

то:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	D.N. STANLAKE DIRECTOR, DEVELOPMENT PLANNING AND DAVID AILLES MANAGING DIRECTOR DEVELOPMENT APPROVALS BUSINESS UNIT
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 1400 & 1440 NORTH WENIGE DRIVE (BLOCK 112 & 113) AND A PORTION OF BLOCK 115, REGISTERED PLAN 33M-631 PUBLIC PARTICIPATION MEETING ON MONDAY FEBRUARY 6, 2012

RECOMMENDATION

That, on the recommendation of the Director of Development Planning and Managing Director of Development Approvals Business Unit, based on the application of Sifton Properties Limited, relating to the properties located at 1400 & 1440 North Wenige Drive (Block 112 & 113) and a portion of Block 115, Registered Plan 33M-631, the <u>attached</u> proposed by-law **BE INTRODUCED** at the Municipal Council meeting on February 21, 2012 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Residential R6/Residential R7/Residential R8 (h-96*R6-5/R7*D100*H13/R8-4) Zone which permits which permits a wide range of housing including single detached cluster housing, cluster townhouses and low-rise apartment buildings, and an Open Space (OS1) Zone which permits public parks **TO** a Residential R6 (R6-2) Zone to permit single detached cluster housing at a maximum density of 20 units per hectare, a Residential R4 Special Provision (R4-6()) Zone to permit freehold street townhouse dwellings with a minimum lot area of 145 m² and a special provision for minimum lot frontage of 7.5 metres, and an Open Space (OS5) Zone to permit conservation lands, a pathway and buffer for the Ballymote ESA.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

39T-06503 and/or Z-7185

March 19, 2007 - Report to Planning Committee that Sifton Properties Limited had appealed draft plan of subdivision application 39T-06503 and Zoning By-law Amendment application Z-7185 because of the City's had not made a decision within the prescribed time.

April 7, 2008 - Report to Planning Committee on decision of the Ontario Municipal Board.

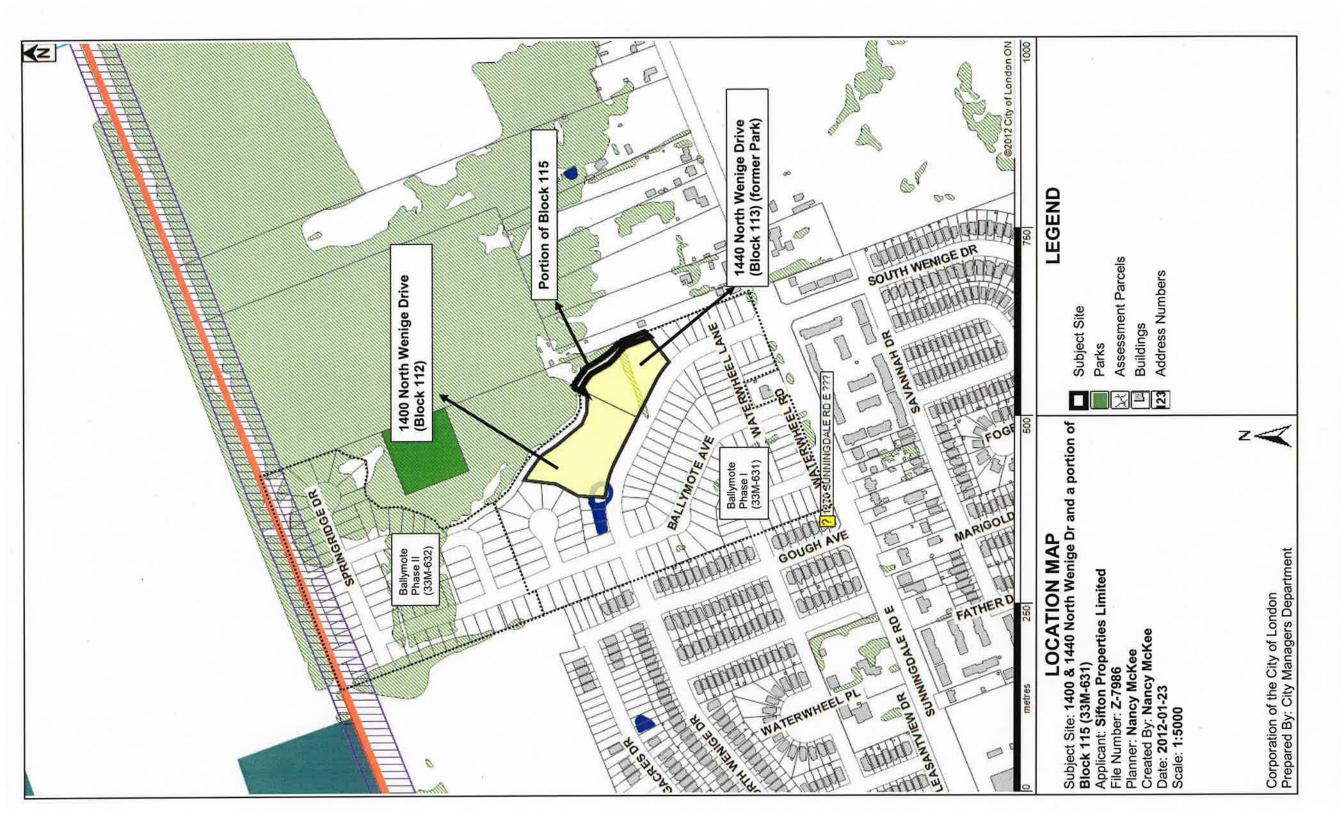
February 14, 2011 - report to Built and Natural Environment Committee on six month draft plan extension.

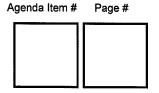
June 13, 2011 - Report to the Built and Natural Environment Committee regarding subdivision agreement Special Provisions.

June 20, 2011 - Report to the Built and Natural Environment Committee regarding subdivision agreement Special Provisions.

September 19, 2011 - Report to the Built and Natural Environment Committee regarding status of subdivision and issues with MMAH.

January 16, 2012 – Report to Planning and Environment Committee to removal holding provision for Phase 1 of Ballymote lands (33M-631).





PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to permit 19 cluster single detached units in a vacant land condominium and 15 street townhouses.

RATIONALE

- 1. The proposed zoning by-law amendment is consistent with the Provincial Policy Statement, and represents good planning.
- 2. The proposed zoning by-law amendment meets the criteria within the Official Plan, as it contributes to a range of dwelling types, it provides a choice of dwelling types according to location, size, affordability and design, municipal services are available, it minimizes the potential for land use compatibility problems, and it promotes residential development that makes efficient use of land and services.
- 3. Any additional information required for stormwater management and urban design will be addressed at the site plan stage.
- 4. A special provision for increased lot frontage for the street townhouses is required to avoid servicing issues associated with reduced lot frontages.

BACKGROUND

Date Application Accepted: November 14,

Agent: Maureen Zunti, Sifton Properties Limited

2011

REQUESTED ACTION: Zoning by-law amendment to permit residential development (townhouses and cluster housing) in Block 113, which was formerly identified as a park, and in Block 112 which was formerly identified for cluster housing and low rise apartments.

SITE CHARACTERISTICS:

- Current Land Use vacant
- Frontage 117.5 m
- Depth ranges approx. 63 113 m
- Area -1.63 ha
- Shape irregular

SURROUNDING LAND USES:

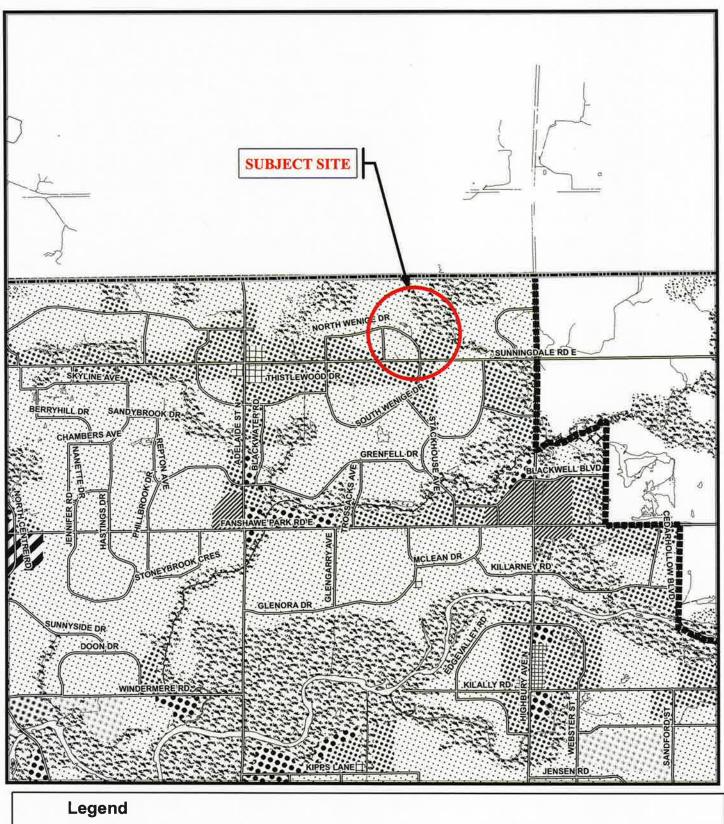
- North future residential single detached
- South future residential single detached, public access block
- East Ballymote Environmentally Significant Area
- West future residential single detached

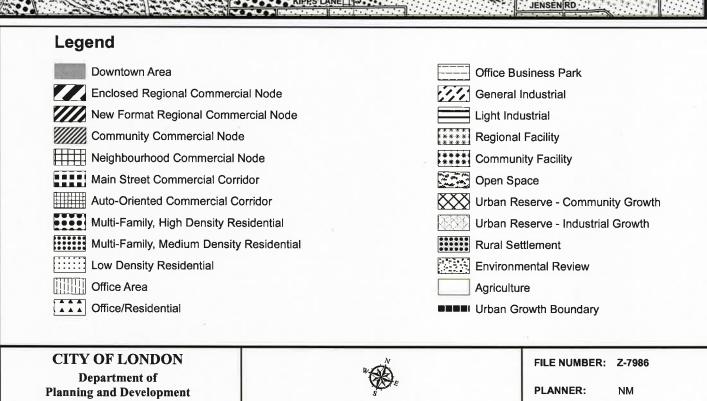
OFFICIAL PLAN DESIGNATION: (refer to map on page 4)

Multi-Family, Medium Density Residential

EXISTING ZONING: (refer to map on page 5)

Holding Residential R6/Residential R7/Residential R8 (h-96*R6-5/R7*D100*H13/R8-4)
 Zone, and Open Space (OS1) Zone.





Scale 1:30,000

TECHNICIAN:

DATE:

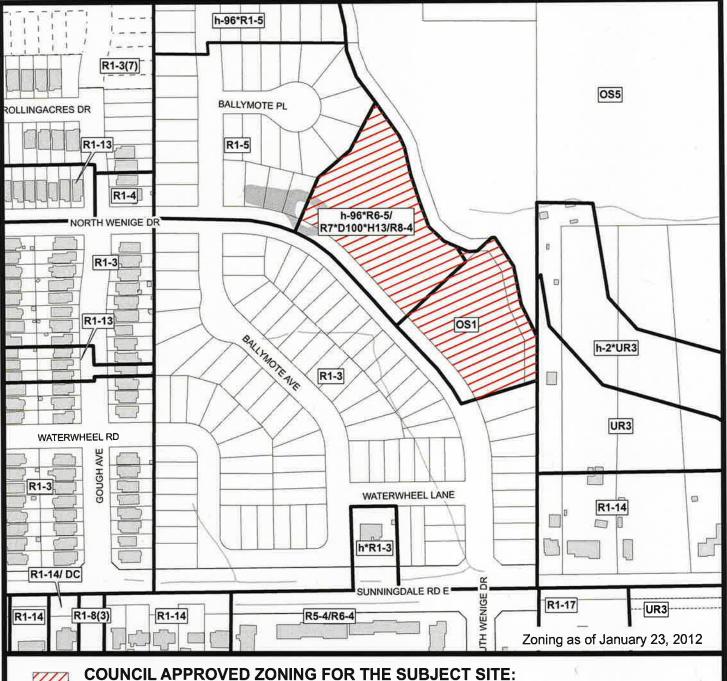
DT

January 20, 2012

OFFICIAL PLAN SCHEDULE A

- LANDUSE -

PREPARED BY: Graphics and Information Services





h-96*R6-5/R7*D100*H13/R8-4, OS1

- 1) LEGEND FOR ZONING BY-LAW Z-1
 - SINGLE DETACHED DWELLINGS SINGLE AND TWO UNIT DWELLINGS
 - R2 - SINGLE TO FOUR UNIT DWELLINGS
 - R4 STREET TOWNHOUSE
 - CLUSTER TOWNHOUSE
 - CLUSTER HOUSING ALL FORMS SENIOR'S HOUSING R6

 - MEDIUM DENSITY/LOW RISE APTS. MEDIUM TO HIGH DENSITY APTS.
 - R9 - 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 HS - ARTERIAL COMMERCIAL - HIGHWAY SERVICE COMMERCIAL

 - RSC RESTRICTED SERVICE COMMERCIAL
 CC CONVENIENCE COMMERCIAL
 SS AUTOMOBILE SERVICE STATION
 - ASA ASSOCIATED SHOPPING AREA COMMERCIAL
- 2)

ANNEXED AREA APPEALED AREAS

- OR OFFICE/RESIDENTIAL
- OFFICE CONVERSION RESTRICTED OFFICE
- OC RO
- OFFICE

- RF REGIONAL FACILITY
 CF COMMUNITY FACILITY
 NF NEIGHBOURHOOD FACILITY
- HER HERITAGE DC DAY CARE
- OS OPEN SPACE
- CR COMMERCIAL RECREATION
- 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

FILE NO:

Z-7986

- BONUS SYMBOL "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



MAP PREPARED: January 23, 2012

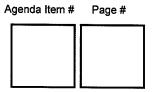
DT

NM

Meters

1:3,000 0 15 30 60 120

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

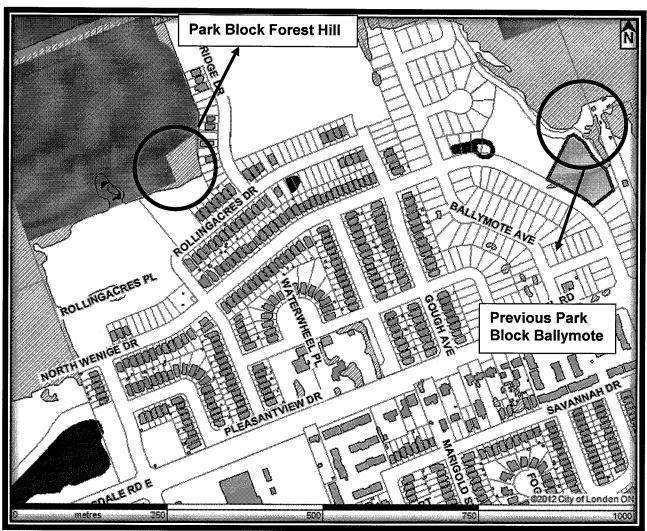


PLANNING HISTORY

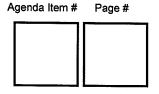
On January 25, 2006 Sifton Properties Limited ("Sifton") submitted a draft plan of subdivision application for these lands located on the north side of Sunningdale Road East, opposite South Wenige Road. The proposed plan contained 170 single detached dwelling blocks, 1 possible school block, 5 park blocks and several road widening and reserve blocks, served by 1 new secondary collector road and 5 new local streets. On June 15, 2006 Sifton Properties Limited also submitted a zoning by-law amendment application to include all the lands within the draft plan of subdivision plus additional land proposed to be retained by Sifton Properties Limited.

The applicant (Sifton) submitted an appeal to the Ontario Municipal Board (OMB) with respect to the failure of the Approval Authority to make a decision within 180 days. The Ontario Municipal Board hearing was conducted and issued its Decision/Order on March 7, 2008. The OMB approved zoning (OS1) and a draft plan that included a park block at Block 113, and possible seniors housing at Block 112. The park was to be an neighbourhood park, and this was a condition of draft approval (5% parkland dedication based on total area of draft plan). The original subdivision also had a buffer in place adjacent to the Ballymote ESA. Through the draft plan, 7 individual park blocks were created for various reasons such as pathway/buffer for ESA and walkway along northern boundary which totaled and area in excess of 5 per cent.

In May 2011, as the plan was going through servicing drawing review, Parks Planning and Sifton Properties came to an agreement that the 5 % parkland dedication requirement would be satisfied by the block adjacent to the ESA, the block which runs along the entire northern limit of the plan and one linkage block. The block adjacent to the ESA serves both a buffer and pedestrian linkage function while the northern block is intended for the North London corridor. With the 5% parkland dedication satisfied through other lands and with the neighbourhood park needs for this area served by the neighbourhood park in the Forest Hill Subdivision, Parks Planning did not recommend the City purchase the proposed neighbourhood park block in the Ballymote Subdivision. (see below)



It was also agreed that the 10m buffer adjacent to the ESA would extend the entire length of the ESA and that a block intended for a possible future road connection to the east immediately



south of the proposed park be dedicated to the City to ensure public access to the pathway/buffer lands. Registration of the Plan proceeded showing the lands private parkland. If Sifton wished to submit a zoning by-law amendment to change the zoning from OS1 they were free to do so and this request would be considered on its merits at that time.

The City accepted the engineering drawings for both phases on August 24, 2011. Final approval of Phases 1 & 2 of the subdivision was granted on August 25, 2011. Both plans were registered on August 29, 2011 as 33M-631 and 33M-632 respectively.

On December 19, 2011 the Ministry of the Environment issued a Certificate of Approval (C of A) for storm and sanitary sewers to serve Ballymote Woods Subdivision Phase 1

Holding Provision (h-96) which required a Subdivision Agreement to be entered into and all works required by the applicable Municipal Class EA implemented, was removed by Council from all the Phase 1 lands with the exception of Block 114, on January 31, 2012.

There is no adopted Community Plan for this area.

SIGNIFICANT DEPARTMENT/DIVISION/AGENCY COMMENTS

Parks Planning

PP&D has reviewed the application and has no objection to the rezoning as there is sufficient active parkland in the community within the service radius (see map above). The plan retains the required pathway linkage along the east side of proposed development block. The applicant has provided a revised EIS to address the change in land use and protect the adjacent natural heritage features.

Upper Thames River Conservation Authority

No objection to this application.

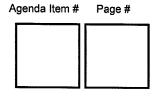
Environmental & Ecological Planning Advisory Committee (EEPAC)

Note: No formal comments were provided by EEPAC. DABU circulated Notice of the Application together with the EIS addendum on November 18, 2011. DABU was advised by Clerks that EEPAC received the EIS Addendum but not the notice of application for its November meeting. then received the notice for the December meeting, but no EIS Addendums. EEPAC took issue with the process and miscommunication. However, neither the November nor the December meeting was able to achieve quorum so no recommendation would have been provided.

PUBLIC	On November 18, 2011, 13 letters were sent to neighbours	No replies.	
LIAISON:	within 120 m of the subject sites. Living in the City notice	,	
	was published on November 19, 2011.		
Nature of Liaison: The purpose and effect of this zoning change is to permit 19 single			
detached units in a vacant land condominium and 15 street townhouses. Change Zoning By-			
law Z1 from a Holding Residential R6/Residential R7/Residential R8 (h-96*R6-			
5/R7*D100*H13/R8-4) Zone which permits a wide range of housing including single detached			
cluster housing, cluster townhouses and low-rise apartment buildings, and an Open Space			
(OS1) Zone which permits public parks to a Residential R6 (R6-2) Zone to permit single			
detached cluster housing at a maximum density of 20 units per hectare, and a Residential R4			
(R4-6) Zone to permit freehold street townhouse dwellings with a minimum lot frontage of 5.5			
metres and a minimum lot area of 145 m ² . *For the lands under consideration, an application			
for removal of holding provision (H-7987) has also been received.			
Responses: none.			

ANALYSIS

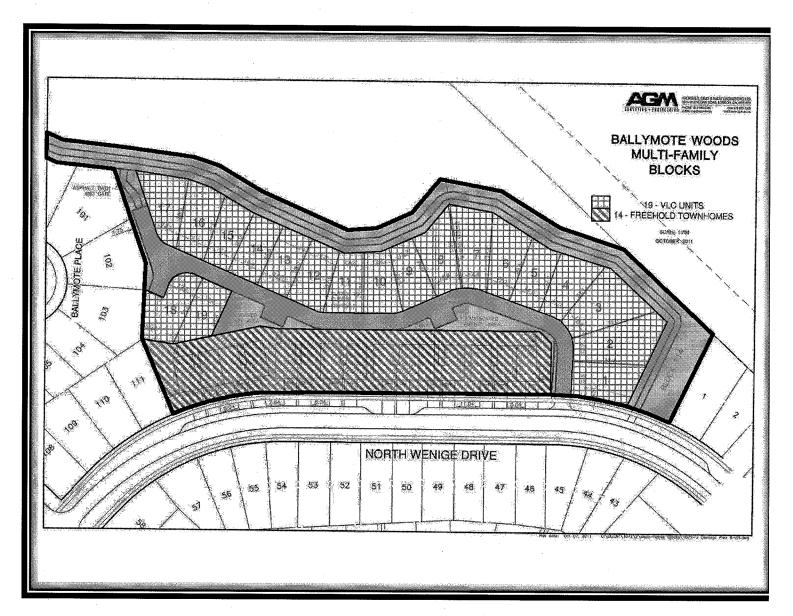
The subject sites are located in a new recently registered plan of subdivision (33M-631), north of Sunningdale, east of Adelaide and east of the Forest Hill subdivision (see location map). The proposed zoning by-law amendment is in an area that has no development as yet. 1440 North Wenige Drive is the former park block, and 1400 North Wenige Drive is currently zoned for a range of multi-family housing including senior's accommodations, cluster housing and low rise



apartments. They are directly adjacent to the Ballymote ESA buffer/pathway.

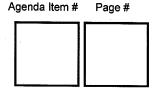
The revised concept shows approximately 15 street town homes and a vacant land condominium with 19 single detached lots.

During pre-consultation for the proposed zoning by-law amendment, City staff indicated a need for an EIS addendum to address the change in use from Open Space to Multi-Family Residential on the adjacent buffer and wetland features. A revised water balance report and EIS addendum was provided as part of the complete application.



Provincial Policy Statement

This application has been reviewed for consistency with the 2005 Provincial Policy Statement. It is Administration's position that proposed zoning by-law amendment will provide for a healthy, livable and safe community. It will provide for a mix of single detached and multi-family housing to assist in meeting projected needs. The proposed change in zoning promotes efficient development where existing infrastructure and public services already exist and expands the range of housing types in the area. The site is within an identified settlement area. The site is bounded by existing and to be constructed transportation corridors, including roads, multi-use trails and sidewalks, offering a number of alternative transportation modes. There are no natural heritage resources on the subject site. Adjacent natural heritage features are preserved and protected in accordance with the accepted EIS. Prior to any development, the applicant will be required to demonstrate that the proposed development will maintain the previously accepted water balance parameters. The PPS also encourages healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling, and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails and considering the impacts of planning decisions on provincial parks, conservation reserves and conservation



protects the natural heritage feature and provides a recreational trail that will link to the northern boundary trail, thus encouraging alternative modes of transportation such as walking and cycling. The neighbourhood park function will provided within the adjacent Forest Hill Subdivision, approximately 600 m to the west.

Overall, it is Administration's opinion that the proposed zoning by-law amendment is consistent with, and generally conforms to, the Provincial Policy Statement and constitutes good planning.

Official Plan Policies & Zoning By-law

The site is designated as Multi-family Medium Density Residential in the City of London Official Plan. The proposed zoning by-law amendment complies with the Official Plan designation, as well as the criteria as set out under the Planning Impact Analysis of the Official Plan:

It contributes to the range of dwelling types in the neighbourhood.

 It supports the provision of a choice of dwelling types according to location, size, affordability and design.

 The site has / will have available municipal services and is suitable from a soil condition, topographic and environmental standpoint, and will allow for housing forms that can be integrated with the surrounding land use pattern.

• It minimizes the potential for land use compatibility problems, as the rezoning will permit an appropriate scale and density of development in relation to the surrounding low-density neighbourhood to be constructed.

It promotes residential development that makes efficient use of land and services.

- The design, appearance and scale of buildings will be in harmony with the surrounding single family residential area.
- The site has good access to public transit and alternative modes of transit.

The site is adjacent to open space as well as a secondary collector road.

- Traffic to / from the site will have negligible impact on the low density area of the neighbourhood.
- The proposed uses and site plan concept are appropriate in terms of height, scale, setbacks, built form and density.

Through the EIS addendum provided for this application, it was noted that the 10m buffer will be maintained adjacent to the ESA. An OS5 Zone will be applied to this buffer to match the existing buffers to the north.

The area will be well serviced by an extensive trail/pathway system which links along the ESA into the pathway that travels along the municipal boundary. Unfortunately, neighbourhood park space will not be readily available for this area, but there is an existing park (Stephen Farms Park) and a new Community Facility (North London Community Centre) located approximately 1 km from the area. Further opportunities for neighbourhood parks will discussed as lands to the east of Ballymote subdivision develop.

Urban Design

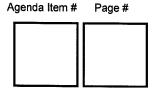
The proposed development provides for street-oriented housing which is a key consideration of urban design. The proposed street oriented town homes will provide a continuation of the development to the north and south. Other urban design considerations that will need to be addressed/explored at site plan included:

- Pairing driveways to maximize greenspace and allow for on-street parking;
- Garages flush with the buildings (avoid "snout houses");
- Design of "flanking" unit 1 in cluster housing development to provide better street orientation such as a wraparound porch.

Municipal Services

Development in accordance with the requested zoning by-law amendment will require revisions to the accepted subdivision servicing drawings. Changes include relocation of layby areas on North Wenige Drive and alterations to the stormwater management design to maintain flows into the ESA. The City's Stormwater Management Unit has advised that they do not recommend acceptance of revised engineering drawings until a more detailed water balance report is submitted and accepted. A third pipe system is being used elsewhere in the subdivision to maintain flows into the ESA and this will have to be extended to maintain flows. The applicant should be advised that the proposed changes may impact the existing Certificate of Approval.

Staff did consider whether a holding provision requiring an updated water balance report was warranted but given the requested zoning by-law amendment does not result in development



and the applicant will have to submit three other applications under the Planning Act (consent, vacant land plan of condominium and site plan) each of which provides staff the opportunity to require a revised water balance report, it was determined a holding provision was not warranted.

Parkland

A portion of the subject lands, Block 113 and a portion of Block 115 were originally shown in the draft plan of subdivision parkland. The condition of the draft plan of subdivision was that 5% of the area of the subdivision be dedicated to the City for parkland. Dedication of land for the North London corridor, a block linking the North London corridor to the internal street network and the buffer/pathway block lands next to the ESA and equalled 5% of the area of the subdivision. The subdivider was not obligated to dedicate Block 113 and part of Block 115 to the City through the subdivision process and as the neighbourhood park needs of this area could be served by another neighbourhood park in the general area, it was decided these lands were not required for public park purposes.

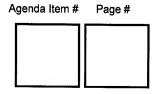
The existing Open Space (OS1) Zone permits private parks, golf courses and campgrounds. Given the size and location of the site, private uses permitted by the Open Space (OS1) Zone are expected to generate more conflicts with neighbouring residential uses that uses permitted by the R4 and R6 zones. Residential uses to the scale and density permitted by the recommended R4 Special Provision and R6-2 Zones will result in compatible development and represents good planning.

Special Provision

A recent issue that has arisen with street town homes is that if units are built to the minimum frontage allowed under the by-law, 5.5 m, it makes it difficult to fit water, sanitary, storm and utility trenches when separation distances between the services are also required. In some instances, the only option is to locate some services under the driveway which becomes costly for future home owners if there is a break or blockage in the service pipe. A special provision, therefore, is being recommended to minimize issues with providing services to each unit. Based on the concept plan submitted, inclusion of the recommended special provision, which will increase the minimum lot frontage from 5.5 m to 7.5 m will not necessitate changes to the proposal.

CONCLUSION

Overall, the proposed zoning by-law amendment meets the criteria within the Official Plan, as it contributes to a range of dwelling types, it provides a choice of dwelling types according to location, size, affordability and design, municipal services are available, it minimizes the potential for land use compatibility problems, and it promotes residential development that makes efficient use of land and services. The retention of the 10 m ESA buffer/pathway is essential to ensuring no effects on natural heritage. The sites also have good access to public transit and alternative modes of transportation, and are adjacent to a significant open space area without impacting it. Given that parkland is not required in this subdivision, it is a sound change. Overall, this application meets the policies of the Official Plan, and is consistent with the Provincial Policy Statement, and represents good land use planning.



PREPARED BY:	SUBMITTED BY:
Affle	Jeff
NANCY MCKEE, MCIP, RPP	JÉFF LEUNISSEN, MCIP, RPP
SÉNIOR PLANNER, DEVELOPMENT PLANNING	MANAGER, DEVELOPMENT PLANNING
RECOMMENDED BY:	RECOMMENDED BY:
	David Arkin-
D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	DAVID AILLES, P. Eng. MANAGING DIRECTOR, DEVELOPMENT APPROVALS BUSINESS UNIT

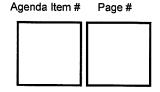
January 27, 2012 NP/...

FOR

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"Attach"

CC: Sara Bellaire, Development Planning



Bibliography of Information and Materials - Z-7986

Request for Approval:

City of London Zoning By-law Amendment Application Form. Sifton Properties Limited, November 4, 2011.

Planning Rationale Report - Ballymote Woods Subdivision, Park Block Rezoning. Sifton Properties Limited, October 31, 2011

Servicing Report, Land Use Change for Park Block. AGM Surveying & Engineering, October 3, 2011

Environmental Impact Study Addendum #5, Ballymote Woods Subdivision, 1270 Sunningdale Road East, Stantec, November 4, 2011

Reference Documents and materials:

City of London. Official Plan, June 19, 1989, as amended.

City of London. Zoning By-law No. Z.-1, May 21, 1991, as amended.

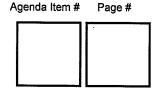
Ontario. Ministry of Municipal Affairs and Housing. Provincial Policy Statement, March 01, 2005.

Provincial Policy Statement, 2005.

City of London Planning File: 39T-06503 - 1270 Sunningdale Road East.

City of London Planning File: Z-7986

Proposal Review Meeting. Meeting Summary and Record of Consultation, September 28, 2011



Bill No. (number to be inserted by Clerk's Office) 2012

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1400 & 1440 North Wenige Drive (Block 112 & 113) and a portion of Block 115, Registered Plan 33M-631.

WHEREAS Sifton Properties Limited has applied to rezone an area of land located at 1400 & 1440 North Wenige Drive (Block 112 & 113) and a portion of Block 115, Registered Plan 33M-631, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at at 1400 & 1440 North Wenige Drive (Block 112 & 113) and a portion of Block 115, Registered Plan 33M-631, as shown on the attached map, from a Residential R6/Residential R7/Residential R8 (R6-5/R7*D100*H13/R8-4) Zone and an Open Space (OS1) Zone to a Residential R6 (R6-2) Zone, a Residential R4 Special Provision (R4-6()) Zone, and an Open Space (OS5) Zone.

1) Section 8.4 of the Residential R4 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

f)
R4-6()

a) Regulations i) Lot Frontage 7.5 m (24.6 ft.) (minimum)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on February 21, 2012.

Joe Fontana Mayor

Catharine Saunders City Clerk

First Reading - February 21, 2012 Second Reading - February 21, 2012 Third Reading - February 21, 2012



