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H-8707/C. Smith

<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: IRONSTONE BUILDING COMPANY INC. 1960 DALMAGARRY ROAD  MEETING ON NOVEMBER 28, 2016</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, based on the application of 905 Sarnia Inc. relating to the property located at 895-905 Sarnia Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 6, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R5/ Residential R6 Special Provision (h.\*h-53\*h-120\*R5-7/R6-5 (10)) Zone **TO** a Residential R5/ Residential R6 Special Provision (R5-7/R6-5 (10)) Zone, to remove the “h”, “h-53” and “h-120” holding provisions.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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July, 2003- Council approved Zoning By-law Amendments including Holding Provisions and approved Draft Plan of Subdivision 39T-02509 for the lands located on the south side of Fanshawe Park Road West, west of Aldersbrook Road.

June, 2014- Subdivision Plan 33M-671 registered.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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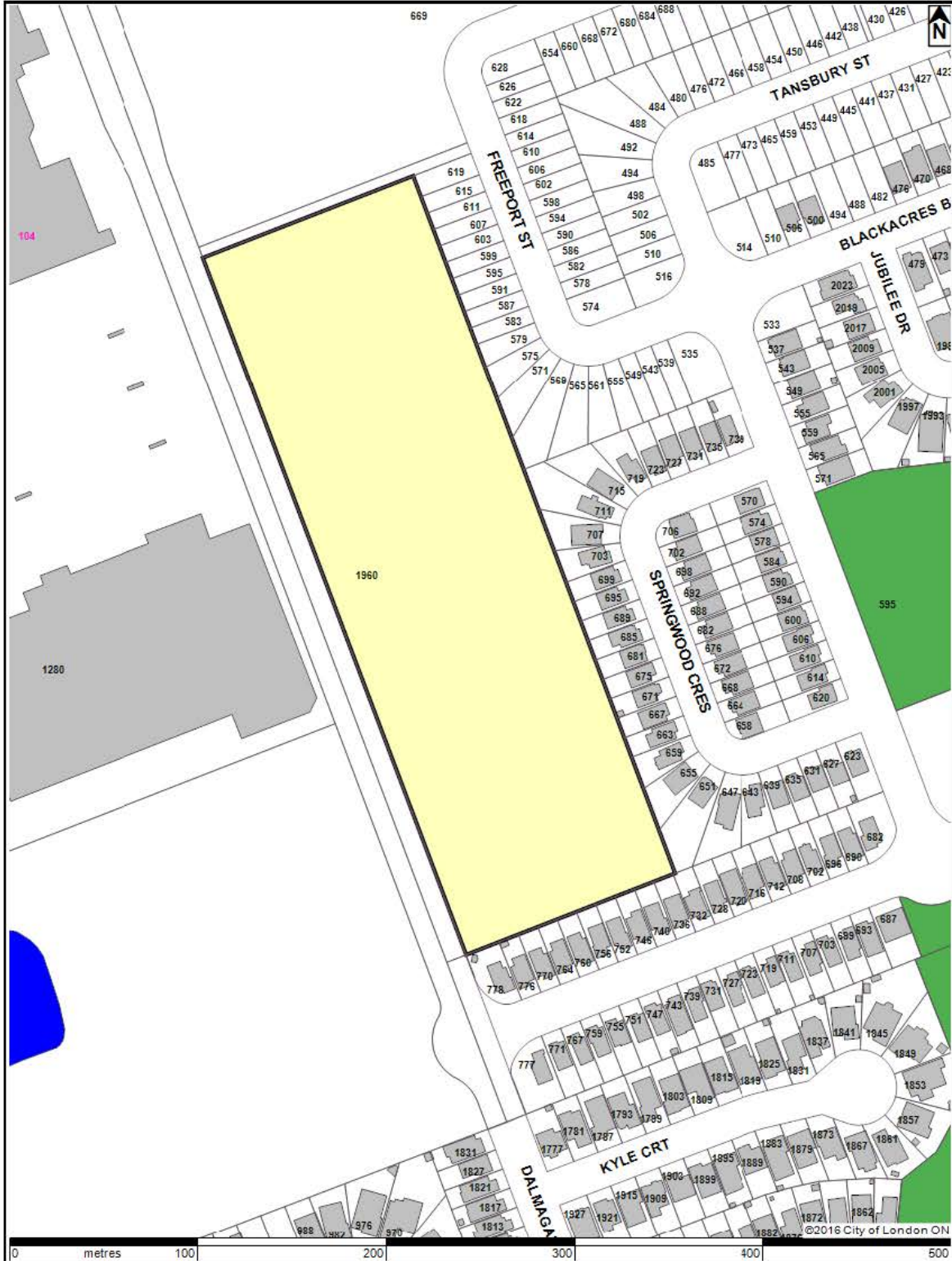
To remove the h, h-53 and h-120 holding provisions from 1960 Dalmagarry Road for the consideration of building permits to construct a 218 unit townhouse development.

<b>RATIONALE</b>
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1. The removal of the holding provision will allow for development in conformity with the Z-1 Zoning By-law.
2. Through the Site Plan Approval process (SPA16-047) all issues have been resolved and these holding provisions are no longer required.

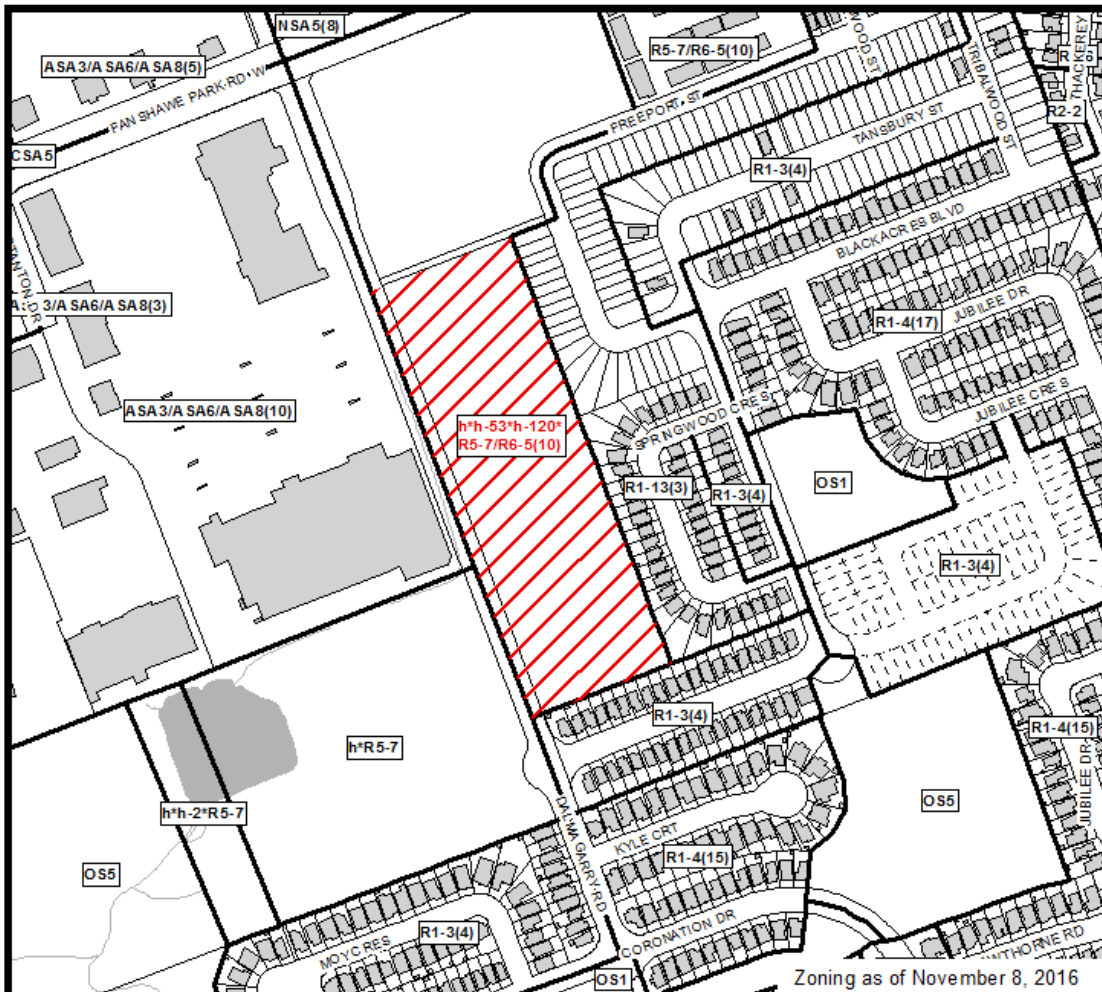
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H-8707/C. Smith



<b>LOCATION MAP</b>	<b>LEGEND</b>												
Subject Site: <b>1960 Dalmagarry Road</b> Applicant: <b>The Ironstone Building Company Inc.</b> File Number: <b>H-8707</b> Planner: <b>Craig Smith</b> Created By: <b>James Scott</b> Date: <b>2016-11-11</b> Scale: <b>1:2500</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">▨</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	▨	Assessment Parcels	■	Buildings	123	Address Numbers		
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▨	Assessment Parcels												
■	Buildings												
123	Address Numbers												
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">0</td> <td style="width: 20px; text-align: center;">100</td> <td style="width: 20px; text-align: center;">200</td> <td style="width: 20px; text-align: center;">300</td> <td style="width: 20px; text-align: center;">400</td> <td style="width: 20px; text-align: center;">500</td> </tr> <tr> <td colspan="6" style="text-align: center;">metres</td> </tr> </table>		0	100	200	300	400	500	metres					
0	100	200	300	400	500								
metres													
Corporation of the City of London Prepared By: Planning and Development													

H-8707/C. Smith



**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"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
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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-8707 CS

MAP PREPARED:

November 11, 2016 JTS

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0 25 50 100 150 200 Meters

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H-8707/C. Smith

<b>Date Application Accepted:</b> October 20, 2016	<b>Owner:</b> Ironstone Building Company Inc.
<b>REQUESTED ACTION:</b> The purpose and effect of this zoning change is to remove the holding symbols to permit the development of a 218 unit townhouse development.	

<b>PUBLIC LIAISON:</b>	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on November 3, 2016.
<b>Nature of Liaison:</b> City Council intends to consider removing the ‘h., h-53 and h-120’ holding provisions from the lands that encourage street-oriented development and discourage noise attenuation walls along arterial roads, that a Traffic Impact Study has been completed and the accepted recommendations have been implemented and an agreement shall be entered into to the satisfaction of the City.. Council will consider removing the holding provision as it applies to these lands no earlier than November 28, 2016	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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**Why is it Appropriate to remove these Holding Provisions**

Site plan approval (SPA16-047) and the execution of a development agreement to construct a 218 unit townhouse development is imminent. The applicant has provided the required security with the City.

**h. Holding Provision**

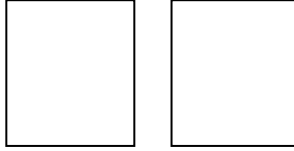
*h - Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval 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.*

The imminent execution of the development agreement combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

**h-53 Holding Provision**

*h-53 Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.*

The proposed plans and elevations are consistent with the Hyde Park Community Plan design guidelines and a noise and vibration study has been submitted and accepted by the City and no noise walls are required. The development agreement will be executed implementing the accepted plan. It is appropriate to remove this holding provision at this time.



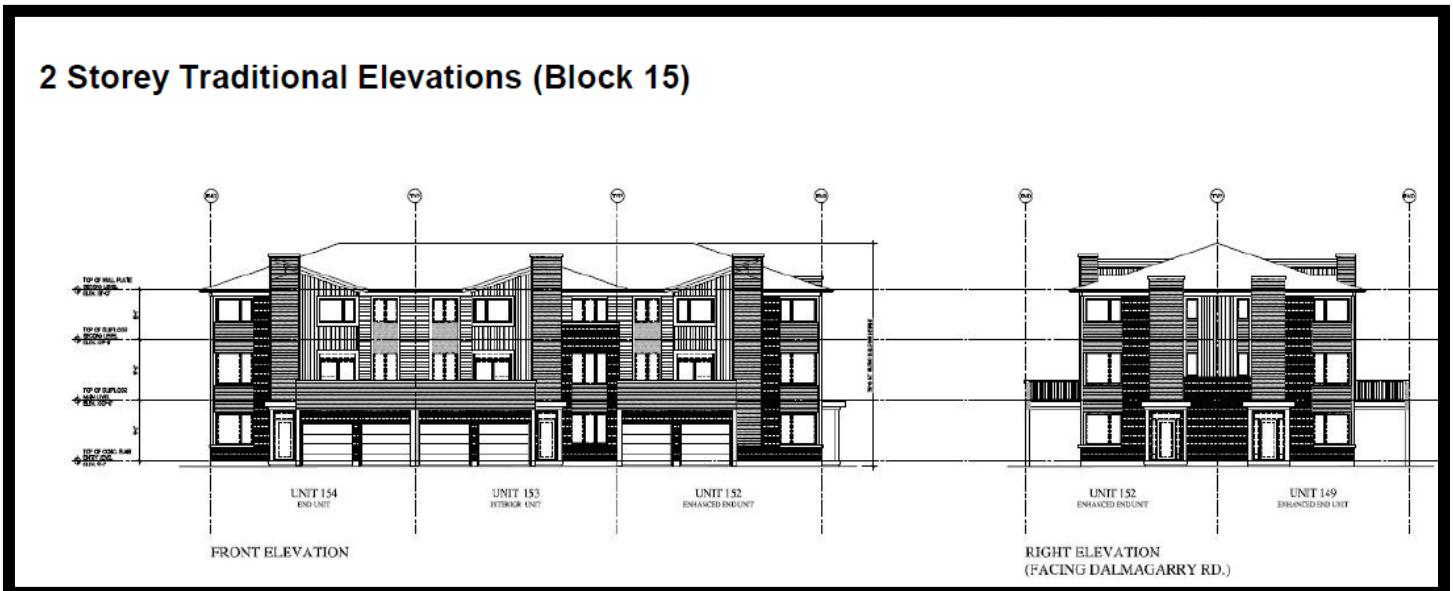
H-8707/C. Smith

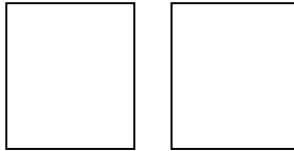
**h-120 Holding Provision**

*h-120 Purpose:* To ensure the orderly development of lands, the "h- 120" symbol shall not be deleted until a Traffic Impact Study has been completed and the accepted recommendations have been implemented through a development agreement all to the satisfaction of the City Engineer and the General Manager of Planning and Development.

The City Transportation Planning and Design confirmed that a Traffic Impact Study has been completed and the recommendation will be implemented through the Development Agreement all to the satisfaction of the City.

**Proposed Dalmagarry Road Elevation**





H-8707/C. Smith

**Proposed Site Plan**



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<b>CONCLUSION</b>
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It is appropriate to remove the h. h-53 and h-120 holding provisions from the Residential R5/ Residential R6 Special Provision (R5-7/R6-5 (10)) Zone at this time. Removal of the holding provision will allow for the consideration of building permits to permit the construction of a 218 unit townhouse development.

<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 MCIP, RPP MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

CS/

Y:\Shared\DEVELOPMENT SERVICES4 - Subdivisions\2016\H-8707 - 1960 Dalmagarry Road (CS)\PECreportH-8707.doc

Agenda Item # Page #

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H-8707/C. Smith

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 holding provisions from the zoning of the land located at 1960 Dalmagarry Road.

WHEREAS Ironstone Building Company Inc. has applied to remove the holding provisions from the zoning for the land located at 1960 Dalmagarry 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 1960 Dalmagarry Road, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R5/ Residential R6 Special Provision (R5-7/R6-5 (10)) 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

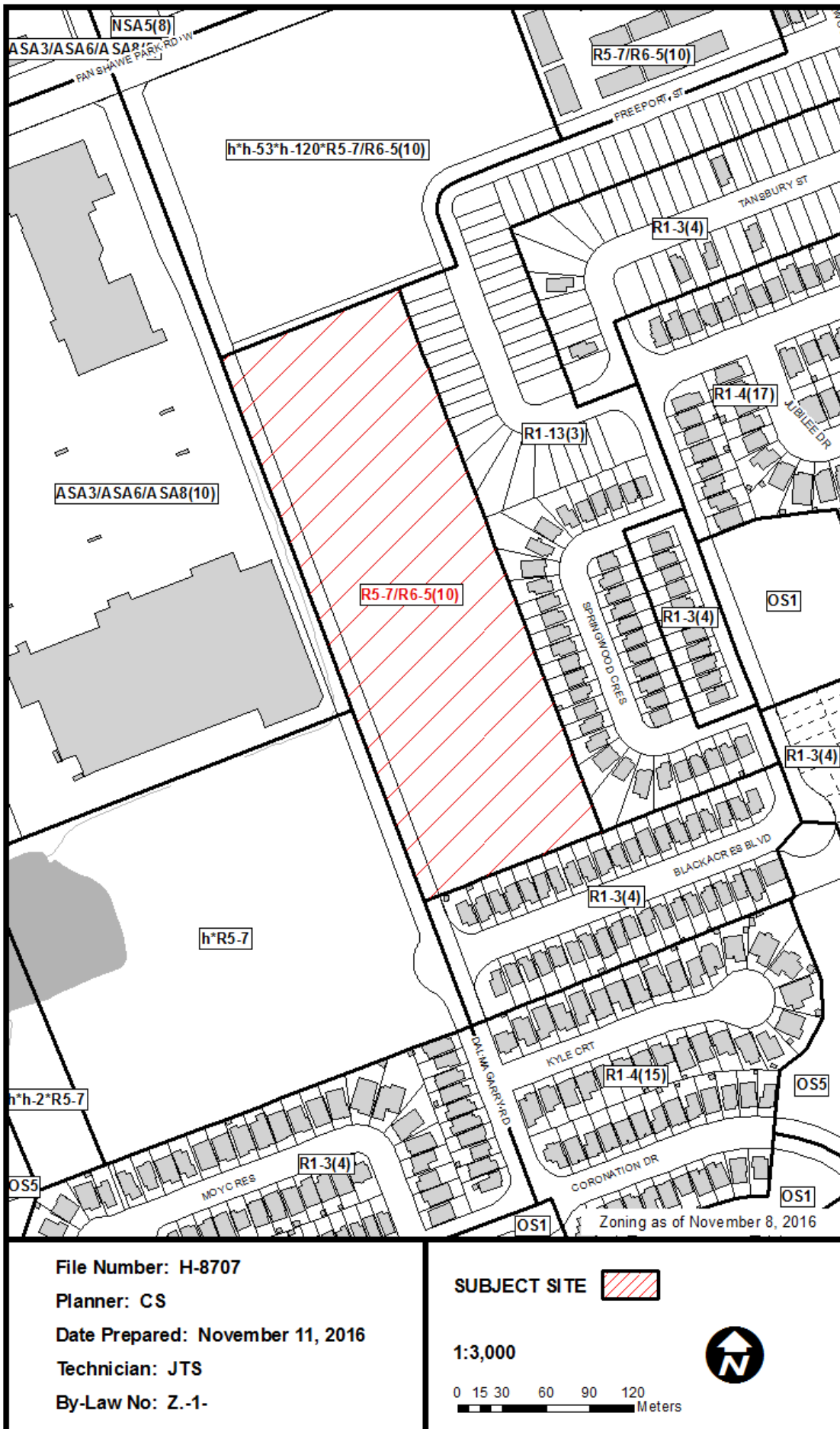
First Reading – December 6, 2016  
Second Reading – December 6, 2016  
Third Reading – December 6, 2016




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H-8707/C. Smith

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



File Number: H-8707  
 Planner: CS  
 Date Prepared: November 11, 2016  
 Technician: JTS  
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

