

--	--

H-8403/L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED VICTORIA ON THE RIVER SUBDIVISION – PHASE 1 (FORMERLY 1603 HAMILTON ROAD) MEETING ON SEPTEMBER 9TH, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited relating to the Victoria on the River Subdivision - Phase 1 (formerly known as 1603 Hamilton Road) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on September 16, 2014 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of Lots 1 through 8, Lots 12 through 19, and Lots 21 through 59, inclusive, within Registered Plan No. 33M-672 **FROM** a holding Residential R1 (h•h100•R1-4) Zone **TO** a holding Residential R1 (h-100•R1-4) Zone to remove the holding (h) provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

September 10, 2013 – Planning and Environment Committee – Report from the Managing Director, Development & Compliance Services and Chief Building Official on an application by Sifton Properties Limited regarding revisions to a draft approved plan of subdivision and proposed zoning by-law amendments on lands located at 1603 Hamilton Road (File No. 39T-09502).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this action is to remove the holding provision to allow development of the lands for residential uses permitted under the holding Residential R1 (h-100•R1-4) Zone.

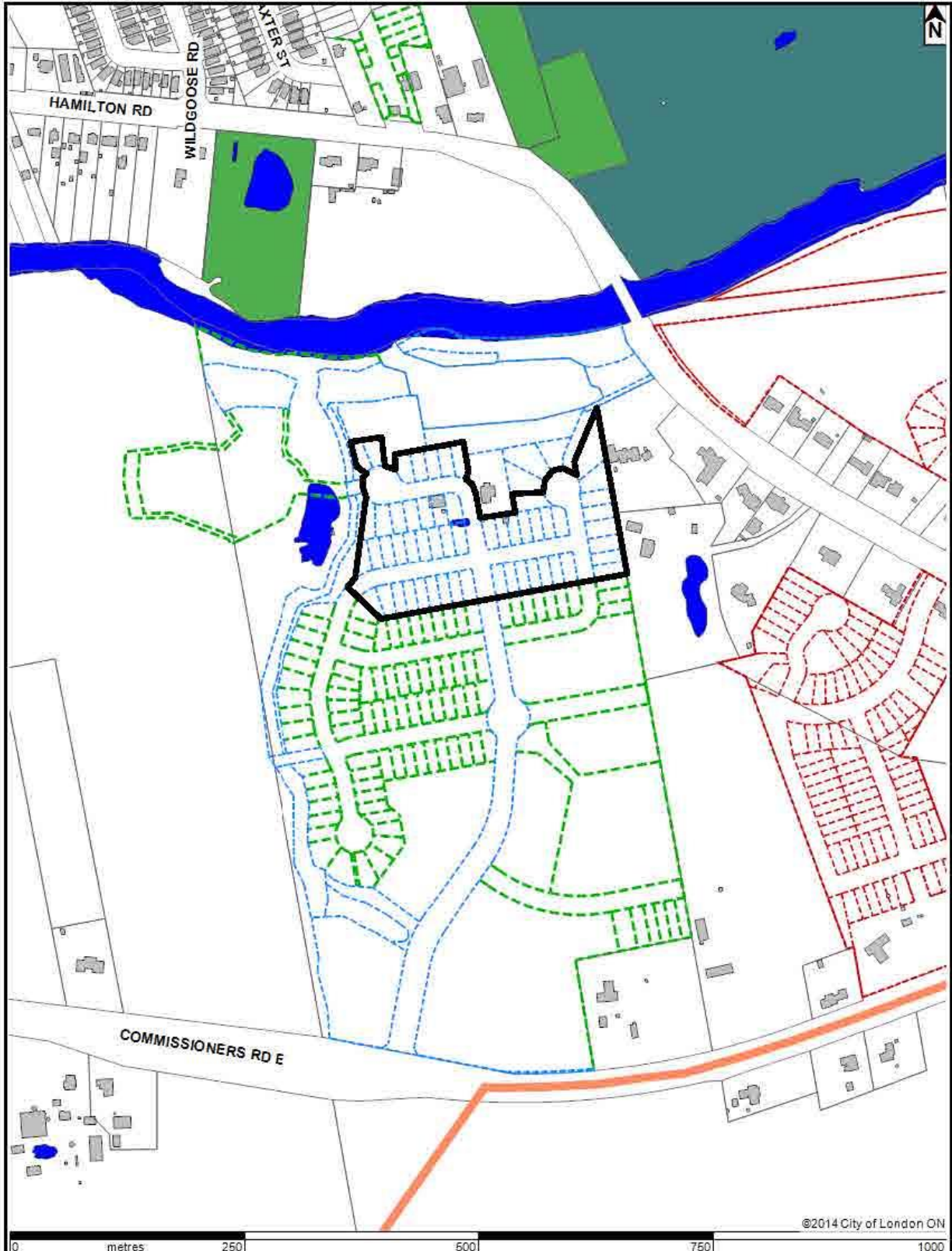
RATIONALE






1. The condition for removing the holding (h) provision has been met and the recommended amendment will allow development of 56 single detached dwelling lots, in compliance with the holding Residential R1 (h-100•R1-4) Zone.
2. A signed subdivision agreement has been entered into between Sifton Properties Limited and the City of London, and was registered at the Land Registry Office. Securities have been posted as required by City policy and the Subdivision Agreement for this plan of subdivision.

--	--


H-8403/L. Mottram

Location Map

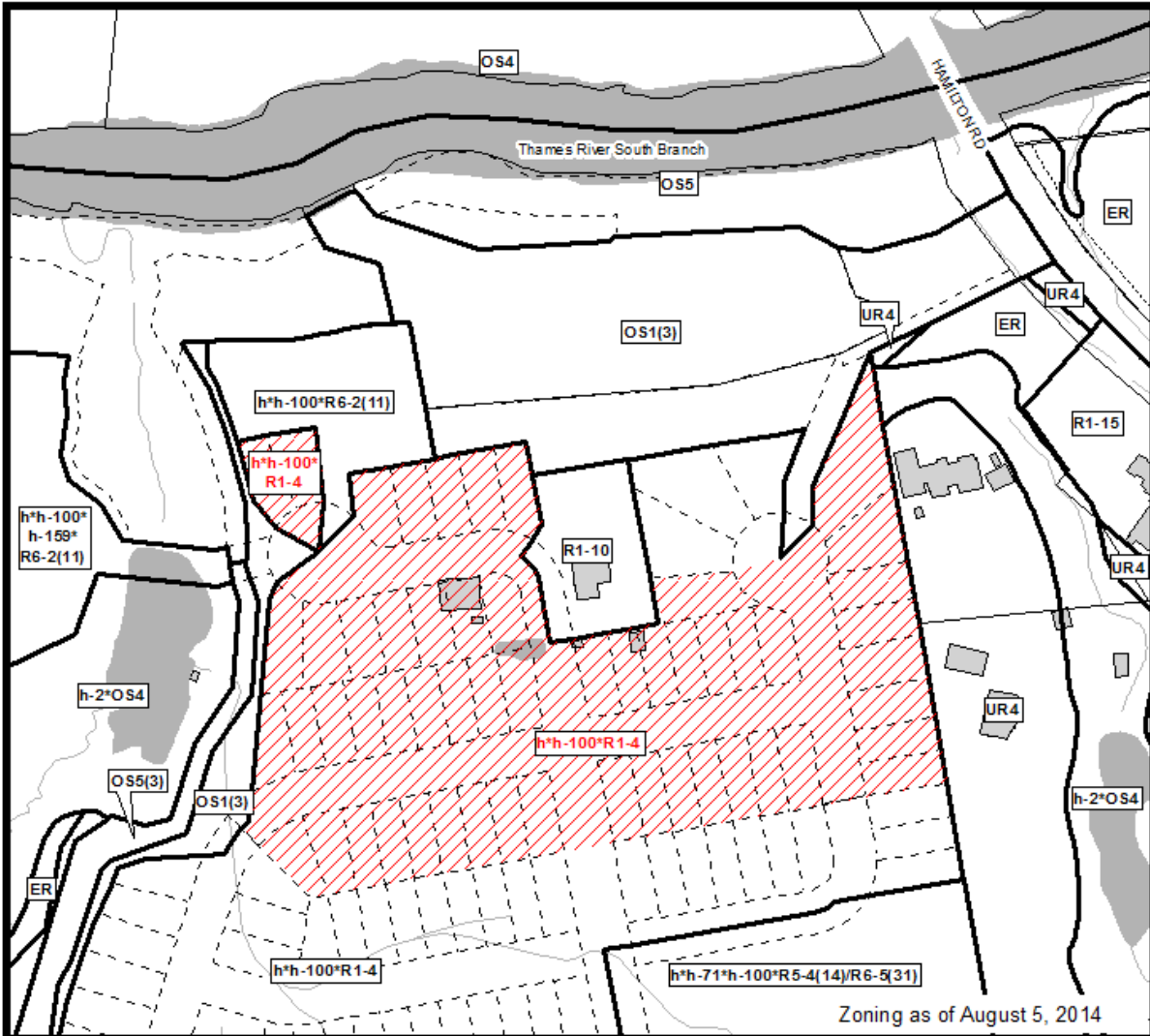


<p>LOCATION MAP</p> <p>Subject Site: 1603 Hamilton Rd Applicant: Sifton Properties Limited File Number: H-8403 Planner: Larry Mottram Created By: James Scott Date: 2014-08-25 Scale: 1:5000</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
---	--

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



Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-100*R1-4

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, ENVIRONMENTAL AND ENGINEERING SERVICES

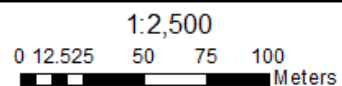
ZONING BY-LAW NO. Z.-1
SCHEDULE A

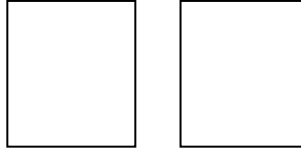


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
H-8403 Map2 LM

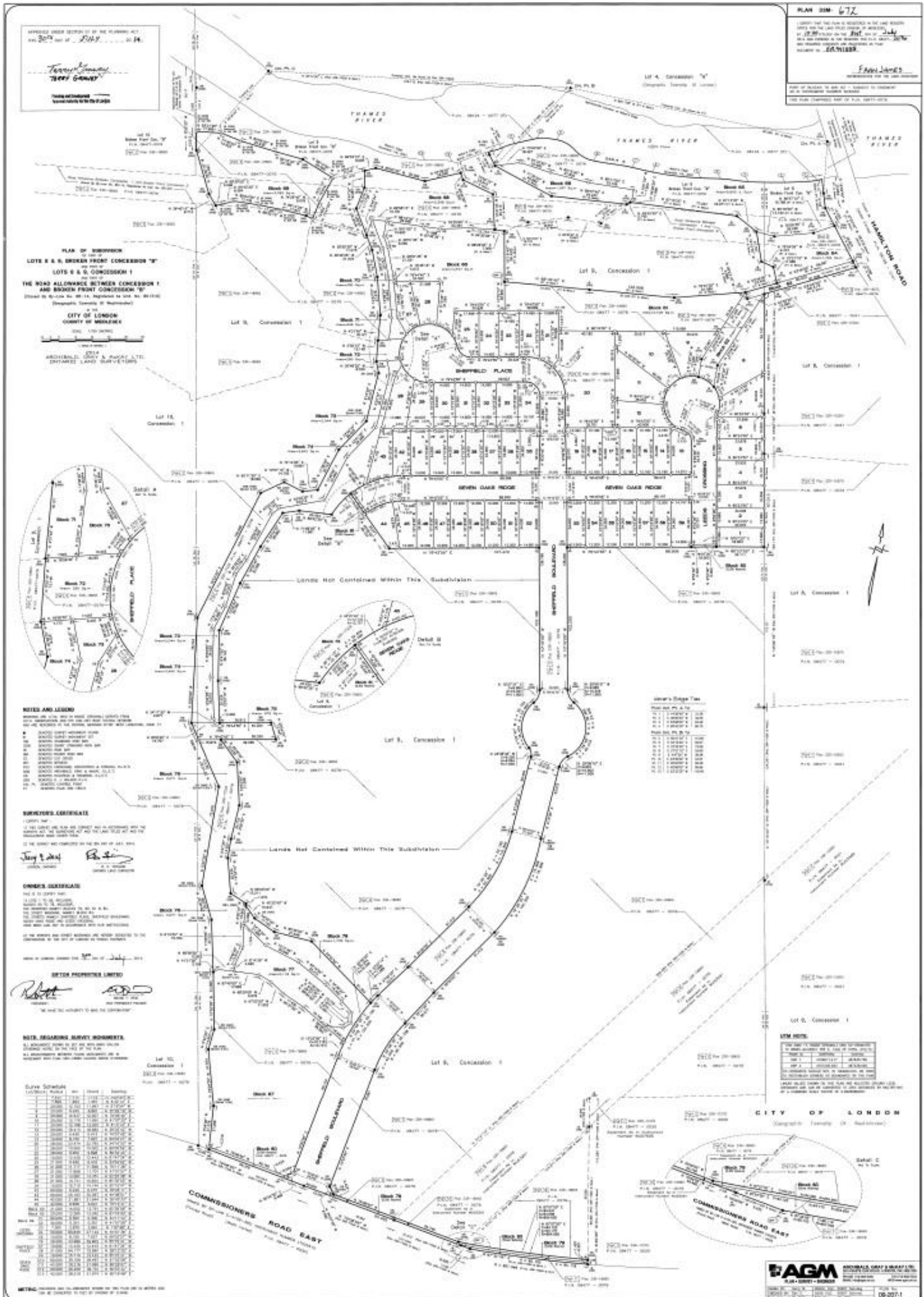
MAP PREPARED:
August 21, 2014 DT





H-8403/L. Mottram

Registered Plan 33M-672



--	--

H-8403/L. Mottram

BACKGROUND

Final approval of this first phase of Sifton Properties Limited "Victoria on the River" subdivision was granted by the City of London Approval Authority on July 30, 2014. The zoning for lots within this phase contain holding provisions, including the City's standard "h" provision which is not removed until such time as a subdivision agreement or development agreement is entered into (*Note: Council has recently amended the wording of the holding ("h") condition to ensure that the required security has been provided and to ensure 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*). There is also an "h-100" provision in place which is intended to ensure no more than 80 units are developed until such time as a looped watermain system is constructed and that there is a second public access available to serve the residents in the subdivision. Limited interim uses may be permitted up to 80 units maximum. The subdivision agreement was recently executed and security has been provided. Sifton Properties Limited requests removal of the holding (h) provision on the zoning of 56 single detached dwelling lots within the first phase registration.

Date Application Accepted: August 15, 2014	Agent: Sifton Properties Limited
REQUESTED ACTION: Request to remove the Holding (h) Provision from the zoning of multiple lots within the Victoria on the River Subdivision – Phase 1 (Plan 33M-672) which are currently zoned h•h-100•R1-4.	

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The *Upper Thames River Conservation Authority* reports:

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. The Authority has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

We recommend that the proponent contact the Authority regarding our permit requirements.

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on August 28, 2014.	No replies
------------------------	---	------------

ANALYSIS

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.

--	--

H-8403/L. Mottram

A subdivision agreement has been entered into between Sifton Properties Limited and the City of London, and registered at the Land Registry Office as Instrument No. ER942216. Sifton Properties Limited have also posted security as required by City policy and the Subdivision Agreement for this plan of subdivision (Victoria on the River Phase 1 - Plan 33M-672). Therefore, the condition has been met for removal of the “h” provision as recommended for Lots 1 through 8, Lots 12 through 19, and Lots 21 through 59, inclusive, within Registered Plan No. 33M-672.

The City is presently reviewing a request by Sifton Properties Limited to change the description of the designated heritage property (formerly known as 1603 Hamilton Road) which includes portions of Lots 9, 10, and 11, and Lot 20. Lots 9, 10, and 11 contain portions of the black walnut/entrance driveway to the existing Scott farmhouse which is being preserved on its own lot within this plan (now Lot 20). The orientation of the new lot maintains the original overlook and north facing view to the Thames River; however, the legal lot frontage and access will now be to Sheffield Place rather than Hamilton Road. Tree preservation measures have been incorporated into the subdivision grading plans for Lots 9, 10, 11 and Lot 20. These lots will be held out of development until such time as a formal amendment to the heritage description has been adopted by Council. The City’s Heritage Planner confirms that there are no heritage issues or attributes on the remaining lands, and development of those lands would not compromise the reasons for designation and statement of cultural heritage value.

CONCLUSION

Based on our review, the holding zone requirement has been satisfied and it is appropriate to proceed to lift the holding (“h”) symbol from the zoning map, specifically for Lots 1 through 8, Lots 12 through 19, and Lots 21 through 59, inclusive, within Registered Plan No. 33M-672.

RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING	BRUCE HENRY MANGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
JENNIE RAMSAY, P. ENG. MANAGER – DEVELOPMENT SERVICES & ENGINEERING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

--	--

H-8403/L. Mottram

Bill No. (Number to be inserted by Clerk's Office)
2014

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located in the Victoria on the River Subdivision - Phase 1 (formerly known as 1603 Hamilton Road); described as Lots 1 through 8, Lots 12 through 19, and Lots 21 through 59, inclusive, within Registered Plan No. 33M-672.

WHEREAS Sifton Properties Limited has applied to remove the holding provision from the zoning for an area of land located in the Victoria on the River Subdivision - Phase 1 (formerly known as 1603 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 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 Lots 1 through 8, Lots 12 through 19, and Lots 21 through 59, inclusive, within Registered Plan No. 33M-672, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a holding Residential R1 (h-100•R1-4) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on September 16, 2014.

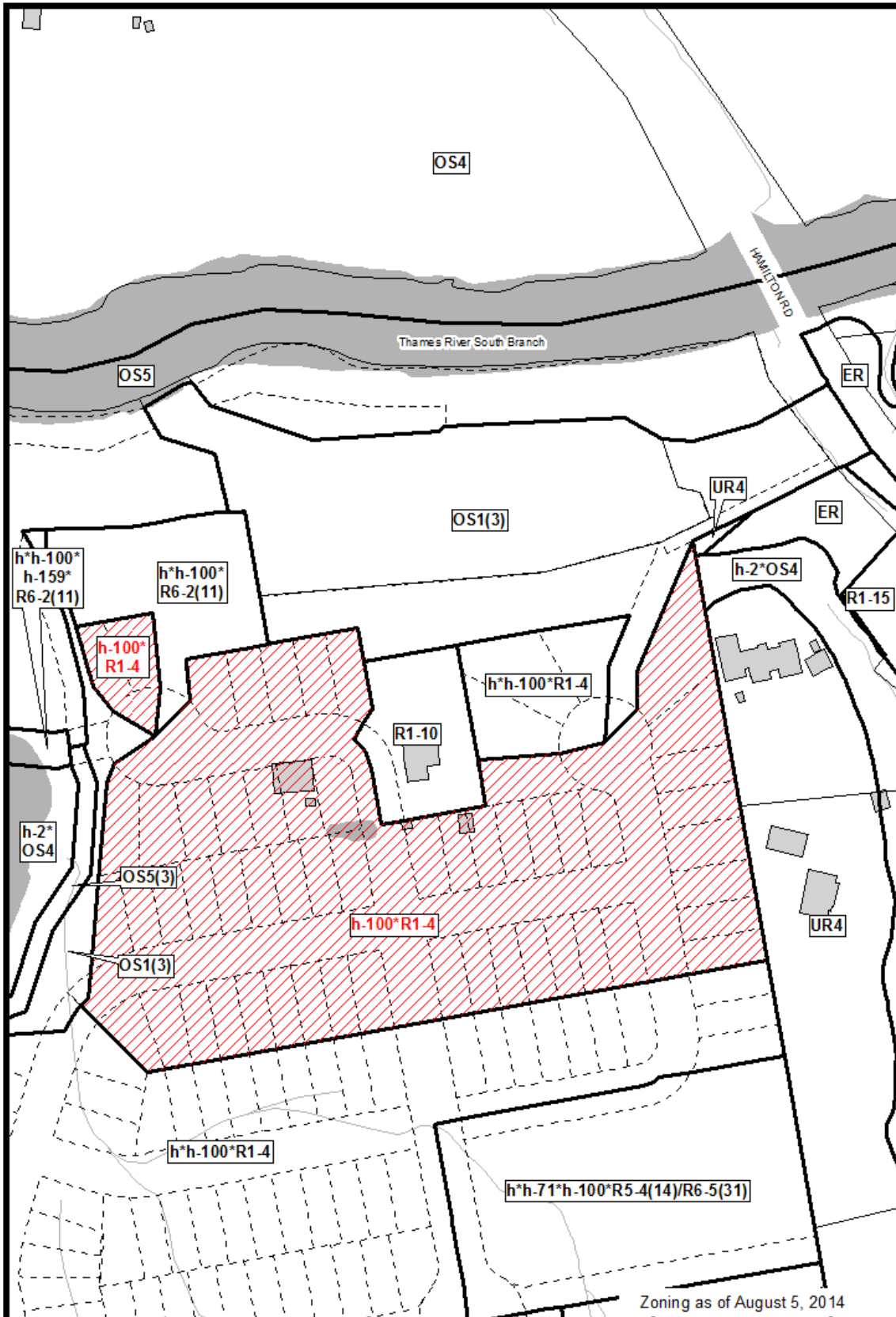
J. Baechler
Mayor

Catharine Saunders
City Clerk


First Reading – September 16, 2014
Second Reading – September 16, 2014
Third Reading - September 16, 2014

Two empty rectangular boxes for agenda item and page numbers.

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




File Number: H-8403 Map2
 Planner: LM
 Date Prepared: August 21, 2014
 Technician: DT
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Geocompare