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H-8536
Alanna Riley

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 LTD. 3343 MORGAN AVE MEETING ON OCTOBER 31, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Sifton Properties Ltd., relating to the property located at 3343 Morgan Avenue, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 8, 2016 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/R6/R7/R10 (h*h-54*h-71*h-100*h-134*R5-7/R6-5/R7.D100.H45/R10-3.H45) Zone **TO** a Holding Residential R5/R6/R7/R10 (h*h-54*h-71R5-7/R6-5/R7.D100.H45/R10-3.H45) Zone to remove the “h-100” and “h-134” holding provisions.

PURPOSE AND EFFECT OF RECOMMENDED ACTION
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The purpose and effect of this zoning change is to remove the “h-100” and “h-134” holding provisions.

RATIONALE

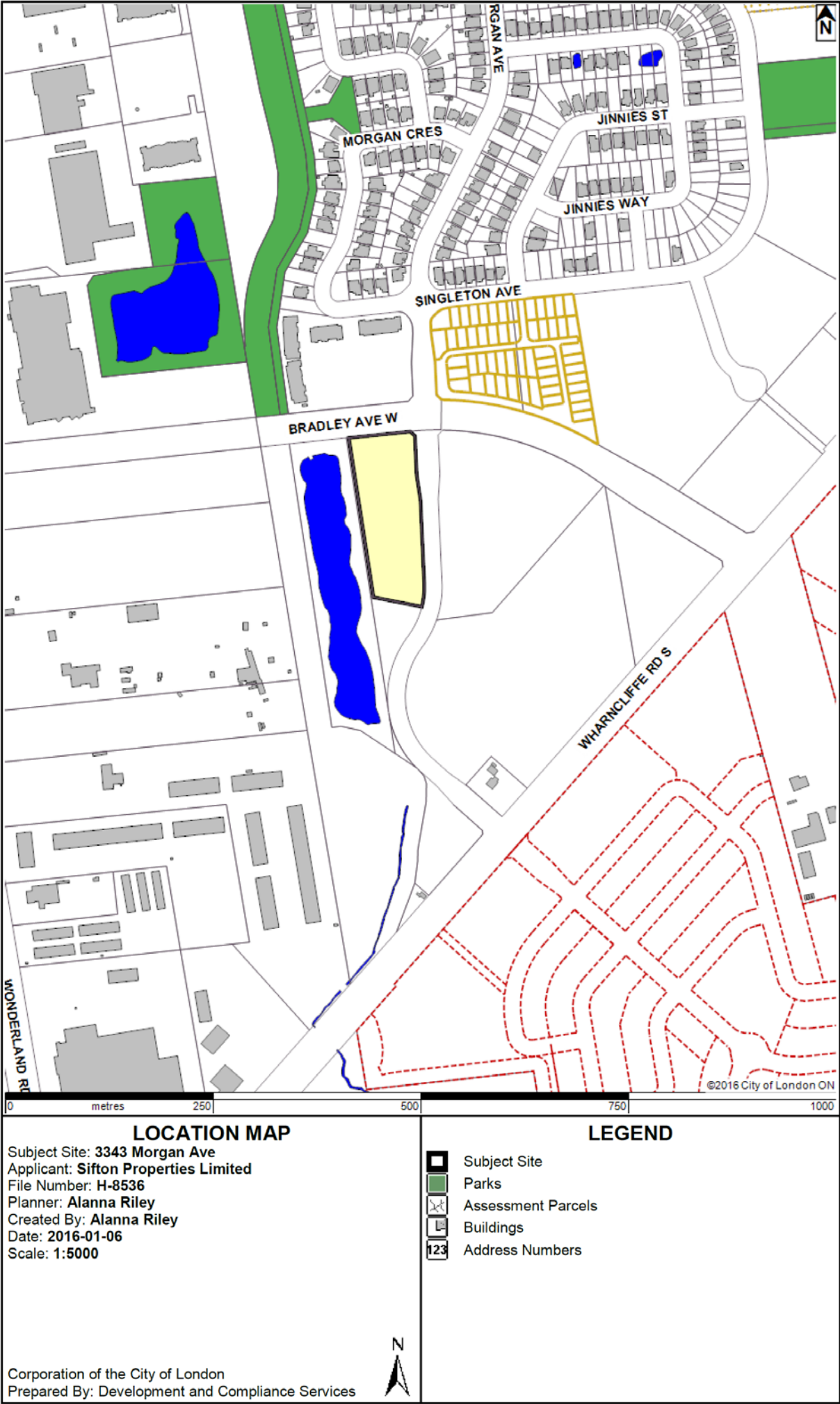
1. A looped watermain system has been constructed and is operational on Morgan Ave., and a second public access has been constructed to Wharncliffe Road South, therefore it is appropriate to remove the h-100 holding provision.
2. The h-134 limits blocks within the Andover Subdivision to a combined maximum lot threshold of 759 units. Given the maximum lot potential of blocks is 414 and the Bostwick Sanitary Pumping Station decommissioning is schedule for 2018 in the GMIS, it is appropriate to remove the h-134 holding provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

May 6, 2009 – Report to Planning Committee on application from Sifton Properties Limited for Draft Plan of Subdivision approval and Zoning By-law amendment (39T-07510/Z-7457/O-7466) relating to property located at 1451 Wharncliffe Road South.

June 8, 2011 – Report to Building and Natural Environment Committee on application from Sifton Properties Limited for Zoning By-law amendment (Z-7850) to apply holding provisions on properties within the Bostwick East Area Plan, to ensure that there will be adequate sanitary and transportation infrastructure capacity to accommodate full build out of the subject lands.

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BACKGROUND

The subject property is located within the Bostwick East Area Plan. The Bostwick East Area Plan was adopted by City Council on December 19, 2005. This plan provides long-term guidance for the development and servicing of lands in the area.

The subject property is comprised of Block 3 on Plan of Subdivision 33M-661 (39T-07510). The holding “h-100” provision was applied in May 2009 at the time the Draft Plan of Subdivision was approved. The Holding Residential Special Provision “h-134” was applied in June 2011 through Zoning By-law Amendment application Z-7850 to address servicing and transportation capacities.

Date Application Accepted: October 6, 2015		Applicant: Sifton Properties Inc.
REQUESTED ACTION: Removal of the “h-100”, and “h-134” holding provisions on the property at 3343 Morgan Ave.		
PUBLIC LIAISON:	Notice was published in <i>The Londoner</i> .	
Nature of Liaison: City Council intends to consider removing the “h-100” and “h-134” holding provisions that were put in place to ensure there is adequate water service and appropriate access, and also to ensure that development does not exceed a maximum interim threshold of 759 residential until the temporary Bostwick sanitary sewage pumping station and forcemain are decommissioned. Council will consider removing the holding provisions as they apply to the lands described above, no earlier than January 18, 2016.		
Responses: None		

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, five holding provisions were applied to the site. The applicant has applied to remove only the “h-100” and “h-134” provisions at this time in order to fulfill conditions of a private purchase and sale agreement for the subject lands.

The following lists the two holding provisions to be removed, and how each provision has been satisfied:

h-100 – *The “h-100” holding provision is 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)*

A looped watermain system has been constructed and is operational on Morgan Ave., and a second public access has been constructed to Wharncliffe Road South.

h-134 – *The “h-134” holding provision ensures that development does not exceed a maximum interim threshold of 759 residential units, the h-134 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:*

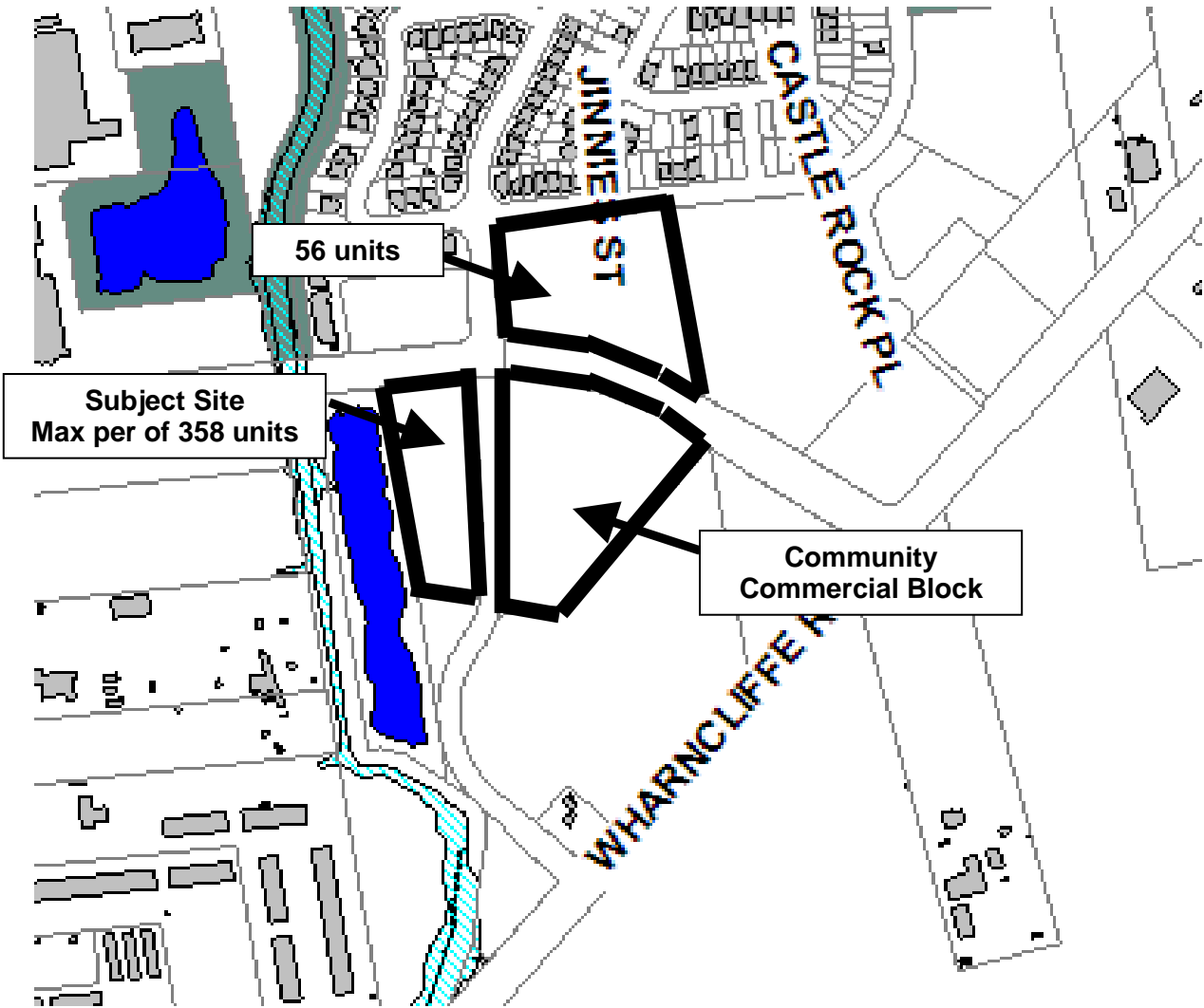
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Permitted uses up to a total of 759 residential units on the multi-family lands in draft plan 39T-07510.)

The scale of the proposed development does not exceed the maximum interim threshold. A Traffic Impact Study was done in 2012 for the East Bostwick area which contemplated medium density development for the subject lands. The scale of the proposed development can be accommodated by existing infrastructure and as such further study is not required at this time.

The h-134 applies to two (2) blocks in the Andover Subdivision and limits blocks to a combined maximum lot threshold of 759 units. The area of the subject block is 1.4338 ha. At 250 uph, it could develop with maximum of 358 residential units. The other multi-family blocks in the draft plan are Blocks 1 & 2, which have a draft approved vacant land condominium and approved site plan containing 56 units. The remaining high density multi-family block was converted to a Community Commercial zone which now has a holding provision limiting the square footage instead and does not permit residential uses at this time.



The Bostwick Sanitary Pumping Station decommissioning is scheduled for 2018 in the GMIS. Still, it is reasonable to remove the h-134 at this time given the maximum unit potential of blocks subject to the h-134 provision is well below the required threshold.

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Will any holding provisions remain on the subject lands?

The recommended amendment will remove the “h-100’ and “h-134” holding provisions. The “h”, “h-54”, and “h-71”, holding provisions will remain in effect.

CONCLUSION

It is appropriate to remove the requested “h-100” and “h-134” holding provisions from the subject lands at this time based on the development potential of these blocks. A further application will be required to consider removal of the h, h-54 and h-71 holding provisions.

RECOMMENDED BY:	REVIEWED BY:
ALANNA RILEY, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
JENNIE RAMSAY, MCIP, P.ENG MANAGER DEVELOPMENT SERVICES & ENGINEERING LIAISON	GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

October 24, 2016
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Bill No.
2016

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 3343 Morgan Ave.

WHEREAS Sifton Properties Inc. has applied to remove holding provisions from the zoning on the lands located at 3343 Morgan 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 3343 Morgan Avenue, as shown on the attached map to remove the holding "h-100" and "h-134" provisions so that the zoning of the lands as a Holding Residential R5/R6/R7/R10 (h*h-54*h-71.R5-7/R6-5/R7.D100.H45/R10-3.H45) comes into effect.
- 2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on November 8, 2016.

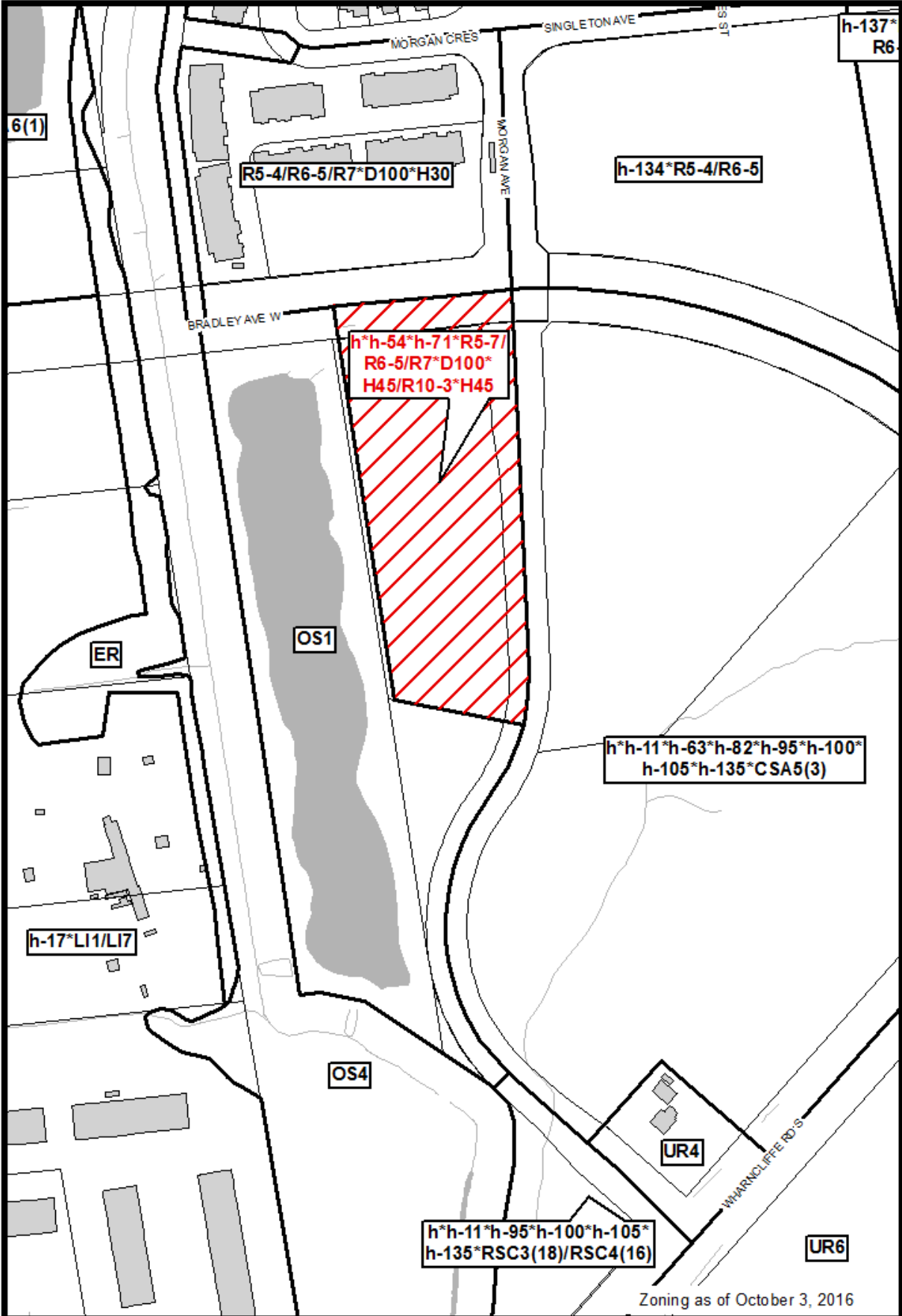
Matt Brown
Mayor

Catharine Saunders
City Clerk


First Reading – November 8, 2016.
Second Reading – November 8, 2016.
Third Reading – November 8, 2016.

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



File Number: H-8536
Planner: AR
Date Prepared: October 20, 2016
Technician: JTS
By-Law No: Z.-1-

SUBJECT SITE 
1:2,500
0 12.525 50 75 100 Meters

