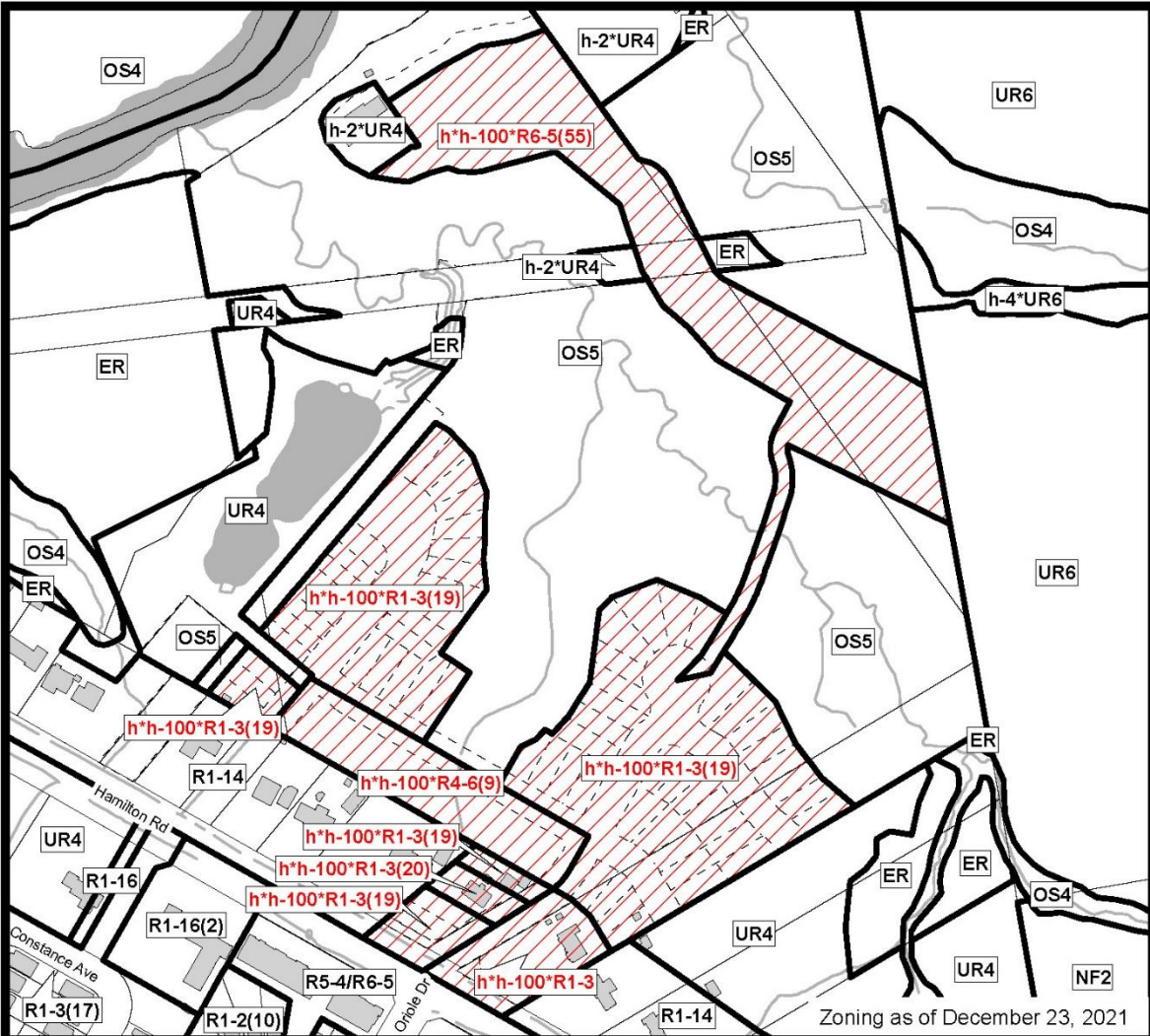
Written:
None

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**

- | | |
|--|---|
| <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-9466 LM

MAP PREPARED:
2022/02/02 RC

1:3,500
0 15 30 60 90 120 Meters