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File: OZ-8055
Planner: C Smith

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 1841577 ONTARIO INC. C/O LISA LANSINK 8 FAIRVIEW COURT AND 770 WHETTER AVENUE PUBLIC PARTICIPATION MEETING ON OCTOBER 15, 2012

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1841577 Ontario Inc. relating to the property located at 8 Fairview Court and 770 Whetter Avenue:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to amend the Official Plan to change the designation of the subject lands **FROM** a Low Density Residential designation, **TO** a Multi Family Medium Density Residential designation, to permit apartment buildings with a maximum density of 75 units per hectare;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** Residential R2 (R2-2) Zone and a Residential R1 Special Provision /Residential R2 Special Provision (R1-1 (4)/R2-1 (7)) Zone which permits single, semi, duplex and converted dwelling maximum two units with a 15m setback from the CN railway right-of-way **TO** a Holding Residential R9 Special Provision (h*h-5*h-18*h-65*R9-1 ()*H15) Zone which permits apartment buildings with a maximum height of 15m, density of 75 units/ha, a minimum setback of 15m from the CN railway right-of-way, a 0.0m sight triangle setback from the point of intersection of the centre line of both the railway and the road, subject to holding provisions to ensure adequate provision of municipal servicing, noise and vibration mitigation measures, archaeological evaluation be completed and a development agreement, be entered into with the City, to the satisfaction of Council and to ensure that urban design matters are addressed following public site plan review;
- (c) a public participation meeting of the Planning and Environment Committee be held for consideration of the site plan required for this development prior to the removal of the "h-5" symbol;
- (d) the site plan approval authority **BE REQUESTED** to consider the following items through the site plan approval process:
 - provide landscaping which:
 - provides for the preservation of the existing mature vegetation along westerly property line for the purpose of providing a privacy buffer to abutting properties;
 - enhances street based landscaping along existing easterly berming;
 - defines the pedestrian realm, highlights the street edge and provides a prominent pedestrian entrance off of Westminster Avenue;
 - includes plant/tree species and landscaping techniques tolerant of minimal watering;
 - provide a building which:
 - clearly expresses a base, middle, and top (roof) on all elevations, predominantly using masonry materials;
 - uses variations in massing, materials, scaling and architectural features to identify the east façade and entrance as the front of the building and the south façade and entrance as a service egress;
 - location of 47 underground parking spaces;
 - location of the garbage storage be located within the building;

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- all lighting be oriented and its intensity controlled so as to prevent glare on adjacent residential properties and roadways;
- (e) to ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until a development agreement is entered into for the lands in question with the City of London;
- (f) to ensure that lands are assessed for the presence of archaeological resources prior to development, the h-18 symbol shall not be deleted until the proponent carries out an archaeological resource assessment of the subject site and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London. No grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division; and
- (g) 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

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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September 4, 2012- Planning and Environment Committee (staff report attached).

September 18, 2012 Council Resolution referring matter for a further public participation meeting on October 15, 2012.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the proposed Official Plan and Zoning By-law amendment is to allow for the construction of a 3 storey (15m), 54 unit (75units/ha) apartment building.

RATIONALE

The proposed Official Plan and Zoning By-law amendment to permit a three storey (15m tall) apartment building with a density of 75units/ha (54units) is appropriate as:

- The recommended amendment is consistent with the policies of the Provincial Policy Statement (2005);
- The proposed amendment is consistent with the Multi Family Medium Density Residential policies of the City of London Official Plan;
- The recommended amendment is consistent and compatible with the existing uses in the area;
- Holding provisions have been added to ensure that a public site plan meeting is held, archeological and noise and vibration measures are identified and any required mitigations are incorporated and a development agreement is entered into with the City of London; and
- Through the holding provision requiring a public site plan meeting the scale and compatibility with the surrounding uses will be further refined.

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0 metres 250 500 750 1000 ©2012 City of London ON

LOCATION MAP

Subject Site: 8 Fairview Crt and 770 Whetter Ave
 Applicant: 1841577 Ontario Inc C/O Lisa Lansink
 File Number: OZ-8055
 Planner: Craig Smith
 Created By: Craig Smith
 Date: 2012-05-10
 Scale: 1:5000

LEGEND

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



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ADDITIONAL DEPARTMENT/AGENCY COMMENTS

The City of London Development Services Division:
Storm Water Management Unit:

- Presently, the subject lands do not have a municipal storm outlet fronting the property on Fairview Court. According to drawing 9237 the design outlet for the subject lands is the existing inlet culvert located north east of the subject site on the opposite side of the adjacent Canadian National Railway tracks. Due to the proximity of the outlet the storm outlet must be identified for the proposed zoning. Therefore the applicant must demonstrate to the City the site's proposed outlet and confirm the existing storm sewer system has capacity for the proposed development, all to the satisfaction of the City Engineer. The owner's professional engineer must also update the storm sewer design sheet(s) for the subject lands.
- This site will be required to provide a private permanent system (Post to Pre), water quality and quantity controls will be required in accordance with the City's Private Permanent System policy. Further servicing and drainage requirements/controls, SWM, etc. will be addressed at Site Plan consultation/application stage.
- We note that, according to drawings 22019 the access to the site off Fairview Court (approximately 40meters) was incorporated in the design of the future Storm Sewer on Fairview Court (City's Local Improvement Program 2014).

Wastewater & Drainage Engineering Division:

- there is enough dry weather capacity left in the sanitary sewer to service this development. Wet weather flows may be an issue in the short term until local sewer separations are scheduled in 2014. As such WADE requested that a back flow prevention device be placed in the basement of the building to mitigate the potential for sewer backups in the interim until the combined sewer system in the area is separated.

Chief Surveyor and Division Manager, Geomatics

The property in question, being Parts 1, 2 & 3 on 33R-11968, was once owned by the City of London but sold off its entirety on 1995-03-31 to a developer (not the current owner). Parts 2 and 3 were originally subject to a ROW in favour of the owner of Part 1, which at one time were owned by different owners. The City acquired the various parcels by deed over many years but eventually resulted in the lands being amalgamated into one parcel. This effectively extinguished the ROW in law. When the City sold the property in 1995 the description incorrectly included the ROW, but this was rectified by a subsequent owner when an application to amend the register to delete the ROW was registered 2004-06-04. The final result: the ROW is extinguished in both law and has now been removed from title.

Deputy Chief Building Official, Manager, Building Permits Development & Compliance Division

The geotechnical report submitted is the report Building Division staff would be requesting in support of a building permit to construct the proposed building at the site. The report does not address environmental issues but focuses on the results of a subsurface investigation in accordance with OBC Division B-4.2.2.1. Appropriate subsections of section 4.2 of the Building Code are provided below:

4.2.2. Subsurface Investigations and Reviews

4.2.2.1. Subsurface Investigation

(1) A subsurface investigation, including groundwater conditions, shall be carried out, by or under the direction of a person having knowledge and experience in planning and executing such investigations to a degree appropriate for the building and its use, the ground and the surrounding site conditions.

4.2.4.2. Subsurface Investigation

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(1) A subsurface investigation shall be carried out to the depth and extent to which the building or excavation will significantly change the stress in the soil or rock, or to such a depth and extent as to provide all the necessary information for the design and construction of the excavation or the foundations.

4.2.4.3. Identification

(1) The identification and classification of soil, rock and groundwater and descriptions of their engineering and physical properties shall be in accordance with a widely accepted system.

The OBC defines "subsurface investigation" as follows:

Subsurface investigation means the appraisal of the general subsurface conditions at a building site by analysis of information gained by methods such as geological surveys, in situ testing, sampling, visual inspection, laboratory testing of samples of the subsurface materials and groundwater observations and measurements.

You will notice there is no mention of the requirement for an environmental assessment in the above OBC sections.

2. Under "applicable law", the OBC mentions:

(vii) section 168.3.1 of the Environmental Protection Act with respect to the construction of a building to be used in connection with a change of use of a property,

Section 168.3.1 states:

Prohibition on certain changes of use

168.3.1 (1) Subject to subsection (2), a person shall not,

- (a) change the use of a property from industrial or commercial use to residential or parkland use;**
- (b) change the use of a property in a manner prescribed by the regulations; or**
- (c) construct a building if the building will be used in connection with a change of use that is prohibited by clause (a) or (b). 2001, c. 17, s. 2 (37).**

Exception

(2) Subsection (1) does not apply if,

- (a) a record of site condition has been filed in the Registry in respect of the property under section 168.4; and**
- (b) the use specified under paragraph 3 of subsection 168.4 (2) in the record of site condition is the use to which the property is changed under clause (1) (a) or (b). 2001, c. 17, s. 2 (37).**

If the property had no previous defined use, it would appear that the above EPA section regarding "change of use" is not applicable (emphasis added).

ANALYSIS

On September 18, 2012 Municipal Council resolved:

Recommendation: That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1841577 Ontario Inc. relating to the properties located at 8 Fairview Court and 770 Whetter Avenue:

- a) *the application **BE REFERRED** back to the Civic Administration for further consideration and to report back at a second public participation meeting to be held at the Planning and Environment Committee on Monday, October 15, 2012; and,*
- b) *the applicant **BE REQUESTED** to reduce the number of units and maintain the underground parking;*
- c) *the Civic Administration **BE REQUESTED** to work with the applicant and the residents at 4 Fairview Court to maintain the current use of the 15 feet of land located between the subject site and 4 Fairview Court;*

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- d) *the Civic Administration **BE REQUESTED** to ensure that the current infrastructure is sufficient to handle the water and sewer flows;*
- e) *an environmental assessment of the property **BE UNDERTAKEN**;*

Comments

- 1. *the applicant **BE REQUESTED** to reduce the number of units and maintain the underground parking;*

At the Planning and Environment Committee meeting on September 4th it was requested that the applicant consider removing the total number of proposed units (54) and still maintain underground parking spaces.

The Official Plan Section 3.3.3 Scale of Development in the Multi Family Medium Density Residential states:

Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys

Medium density development will not exceed an approximate net density of 75 units per hectare.

The proposed development provides for a building that is consistent with the Official Plan policies for height and densities in a Multi Family Medium Density Residential designation and specifically provides:

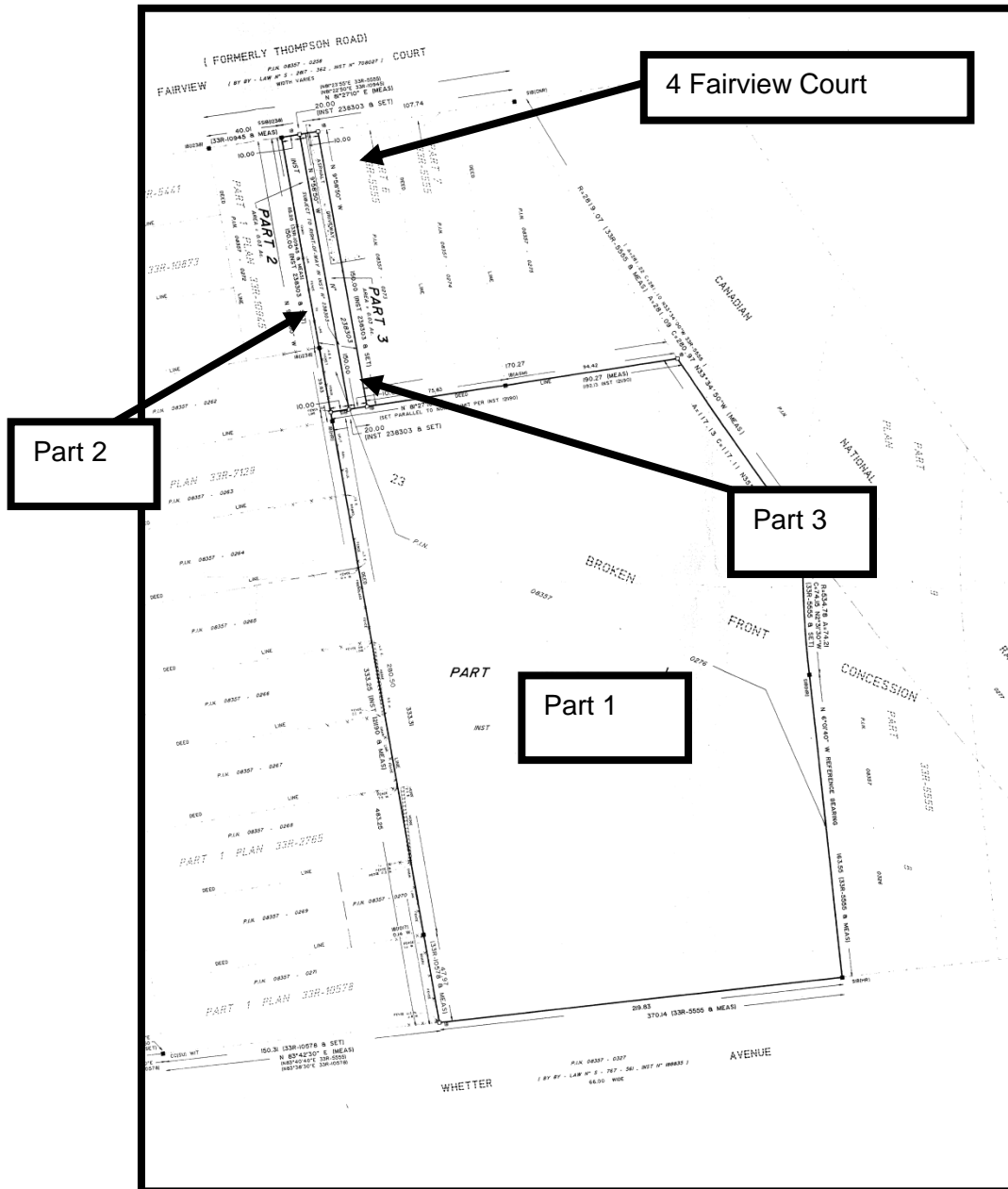
- A building with a strong pedestrian base (podium), with access to Westminster Avenue and Whetter Avenue and with many windows which creates an active streetscape;
- Building materials which are sensitive to the neighbourhood;
- Eyes on the street, enhancing the feeling of safety in the area;
- Strong pedestrian corridors with access to Westminster Avenue and Whetter Avenue;
- Strong pedestrian access utilizing the existing transit corridor along Westminster Avenue and Whetter Avenue;
- Reduced vehicular interaction with pedestrians, by locating the vehicular access corridor on Beaufort Street; and
- Enhanced landscaping which includes berming along Westminster Avenue and the retention of existing vegetation and additional plantings along the westerly property line to provide a buffer from the existing single detached dwellings.

The proposed development requires 1.25 parking spaces per unit for an apartment use. The by-law would require that a minimum of 68 parking spaces be provided for this proposed 54 unit apartment use. The applicant is proposing that 69 spaces be provided on the site. 47 parking spaces are provided underground. The provision of 47 underground parking spaces allows for approximately 53% landscaped open space. The reduction of proposed units may result in the need to provide more surface parking and may result in the reduction of the proposed enhanced buffering of the apartment use from the existing single detached dwellings.

- 2. *the Civic Administration **BE REQUESTED** to work with the applicant and the residents at 4 Fairview Court to maintain the current use of the 15 feet of land located between the subject site and 4 Fairview Court*

The property is legally registered as Parts 1, 2 and 3 on 33R-11968. Prior to 1995, Part 1 had a registered right-of-way over parts 2, and 3 (lands located between the subject site and 4 Fairview Court).

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The lands were acquired by the City of London and amalgamated over a period of time prior to 1995. By merging the 3 parts into one property the need for the right-of-way from Part 1 over Part 2 and 3 was no longer required. The property was sold in 1995 and the right-of-way in favour of Part 1 over Part 2 and 3 was legally removed from the title.

There are no registered rights-of-way on title in favour of any other person over Parts 2 and 3 on Plan 33R-11968. It is incumbent on the owners of 4 and 12 Fairview Court to determine if they enjoy a dedicated right-of-way or can establish a possessory title or a prescriptive easement over Parts 2 and 3 on 33R-11968. The City of London has no right-of-way over Parts 2 and 3 on Plan 33R-11968; this is a private matter between the property owners at 4 and 12 Fairview Court and the applicant who is the property owner of Parts 2 and 3 on Plan 33R-11968.

Section 19.11 of the City of London Official Plan states that: *acquisition of land by the City for such purposes as open space, flood control, recreation, municipal industrial parks, municipal works or facilities, and community improvement is referred to in the policies of the Plan. The City may acquire land through purchase, expropriation, dedication, land exchange, or other means, and may use such land for the development of different facilities or services for the benefit of the community and its residents.*

As the City of London does not own or have any right-of-way over Parts 2 and 3 on Plan 33R-11968, any discussion of acquisition of these lands by the City for the purpose of providing a benefit to the community will need to conform to the Official Plan. This process would require further direction of Council. The City of London Development Services department indicates that sanitary and storm water services from this property can be accommodated onto Whetter Avenue and Westminster Avenue. Through the site plan process, it may be determined that the

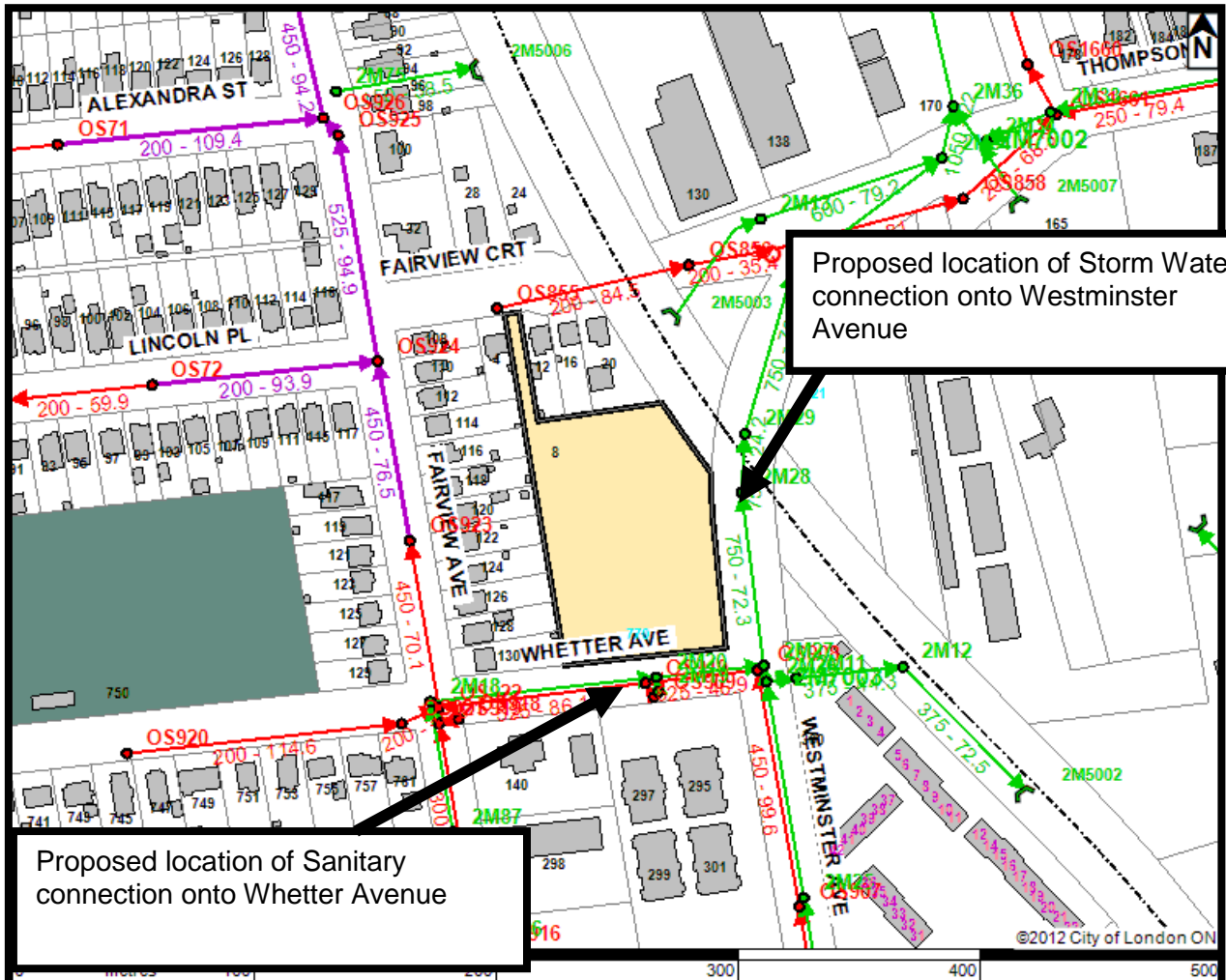
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lands between 4 and 12 Fairview Court may not be required to provide servicing connections to Fairview Court. The final use of these lands should be determined through continued discussions between the private land holders following the completion of the building.

3. the Civic Administration **BE REQUESTED** to ensure that the current infrastructure is sufficient to handle the water and sewer flows

Sanitary and Storm Drains



Through the Site Plan process the applicant will be required to connect to the two separate City’s systems; sanitary on Whetter Avenue and storm water on Westminster Avenue. The Environmental Engineering Service Department indicates that there are sufficient capacities in both systems to accommodate the proposed 54 unit apartment building. A further holding provision has been included in the proposed by-law that requires adequate provision of municipal services will be provided; the "h" symbol shall not be deleted until a development agreement is entered into for the lands with the City of London. Through the site plan process the applicant will be required to demonstrate that adequate services are available which will not negatively impact the existing systems.

The City of London is undertaking local sewer separations which are scheduled to be started in 2014. There is adequate dry weather capacity, but due to the combined sanitary and storm sewer in the area there is an existing condition of possible back flows in the area during wet weather events. The City has advised the applicant that a back flow preventer will be required to be installed on the private drain connection for this project. Construction of the project, if approved, could commence in the spring of 2013. It will take approximately a year for completion and for full occupancy which would occur approximately the same time as the City begins the sewer separation improvements. Once the storm and sanitary sewers are separated there should be no further issues in the area resulting from wet weather events.

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4. *an environmental assessment of the property* **BE UNDERTAKEN**

The *Ontario Building Code* (OBC) requires that building permits are issued in conformity with “applicable law”. The OBC specifically refers to Section 168.3.1 of the *Environmental Protection Act* with respect to the construction of a building to be used in connection with a change of use of a property.

The property is currently designated in the City of London Official Plan as Low Density Residential and is zoned Residential R2 (R2-2) Zone and a Residential R1 Special Provision /Residential R2 Special Provision (R1-1 (4)/R2-1 (7)) Zone. The existing use of the property is residential and the proposed use is residential.

Further independent investigation was made by the City of London using historic aerial and GIS information. The following observations were made:

On the 1926 GSC maps, between Fairview Avenue, Whetter Avenue, CNR and Fairview Court (Formerly Thompson Road) there was only a wood building with a greenhouse attached and another wood residential building in close proximity.

In 1955, the City compiled a plan showing the individual properties as they are today along Fairview Avenue and Fairview Court, including the location of the original wood residential building, however, not the wood building with the greenhouse attached.

On June 3, 1959 the City acquired the majority of the lands now known as 8 Fairview Court from John Labatt Limited by Instrument 121190.

On the 1965 topographic maps, the buildings in the area are shown as they are today along Fairview Avenue and Fairview Court.

On August 22, 1966 the City acquired the remainder of the lands (20’ x 150’) now known as 8 Fairview Court from John Labatt Limited by Instrument 238303.

In December 1972, prior to the Thompson Road diversion, an offer was presented to the City to purchase the lands to construct light industrial buildings, however, there are no comments in our records to determine why the sale was not completed.

The *Environmental Protection Act* determines if a Record of Site Condition is required prior to a Municipality issuing a building permit. The City has to be satisfied that a change of use of the lands as defined by the *Environmental Protection Act* has occurred. The City of London Deputy Chief Building Official states: “*If the property had no previous defined use, it would appear that the above EPA section regarding “change of use” may not be applicable.*”

It appears that no other use was established on these lands. If Council is not satisfied that a change of use has not occurred, Council will need to direct that the applicant complete evaluations in accordance with the *Environmental Protection Act*. A record of site condition would need to be filed in the registry with the Ministry of Environment prior to the issuance of the building permit. Planning Staff is not recommending that any further holding provision be required for a record of site condition and that conformity to the *Environmental Protection Act* and the *Ontario Building Code* will be further refined through the site plan approval and building permit processes.

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CONCLUSION

The proposed development of a low-rise apartment building is consistent with the Provincial Policy Statement and the City of London Official Plan policies for Multi Family Medium Density Residential designation. Overall, the proposed development meets the policies of the Official Plan for location, type, and density, is a good utilization of existing serviced land, will provide an appropriate mix of housing in the area, and will not negatively impact the adjacent area.

PREPARED BY:	SUBMITTED BY:
C. SMITH COMMUNITY PLANNING AND DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND DESIGN SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

September 13, 2012
CS/

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(CS)\postPEC\8055PEC2-report.docx

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File: OZ-8055
Planner: C Smith

**Bibliography of Information and Materials
OZ-8055**

The following documents were used in the review of this development proposal:

- Provincial Policy Statement, 2005
- City of London Official Plan
- Zoning By-law Z.-1
- City of London Zoning Application Form, completed by Mike Pease, IBI Group April 27, 2012
- All internal and external correspondence sent to C. Smith as contained in the City of London file OZ-8055

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File: OZ-8055
Planner: C Smith

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the
City of London, 1989 relating to 8 Fairview
Court and 770 Whetter Avenue

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13.*

PASSED in Open Council on October 30, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – October 30, 2012
Second Reading - October 30, 2012
Third Reading - October 30, 2012

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File: OZ-8055
Planner: C Smith

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is: To change the designation of certain lands described herein from Low Density Residential to Multi Family Medium Density Residential on Schedule "A", Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 8 Fairview Court and 770 Whetter Avenue in the City of London.

C. BASIS OF THE AMENDMENT

The amendments are consistent with the policies of the *Provincial Policy Statement, 2005* and are consistent with the multi family medium density residential policies of the Official Plan.

The recommended amendment permits apartment buildings with a maximum density of 75 units per hectare.

D. THE AMENDMENT

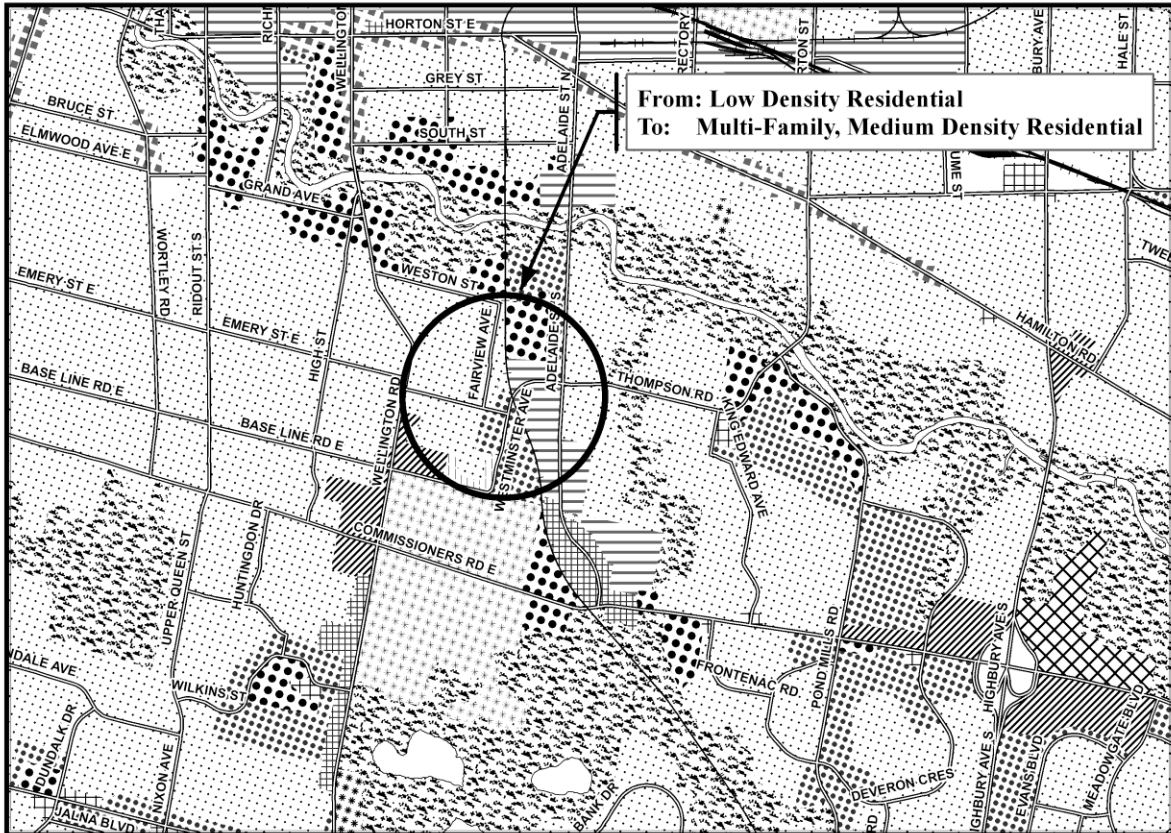
The Official Plan for the City of London is hereby amended as follows:

Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 8 Fairview Court and 770 Whetter Avenue in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential to Multi Family Medium Density Residential.

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File: OZ-8055
Planner: C Smith

AMENDMENT NO:



Legend

- | | |
|--|-----------------------------------|
| Downtown Area | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

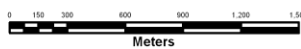
**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: OZ-8055

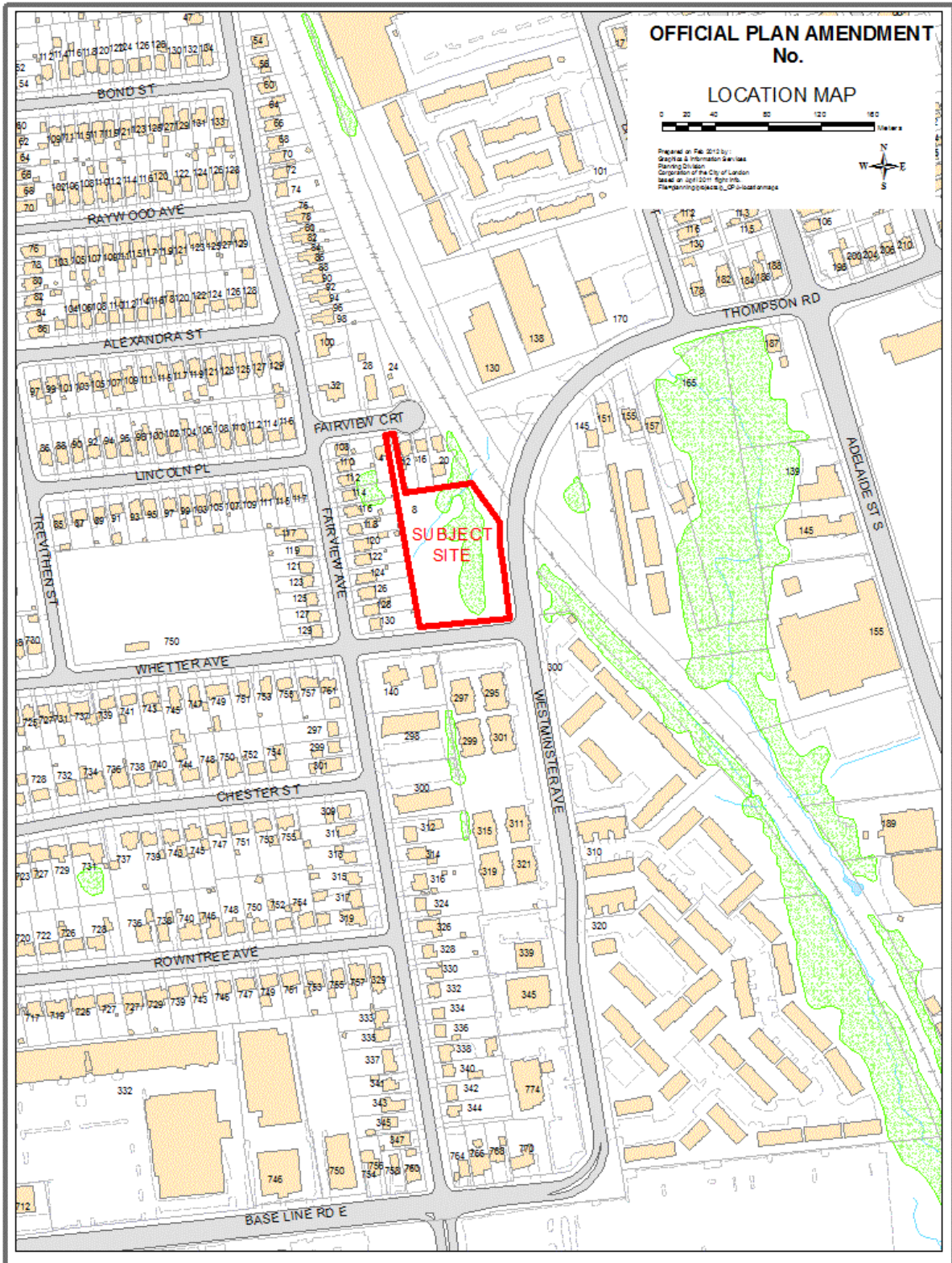
PLANNER: CS

TECHNICIAN: CK

DATE: 2012/06/28

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File: OZ-8055
Planner: C Smith



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File: OZ-8055
Planner: C Smith

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 8 Fairview Court and 770 Whetter Avenue.

WHEREAS 1841577 Ontario Inc has applied to rezone an area of land located at 8 Fairview Court and 770 Whetter Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 8 Fairview Court and 770 Whetter Avenue, as shown on the attached map comprising part of Key Map No. 116, from a Residential R2 (R2-2) Zone and a Residential R1 Special Provision /Residential R2 Special Provision (R1-1 (4)/R2-1 (7)) Zone to a Holding Residential R9 Special Provision (h*h-5*h-18*h-65*R9-1 ()*H15) Zone.

1) Section Number 13.4 of the Residential (R9) Zone is amended by adding the following Special Provision:

) R9-1() 8 Fairview Court and 770 Whetter Avenue

a) Regulations:

- i) Setback from a Railway Right-of-Way (Minimum) 15 metres
- ii) Setback from a Railway Right-of-Way means the shortest horizontal distance between the nearest boundary of a railway right-of-way and the nearest part of any residential building
- iii) Sight triangle setback from the point of intersection of the centre line of both the railway and the road 0.0 metres

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on October 30, 2012.

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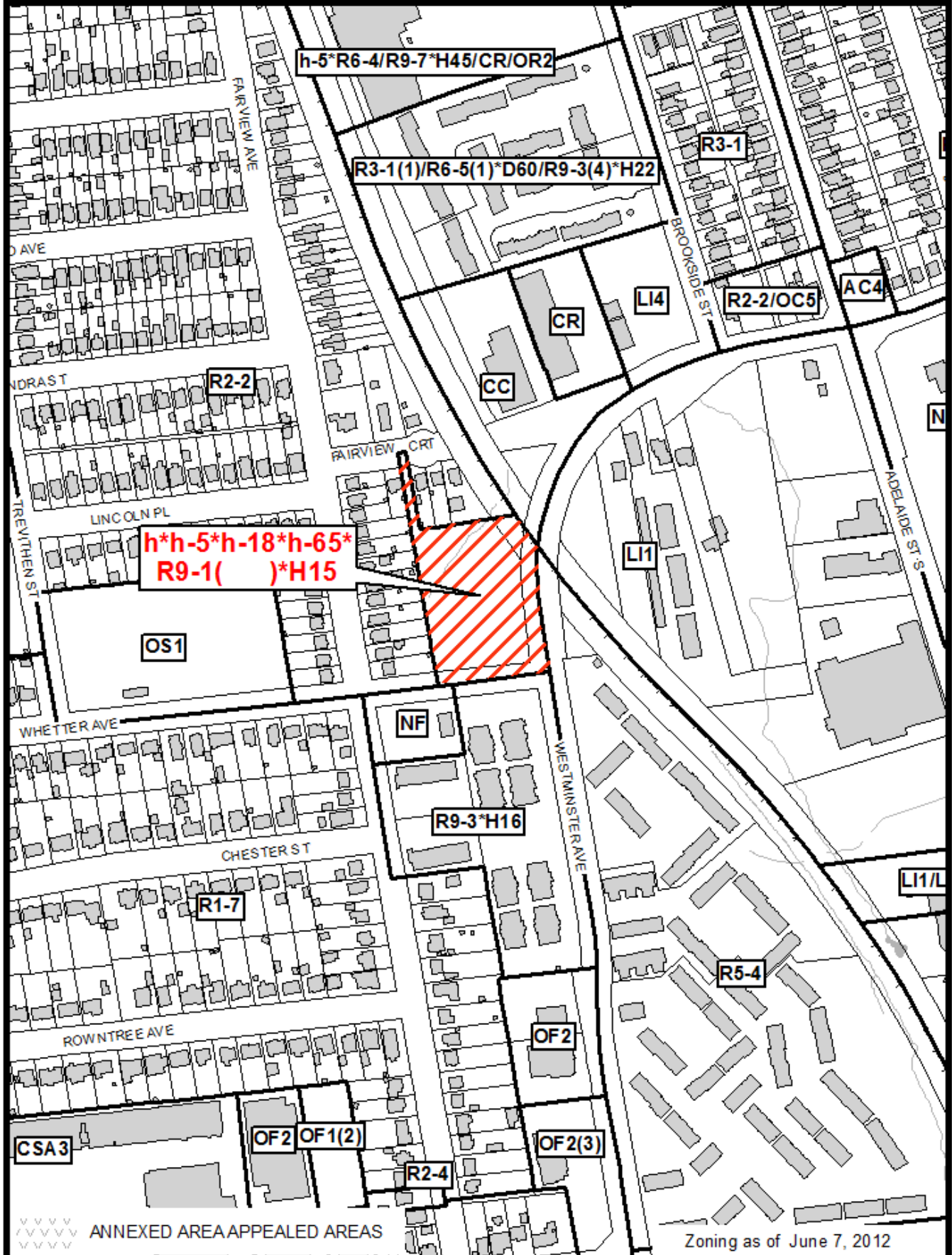
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - October 30, 2012
Second Reading - October 30, 2012
Third Reading - October 30, 2012



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



File Number: OZ-8055

Planner: CS

Date Prepared: 2012/09/20

Technician: CK

By-Law No: Z.-1-

SUBJECT SITE



1:3,500

0 15 30 60 90 120 Meters

