

Subject: Removal of Holding ('H') – Artisan Ridge Phase 2 Plan of Subdivision (D14-09-2022)

Report to: Thorold City Council

Recommendations

1. That Development Services Report DS 48-2024 **BE RECEIVED**; and
2. That the Zoning By-law Amendment to remove the Holding ('H') symbol from the property known as the Artisan Ridge – Phase 2 Plan of Subdivision **BE APPROVED**.

Key Facts

- The purpose of this report is to seek a decision from Council regarding the proposed removal of a Holding ('H') provision for the subject lands, known as the Artisan Ridge – Phase 2 Plan of Subdivision;
- An application was received from LANDx Developments, on behalf of Marydel Homes (Thorold) Inc. to remove the current Holding ('H') symbol from the property;
- The Holding ('H') symbol was placed on the subject lands to ensure that access to Part 1 lands were obtained from Trillium Railway, and the Stormwater Management Plan is approved by the Ministry of the Environment and Climate Change (now Ministry of the Environment, Conservation and Parks, or MECP) prior to commencing construction. The language for the Holding ('H') symbol went further to state that all matters were to be resolved to the satisfaction of the City of Thorold and Regional Planning and Development Department.
- The City's Engineering Department has reviewed the matter and is satisfied that documentation provided by the applicant constitutes approval by MECP of the SWM Plan. The Applicants have demonstrated through the Subdivision Approval that the Trillium Rail Line issue has been addressed satisfactorily.
- The Holding ('H') provisions were removed for Zoning By-law 2140(97) in September 2022, following receipt of the application materials and preparation of a Staff Report (Report PDS-2022-43). The intent of this Staff Report and related Bill is to remove the Holding ('H') provisions from Zoning By-law 60(2019).

- The proposal has been reviewed by Development Services staff to ensure the matters related to the Holding ('H') zone are addressed; and
- Planning Staff support the application and recommend that Council approve the requested Zoning By-law amendment to remove the Holding ('H') symbol.

Budgetary Status

There is no budgetary impact resulting from this report.

Analysis

Site context and description

The subject lands are located on the north side of Bruton Street, east of McCleary Drive, west of Queen Street South, and south of Highway No. 58. The proposed subdivision is located north of Artisan Ridge-Phase 1, which is currently under construction. A Subdivision Agreement for the subject lands was approved in August, 2022. **Figure 1** on the following page depicts the site context.

A previous removal of the Holding ('H') provision was approved by City Council in September 2022 (Report PDS-2022-43). At that time the Holding ('H') provisions from Zoning By-law 2140-97 were removed.

The City's new Zoning By-law (60-2019) was adopted by Council but not in force at the time the previous Holding ('H') was removed. Accordingly, the application dealt solely with Zoning By-law 2140-97.

As the appeals to the Residential Zoning categories of Zoning By-law 60-2019 were settled on May 23rd, 2024 by Ontario Land Tribunal Order (OLT-22-002825), it is now appropriate to proceed with removing the Holding ('H') provisions related the new Zoning By-law as well.

The applicant (LANDx, on behalf of Marydel Homes) provided an updated application form addressing Zoning By-law 60-2019, which permitted this Holding ('H') removal to proceed. Since the applicant previously provided an application fee in 2022 to remove the Holding ('H') symbol from the then in-force Zoning By-law, a further application fee was not required by City staff.

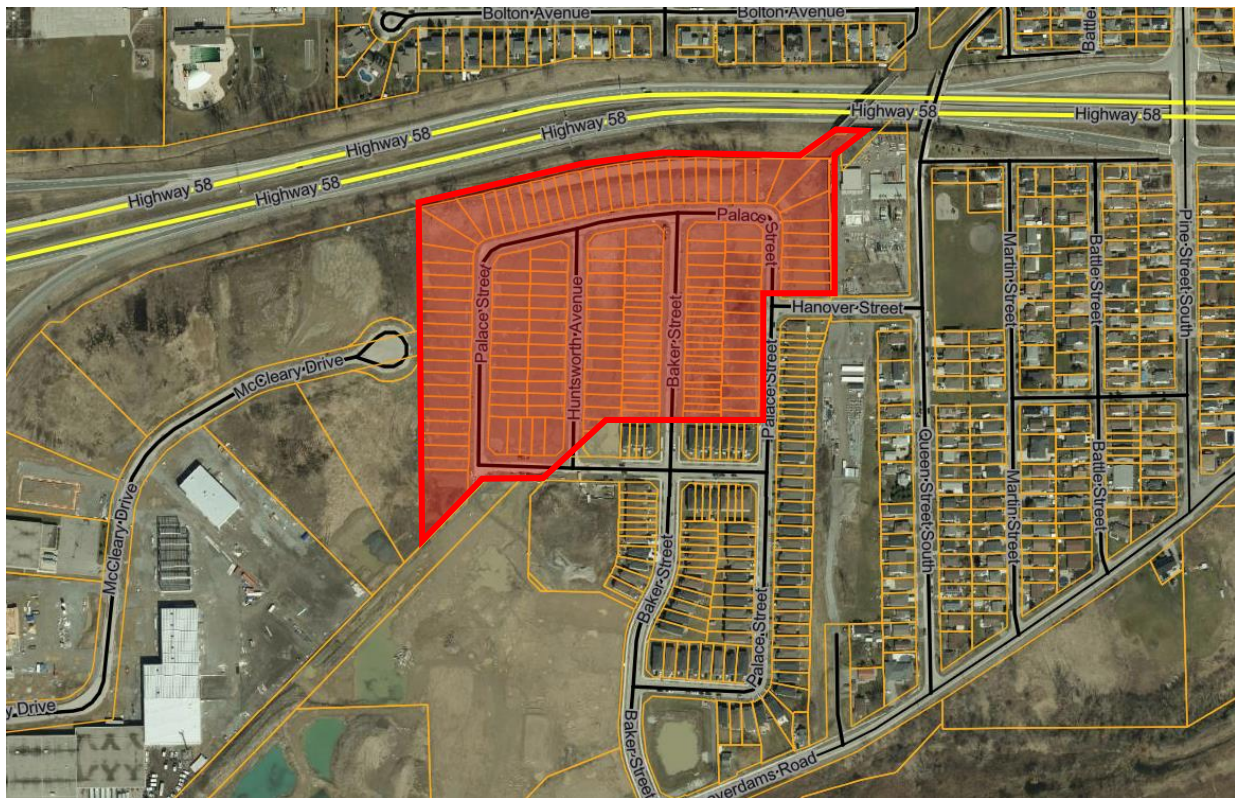


Figure 1 – site context

The subject lands previously received Draft Plan approval from the City of Thorold (decision dated November 19th, 2019), with the applicable Zoning By-law amendments also approved at that time. The approved development includes one-hundred and twenty-three (123) single-detached dwellings and thirty-six (36) street townhouses. Final clearance for registration was subsequently passed by City of Thorold Council on November 18th, 2022 following the submission of applicable materials and review by City staff.

Purpose of application

Holding ('H') symbols are put in place for several reasons and are used to ensure development does not occur until such time the 'H' is removed. The Holding ('H') symbol was placed on the subject lands to ensure that access to Part 1 lands were obtained from Trillium Railway and the Stormwater Management Plan is approved by the Ministry of the Environment and Climate Change (now MECP) prior to commencing construction.

The City's Engineering Department and Development Services Department have both reviewed the matter as a result of this request and through final review and signoff related

to the Draft Plan of Subdivision. Staff are satisfied that considerations related to servicing have been addressed, and the development can proceed accordingly.

Staff is therefore recommending the removal of the Holding ('H') provisions from Zoning By-law 60-2019.

Planning legislation and documents

Planning staff have reviewed the application in accordance with the *Planning Act*, R.S.O. 1990, c. P.13, and the following provincial, regional, and local planning documents:

- Provincial Planning Statement (2024);
- Regional Official Plan (2022);
- City of Thorold Official Plan (2016);
- Zoning By-law 60 (2019); and,
- Zoning By-law 2149(97).

The Zoning By-law Amendment to remove the Holding ('H') symbol is consistent with Provincial and local policy as it allows for the orderly development of urban serviced land. When the Holding ('H') provision was put in place, there were concerns with access from the Trillium Railway lands and ensuring that approvals were in place for the Stormwater Management Pond. These constraints were further reviewed through the subdivision registration process, and the lands are now fully serviced and are presently eligible for building permits given the previous approvals for the removal of Holding ('H') to Zoning By-law 2140-97. In order to continue to facilitate the construction of the subdivision, it is appropriate to remove the (H) provisions to Zoning By-law 60-2019 at this time.

Conclusion

It is the opinion of Development Services staff that the proposed Zoning By-law Amendment to remove the Holding ('H') symbol from the subject lands should be approved. The proposal is consistent with the PPS, conforms to Provincial, Regional, and local policies and requirements, and is appropriate for the subject lands. Accordingly, Development Services staff recommend that Council approve the application.

Impact on the Environment, Climate Change

There are no known environmental or climate change related impacts to this Report.

Alternatives Reviewed

N/A

Relationship to Strategic Plan

- Responsible Growth and Infrastructure Planning

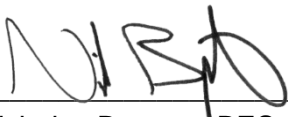
Other Pertinent Reports

N/A

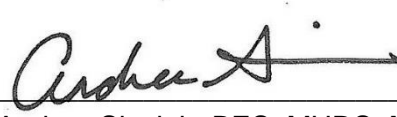
ATTACHMENTS:

Attachment A Draft Zoning By-law Amendment to remove Holding ('H') symbol

Prepared by:



Nicholas Bogaert, BES, MCIP, RPP, CAHP
Associate, MHBC Planning



Andrea Sinclair, BES, MUDS, MCIP, RPP
Partner, MHBC Planning

Prepared and Recommended by:

Jason Simpson
Director, Development Services

Approved and Submitted by:

Manoj Dilwaria
Chief Administrative Officer

This report was reviewed by Morgan Casciani, Chief Planner/Associate Director. A draft of this report was prepared by Marc Davidson, previous Senior Planner with the City of Thorold.