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H-8471/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 – PHASES 1 & 2 (FORMERLY 1603 HAMILTON ROAD) MEETING ON SEPTEMBER 21, 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 - Phases 1 & 2 (formerly known as 1603 Hamilton Road) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on September 29, 2015 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the Phase 1 lands described as Lots 1 through 19 and Lots 21 through 59, Registered Plan No. 33M-672, **FROM** a holding Residential R1 (h-100•R1-4) Zone **TO** a Residential R1 (R1-4) Zone to remove the holding (h-100) provision; and the Phase 2 lands described as Lots 47 through 56 and Lots 75 through 124 as shown on the draft-approved plan of subdivision (File No. 39T-09502) **FROM** a holding Residential R1 (h•h-100•R1-4) Zone **TO** a Residential R1 (R1-4) Zone to remove the holding (h & h-100) provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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July 20, 2015 – Planning and Environment Committee – Report from the Managing Director, Development & Compliance Services and Chief Building Official with respect to the Special Provisions to be contained in a subdivision agreement relating to Sifton Properties Limited “Victoria on the River” Subdivision - Phase 2 (Agenda Item #3).

June 1, 2015 – Planning and Environment Committee – Report from the Managing Director, Development & Compliance Services and Chief Building Official on an application by Sifton Properties Limited relating to Victoria on the River Subdivision - Phase 1 to remove the holding (“h”) provision on the properties at 2346, 2350 and 2354 Leeds Crossing (Lots 9, 10, & 11 Registered Plan No. 33M-672) (Agenda Item #6).

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 provisions to allow development of the lands for residential uses permitted under the Residential R1 (R1-4) Zone.

RATIONALE

1. The condition for removing the holding (h & h-100) provisions has been met and the recommended amendment will allow development of single detached dwelling lots, in compliance with the holding Residential R1-4 Zone.

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2. A signed subdivision agreement has been entered into between Sifton Properties Limited and the City of London. Securities have been posted as required by City policy and the Subdivision Agreement for this plan of subdivision.
3. Provision has been made for a looped watermain system to ensure adequate water service, and provision of a temporary emergency access to the satisfaction of the City.

BACKGROUND

On September 16, 2014, Municipal 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 of Victoria on the River. Staff recommended that the holding "h" provision remain in place on three of the lots (Lots 9, 10, & 11 Registered Plan 33M-672) to be 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 containing the Scott heritage farmhouse. A by-law was subsequently 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. On June 10, 2015 Council approved an amendment to the zoning by-law to remove the "h" provision from the zoning on these lots.

On July 28, 2015 Municipal Council approved Special Provisions to be contained in a Subdivision Agreement between the City of London and Sifton Properties Limited for the Victoria on the River subdivision (39T-09502) Phase 2. The subdivision agreement has now been executed and security has been provided for both Phases 1 and 2.

Date Application Accepted: March 25, 2015	Agent: Sifton Properties Limited
REQUESTED ACTION: Request to remove the Holding (h & h-100) Provisions from the zoning of multiple lots within the Victoria on the River Subdivision – Phases 1 & 2 which are currently zoned h•h-100•R1-4 and h-100•R1-4.	

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The *Upper Thames River Conservation Authority* reports:

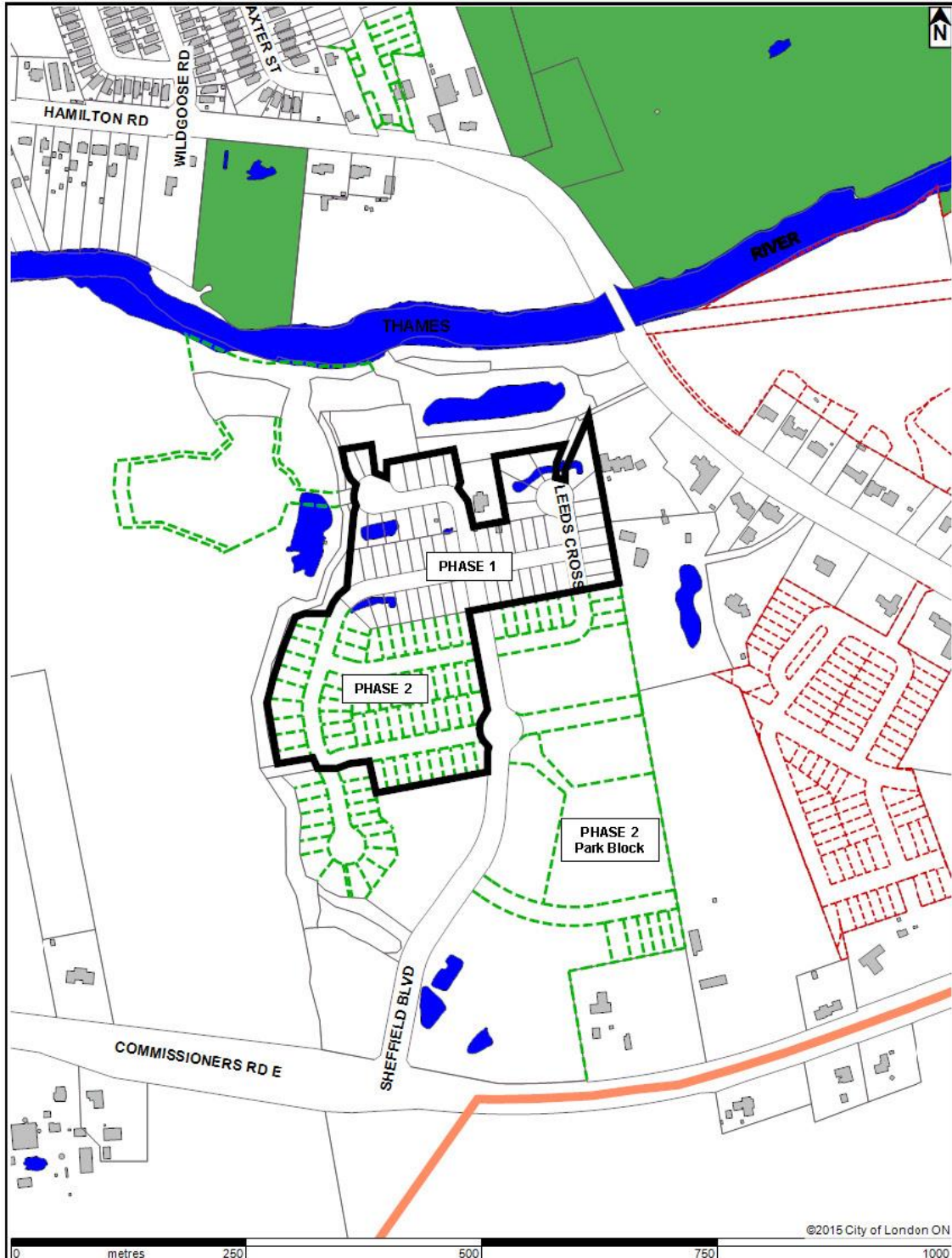
The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. Landowners must obtain written approval from the Authority prior to undertaking any site alteration or development within the regulated area including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

The UTRCA has no objections this application.

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on April 16, 2015.	No replies
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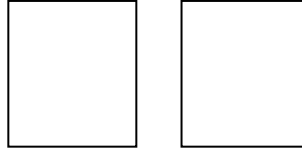
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Location Map

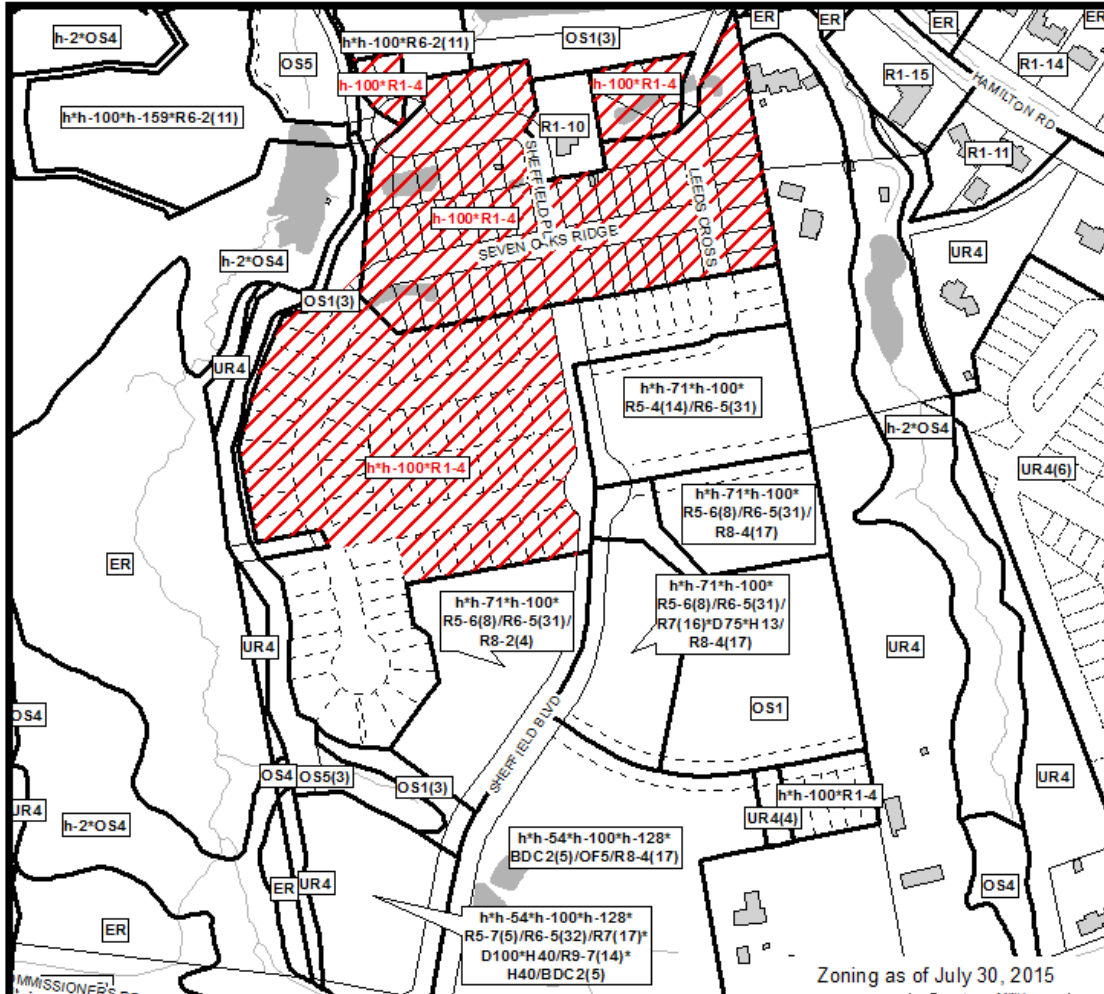



©2015 City of London ON

<p align="center">LOCATION MAP</p> <p>Subject Site: Victoria on the River (Phases 1 & 2) Applicant: Sifton Properties Limited File Number: H-8471 Planner: L. Mottram Created By: LM Date: 2015-04-01 Scale: 1:5000</p>	<p align="center">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	



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



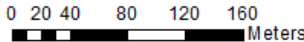
THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
 H-8471 LM

MAP PREPARED:
 September 1, 2015 JTS

1:4,000

0 20 40 80 120 160 Meters



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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 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.

The holding “h” provision was removed previously from the zoning over the Phase 1 lands. A subdivision agreement has recently been entered into between Sifton Properties Limited and the City of London for Phase 2. Sifton Properties Limited have also posted security as required by City policy and the Subdivision Agreement for both phases.

The purpose of the holding (“h-100”) provision in the zoning by-law is as follows:

Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: A maximum of 80 residential units.

Special provisions included in the subdivision agreement require the owner to provide looping of the watermain system to ensure that there is adequate water service, to the satisfaction of the City Engineer. The subdivision agreement also includes provision for the widening of Sheffield Boulevard to accommodate a temporary emergency access and any associated works, as shown on the accepted engineering drawings. The owner is required to remove the temporary emergency access and restore the boulevards and associated road works to the satisfaction of the City at such time in the future that a second public access is provided to the subdivision. A collector road is identified in the City’s Official Plan, as well as in the Old Victoria Area Plan, to provide a permanent road connection through lands to the east to Hamilton Road.

Sheffield Boulevard north of Commissioners Road East would be widened 3 metres (width of parking bay) on both sides of the street from the parking bay to Commissioners Road. The curb at the southerly limit of the bay will be removed and the asphalt extended with the barrier curb. Pavement markings would demarcate the travelled portion of the road and the area used for the temporary access. This is a temporary measure to be removed at the owner’s expense when directed by the City when a public street is constructed to the east that provides additional public access to the subdivision.

This also satisfies a condition of draft plan approval (Condition No. 56) that prior to development of more than 80 units the Owner shall make the necessary arrangements with adjacent property owners, or make modifications to the draft plan of subdivision, to provide an emergency access to this subdivision should the plan be registered in phases. The draft plan condition requires the owner to ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of sight lines, provision of channelization, adequacy of road geometries and structural design. The City’s Transportation Division and Development Services staff have reviewed the servicing drawings and are satisfied with the design of the temporary emergency access. Sifton Properties Limited has commenced the installation of services for lots in Phase 2 including the watermain looping and temporary access works and which are now nearing completion. It should be noted that there is an existing 3.2 metre wide asphalt maintenance access road between Leeds Crossing and Hamilton Road constructed as part of Phase 1 and the City’s Old Victoria SWM Facility No. 2, and which also provides an alternate means of access for emergency vehicles.

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CONCLUSION

Based on our review, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding (“h” & “h-100”) symbols from the zoning map for Victoria on the River subdivision Phases 1 & 2.

RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING	ALLISTER MACLEAN MANAGER – DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY MCIP, RPP MANAGER – DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

September 14, 2015GK/TG/AM/LM/lm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2015\H-8471 - 1603 Hamilton Rd E (LM)\PEC report.doc

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H-8471/L. Mottram

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 provisions from the zoning for an area of land located in the Victoria on the River Subdivision - Phases 1 & 2 (formerly known as 1603 Hamilton Road) and described as Lots 1 through 19 and Lots 21 through 59, Registered Plan No. 33M-672; and Lots 47 through 56 and Lots 75 through 124 as shown on the draft-approved plan of subdivision (File No. 39T-09502).

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning for an area of land located in the Victoria on the River Subdivision - Phases 1 and 2 (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 provisions 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 the lands described as Lots 1 through 19 and Lots 21 through 59, Registered Plan No. 33M-672; and lands described as Lots 47 through 56 and Lots 75 through 124 as shown on the draft-approved plan of subdivision (File No. 39T-09502), as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R1 (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 29, 2015.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 29, 2015
Second Reading – September 29, 2015
Third Reading – September 29, 2015

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

