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H-8485/Nancy Pasato

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 3294 SINGLETON AVENUE AND A PORTION OF 3260 SINGLETON AVENUE MEETING ON NOVEMBER 16, 2015

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Sifton Properties Limited, relating to the property located at 3294 Singleton Avenue and a portion of 3260 Singleton Avenue, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 24, 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 /Residential R6 (h-71*h-100*h-105*h-136*R5-6/R6-5) Zone and a Holding Residential R5 Special Provision /Residential R6 Special Provision/Residential R7 Special Provision/Residential R8 Special Provision (h-54*h-71*h-100*h-105*h-136*R5-6(6)/R6-5(30)/ R7(15)*D75*H13/R8-4(16)) Zone **TO** a Holding Residential R5 /Residential R6 (h-136*R5-6/R6-5) Zone and a Holding Residential R5 Special Provision /Residential R6 Special Provision/Residential R7 Special Provision/Residential R8 Special Provision (h-136*R5-6(6)/R6-5(30)/ R7(15)*D75*H13/R8-4(16)) Zone, to remove the “h-54”, “h-71”, “h-100”, and “h-105” holding provisions.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the “h-54”, “h-71”, “h-100”, and “h-105” holding provisions in order to permit the development of 50 single detached cluster housing units within a vacant land condominium.

RATIONALE

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 are being addressed through conditions in the Development Agreement and approved Site Plan, and the holding provisions are no longer required.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Bostwick East Area Plan (O-6872) – Planning reports considered by Planning Committee on April 25, 2005, May 9, 2005, May 30, 2005, September 12, 2005, and December 12, 2005.

October 31, 2005 – Planning report to Planning Committee regarding Draft Plan, and Zoning By-law amendment application for Sifton Properties Limited 1451 Wharnclyffe Road S, Files 39T-05506/Z-6900.

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May 6, 2009 & May 25, 2009 – Planning reports to Planning Committee regarding Draft Plan, Zoning By-law amendment and Official Plan amendment application for Sifton Properties Limited 1451 Wharncliffe Road South, Files 39T-07510/Z-7457/O-7466.

May 6, 2009 & May 25, 2009 – Planning reports to Planning Committee regarding Draft Plan and Zoning By-law amendment application for Sifton Properties Limited 1451 Wharncliffe Road South, Files 39T-5509/Z-6915.

September 14, 2009 - Planning report to Planning Committee regarding Draft Plan and Zoning By-law amendment application for Sifton Properties Limited at 149, 153 & 187 Southdale Road West, Files 39T-08508/Z-7621.

May 16, 2011 - Planning report to Built and Natural Environment Committee regarding Special Provisions for the Draft Plan of Subdivision at 149, 153 & 187 Southdale Road West, Files 39T-08508/Z-7621.

October 19, 2015 - Planning report to Planning and Environment Committee regarding the Draft Plan of Vacant Land Condominium for Sifton Properties Limited at 3294 Singleton Avenue and a portion of 3260 Singleton Avenue, File 39CD-15509.

BACKGROUND

The subject lands form part of the approved Bostwick East Area Plan and associated Official Plan amendments, which were adopted by Municipal Council in June, 2005. The subject lands were designated Multi-Family, Medium Density Residential through this process.

The subject lands are within the Bierens Subdivision (39T-08508/Z-7621), which was draft approved by the Approval Authority in October, 2009. The parcels for 3294 & 3260 Singleton Avenue were created through the registration of the subdivision on November 25th, 2011 as 33M-636.

A consent application (B.001/15) to sever a portion of 3260 Singleton Avenue and convey it to 3294 Singleton Avenue was received in December 2014. A provisional decision was granted on March 27, 2015 and the applicant has until March 27, 2016 to fulfil the conditions of the consent.

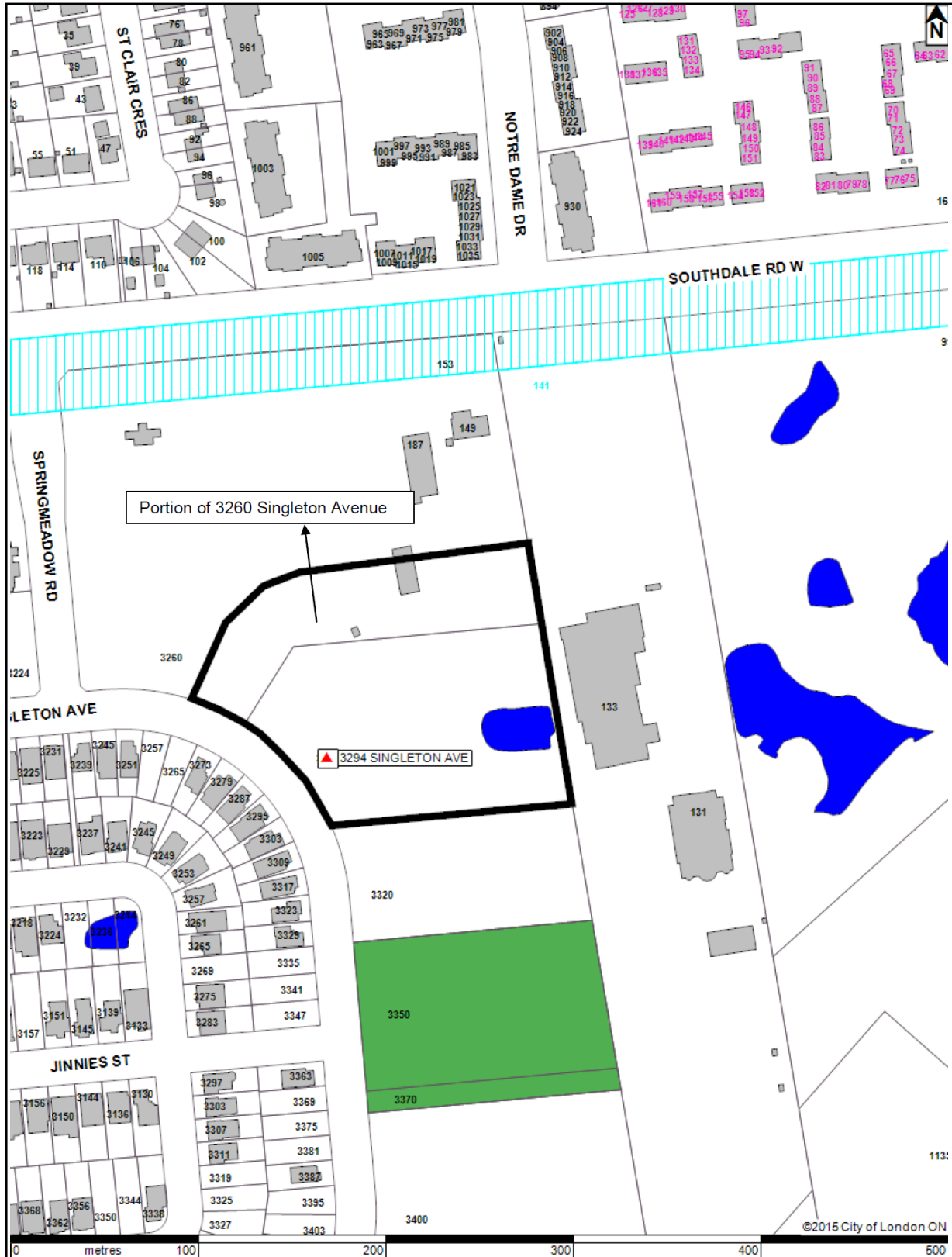
A Site Plan application (SP-15-013646) was received for the subject lands on April 27, 2015. First submission comments were received in May, 2015. Based on these comments the Applicant submitted a second site plan submission in mid-July, 2015.

An application for Vacant Land Condominium (39CD-15509) was received for the subject lands on July 22, 2015.

The subject site constitutes Block 60 and a portion of Block 59 on registered plan 33M-636 (39T-08508). All holding provisions were applied through the Draft Plan of Subdivision and Zoning By-law amendment process, except for the “h-136” holding provision, which was enacted in June 2011 through Zoning By-law Amendment application Z-7850, to address servicing and transportation capacities.

On May 4, 2015 an application was received from Sifton Properties Limited to remove the holding provisions that apply to the subject sites. A notice of application was circulated to the required municipal departments on September 24, 2015. A notice of application was published in *The Londoner* on October 1, 2015.

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LOCATION MAP

Subject Site: **3294 Singleton Ave and a portion of 3260 Singleton Avenue**
 Applicant: **Sifton Properties Limited**
 File Number: **H-8485**
 Planner: **Nancy Pasato**
 Created By: **Nancy Pasato**
 Date: **2015-09-23**
 Scale: **1:2500**

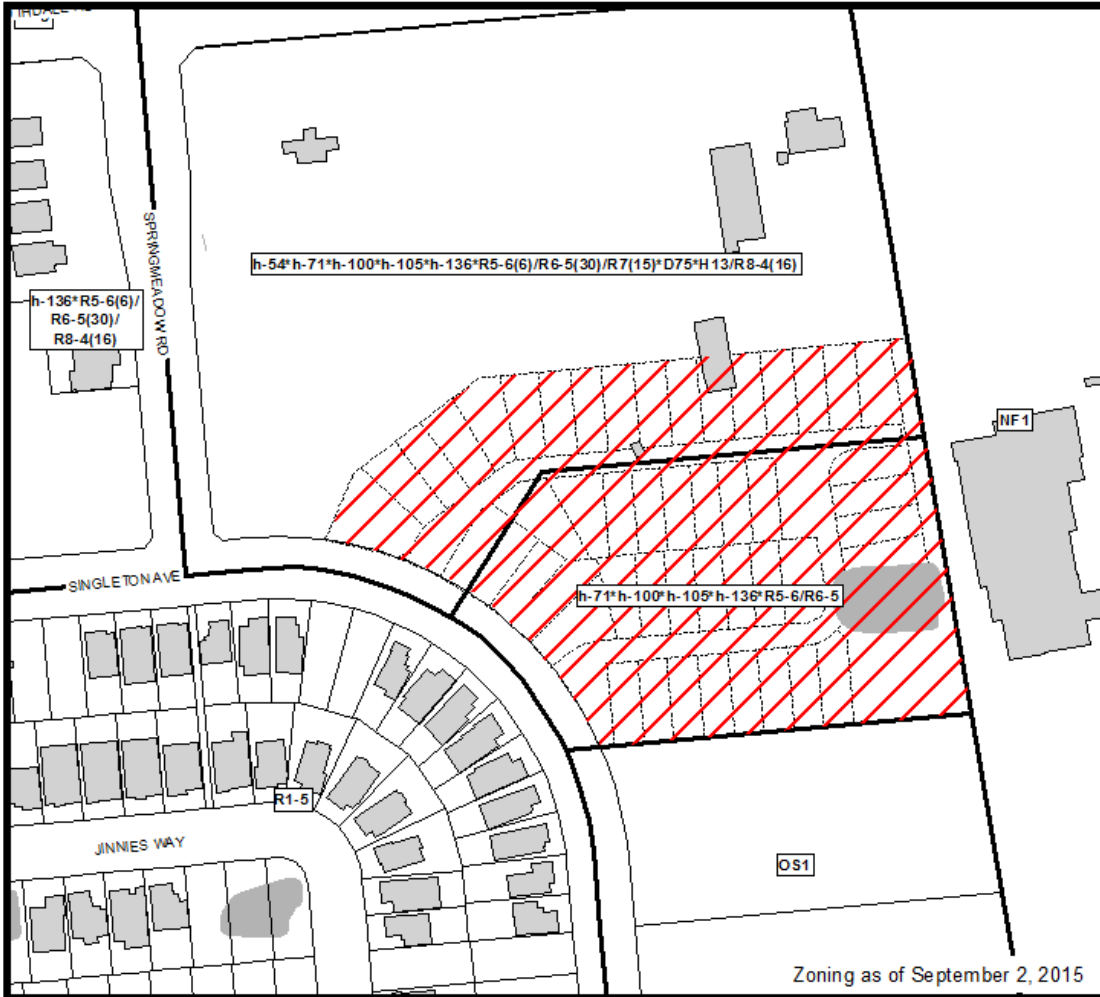
LEGEND

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

Corporation of the City of London
 Prepared By: Development and Compliance Services



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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

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| <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 |
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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-8485 NP

MAP PREPARED:
 October 22, 2015 JTS

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Date Application Accepted: May 4, 2015	Applicant: Sifton Properties Limited
REQUESTED ACTION: Removal of the holding provisions from 3294 and a portion of 3260 Singleton Avenue.	
PUBLIC LIAISON:	Notice was published in <i>The Londoner</i> on October 1 st , 2015.
<p>Nature of Liaison: City Council intends to consider removing the holding provision(s) which was/were put in place to: ensure there are no land use conflicts between arterial roads and the proposed residential uses, the Owner will implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City (h-54); demonstrate how the front façade of the dwelling units can be oriented to all abutting streets (h-71); ensure adequate water service and appropriate access (h-100); ensure that a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility (h-105); and, to ensure that development does not exceed a maximum interim threshold of 263 residential units, the temporary Bostwick sanitary sewage pumping station and forcemain are to be decommissioned, and a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecasted traffic volumes. Council will consider removing the holding provision(s) as it applies to these lands no earlier than Monday, October 19th, 2015.</p>	
Responses: None received.	

ANALYSIS

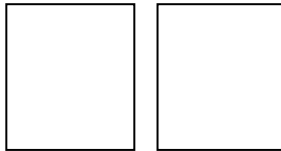
Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development.

Through the Zoning By-law amendment and Draft Plan of Subdivision application process, several holding provisions were added to the subject site to address potential noise impacts from traffic on Southdale Road and to encourage building orientation to the Singleton Avenue. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

h-54 - *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.*

Staff response: This holding provision only applies to the portion of 3260 Singleton Avenue. Through site plan it was determined this holding provision does not apply for this portion of the subject site, as it is over 100 m away from Southdale Road, and in the future, there will be an intervening land use between this development and the road. Any future applications on the balance of the lands will require the appropriate noise assessment and mitigation measures.

h-71- *To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the*



H-8485/Nancy Pasato

General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol.

Site Plan (Revised as of October 20, 2015)



Staff response: Through the submission of the 3rd site plan (see above) Urban Design has confirmed that they are satisfied with the orientation of the units to Singleton Avenue and the park to the south. This orientation is reflected in the site plan attached to the development agreement which was signed by the Applicant on November 4, 2015.

h-100 - *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. A maximum of 80 residential units is permitted.*

Staff response: Water Engineering confirmed that since this is a 50 unit development, water looping is not an issue and the holding provision can be removed.

h-105 - *To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-105" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.*

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H-8485/Nancy Pasato

Staff response: A stormwater management report was prepared for the site, and has been accepted by the SWM Unit.

h-136 - *To ensure that development in draft plan 39T-08508 does not exceed a maximum interim threshold of 263 residential units, the h-136 symbol shall not be deleted until the temporary Bostwick sanitary sewage pumping station and forcemain are decommissioned; and a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes. Permitted Interim Uses: Maximum of 263 residential units on the multi-family lands.*

Staff response: Holding provision "h-136" will remain on this site. The addition of this site in the area increases the unit count to 164, which is below the 263 unit threshold. Permitted interim uses allow for the development of up to 263 residential units prior to the required decommissioning of the temporary Bostwick sanitary sewage pumping station and forcemain and the Traffic Impact Study. The holding provision will remain on site should there be any development of these lands to ensure this does not affect the 263 unit threshold.

CONCLUSION

The requirements for 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, and has entered into the Development Agreement with the City. Removal of these holding provisions will allow the issuance of building permits to be considered for the 50 unit cluster single detached dwelling development.

PREPARED & RECOMMENDED BY:	REVIEWED BY:
NANCY PASATO, MCIP, RPP SENIOR PLANNER, DEVELOPMENT SERVICES	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

November 6, 2015
 NP/np \\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2015\H-8485 -3294 Singleton Avenue\Report to PEC 3294 Singleton.doc
 "Attach."

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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 3294 Singleton Avenue and a portion of 3260 Singleton Avenue.

WHEREAS Sifton Properties Limited has applied to remove holding provisions from the zoning on the lands located at 3294 Singleton Avenue and a portion of 3260 Singleton Avenue, 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 3294 Singleton Avenue and a portion of 3260 Singleton Avenue, as shown on the attached map to remove the holding "h-54", "h-71", "h-100", and "h-105" provisions so that the zoning of the lands as a Holding Residential R5 /Residential R6 (h-136*R5-6/R6-5) Zone and a Holding Residential R5 Special Provision /Residential R6 Special Provision/Residential R7 Special Provision/Residential R8 Special Provision (h-136*R5-6(6)/R6-5(30)/R7(15)*D75*H13/R8-4(16)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on November 24, 2015.

Matt Brown
Mayor

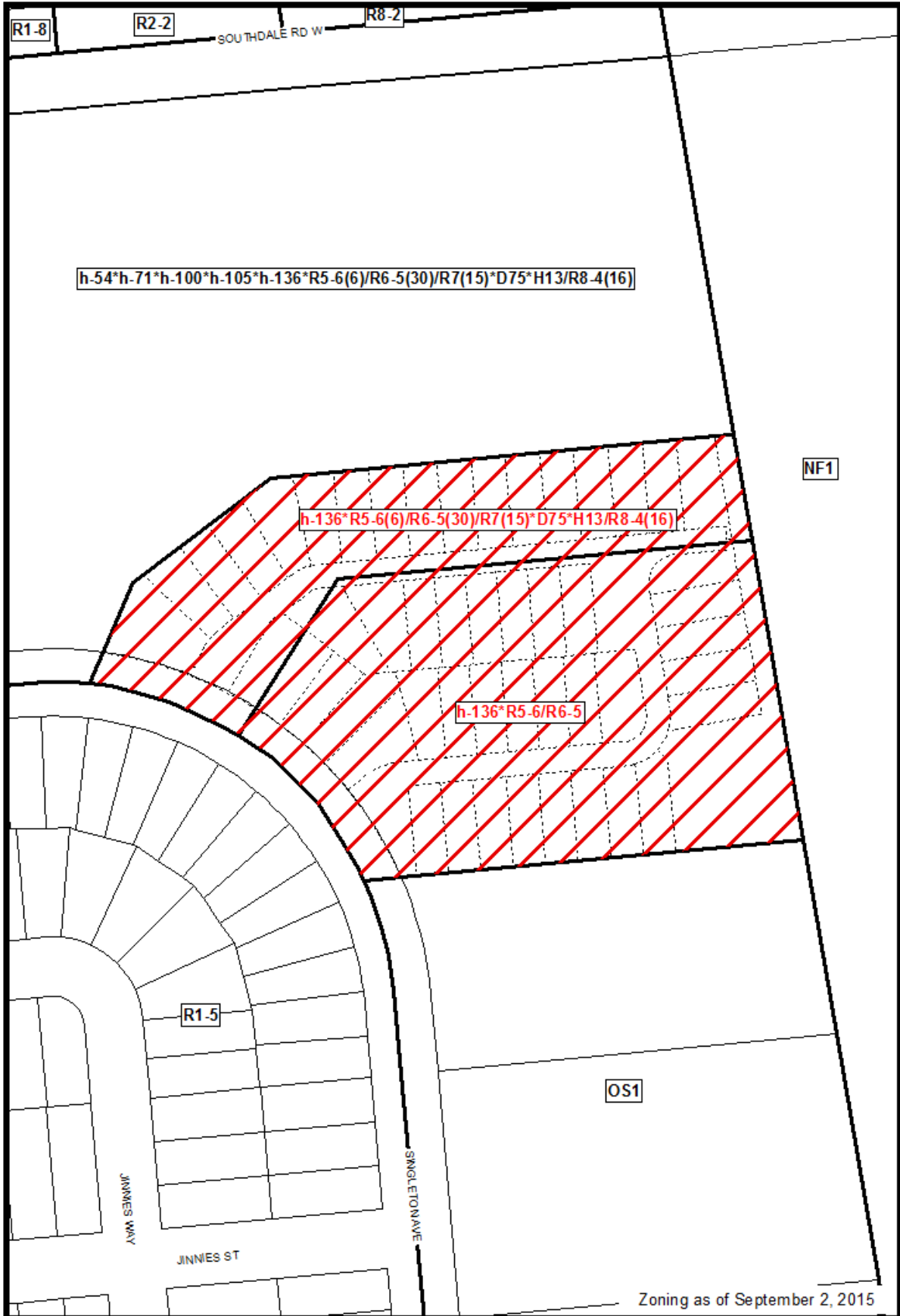
Catharine Saunders
City Clerk




First Reading – November 24, 2015
Second Reading – November 24, 2015
Third Reading – November 24, 2015

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



<p>File Number: H-8485 Planner: NP Date Prepared: October 22, 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> 
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Geobase