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H-8507/C. Smith

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SIFTON PROPERTIES LIMITED 1551 BLACKWELL BOULEVARD MEETING ON MAY 30, 2016

RECOMMENDATION

That, on the recommendation of the Manager, Development Services and Planning Liaison, based on the application of Sifton Properties Limited relating to the property located at 1551 Blackwell Boulevard the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 31, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1551 Blackwell Boulevard **FROM** a Holding Residential R1 (h*h-45*R1-4) Zone **TO** a Residential R1 (R1-4) Zone to remove the holding h and h-45 provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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May 4, 2015 –public meeting relating to the Draft Plan of Subdivision, Official Plan & Zoning By-law Amendment (39T-08504/OZ-7521).

February 22, 2016- Special Provisions report to Planning Committee

PURPOSE AND EFFECT OF RECOMMENDED ACTION

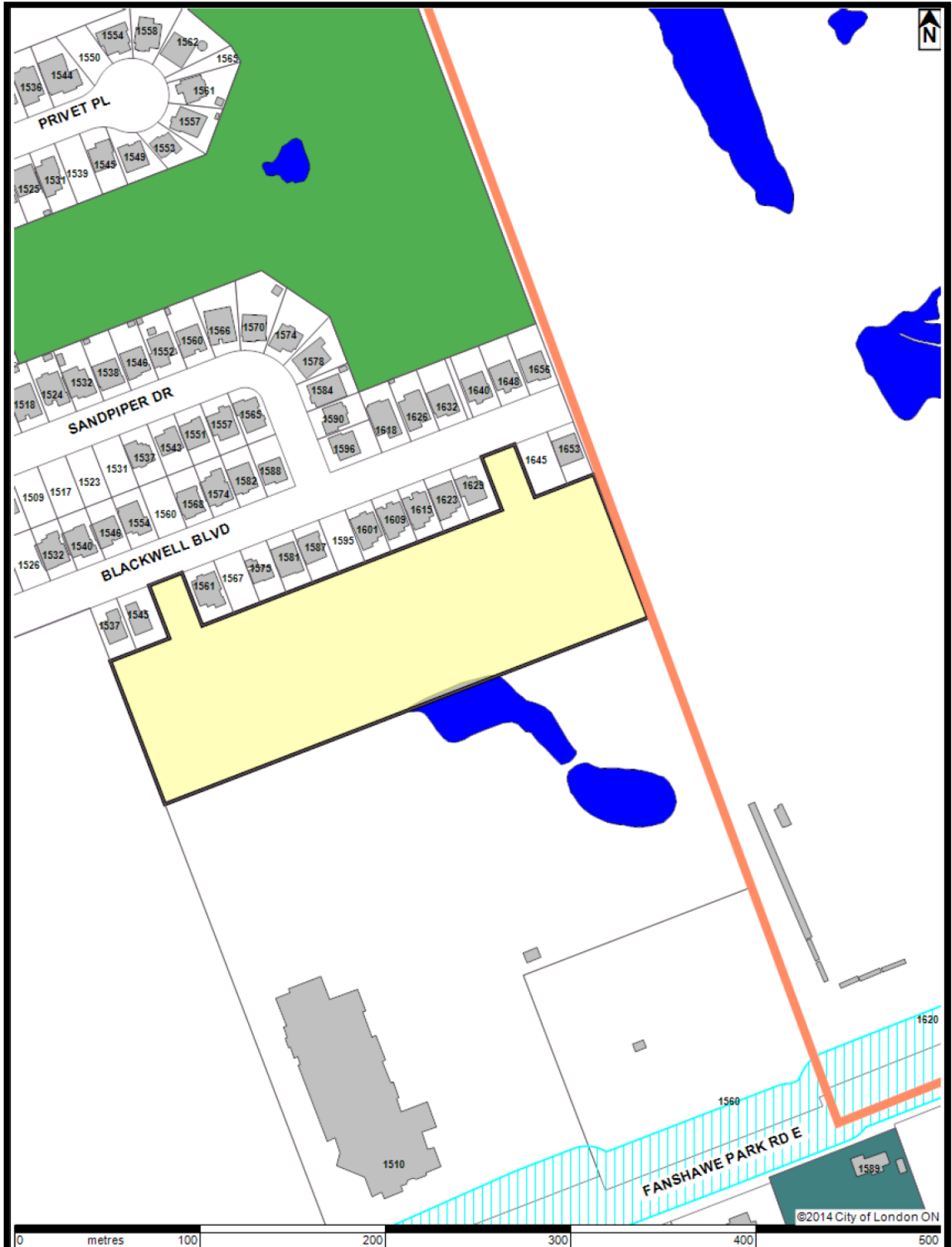
The purpose and effect of this zoning change is to remove the holding symbols to permit the development of 33 single detached dwelling lots.

RATIONALE

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law Z.-1.
2. A noise and dust study has been submitted by the applicant and the required mitigation measures have been implemented through the subdivision agreement and by the construction of a noise berm located on the abutting property to the east.
3. Through the subdivision approval process the required security has been submitted to the City of London, all issues have been resolved and these holding provisions are no longer required.

Two empty rectangular boxes for agenda item and page numbers.

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LOCATION MAP
 Subject Site: Fanshawe Ridge Subdivision - Draft Plan of Subdivision
 Applicant: Sifton Properties Limited
 File Number: 39T-08504
 Planner: Craig Smith
 Created By: Craig Smith
 Date: 2014-12-01
 Scale: 1:2500

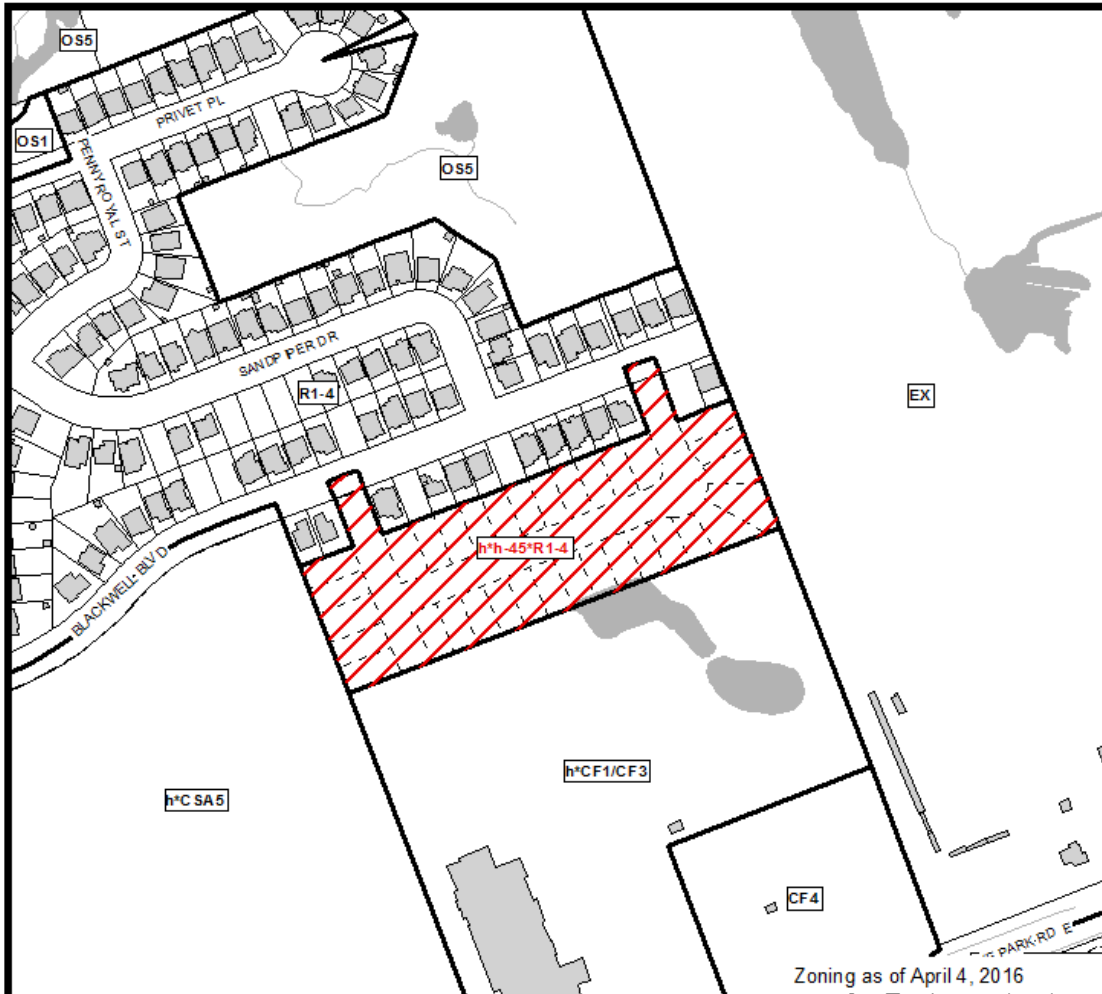
- LEGEND**
- Subject Site
 - Parks
 - Assessment Parcels
 - Buildings
 - Address Numbers

Corporation of the City of London
 Prepared By: Planning and Development



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Zoning as of April 4, 2016

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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<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p>ZONING BY-LAW NO. Z-1 SCHEDULE A</p>	<p>FILE NO: H-8507 CS</p> <hr/> <p>MAP PREPARED: May 18, 2016 JTS</p> <hr/> <p style="text-align: center;">1:3,500</p> <p style="text-align: center;">0 15 30 60 90 120 Meters</p>
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THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

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BACKGROUND

Date Application Accepted: June 24, 2015	Owner: Foxwood Development (London) Inc.
REQUESTED ACTION: Removal of the h. holding provision from the low density residential zones.	

PUBLIC LIAISON:	Notice of the application was published in the Londoner on July 23, 2015
Nature of Liaison: City Council intends to consider removing the "h." and "h-45" holding provisions from the Residential R1-4 Zone which applies to this parcel. These holding provisions were put in place to ensure that the owner enters into an agreement with the City for the adequate provision of municipal services (h.); and to ensure that the owner submit a noise and dust study to the satisfaction of the City to identify any impacts and provide mitigation measures against excessive noise and dust for future area residents (h-45). Council will consider removing these holding provisions as it applies to the lands described above, no earlier than September 1, 2015	
Responses: None	

ANALYSIS

Why is it Appropriate to remove this Holding Provision?

The h. holding provision states that:

"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."

The applicant has submitted the required security to the City of London. The special provisions have been endorsed by Council and the subdivision agreement is being finalized for execution by the owner and the City. This satisfies the requirement for removal of the "h" holding provision.

h-45 Holding Provision

The (h-45) holding provision states that:

"Purpose: Notwithstanding the regulations of residential zones in this By-law to the contrary, new buildings intended for human occupancy shall have a minimum separation distance of 300 metres (492 feet) from a Resource Extraction (EX/EX1) Zone or area licensed for gravel extraction. Any deviation from the 300 metres (492 feet) regulation would only be considered on the basis of a noise and dust impact study completed to the satisfaction of the City of London."

The h-45 holding provision requires that a noise and dust impact study be completed to the satisfaction of the City. The applicant submitted a noise and dust study from RWDI Consulting Engineers in 2006 for the first two phase of this subdivision. RWDI provided an addendum letter

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dated July 6, 2015. The study and addendum letter have been reviewed and accepted by City Staff. Mitigation measures include a noise berm locate on the property to the east and the inclusion of noise and dust warning clauses in the subdivision agreement. It is appropriate to remove this holding provision at this time

CONCLUSION

It is appropriate to remove the h. and the h-45 holding provisions from the subject lands at this time as the mitigation measures as identified in the accepted noise and dust study will be implemented, the required security has been submitted to the City of London and the execution of the subdivision agreement is imminent.

PREPARED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
RECOMMENDED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

May 19, 2016
CS/

"Attach."

Agenda Item # Page #

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Bill No. (Number to be inserted by Clerk's Office)
2016

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1551 Blackwell Boulevard.

WHEREAS Sifton Properties Limited have applied to remove the holding provisions from the zoning for the lands located at 1551 Blackwell Boulevard, 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 the lands located at 1551 Blackwell Boulevard, as shown on the attached map, to remove the holding provisions h and h-45 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 May 31, 2016.

Matt Brown
Mayor

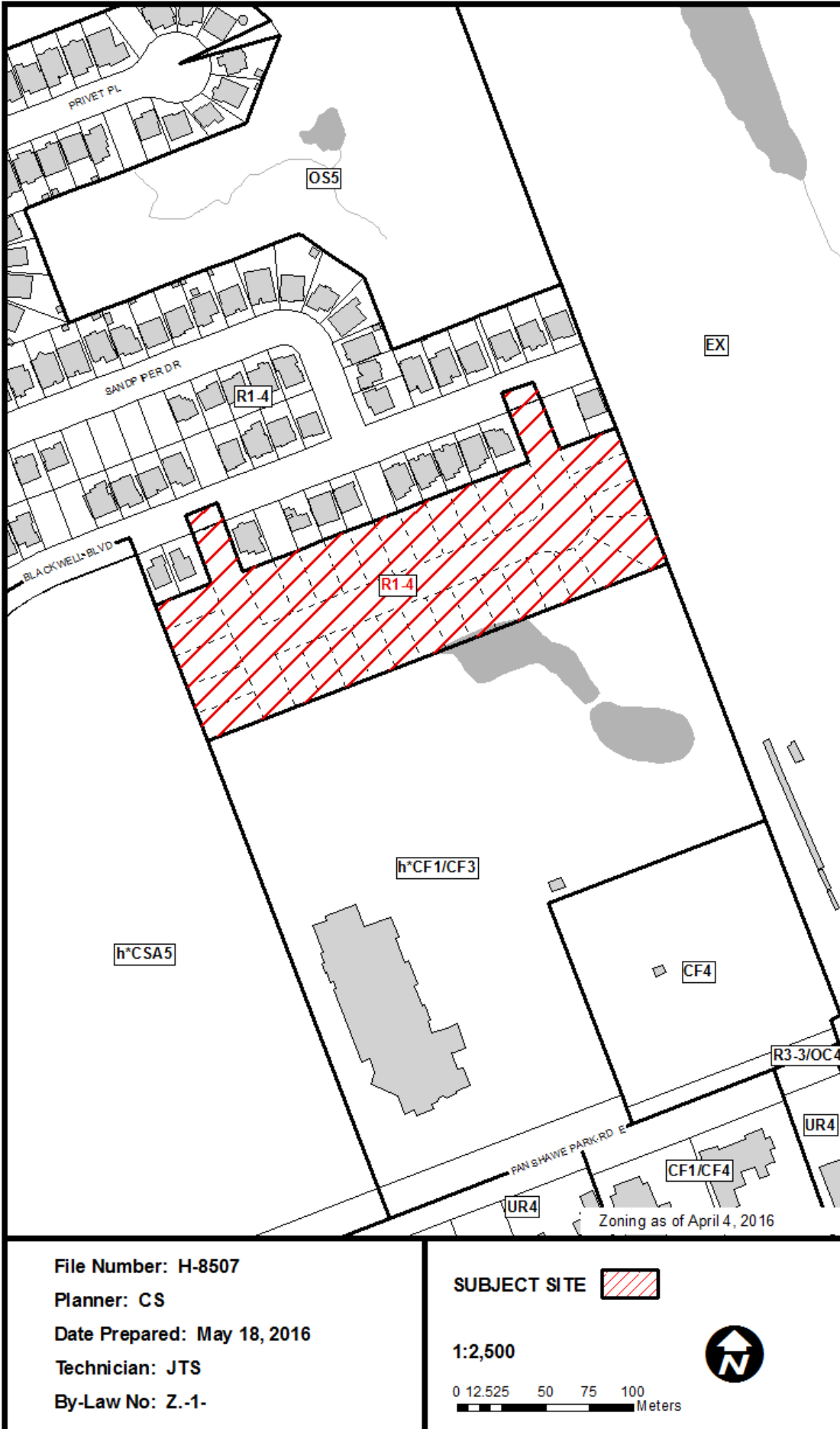
Catharine Saunders
City Clerk

First Reading - May 31, 2016
Second Reading - May 31, 2016
Third Reading - May 31, 2016


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



File Number: H-8507
Planner: CS
Date Prepared: May 18, 2016
Technician: JTS
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters

