

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: Sifton Properties Limited
2427 Daisy Bend and 3025 Doyle Drive
For: Removal of Holding Provisions
Meeting on: August 13, 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 2427 Daisy Bend and 3025 Doyle Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands **FROM** a Holding Residential R5/R6 (h•h-54•R5-4/R6-5) Zone **TO** a Residential R5/R6 (R5-4/R6-5) Zone to remove the h and h-54 holding provisions.

Executive Summary

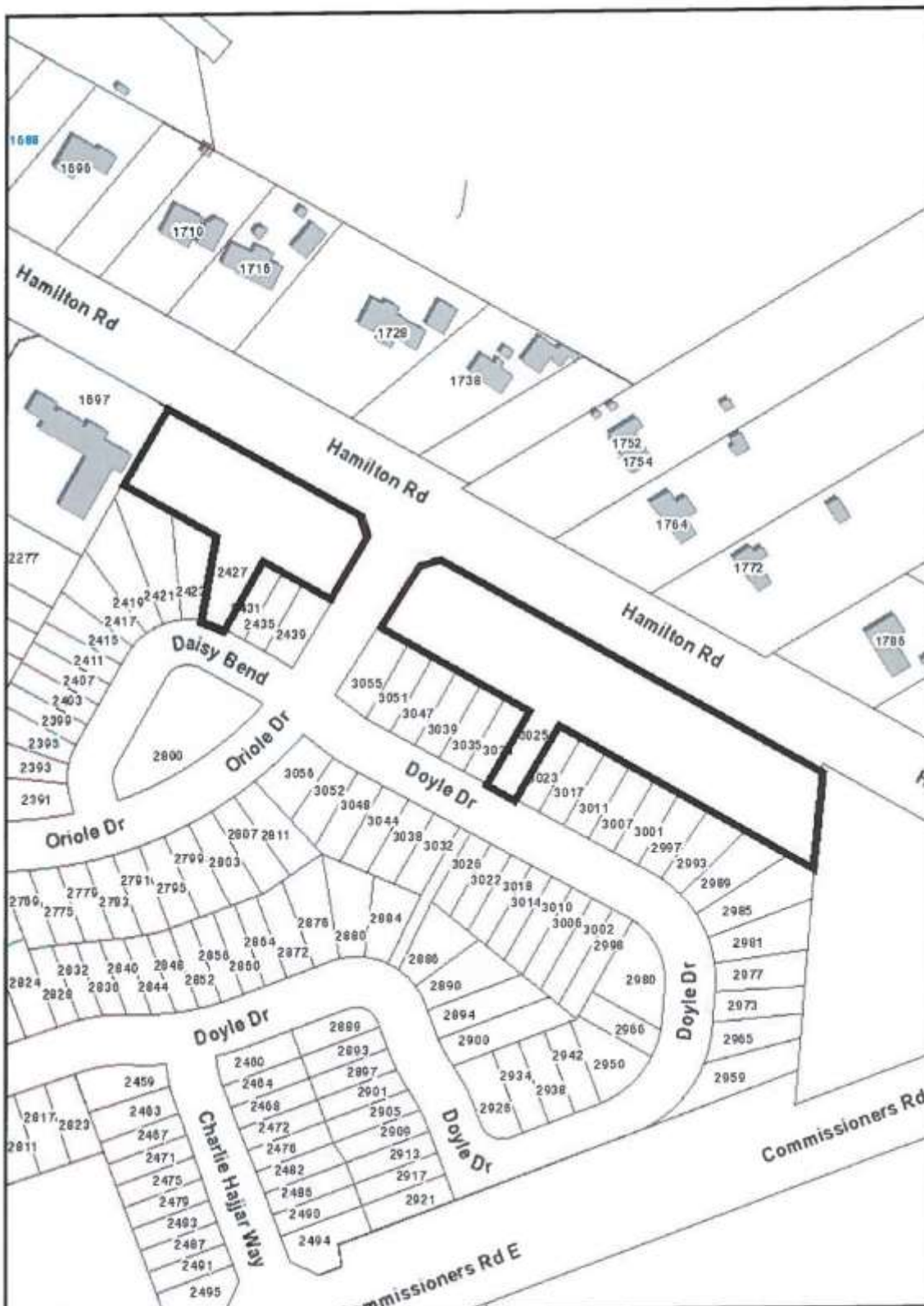
Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding ("h" and "h-54") provisions to allow development of condominium townhouses permitted by the Residential R5/R6 (R5-4/R6-5) Zone.

Rationale of Recommended Action

1. The conditions for removing the holding (h and h-54) provisions have been met and the recommended amendment will allow development of residential uses in compliance with the Zoning By-law.
2. A Subdivision Agreement was previously entered into and securities have been posted as required by City Policy and the Subdivision Agreement. The Development Agreement relating to the proposed Site Plan for the proposed 33 unit condominium townhouse development is being finalized, has been executed by the applicant, and the City is in receipt of required securities.
3. A noise assessment report has also been accepted and the recommendations incorporated into the Site Plan and Development Agreement.

1.0 Location Map



Location Map

Subject Property: 2427 Daisy Bend and
 3025 Doyle Drive
 Applicant: Sifton Properties Limited
 File Number: H-8907
 Created By: L. Mottram
 Date: 7/18/2018
 Scale: 1:2000

Legend

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

Corporation of the City of London



2.0 Description of Proposal

The removal of the holding “h” and “h-54” symbols from the zoning will allow the applicant to proceed with a 33 unit vacant land condominium development in the form of attached townhouses. The Application for Vacant Land Condominium is being brought forward under separate report.

3.0 Relevant Background

3.1 Planning History

On December 19, 2017, the Approval Authority for the City of London granted Final Approval to a plan of subdivision on lands located at 1733 Hamilton Road and 2046 Commissioners Road East, known as the Hajjar lands. The subdivision consisting of 111 single family lots, two (2) medium density residential blocks, one (1) park block, one (1) walkway block, one (1) future access block, and four (4) local streets was subsequently registered as Plan 33M-732 on December 22, 2017.

On May 31, 2016, Municipal Council approved the zoning for the subdivision draft plan. The standard holding (h) provision was applied to the zoning for the various residential lots and blocks within the subdivision plan. The “h” provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of draft plan of subdivision, or conditions of approval of a site plan, ensure that a subdivision agreement or development agreement is entered into.

The holding (h-54) provision was also applied to the zoning for the two multi-family blocks (Blocks 115 and 116) located directly adjacent to Hamilton Road to address potential impacts of road noise on residential development. Noise attenuation policies in both The London Plan and the City’s Official Plan direct that the City’s Zoning By-law may place a holding provision on lands which could be affected by excessive noise levels. The holding provision will be removed when the property owner has satisfied the City that adequate noise attenuation measures have been provided for.

It should be noted that a noise study was undertaken to satisfy conditions of draft approval prior to final approval of the overall subdivision plan. A further noise assessment was recommended specifically for the multi-family blocks so that when a development proposal was brought forward, any required noise mitigation measures could be incorporated into the approved Site Plan and Development Agreement.

4.0 Key Issues and Considerations

Have the conditions for removal of the holding (h and h-54) provisions been met?

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 Subdivision Agreement between KSH Holdings Inc. (through a joint venture partnership between Sifton Properties Limited as the developer and Adel Hajjar as the owner of the lands) and the City of London was registered on December 27, 2017 as Instrument No. ER1149382. Sifton Properties Limited posted security as required by City Policy and the Subdivision Agreement. The Development Agreement related to the Site Plan for the townhouse blocks (Block 115 and 116) is being finalized, has been executed by the applicant, and the City is in receipt of the required performance security. Therefore,

the condition has been met for removal of the “h” provision.

The purpose of the holding (“h-54”) provision in the zoning by-law is as follows:

Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

The Noise Assessment Report for 2427 Daisy Bend and 3025 Doyle Drive, prepared by Development Engineering (London) Limited, dated March 21, 2018, was reviewed and has been accepted by the City. Recommendations for provision of forced air heating and central air conditioning for all units, and noise warning clauses to be registered on title, will be included in the Site Plan and Development Agreement. Specialized building components to meet interior sound level limits are not required for this development. Development Services staff are satisfied that the requirement for removing the holding provision, which addresses noise impacts and mitigation measures recommended by a Noise Assessment Report acceptable to the City of London, has been met.

5.0 Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding (“h” and “h-54”) symbols from the zoning map.

Recommended by:	Larry Mottram, MCIP, RPP Senior Planner - Development Services
Reviewed by:	Lou Pompilli, MPA, RPP Manager, Development Planning
Concurred In by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P. Eng Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

August 3, 2018

GK/PY/LP/LM/lm

CC: Matt Feldberg, Manager Development Services (Subdivisions) - electronic only

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 the holding provisions from the zoning for lands located at 2427 Daisy Bend and 3025 Doyle Drive.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning for the lands located at 2427 Daisy Bend and 3025 Doyle Drive, 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 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 the lands located at 2427 Daisy Bend and 3025 Doyle Drive, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5/R6 (R5-4/R6-5) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

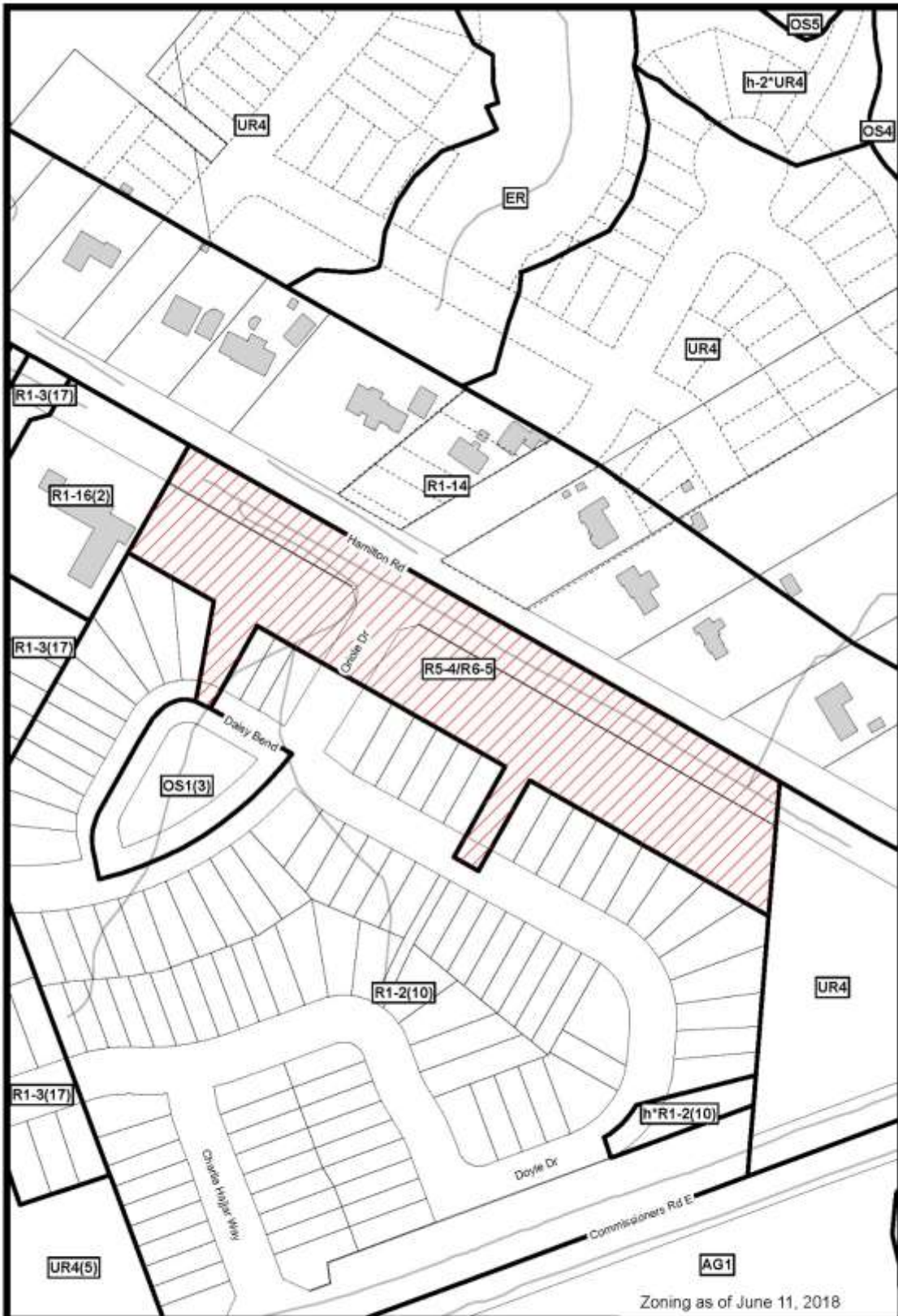
PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor


Catharine Saunders
City Clerk

First Reading - August 28, 2018
Second Reading – August 28, 2018
Third Reading - August 28, 2018

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



File Number: H-8907
 Planner: LM
 Date Prepared: 2018/07/23
 Technician: rc
 By-Law No: Z-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B – Public Engagement

Community Engagement

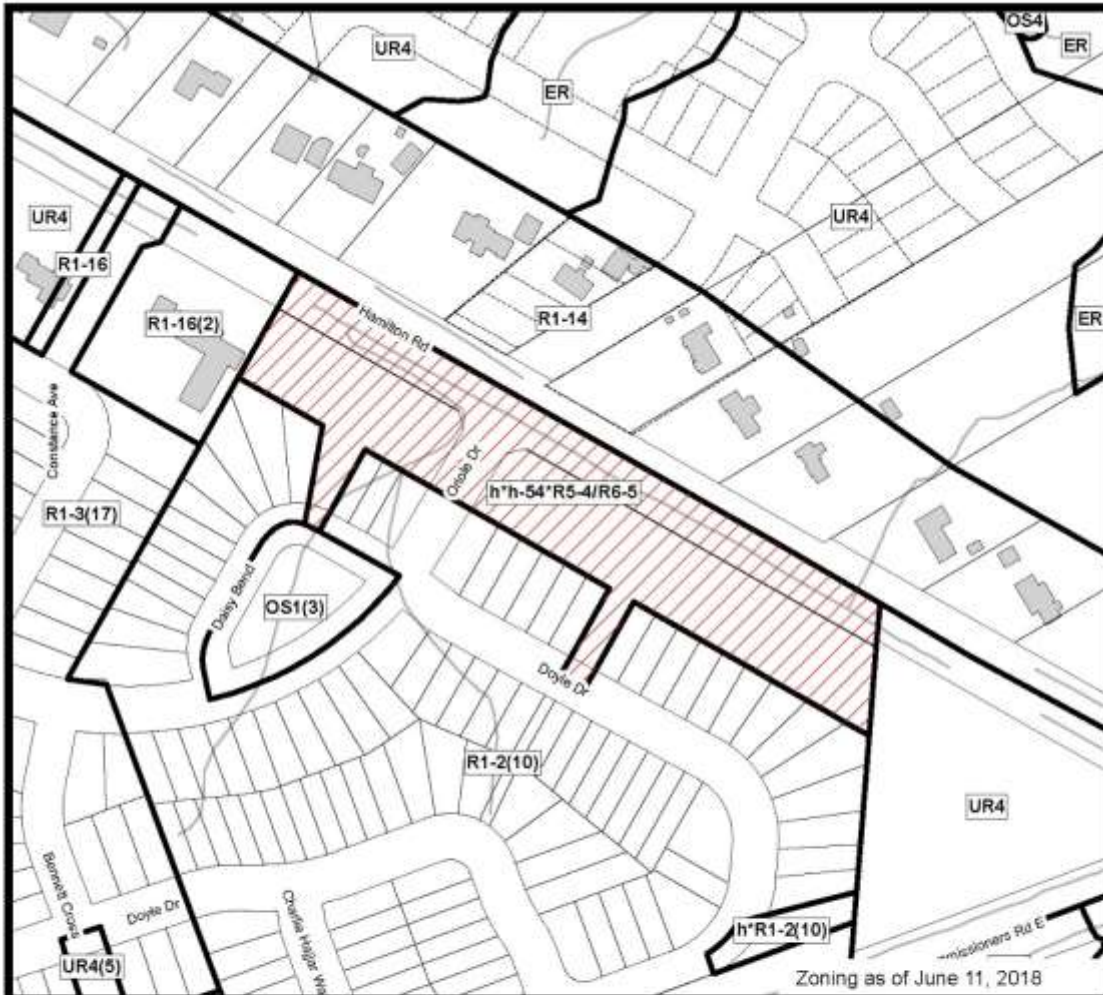
Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on May 17, 2018

0 replies were received

Nature of Liaison: The purpose and effect is to allow development of 33 residential townhouse units permitted under the Residential R5/R6 Special Provision (R5-4/R6-5) Zone. The purpose of the “h” provision is 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 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 “h-54” symbol is intended to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London. Council will consider removing the holding provisions as it applies to these lands no earlier than June 26, 2018.

Appendix C – Relevant Background

Existing 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



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

FILE NO:	
H-8907	LM
MAP PREPARED:	
2018/07/23	rc
1:2,500	
0 12.525 50 75 100 Meters	