

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee

**From:** George Kotsifas, P.ENG  
Managing Director, Development & Compliance Services and  
Chief Building Official

**Subject:** Application By: 905 Sarnia Inc.  
905 Sarnia Road

**For:** Removal of Holding Provisions (h, h-65, and h-100)

**Meeting on:** February 20, 2018

## Recommendation

That, on the recommendation of the Senior Planner, Development Planning, based on the application of 905 Sarnia Inc. relating to the property located at 905 Sarnia Road the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 6, 2018 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\*h-100\*R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h\*h-65\*h-100\*R1-3 (15)) Zone, a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-13 (3)) Zone, a Holding Open Space (h\*OS5) Zone **TO** a Residential R1 Special Provision (R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82\*R1-13 (3)) Zone, a Holding Residential R1 Special Provision (R1-3 (15)) Zone, and an Open Space (OS5) Zone to remove the h., h-65 and h-100 holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h., h-65 and h-100 holding symbols to permit the development of 65 single detached dwelling lots.







### Rationale of Recommended Action

1. The removal of the holding provisions will allow for development in conformity with the Zoning By-law.
2. Through the subdivision approval process the required security has been submitted to the City of London, the execution of the subdivision agreement is imminent and the h, h-65 and h-100 holding provisions are no longer required.
3. The proposed part block has not been registered and consolidated with the abutting lands. Removal of the h-82 holding provision is not appropriate at this time.

# Analysis

## 1.1 Location Map



LOCATION MAP	LEGEND
<p>Subject Site: <b>905 Sarnia Road</b>                      Applicant: <b>905 Samia Inc.</b>                      File Number: <b>H-8849</b>                      Planner: <b>Craig Smith</b>                      Created By: <b>Craig Smith</b>                      Date: <b>2017-11-07</b>                      Scale: <b>1:5000</b></p>	<ul style="list-style-type: none"> <li> Subject Site</li> <li> Parks</li> <li> Assessment Parcels</li> <li> Buildings</li> <li> Address Numbers</li> </ul>
<p>Corporation of the City of London                      Prepared By: Planning and Development</p>	



1.2 Subdivision Phase 2<sup>nd</sup> 905 Sarnia Road



Lot No.	Area (sq. ft.)	Area (sq. m.)
1	12,345	1,138
2	12,345	1,138
3	12,345	1,138
4	12,345	1,138
5	12,345	1,138
6	12,345	1,138
7	12,345	1,138
8	12,345	1,138
9	12,345	1,138
10	12,345	1,138
11	12,345	1,138
12	12,345	1,138
13	12,345	1,138
14	12,345	1,138
15	12,345	1,138
16	12,345	1,138
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26	12,345	1,138
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28	12,345	1,138
29	12,345	1,138
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31	12,345	1,138
32	12,345	1,138
33	12,345	1,138
34	12,345	1,138
35	12,345	1,138
36	12,345	1,138
37	12,345	1,138
38	12,345	1,138
39	12,345	1,138
40	12,345	1,138
41	12,345	1,138
42	12,345	1,138
43	12,345	1,138
44	12,345	1,138
45	12,345	1,138
46	12,345	1,138
47	12,345	1,138
48 (C)	12,345	1,138
49	12,345	1,138
50	12,345	1,138
51	12,345	1,138
52	12,345	1,138
53	12,345	1,138
54	12,345	1,138
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87	12,345	1,138
88	12,345	1,138
89	12,345	1,138
90	12,345	1,138
91	12,345	1,138
92	12,345	1,138
93	12,345	1,138
94	12,345	1,138
95	12,345	1,138
96	12,345	1,138
97	12,345	1,138
98	12,345	1,138
99	12,345	1,138
100	12,345	1,138

**UTM GRID NOTES**

STATION: 4805  
 ZONE: 18N  
 DATUM: NAD 83  
 PROJECTION: UTM  
 UNIT: METRE



**AGM CONSULTING SERVICES**  
 1000 SHEPPARD AVENUE EAST  
 SUITE 100  
 AURORA, ONTARIO M1T 3K7  
 TEL: (905) 709-1111  
 FAX: (905) 709-1112  
 WWW.AGMCONSULTING.COM

**LEGAL LEGEND**

REGISTERED BY:  
 REGISTRATION NO. 41-1-0111  
 REGISTRATION DATE: 2011-01-11

**MONUMENTATION NOTE**  
 ALL MONUMENTATION SHALL BE IN ACCORDANCE WITH THE SURVEYING ACT, R.S.O. 1990, CHAPTER S.5.

**TOTAL SITE AREA: 4,609.40 ha**

**OWNER'S CERTIFICATE:**  
 THE SURVEYOR HAS VERIFIED THE INFORMATION CONTAINED IN THIS PLAN AND HAS FOUND IT TO BE TRUE AND CORRECT.

**OWNER'S CERTIFICATE:**  
 I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS PLAN IS TRUE AND CORRECT.

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## 2.0 Description of Proposal

To remove the h. h-65, h-82 and h-100 holding provisions from the lands that ensures for the orderly development of land and for the provision of adequate water service and appropriate access, the consolidation of lots with abutting lands and the implementation of noise mitigation from the CP rail line a development agreement shall be entered into to the satisfaction of the City. The removal of the h., h-65 and h-100 holding provision will allow for the construction of 65 single detached homes.

## 3.0 Relevant Background

### 3.1 Planning History

The application for Draft Plan of Subdivision Approval was accepted on July 28, 2014. It was circulated to the required agencies and municipal departments. The Public Participation Meeting was held on March 23, 2015 and Draft Approval to permit 97 single detached lots, 17 single detached part blocks, 3 city park blocks (Block 116 117, 118), 3 local public streets (extension of Sandbar Street, and new Street "A"), and 1 secondary collector street (extension of Lawson Road) with conditions was granted on April 20, 2015.

The first phase consisted of 39 single detached lots, 11 single detached part blocks and 2 park blocks and was registered on July 15, 2016 as Plan 33M-700. Council removed the h. and h-100, holding provisions on July 26, 2016 and the h-65 and h-82, holding provisions on April 18, 2017 on the first phase.

This application is to remove the holding provisions from the second phase of the development. The second and final phase consists of 65 single detached lots, 1 single detached part block and 1 park block. On October 3, 2017 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securities have been posted. Final registration for the subdivision is imminent.

## 4.0 Key Issues and Considerations

### Why is it Appropriate to remove this Holding Provision?

The h. holding provision states that:

*"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 applicant has submitted the required security to the City of London for the 2<sup>nd</sup> Phase of the 905 Sarnia Inc. subdivision. The special provisions have been endorsed by Council. The owner has provided the necessary security and the subdivision agreement is being finalized for execution by the owner and the City. This satisfies the requirement for removal of the "h" holding provision.

### **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 Owner has entered into an agreement to implement all noise and vibration

attenuation measures as recommended in the accepted noise and vibration study. Condition of the subdivision agreement states: *Prior to the issuance of any Certificate of Conditional Approval for Lots 1 through 13 of this Plan, the Owner shall construct the berm and noise attenuation fence as per the accepted engineering drawings and accepted noise study dated June 30, 2014 prepared by Development Engineering, all to the satisfaction of the City. The berm/noise barrier shall not be constructed on any railway property. The Owner's noise consultant shall provide to the City, a Certificate of Compliance, all to the satisfaction of, and at no cost to the City.*

Final registration of the subdivision agreement is imminent and a clause is included to ensure that building permits will not be issued on these lots pending the completion of the noise and vibration mitigation measures as required by the accepted noise study. It is appropriate to remove the h-65 holding provision from these lots at this time.

### **h-100 Holding Provision**

The (h-100) holding provision states that:

*"To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol."*

The h-100 holding provision requires that a looped watermain system be constructed and a second public access is available for these lands. A looped watermain has been constructed and Lawson Road is being extended and completing the connection to lands to the north and east. The completion of Lawson Road provide full public access to the subdivision. This satisfies the requirement for removal of the "h" holding provision.

### **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 Land Registry Office requires that the lands to be consolidated be in a registered plan of subdivision. Removal of the h-82 holding provision is not appropriate at this time and has been deferred to allow for the plan to be registered and for the consolidation of the parcels.

More information and detail about public feedback and zoning is available in Appendix B & C.

## **5.0 Conclusion**

It is appropriate to remove the h., h-65 and h-100 holding provisions from the subject lands at this time as second public road access and water looping has been provided, noise and vibration mitigation measures will be implemented, the required security has been submitted to the City of London and registration of the subdivision agreement is imminent.

<b>Prepared and Recommended by:</b>	<b>C. Smith MCIP, RPP Senior Planner, Development Planning</b>
<b>Reviewed by:</b>	<b>Lou Pompili, MCIP, RPP Manager, Development Planning</b>
<b>Reviewed by:</b>	<b>Matt Feldberg Manager Development Services (Subdivisions)</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. Eng. Managing Director, Development and Compliance Services and Chief Building Official</b>

February 12, 2018

CS/

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\H-8791 - 255 South Carriage Way (CS)\AODA PECAReportH-8791.docx

## Appendix A

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 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 255 South Carriage Road, as shown on the attached map, to remove the h. and h-100 holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-3 (8)) Zone, a Holding Residential R1 Special Provision (h-82\*R1-13 (3)) Zone, a Holding Residential R1 Special Provision (R1-3 (15)) Zone, and an Open Space (OS5) Zone
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 6, 2018.

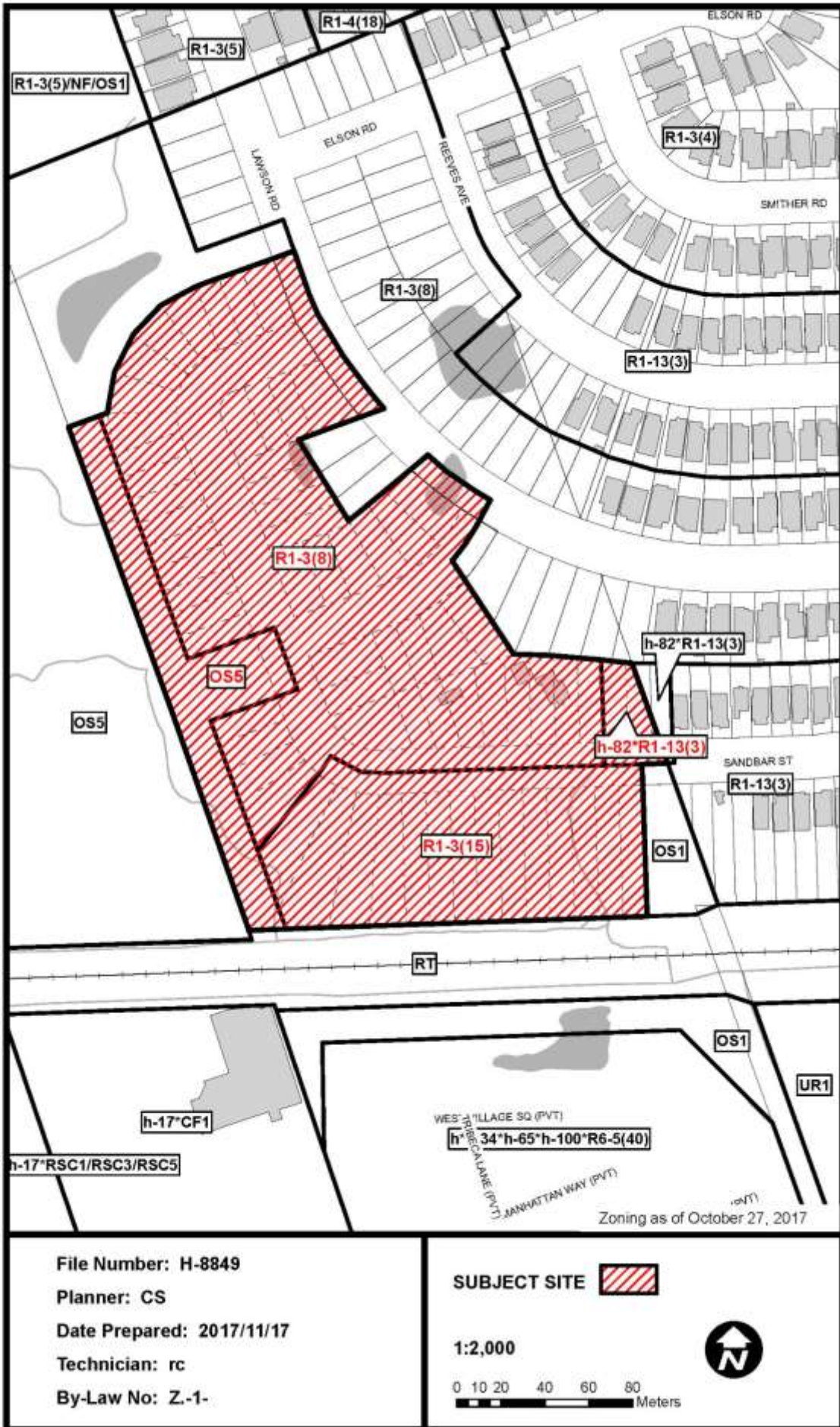
Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading -March 6, 2018  
Second Reading -March 6, 2018  
Third Reading - March 6, 2018



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





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on July 6, 2017

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the h and h-100 holding provisions from the lands that ensures for the orderly development of land and for the provision of adequate water service and appropriate access a development 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 July 31, 2017.

# Appendix C – Relevant Background

## Existing Zoning Map

