FROM: G. KOTSIFAS, P.ENG. 
MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES 
& CHIEF BUILDING OFFICIAL

SUBJECT: APPLICATION BY: 905 SARNIA INC. 
905 SARNIA ROAD 
MEETING ON APRIL 10, 2017

RECOMMENDATION

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 that the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on April 18, 2017 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-82*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82*R1-13 (3)) Zone and a Holding Open Space (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 a Holding Open Space (OS1) to remove the h-82 and h-65 holding provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

July 18, 2016- Report to the Planning Committee to remove holding provisions h. and h-100 from the 1st phase of draft plan 39T-14501 excluding lots with h-82 holding provision that requires the lands to be merged with abutting lands to create complete lots and the City’s future park block with h-65 holding provision for noise attenuation.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the h-65 and h-82 holding provisions to allow for the consideration of building permits.

RATIONALE

1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law Z.-1.
2. The proposed part blocks have been registered and consolidated with the abutting lands. Removal of the h-65 and h-82 holding provisions is appropriate at this time.
BACKGROUND

Date Application Accepted: June 17, 2016  Owner: 905 Sarnia Inc.

REQUESTED ACTION: Removal of the h. 82 and h.100 holding provisions from the low density residential zones.

PUBLIC LIAISON: Notice of the application was published in the Londoner on June 30, 2016

Nature of Liaison:
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.

Responses: None

ANALYSIS

On July 27, 2016 Council approved removal of holding provisions for a portion of the lands within this subdivision. The h-65 and h-82 holding provisions were retained on certain parcels to ensure the issue related to noise from the adjacent rail line and the consolidation of part lots with abutting lands would be addressed. A portion of the original holding provision application was deferred at that time and is being brought forward now for consideration.

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 h-65 was applied to zoning on the future park block during the subdivision approval process. No noise or vibration mitigation is required on the park block. On the residential lands to the east of the park block a noise wall currently exists. The holding provision h-65 remains on the future residential lands to the west of the park block and noise and vibration mitigation measures will be implemented prior to the registration of this phase of subdivision. As noise and vibration mitigation measures are not required on the blocks and the residential lands will be protected, it is appropriate to remove the h-65 holding provision from the park block 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 h-82 holding provision was applied at the time of subdivision approval for the partial lots in the Plan of Subdivision 33M-596 which was registered in September 2008 and on the partial lots in Plan of Subdivision 33M-710 which was registered March 7, 2017. The holding provision was applied to the lands to ensure the part lot/blocks would be consolidated and result in a lotting pattern that is consistent with the abutting parcels and that they comply with the regulations of the existing zoning.

The applicant has provided the City with records of the transfer and consolidation of part blocks under one ownership to create developable lots (as shown on the map below).
CONCLUSION

Given that blocks in the two subdivisions (33M-596 and 33M-701) have been consolidated and that noise and vibration mitigation is not required for the park block, it is appropriate to consider removal of the h-65 and h-82 holding provisions from these blocks at this time.

PREPARED BY:  
C. SMITH  
SENIOR PLANNER, DEVELOPMENT SERVICES

REVIEWED BY:  
ALLISTER MACLEAN  
MANAGER, DEVELOPMENT PLANNING

RECOMMENDED BY:  
TERRY GRAWEY MCIP, RPP  
MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON

SUBMITTED BY:  
G. KOTSIFAS, P.ENG  
MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

April 3, 2017
CS/

"Attach."
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 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-65 and h-82 holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-3 (8)) Zone, a Residential R1 Special Provision (R1-13 (3)) Zone and a Holding Open Space (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 April 18, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - April 18, 2017
Second Reading – April 18, 2017
Third Reading - April 18, 2017