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H-8481/L. Mottram

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: SIFTON PROPERTIES LIMITED 1230 RIVERBEND ROAD  MEETING ON JULY 20, 2015</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Manager of Development Services and Planning Liaison, based on the application of Sifton Properties Limited, relating to the property located at 1230 Riverbend Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 28, 2015 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 R5 Special Provision (h-h-54-R5-4(13)) Zone **TO** a Residential R5 Special Provision (R5-4(13)) Zone, to remove the “h” and “h-54” holding provisions.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this zoning change is to remove the “h” and “h-54” holding provisions in order to permit the development of 72 attached townhouse units.

<b>RATIONALE</b>
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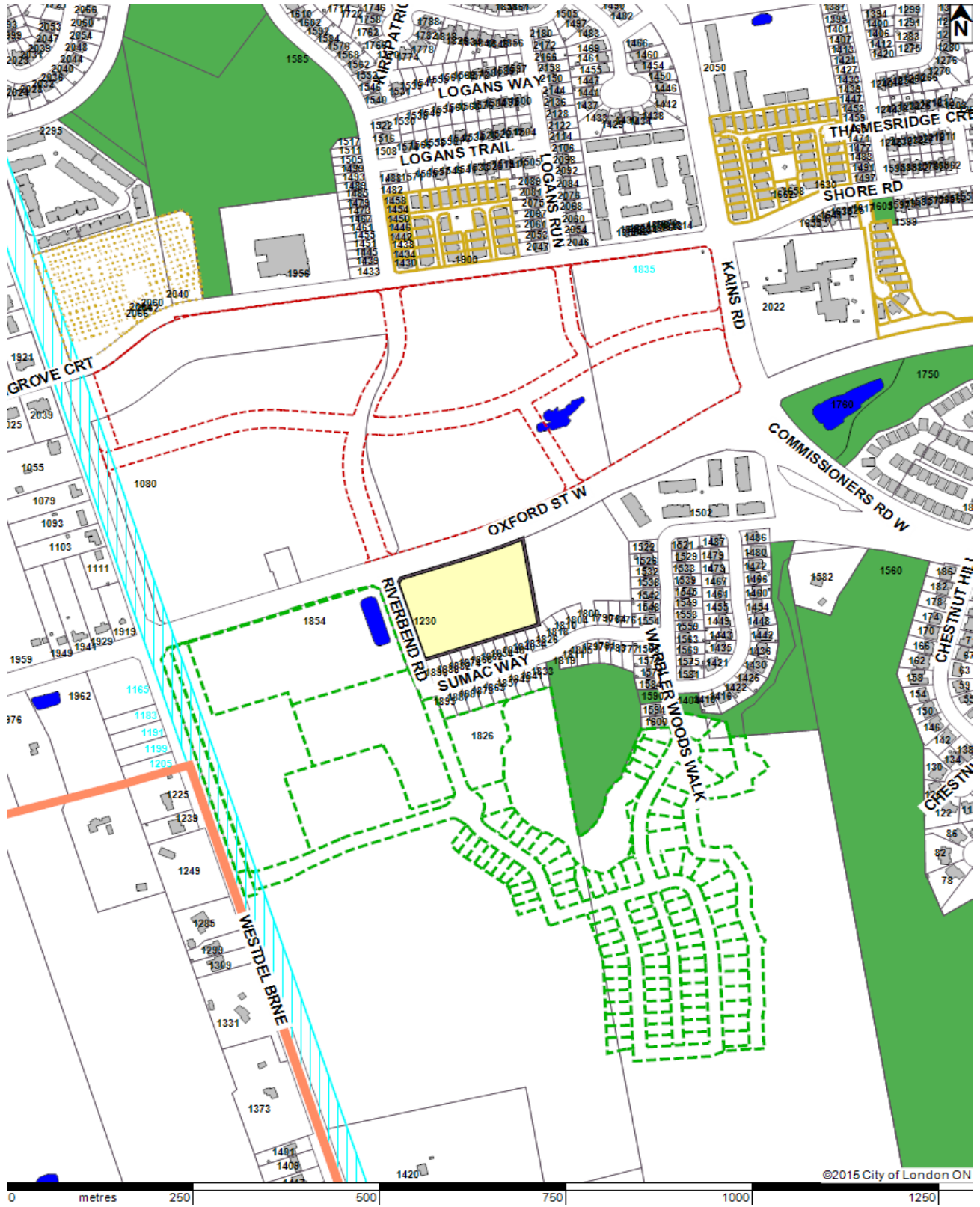
1. The removal of the holding provisions will allow for development in conformity with the City of London Official Plan and approved zoning.
2. Development related issues including noise attenuation measures are being addressed through conditions in the Development Agreement and approved Site Plan, and the holding provisions are no longer required.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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**April 3, 2006** – Report to a Public Participation meeting at Planning Committee on application from Hopedale Construction (London) Limited and James & Heidi Sweeney for a proposed plan of subdivision located at 1826 & 1854 Oxford St. West (39T-04507/OZ-6763).

**June 25, 2007** – Report to a meeting at Planning Committee, to change the zoning on several sites in the River Bend area, including the subject property, by removing the H-57 holding provision based on the completion of required upgrades at the Oxford Pollution Control Plant.

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**LOCATION MAP**

Subject Site: 1230 Riverbend Rd  
 Applicant: **Sifton Properties Limited**  
 File Number: **H-8481**  
 Planner: **Larry Mottram**  
 Created By: **Terry Grawey**  
 Date: **2015-06-27**  
 Scale: **1:6500**

**LEGEND**

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



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<b>BACKGROUND</b>
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The subject site is located at the south-east corner of Oxford St. West and Riverbend Road, within the River Bend Planning Area, and comprises an area of 2 hectares (5.1 acres). The site is legally described as Block 31 on Plan 33M-638 (previously referred to as the Hopedale subdivision), which was registered on December 6<sup>th</sup>, 2011.

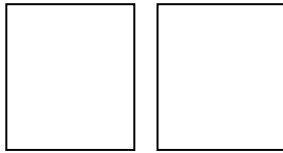
The block is designated Multi-Family, Medium Density Residential in the Official Plan and is currently zoned Holding Residential R5 Special Provision (h\*h54\*R5-4(13)), which permits the development of cluster townhouse and cluster stacked townhouse dwellings up to a maximum density of 40 units per hectare (16 units per acre) and a maximum building height of 12 metres (39.3 ft.).

An application for Site Plan Approval, to permit the development of 72 cluster townhouse units, was accepted by the City on April 7, 2015. A development agreement has been prepared which addresses relevant site requirements including the orientation of buildings and the implementation of requirements from the noise assessment report.

<b>Date Application Accepted:</b> April 17, 2015	<b>Applicant:</b> Sifton Properties Limited
<b>REQUESTED ACTION:</b> Removal of the “h” & “h-54” holding provisions on the property at 1230 Riverbend Road	
<b>PUBLIC LIAISON:</b>	Notice was published in <i>The Londoner</i> on April 30 <sup>th</sup> , 2015.
<p><b>Nature of Liaison:</b> City Council intends to consider removing the Holding (“h” &amp; ‘h-54”) Provisions from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbols to allow development of the lands for residential uses permitted under the Residential R5 Special Provision (R5-4(13)) Zone. The “h” symbol is intended to ensure the orderly development of lands and adequate provision of municipal services, and 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 “h-54” symbol is intended to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London. Council will consider removing the holding provisions as it applies to these lands no earlier than June 16, 2015.</p>	
<b>Responses:</b> None received.	

<b>ANALYSIS</b>
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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 is executed for the approved site plan; and, to address potential noise impacts from traffic on Oxford Street West. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:



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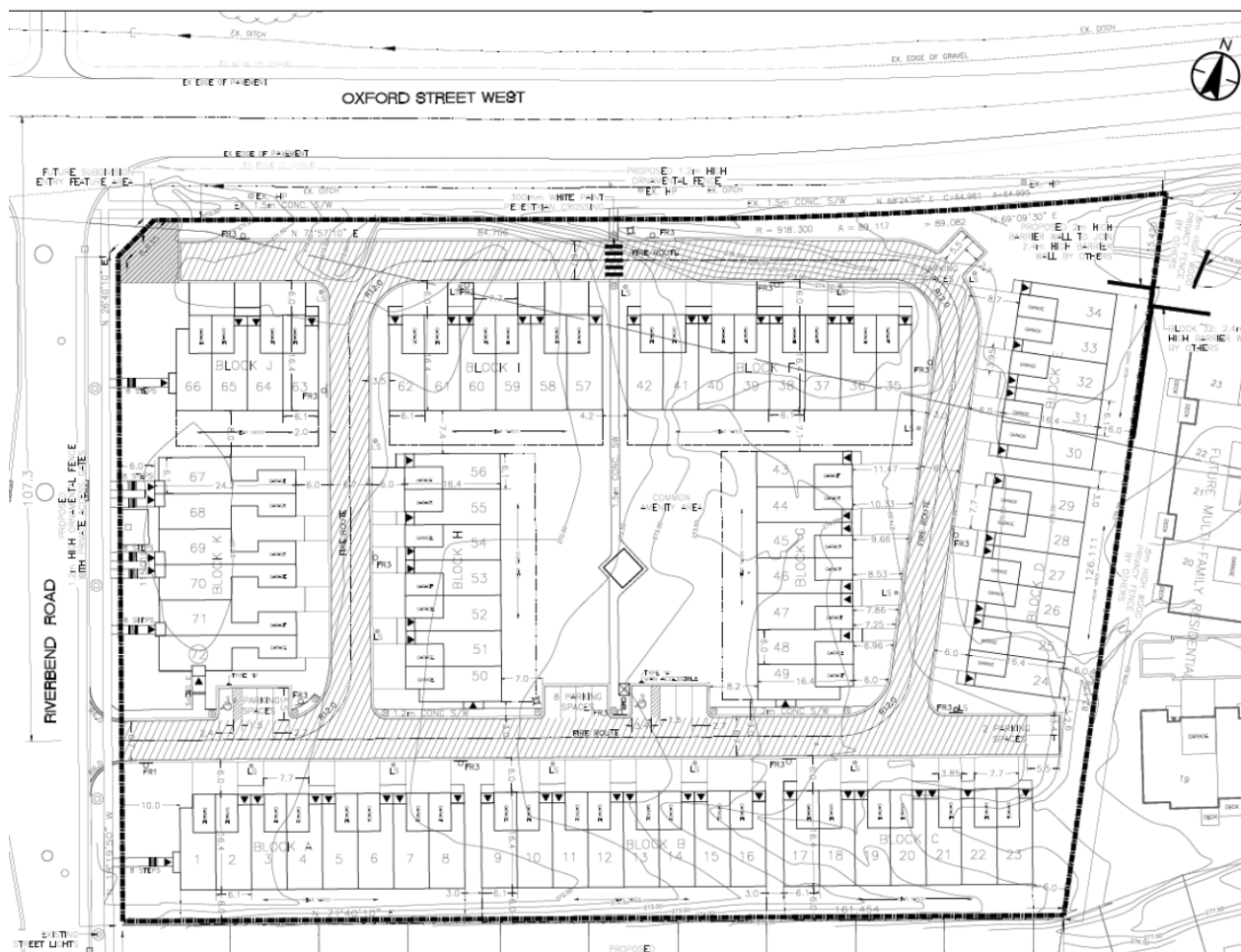
**h** – The “h” holding provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of 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.

Performance security required for the development agreement has been received by the City. Site plan drawings have been finalized and a development agreement has been prepared which addresses relevant requirements for this development. The agreement is expected to be executed in the near future.

**h-54** – The “h-54” holding provision is to ensure there are no land use conflicts between arterial roads and the proposed residential uses. The h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

The accepted site plan drawings incorporate recommendations from the accepted Noise Assessment Report, including a section of noise wall for one unit. The Development Agreement includes provisions for forced air heating and central air conditioning for certain units, and a noise warning clause to be registered on title. These requirements will form part of the approved Site Plan and Development Agreement.

**Site Plan**



**Will any holding provisions remain on the subject lands?**

The recommended amendment will remove the “h” and “h-54” provisions and no additional holding provisions apply to the Residential R5 Special Provision (R5-4(13)) Zoning on the site. Once the holding provisions have been removed and the development agreement has been executed, a building permit application can be considered.

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<b>CONCLUSION</b>
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The requirements for two holding provisions on the subject lands have been addressed through the site plan approval process. The applicant has provided the required securities and site plan drawings, which address servicing requirements and site design standards, including potential noise impacts, as recommended by the Noise Assessment Report. Removal of these holding provisions will allow the issuance of building permits to be considered for the 72 unit townhouse development.

<b>PREPARED &amp; RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES AND PLANNING LIAISON</b>	<b>ALLISTER MACLEAN MANAGER DEVELOPMENT PLANNING</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>JENNIE RAMSAY, P. ENG. MANAGER, DEVELOPMENT SERVICES &amp; ENGINEERING LIAISON</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>

July 13, 2015

TG/tg

Y:\shared...\Subdivisions\2015\1230 Riverbend Rd.\Report to PEC - July 20, 2015.doc

"Attach."

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**H-8481/L. Mottram**

Bill No.  
2015

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

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on lands located at 1230 Riverbend Road.

WHEREAS Sifton Properties Limited has applied to remove holding provisions from the zoning on the lands located at 1230 Riverbend 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 land;

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 1230 Riverbend Road, as shown on the attached map to remove the holding "h" and "h-54" provisions so that the zoning of the lands as a Residential R5 Special Provision (R5-4(13)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 28, 2015.

Matt Brown  
Mayor

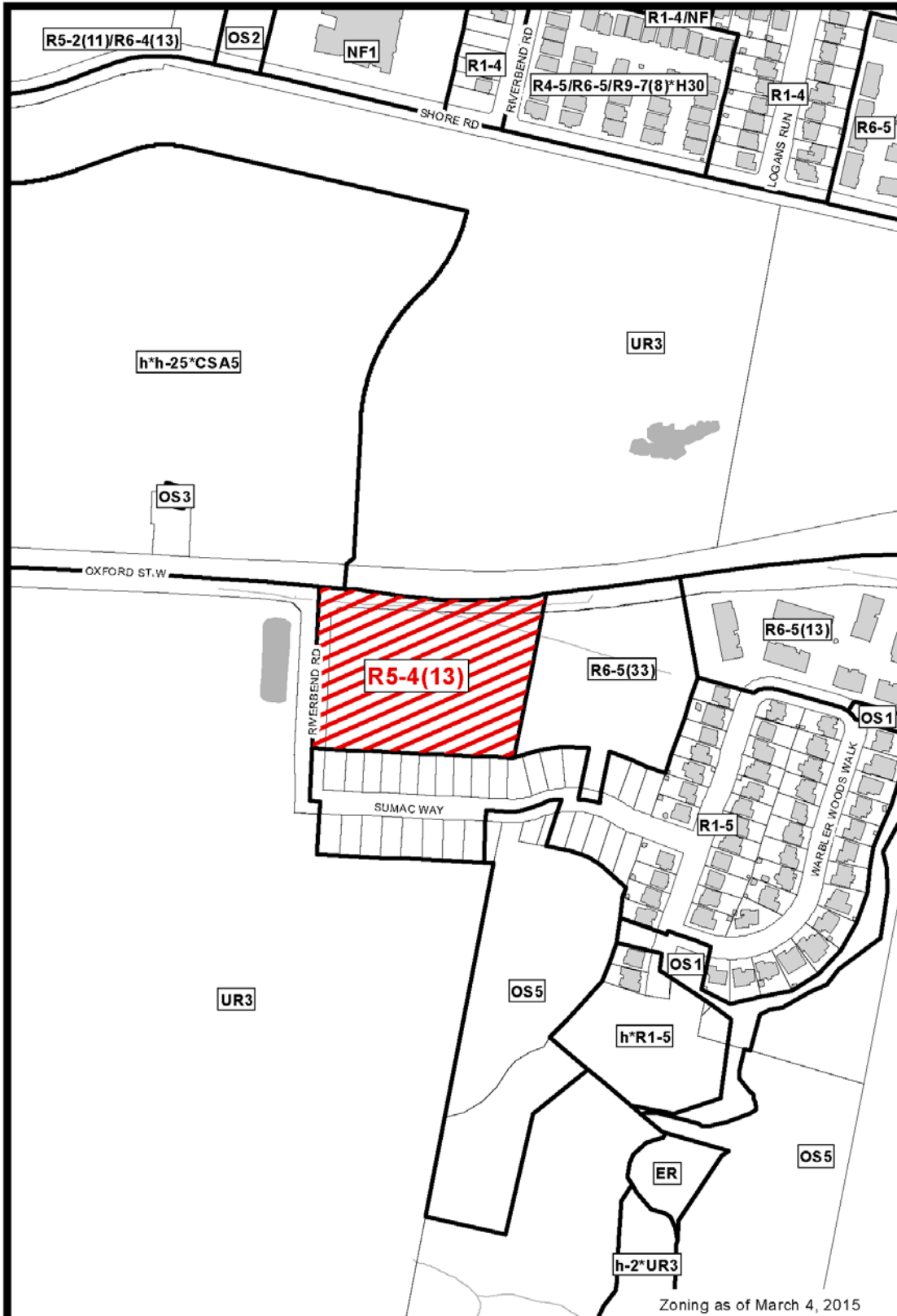
Catharine Saunders  
City Clerk

First Reading – July 28, 2015  
Second Reading – July 28, 2015  
Third Reading – July 28, 2015


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H-8481/L. Mottram

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




File Number: H-8481  
 Planner: TG  
 Date Prepared: 2015/07/02  
 Technician: MS  
 By-Law No: Z.-1-

SUBJECT SITE 

1:4,000

0 20 40 80 120 160 Meters



Geodatabase