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H-8841/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 1733 HAMILTON ROAD AND 2046 COMMISSIONERS ROAD EAST MEETING ON JANUARY 8, 2018

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited relating to lands located at 1733 Hamilton Road and 2046 Commissioners Road East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on January 16, 2018 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•R1-2(10)) Zone **TO** a Residential R1 Special Provision (R1-2(10)) Zone to remove the holding (h) provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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September 25, 2017 – Planning and Environment Committee – Application by Sifton Properties Limited - Subdivision Special Provisions - Hajjar Subdivision (39T-15505) (Agenda Item #3).

May 30, 2016 - Planning and Environment Committee – Sifton Properties Limited re properties located at 1733 Hamilton Road and 2046 Commissioners Road East – Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (39T-15505/OZ-8555) (Agenda Item #16).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this action is to remove the holding symbol to allow development of the lands for residential uses permitted under the Residential R1 Special Provision (h•R1-2(10)) Zone.

RATIONALE

1. The condition for removing the holding (h) provision has been met and the recommended amendment will allow development of single detached residential dwellings in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the conditions of Draft Plan Approval will ensure a Subdivision Agreement is executed by the applicant and the City prior to development.

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BACKGROUND

On July 7, 2016, the Approval Authority for the City of London approved a Draft Plan of Subdivision for approximately eight (8) hectares of land located at 1733 Hamilton Road and 2046 Commissioners Road East; located on the west side of Hamilton Road, north of Commissioners Road East. The Draft Plan consists of 111 single family lots, two (2) medium density residential blocks, one (1) park block, one (1) walkway block, one (1) future access block, three (3) local roads, two (2) road widening blocks, and seven (7) 0.3 metre reserve blocks.

In conjunction with the Application for Approval of Draft Plan of Subdivision, Municipal Council adopted Official Plan and Zoning By-law Amendments. The Official Plan was amended on a portion of the subject lands to change the land use designations on Schedule 'A' – Land Use from "Neighbourhood Commercial Node" and "Low Density Residential" to "Multi-family, Medium Density Residential"; and, to remove the "Aggregate Resource Area" delineation on Schedule 'B-2' – Natural Resources and Natural Hazards.

The zoning was amended from an Urban Reserve (UR4) Zone to a holding Residential R1 Special Provision (h•R1-2(10)) Zone to permit single detached dwellings with a special provision for a maximum lot coverage of 50% for one (1) storey dwellings; a holding Residential R5/Residential R6 (h•h-54•R5-4/R6-5) Zone, to permit townhouses and stacked townhouses up to a maximum density of 40 units per hectare and maximum height of 12 metres and various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and maximum height of 12 metres; and to an Open Space Special Provision (OS1(3)) Zone, to permit conservation lands, recreational uses, public and private parks.

Holding provisions were applied to the zoning, including the City's standard holding (h) provision to ensure adequate provision of municipal services and that a Subdivision Agreement or Development Agreement is entered into. A holding (h-54) provision to ensure completion of noise assessment reports and implementation of mitigation measures for development adjacent arterial roads was also applied to the multi-family blocks adjacent Hamilton Road. The holding provisions will remain on these blocks until such time in the future as an application is submitted for Site Plan Approval and a Development Agreement is entered into.

The purpose and effect of this zoning change is to remove the holding symbol to allow development of the lands for residential uses permitted under the Residential R1 Special Provision (R1-2(10)) Zone.

Date Application Accepted: October 23, 2017	Agent: n/a
REQUESTED ACTION: Request to remove the Holding ("h") Provision from the zoning of the subject lands which will put into effect the Residential R1 Special Provision (R1-2(10)) Zone.	

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

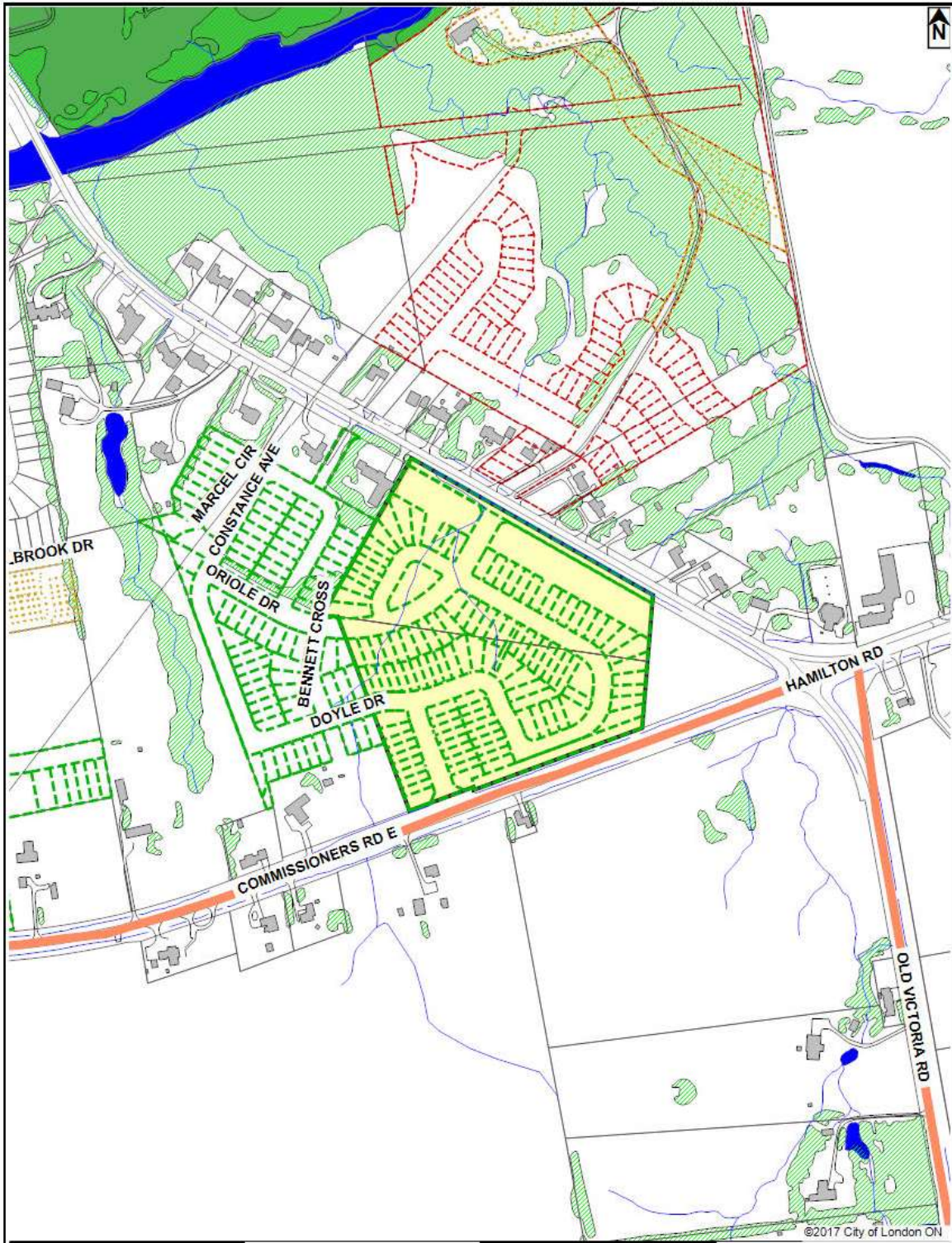
The *Upper Thames River Conservation Authority* reports:

These lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. The UTRCA has no objections to this application.

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 November 9, 2017.	No replies received
Responses: There was no response to the published notice.		

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Location Map








0 metres 250 500 750 1000

LOCATION MAP

Subject Site: 1733 Hamilton Rd and 2046 Commissioners Rd E
Applicant: SIFTON PROPERTIES LIMITED
File Number: H-8841
Planner: L Mottram
Created By: LM
Date: 2017-10-27
Scale: 1:5000

LEGEND

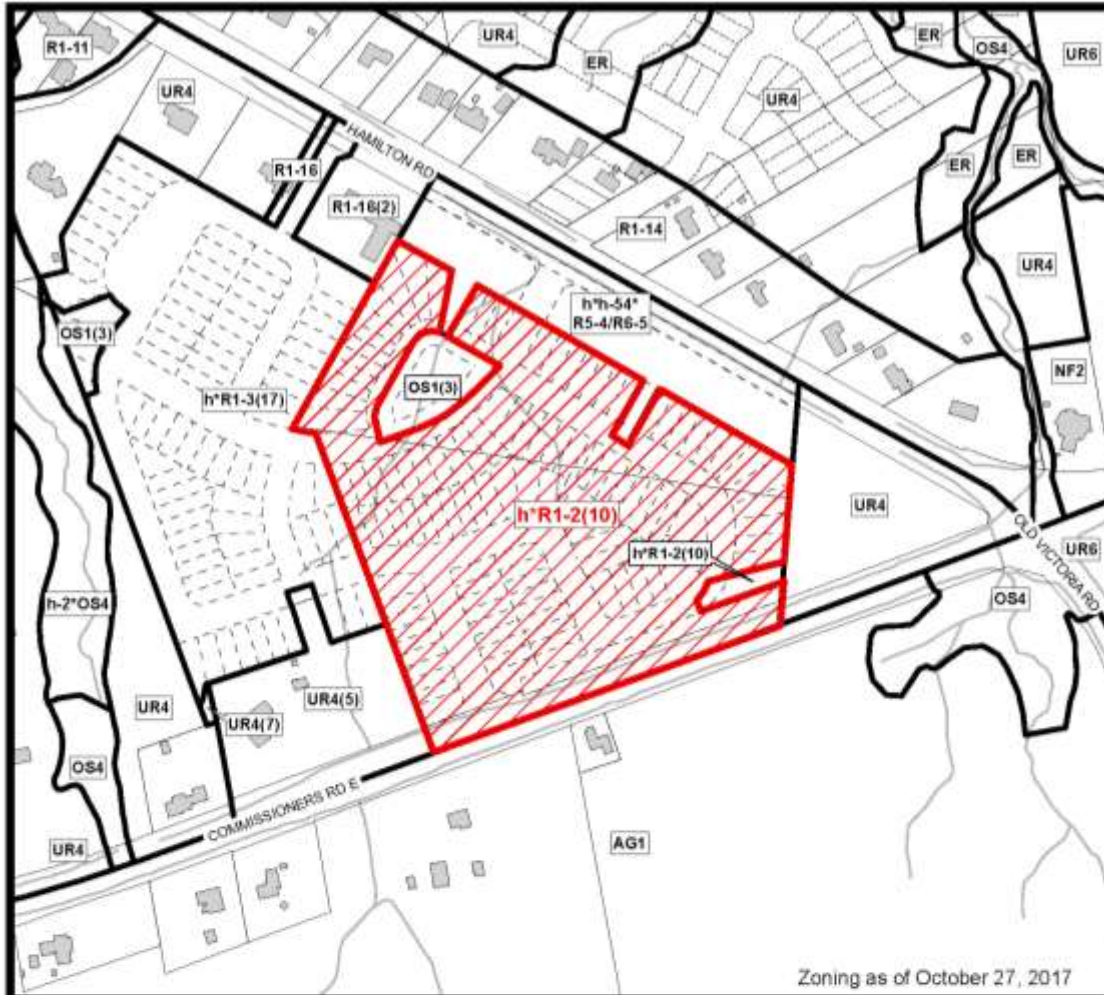
-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

Corporation of the City of London
Prepared By: Planning and Development



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Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "H" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



FILE NO:

H-8841

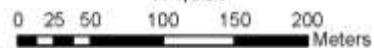
LM

MAP PREPARED:

2017/11/03

WR

1:4,000



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

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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.

A Subdivision Agreement has been executed between Sifton Properties Limited and the City of London. Sifton Properties Limited has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the “h” provision.

CONCLUSION

In the opinion of Staff, the holding zone requirement has been satisfied and it is appropriate to proceed to lift the holding “h” symbol from the zoning map.

RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	LOU POMPILII, MPA, RPP MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	CONCURRED IN BY:
MATT FELDBERG MANAGER, DEVELOPMENT SERVICES (SUBDIVISIONS)	PAUL YEOMAN, RPP, PLE DIRECTOR, DEVELOPMENT SERVICES
SUBMITTED BY:	
G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL	

December 18, 2017

GK/PY/MF/LP/LM/lm "Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\H-8841 - 1733 Hamilton Road (LM)\PEC report.doc

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Bill No. (Number to be inserted by Clerk's Office)
2018

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 1733 Hamilton Road and 2046 Commissioners Road East.

WHEREAS **Sifton Properties Limited** has applied to remove the holding provision from the zoning for lands located at 1733 Hamilton Road and 2046 Commissioners Road East, 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;

NOW 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 1733 Hamilton Road and 2046 Commissioners Road East, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-2(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 January 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – January 16, 2018
Second Reading – January 16, 2018
Third Reading – January 16, 2018

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

