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H-8642/C. Smith

<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: 905 SARNIA INC. 905 SARNIA ROAD  MEETING ON JULY 18, 2016</b>

<b>RECOMMENDATION</b>
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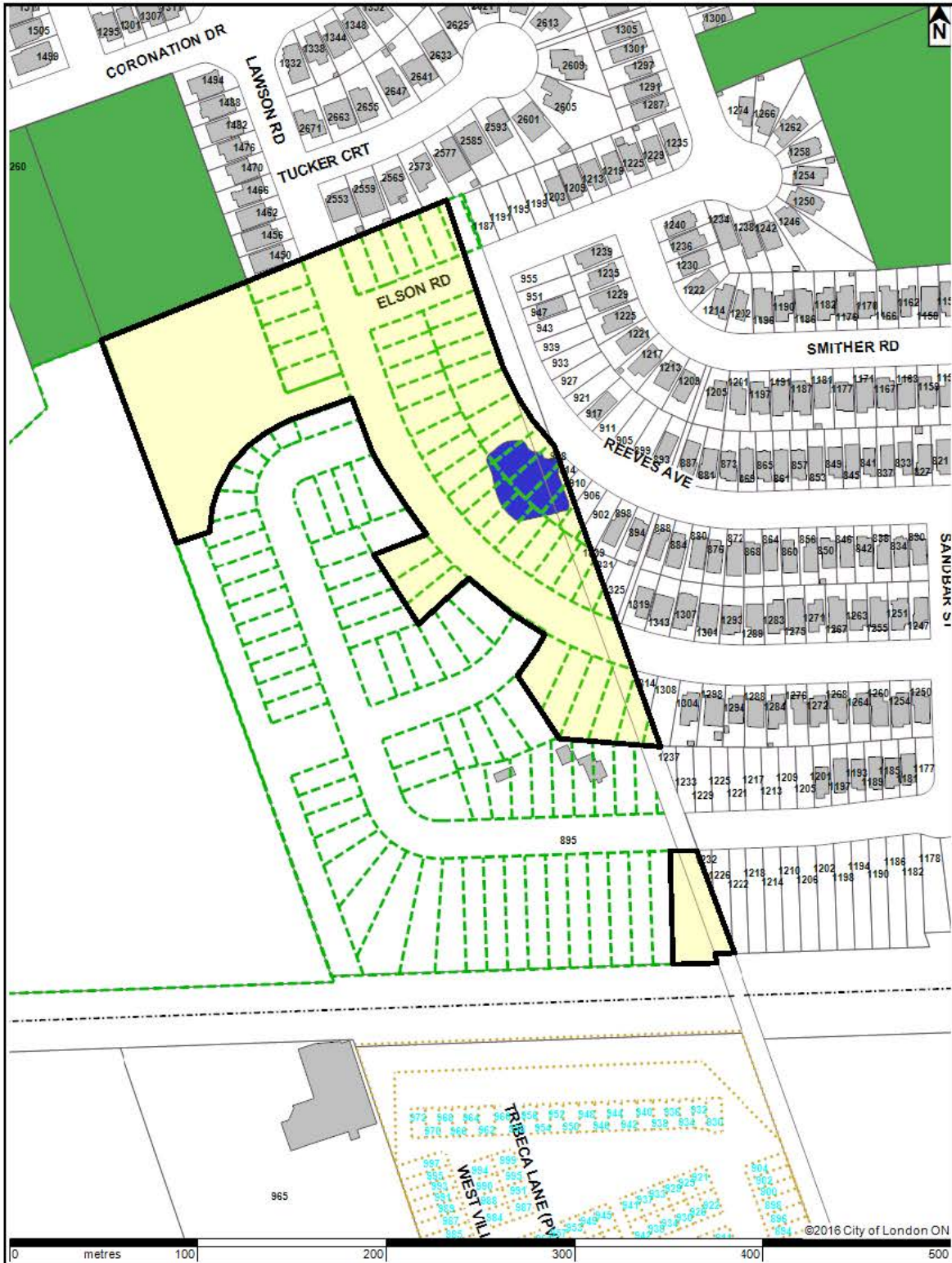
That, on the recommendation of the Manager, Development Services and Planning Liaison, based on the application of 905 Sarnia Inc. relating to the property located at 905 Sarnia Road:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 26, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 905 Sarnia Road **FROM** a Holding Residential R1 Special Provision (h\*h-100\*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-13 (3)) Zone, a Holding Open Space (h\*OS5) Zone and a Holding Open Space (h\*h-65\*h-82\*OS1) **TO** a Residential R1 Special Provision (R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82\*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82\*R1-13 (3)) Zone, an Open Space (OS5) Zone and a Holding Open Space (h-65\*h-82\*OS1) to remove the h. and h-100 holding provisions.
- b) the application to change the zoning of the properties located at 905 Sarnia Road **FROM** a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-13 (3)) Zone and a Holding Open Space (h\*h-65\*h-82\*OS1) Zone **TO** a Residential R1 Special Provision (R1-3 (8)) Zone, a Residential R1 Special Provision (R1-13 (3)) Zone, and an Open Space (OS1) Zone **BE DEFERRED** until such time as the lands are consolidated with abutting lands and noise and vibration mitigation measure are implemented on the park block.

<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. h-100 holding symbols to permit the development of 39 single detached dwelling lots.

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<b>LOCATION MAP</b>	<b>LEGEND</b>
Subject Site: <b>905 Sarnia Road</b> Applicant: <b>905 Samia Inc.</b> File Number: <b>H-8642</b> Planner: <b>Craig Smith</b> Created By: <b>James Scott</b> Date: <b>2016-06-29</b> Scale: <b>1:2500</b>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; border: 2px solid black; margin-right: 5px;"></span> Subject Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> Parks</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px dashed black; margin-right: 5px;"></span> Assessment Parcels</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #cccccc; border: 1px solid black; margin-right: 5px;"></span> Buildings</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> 123 Address Numbers</li> </ul>
Corporation of the City of London Prepared By: Planning and Development	

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<b>RATIONALE</b>
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1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law Z.-1.
2. Through the subdivision approval process the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent and the h holding provision is no longer required.
3. The proposed part blocks have not been registered and consolidated with the abutting lands. Removal of the h-82 holding provision is not appropriate at this time.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> June 17, 2016	<b>Owner:</b> 905 Sarnia Inc.
<b>REQUESTED ACTION:</b> Removal of the h. h.82 and h.100 holding provisions from the low density residential zones.	

<b>PUBLIC LIAISON:</b>	Notice of the application was published in the Londoner on June 30, 2016
<b>Nature of Liaison:</b> City Council intends to consider removing the h., h-82 and h-100 holding provisions from the lands that ensures for the provision of adequate water service, appropriate access, and a consistent lotting pattern in the area that a development agreement shall be entered into to the satisfaction of the City, and that part blocks are consolidated with adjacent lands. Council will consider removing the holding provision as it applies to these lands no earlier than July 18, 2016.	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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**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 for the 1<sup>st</sup> Phase of the 905 Sarnia Inc. subdivision. The special provisions have been endorsed by Council. The owner has provided the necessary security 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.

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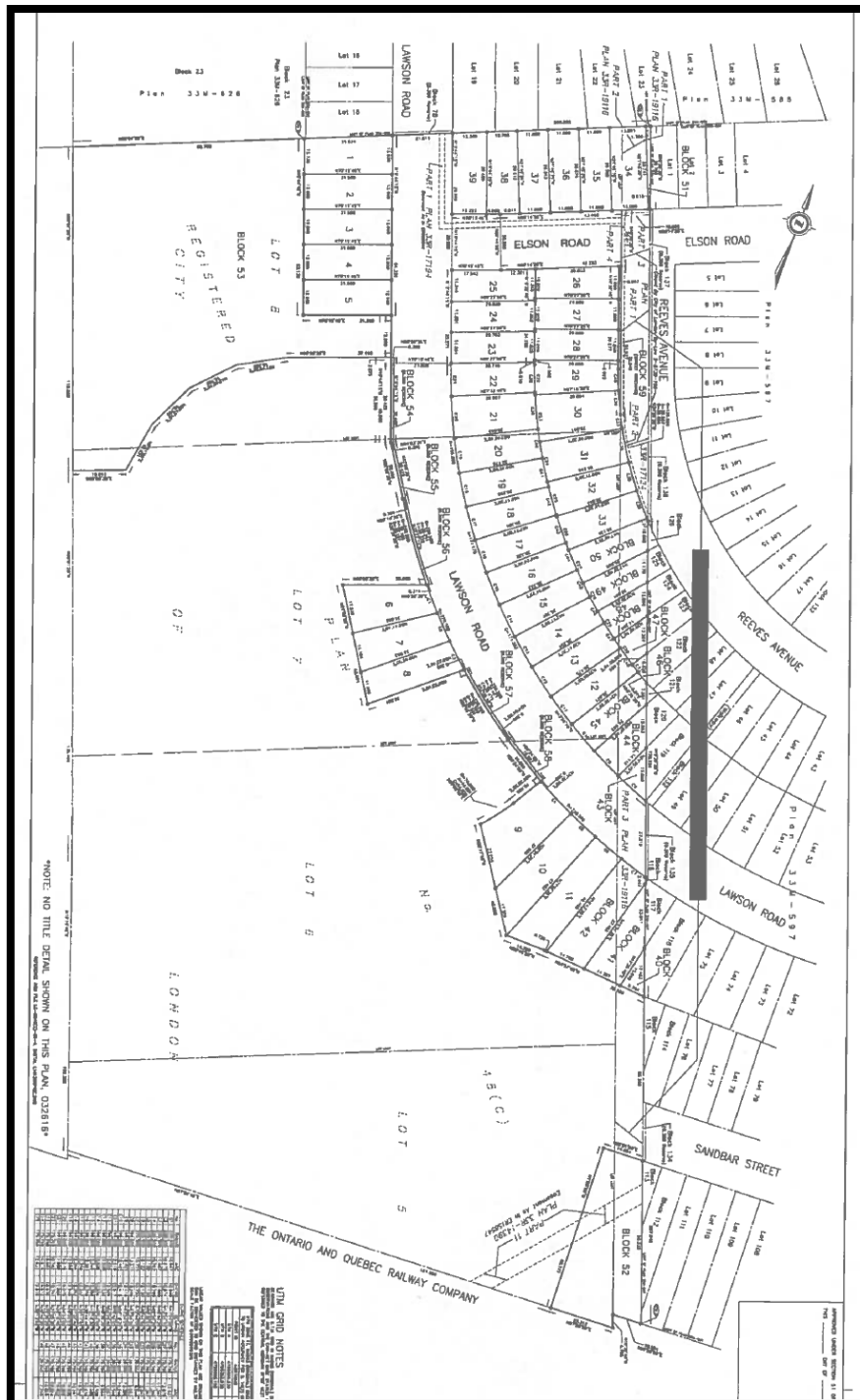
### h-100 Holding Provision

The (h-100) holding provision states that:

*"To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol."*

The h-100 holding provision requires that a looped watermain system be constructed and a second public access is available for these lands. A looped watermain has been constructed and Lawson Road is being extended and completing the connection to lands to the north and east. The completion of Lawson Road provide full public access to the subdivision. This satisfies the requirement for removal of the "h" holding provision.

### Submitted Subdivision First Phase Plan



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**h-65 Holding Provision**

The (h-65) holding provision states that:

*To ensure there are no land use conflicts between the adjacent arterial roads and/or rail line and the proposed residential uses, the "h-65" shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in noise and vibration assessment reports acceptable to the City of London*

The park block is located on the south portion of this 1<sup>st</sup> phase of subdivision and is located adjacent to the CP rail right of way. The block will be dedicated to the City through parkland dedication. This park block will provide access to the existing CP rail bridge. The CP rail bridge is intended to provide pedestrian and bicycle access to the lands to the south. The noise and vibration measure have not been implemented to date and the removal of the h-65 holding provision is not appropriate at this time.

**h-82 Holding Provision**

The (h-82) holding provision states that:

*"To ensure that there is a consistent lotting pattern in this area, the "h-82" symbol shall not be deleted until the part block has been consolidated with adjacent lands."*

The Land Registry Office requires that the lands to be consolidated be in a registered plan of subdivision. Removal of the h-82 holding provision is not appropriate at this time and has been deferred to allow for the plan to be registered and for the consolidation of the parcels.

<b>CONCLUSION</b>
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It is appropriate to remove the h. holding provision from the subject lands at this time as the required security has been submitted to the City of London and execution of the subdivision agreement is imminent. The removal of the h-65 and h-82 holding provision will be dealt with once the noise and vibration measures have been implemented and when the plan is registered and the lands are consolidated with the abutting lands.

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

July 11, 2016  
CS/

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 905 Sarnia Road.

WHEREAS 905 Sarnia Inc. have applied to remove the holding provisions from the zoning for the lands located at 905 Sarnia 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:

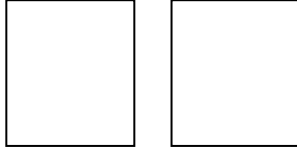
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 905 Sarnia Road, as shown on the attached map, to remove the h. and h-100 holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82\*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82\*R1-13 (3)) Zone, an Open Space (OS5) Zone and a Holding Open Space (h-65\*h-82\*OS1) 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 26, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading -July 26, 2016  
Second Reading -July 26, 2016  
Third Reading - July 26, 2016



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

