

H-8622/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 – PHASE 3 MEETING ON NOVEMBER 28, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited relating to lands located within the Victoria on the River Phase 3 subdivision plan; described as Lots 1 to 3, Lots 57 to 74, Lots 141 to 147, Lots 153 to 172, and Block 157, as shown on the draft-approved plan of subdivision (File No. 39T-09502), the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 6, 2016 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning of the lands **FROM** a Holding Residential R1 Special Provision (h•R1-4(28)) Zone and a Holding Residential R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-2(4) Zone **TO** a Residential R1 Special Provision (R1-4(28)) Zone and a Residential R5/R6/R8 Special Provision (R5-6(8)/R6-5(31)/R8-2(4) Zone to remove the holding (h, h-71, and h-100) provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

October 3, 2016 – Report to Planning and Environment Committee – Victoria on the River Subdivision – Subdivision Special Provisions (Phase 3) – Sifton Properties Limited (File No. 39T-09502) (*Agenda Item #5*)

September 21, 2015 – Report to Planning and Environment Committee – Victoria on the River Subdivision – Phases 1 & 2 (formerly 1603 Hamilton Road) – Application to Remove Holding Provisions - Sifton Properties Limited (File No. H-8471) (*Agenda Item #4*)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this action is to remove the holding symbols to allow development of the lands for residential uses permitted under the Residential R1 Special Provision (R1-4(28)) Zone and the Residential R5/R6/R8 Special Provision (R5-6(8)/R6-5(31)/R8-2(4) Zone.

RATIONALE

1. The conditions for removing the holding (h, h-71 & h-100) provisions have been met and the recommended amendment will allow development of residential uses in compliance with the Zoning By-law.
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. As part of the Site Plan Approval process, a building orientation plan has been reviewed and accepted which demonstrates the front façade of the dwelling units will be oriented to

Sheffield Boulevard. Conditions of Site Plan Approval will ensure a Development Agreement is executed by the applicant and the City prior to development.

4. 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 29, 2015, Municipal Council approved an amendment to the Zoning By-law to remove the holding "h" & "h-100" provisions from the zoning within the Victoria on the River subdivision Phase 1 and Phase 2 lands in order to allow building permits to be issued for 60 single detached dwelling lots.

Phase 3 consists of 48 single detached lots, three (3) medium density residential blocks and one (1) 0.3 m reserve block, served by a primary collector road (Sheffield Boulevard), and the extension of Seven Oaks Ridge, Holbrook Drive and Leeds Crossing. The City of London Approval Authority issued Final Approval for this phase on November 8, 2016. The subdivision agreement has now been executed and security has been provided for this phase.

The current application request to remove the holding provisions applies to Lots 1 to 3, Lots 57 to 74, Lots 141 to 147, Lots 153 to 172, and medium density residential Block 157, as shown on the draft-approved plan of subdivision (File No. 39T-09502), and identified on the location map included in this report.

Date Application Accepted: May 18, 2016	Agent: n/a
REQUESTED ACTION: Request to remove the Holding ("h", "h-71" & "h-100") Provisions from the zoning of the subject lands which will put into effect the Residential R1 Special Provision (R1-4(28)) Zone on Lots 1 to 3, Lots 57 to 74, Lots 141 to 147, and Lots 153 to 172; and the Residential R5/R6/R8 Special Provision (R5-6(8)/R6-5(31)/R8-2(4) Zone on Block 157 of the draft approved plan of subdivision. An application for site plan approval has also been submitted by Sifton Properties Limited for development of a 30 unit residential vacant land condominium on Block 157.	

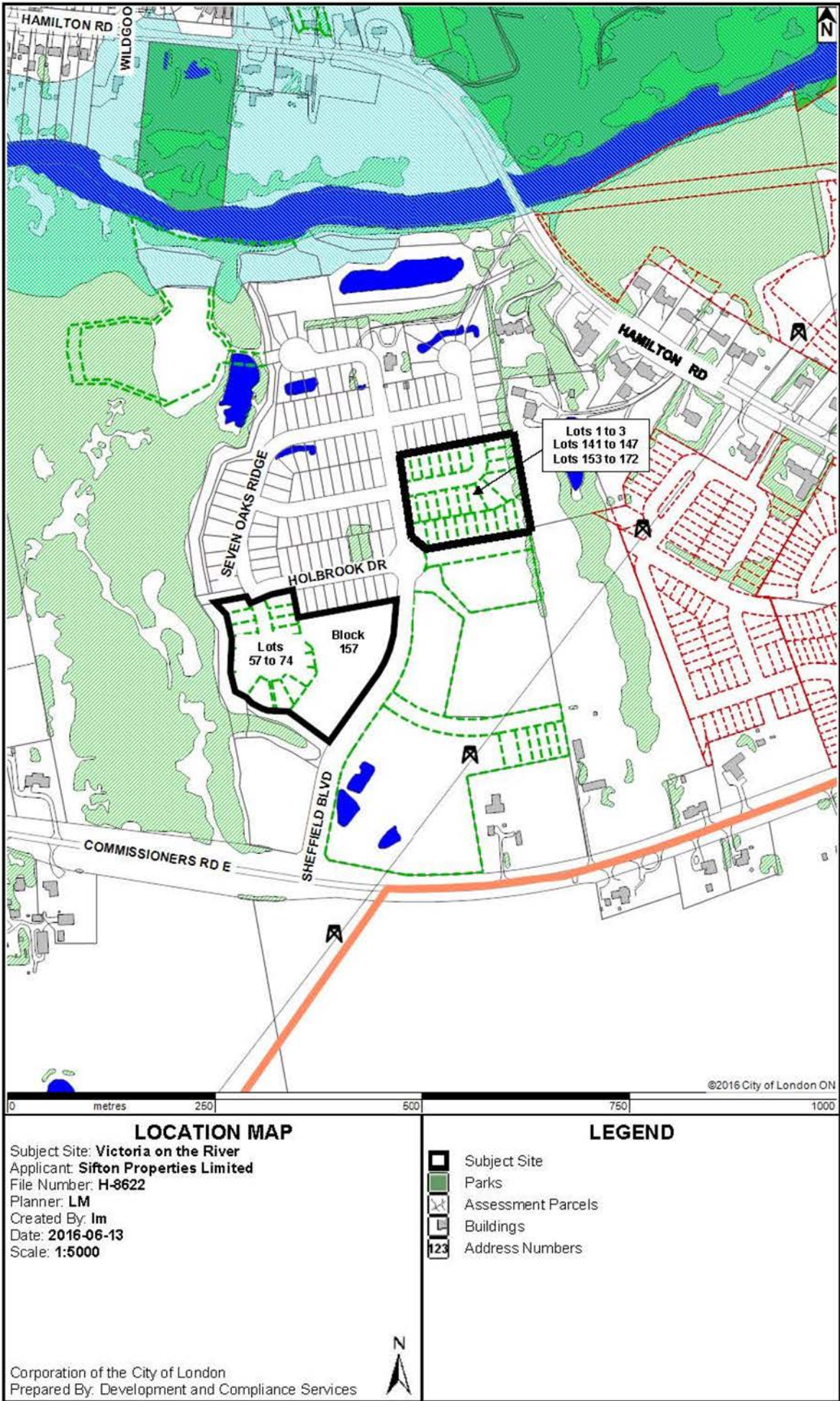
SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The Upper Thames River Conservation Authority reports:

Lots 57-74 are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the Conservation Authorities Act. The UTRCA reports no objections to this application and recommends that the applicant contact their Land Use Regulations Officer regarding Section 28 permit requirements.

PUBLIC LIAISON:	Notice of Intent to Remove Holding Provision was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on June 23, 2016.	No replies received
Responses: There was no response to the published notice.		

Location Map



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 and 2 lands. A subdivision agreement has recently been entered into between Sifton Properties Limited and the City of London for Phase 3. Sifton Properties Limited have also posted security as required by City policy and the Subdivision Agreement for this phase. Therefore, the condition has been met for removal of the “h” provision.

The purpose of the holding (“h-71”) provision in the zoning by-law is as follows:

Purpose: 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 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.

An application for Site Plan Approval and application for Draft Plan of Vacant Land Condominium have been submitted by Sifton Properties Limited for Block 157. The proposed Draft Plan of Vacant Land Condominium represents a cluster housing form of development consisting of 30 detached, two (2) storey dwellings. The building orientation plan demonstrates front facades of dwelling units oriented to the public street (Sheffield Boulevard).

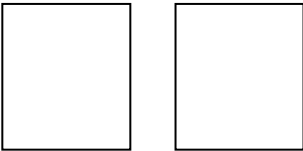
As part of the site plan review process, the plans and building elevations were reviewed for compliance with the City’s Placemaking Guidelines and with the Old Victoria Area Plan Design Guidelines. The plans have now been accepted, a draft Development Agreement has been prepared that is acceptable, and securities have been received. Development Services staff are satisfied that the “h-71” symbol can be lifted from the zoning.

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.

The servicing drawings for Phase 3 have been accepted by the City, and Sifton Properties Limited has commenced with the installation of services now nearing completion, including the watermain and water looping. The temporary emergency access and associated works on Sheffield Boulevard have already been completed as part of Phase 1 and Phase 2. The subdivision agreement for the current phase contains a provision requiring the Owner to reconstruct Sheffield Boulevard to remove the temporary emergency access and pavement marking and restore the boulevard, pathway, trees, street lights, parking bay, associated roadworks when a second public access is provided to the subdivision at the direction and satisfaction of the City Engineer.



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Site Plan for Block 157



A collector road is identified in the City’s Official Plan, as well as in the Old Victoria Area Plan, and it was intended to provide a permanent road connection through lands to the east to Hamilton Road. As a result of the recent Thames Village Joint Venture application to the east, and the presence of a ravine on the intervening lands, Staff have been directed to review opportunities for public road connections and report back to a future meeting of the Planning and Environment Committee with an assessment of feasible alternatives, and recommend updates to the Old Victoria Area Plan and Official Plan, if required.

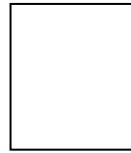
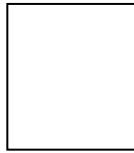
The Thames Village Joint Venture plan was draft-approved subject to red line revisions and conditions that a future road allowance block be conveyed to the City in order to construct a fully serviced road to provide servicing and access for the lands to the west, at such time as the lands to the west develop and a full Environmental Assessment and EIS has been completed for the crossing of the ravine lands. It is noted that both Sifton Properties Limited and Thames Village Joint Venture draft plans provide opportunities for a future local road connection outside of the open space and ravine lands to service future development.

It should also be noted 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, which provides an alternate means of access for emergency vehicles.

CONCLUSION

Based on our review, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding (“h”, “h-71” & “h-100”) symbols from the zoning map.

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



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Bill No. (Number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning of lands located within the Victoria on the River Phase 3 subdivision plan; described as Lots 1 to 3, Lots 57 to 74, Lots 141 to 147, Lots 153 to 172, and Block 157, 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 lands located within the Victoria on the River Phase 3 subdivision plan; described as Lots 1 to 3, Lots 57 to 74, Lots 141 to 147, Lots 153 to 172, and Block 157, as shown on the draft-approved plan of subdivision (File No. 39T-09502), and as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision 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 lands located within the Victoria on the River Phase 3 subdivision plan; described as Lots 1 to 3, Lots 57 to 74, Lots 141 to 147, Lots 153 to 172, and Block 157 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 Special Provision (R1-4(28)) Zone and a Residential R5/R6/R8 Special Provision (R5-6(8)/R6-5(31)/R8-2(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 December 6, 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – December 6, 2016
Second Reading – December 6, 2016
Third Reading – December 6, 2016

