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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 2346, 2350 & 2354 LEEDS CROSSING (FORMERLY 1603 HAMILTON ROAD) MEETING ON JUNE 1, 2015

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 June 10, 2015 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the properties at 2346, 2350 and 2354 Leeds Crossing (Lots 9, 10, & 11 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
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September 9, 2014 – Planning and Environment Committee – Report from the Managing Director, Development & Compliance Services and Chief Building Official on an application by Sifton Properties Limited to remove the holding (“h”) provision on Lots 1 through 8, Lots 12 through 19, and Lots 21 through 59, inclusive, within Registered Plan No. 33M-672 (Agenda Item #5).

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.

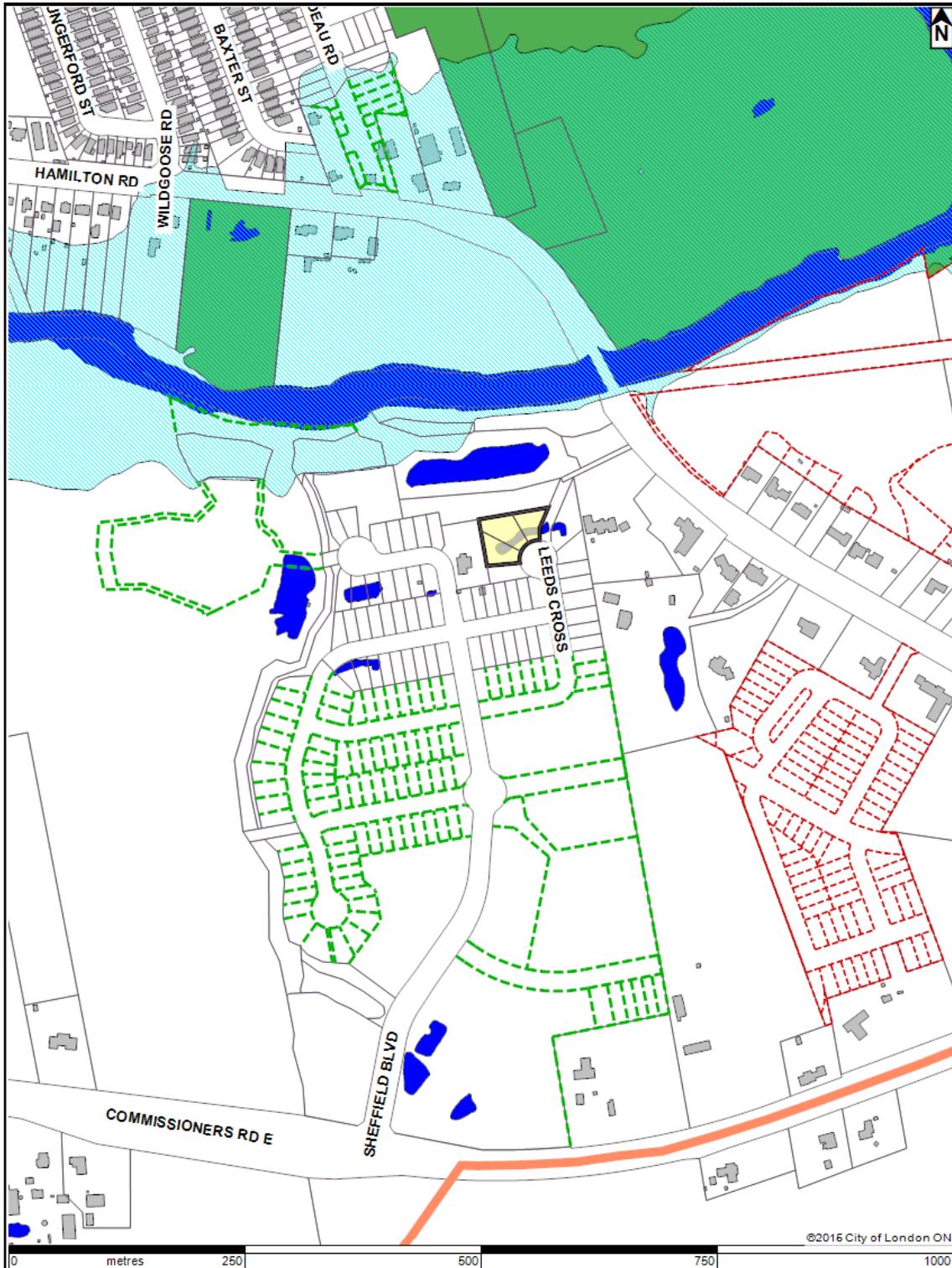
RATIONALE

1. The condition for removing the holding (h) provision has been met and the recommended amendment will allow development of three 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.

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Location Map



<p>LOCATION MAP</p> <p>Subject Site: 1603 Hamilton Rd Applicant: Sifton Properties Limited File Number: H-8403 Planner: L. Mottram Created By: LM Date: 2015-05-19 Scale: 1:5000</p> <p>Corporation of the City of London Prepared By: Development and Compliance Services</p>	<p>LEGEND</p> <ul style="list-style-type: none">  Subject Site  Parks  Assessment Parcels  Buildings  Address Numbers
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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, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



FILE NO:

H-8403

LM

MAP PREPARED:

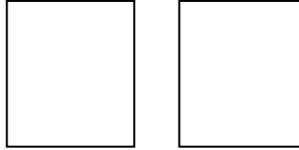
May 21, 2015

JTS

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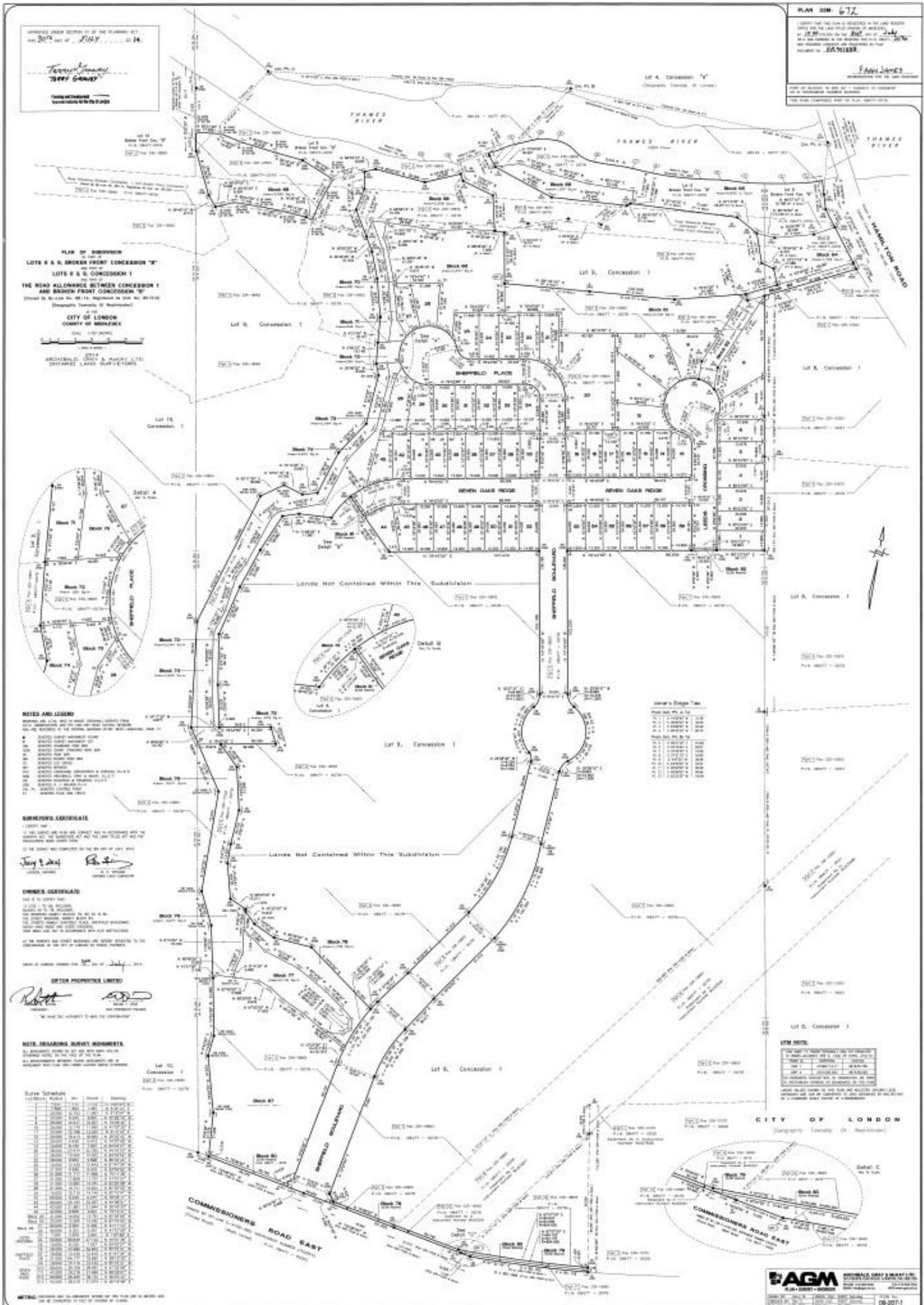


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS



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Registered Plan 33M-672



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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. On September 16, 2014, City Council approved an amendment to the zoning by-law to remove the holding “h” provision from the zoning in order to allow building permits to be issued for 56 single detached dwelling lots within the first phase registration. However, the “h” provision remained in force on three of the lots (Lots 9, 10, & 11 Registered Plan 33M-672) which were held out of development pending Council adoption of a by-law to amend the heritage description and designation of the property (formerly known as 1603 Hamilton Road) and which included portions of Lots 9, 10, and 11, and Lot 20. Lots 9, 10, and 11 contained portions of the black walnut/entrance driveway to the existing Scott farmhouse which is being preserved on its own lot within this subdivision plan (now Lot 20). A by-law was passed by Council on January 27, 2015 (By-law No. L.S.P.-3444-35) replacing the original heritage designation by-law with a new description and reasons for designation.

The holding “h” provision is intended to ensure that the required security has been provided and to ensure 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. 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 executed and security has been provided. Sifton Properties Limited requests removal of the holding (h) provision on the zoning of the remaining three 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
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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

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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 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).

The City completed its a review of a request by Sifton Properties Limited to change the description of the designated heritage property (formerly known as 1603 Hamilton Road) which included portions of Lots 9, 10, and 11, and Lot 20. Lots 9, 10, and 11 contained 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 which was originally from Hamilton Road has changed to Sheffield Place. Tree preservation measures have been incorporated into the subdivision grading plans for Lots 9, 10, 11 and Lot 20.

These lots were intended to be held out of development until such time as a formal amendment to the heritage description was adopted by Council. The amending by-law (By-law No. L.S.P.-3444-35) was subsequently passed by Council on January 27, 2015 in accordance with the Ontario Heritage Act.

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 for Lots 9, 10, and 11 within Registered Plan No. 33M-672.

RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING	TERRY GRAWAY MCIP, RPP MANGER – DEVELOPMENT SERVICES & PLANNING LIAISON
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

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Bill No. (Number to be inserted by Clerk's Office)
2015

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) now known as 2346, 2350 and 2354 Leeds Crossing, and described as Lots 9, 10, & 11 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) now known as 2346, 2350 and 2354 Leeds Crossing, 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 2346, 2350 and 2354 Leeds Crossing (Lots 9, 10, and 11 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 June 10, 2015.

Matt Brown
Mayor

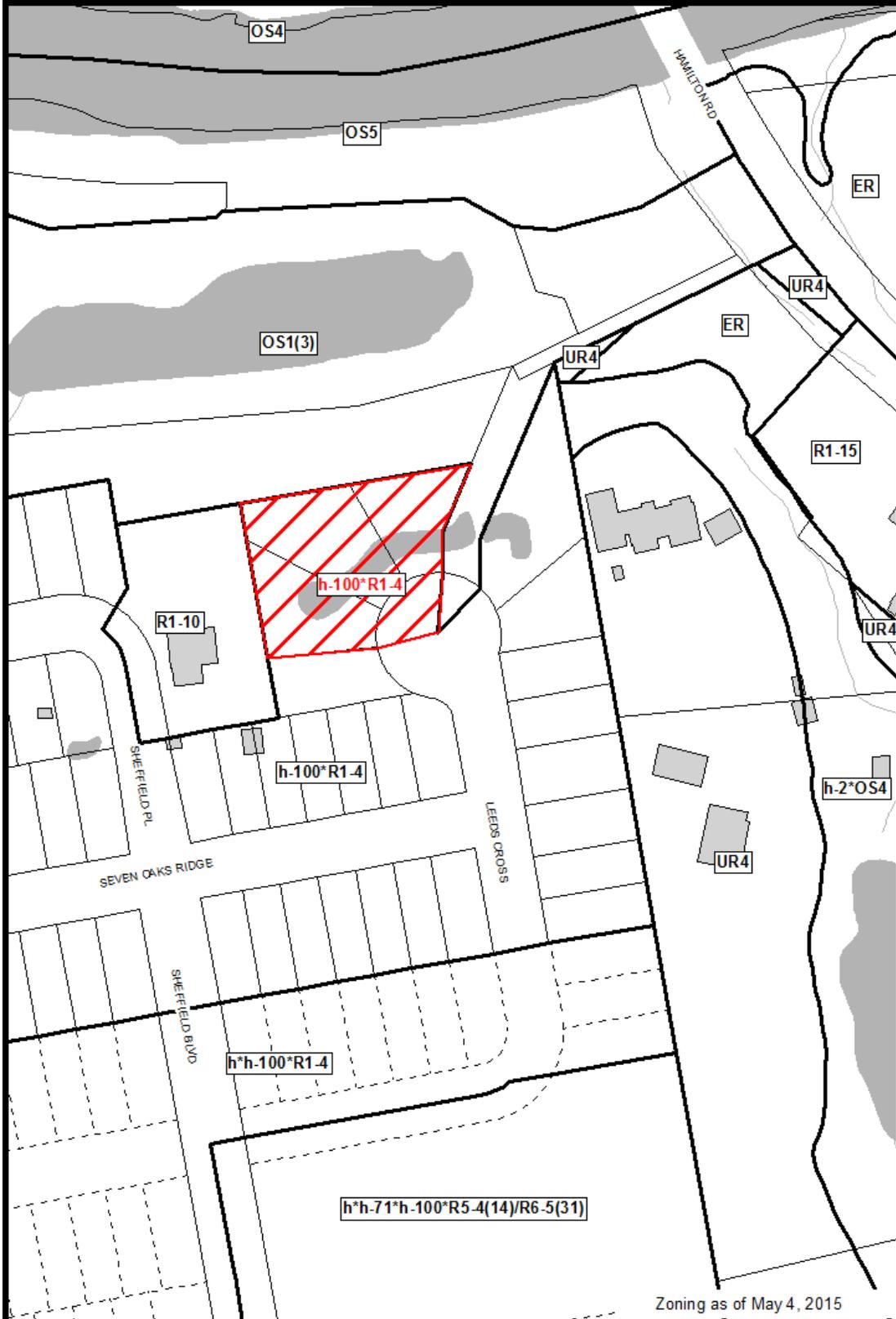
Catharine Saunders
City Clerk

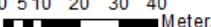
First Reading – June 10, 2015
Second Reading – June 10, 2015
Third Reading – June 10, 2015

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



<p>File Number: H-8403 Planner: LM Date Prepared: May 21, 2015 Technician: JTS By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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