

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 PORTION OF 1956 SHORE ROAD AND PORTION OF 1585 RIVERBEND ROAD (Riverbend Park) PUBLIC PARTICIPATION MEETING ON FEBRUARY 5, 2013 @ 4:15 P.M.

RECOMMENDATION

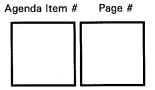
That, on the recommendation of the Senior Planner, Development Services, based on the application of Sifton Properties Limited relating to a portion of the property located at 1956 Shore Road and a portion of the property located 1585 Riverbend Road (Riverbend Park), the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on February 12, 2013 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 R6/Neighbourhood Facility (h•R6-5/NF) Zone which permits a range of cluster residential dwellings and neighbourhood facilities including single detached and semi-detached dwellings, townhouses, low-rise apartment buildings, churches and elementary schools, subject to removal of the "h" holding provision,**TO** a Residential R1 (R1-4) Zone to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq.ft.); and to an Open Space (OS2) Zone to permit public parks, conservation lands and recreational uses; and **FROM** an Open Space (OS2) Zone **TO** a Residential R1 (R1-4) Zone to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq.ft.)

PREVIOUS REPORTS PERTINENT TO THIS MATTER

January 8, 2013 – Corporate Services Committee Agenda Item # 5 – Report of the Manager Realty Services re: Declaration of Surplus Land and Land Exchange with Sifton Properties Limited - Riverbend Road (File No. P-2382)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to change the zoning on lands fronting the west side of Riverbend Road (Area "A" on Location Map - approx. 0.6 hectares / 1.5 acres) to permit single detached dwellings on freehold lots, and to change the zoning of a strip of land adjacent Riverbend Park (Area "B" on Location Map - approx. 0.3 hectares / 0.8 acres) to permit public park and open space uses. A request has also been made to change the zoning on a portion of Riverbend Park (Area "C" on Location Map - approx. 0.2 hectares / 0.5 acres) to permit single detached dwellings on freehold lots. This action is recommended pursuant to Council's conditions for approval of a proposed land exchange between The Corporation of the City of London and Sifton Properties Limited.



RATIONALE

- 1. The remnant L shaped parcel of land belonging to Sifton and the small portion of lands which have been declared surplus within Riverbend Park are suitable for the recommended R1-4 and OS2 zoning.
- 2. The recommended amendments will facilitate a proposed land exchange between Sifton Properties Limited and the City of London. The zoning is appropriate and the permitted uses are compatible and in keeping with the surrounding area.
- 3. The recommended zoning conforms with the Official Plan.

BACKGROUND

Date Application Accepted: October 15, 2012

Agent: n/a

REQUESTED ACTION: Amend Zoning By-law Z.-1 to change the zoning of a portion of 1956 Shore Road from a holding Residential R6/Neighbourhood Facility (h•R6-5/NF) Zone to a Residential R1 (R1-4) Zone and an Open Space OS2 Zone; and a portion of City-owned land within Riverbend Park from an Open Space OS2 Zone to a Residential R1 (R1-4) Zone, after completion of a proposed land exchange with the City of London.

SITE CHARACTERISTICS:

Current Land Use - vacant

- Frontage Area "A" 148 m (486 ft.); Area "B" nil frontage; Area "C" 50 m (164 ft.)
- Depth Area "A" 40 m (131 ft.); Area "B" 160 m (131 ft.); Area "C" 40 m (131 ft.)
- Area Area "A" 0.6 ha (1.5 ac.); Area "B" 0.3 ha (0.8 ac.); Area "C" 0.2 ha (0.5 ac.)
- Shape irregular

SURROUNDING LAND USES:

- North public park and open space
- South vacant undeveloped lands
- East low density and medium density residential
- West future elementary school and public park and open space

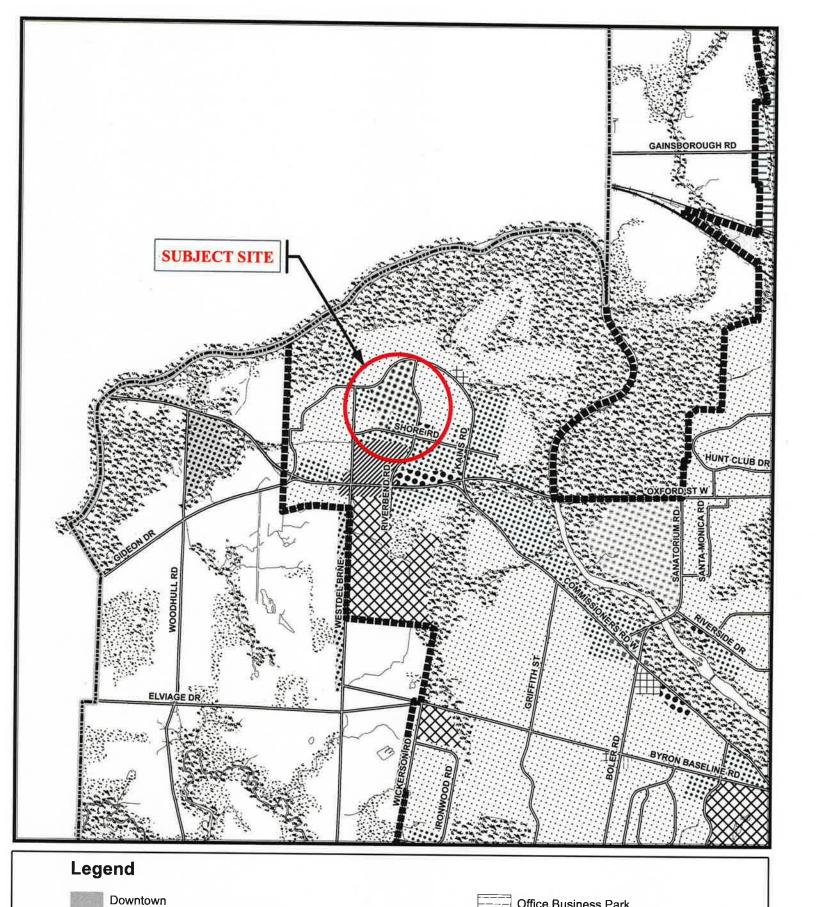
OFFICIAL PLAN DESIGNATION: (refer to map on page 4)

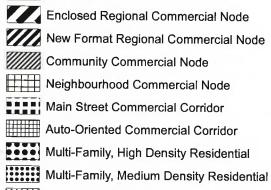
Multi-family, Medium Density Residential

EXISTING ZONING: (refer to map on page 5)

- holding Residential R6/Neighbourhood Facility (h•R6-5/NF)
- Open Space OS2







Low Density Residential

Office/Residential

Office Area

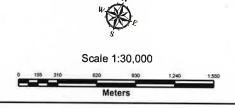
Office Business Park General Industrial Light Industrial Regional Facility **** Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture ■■■■ Urban Growth Boundary

CITY OF LONDON

Department of Planning and Development

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8113

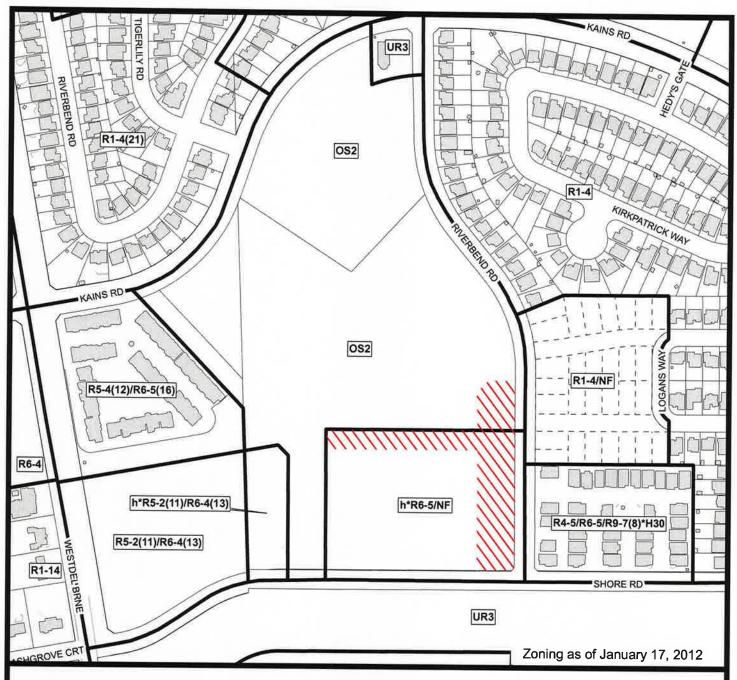
PLANNER:

LM

TECHNICIAN:

DATE:

January 17, 2013





COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*R6-5/NF, OS2

- 1) LEGEND FOR ZONING BY-LAW Z-1
 - R1 SINGLE DETACHED DWELLINGS
 - R2 SINGLE AND TWO UNIT DWELLINGS R3 SINGLE TO FOUR UNIT DWELLINGS

 - STREET TOWNHOUSE CLUSTER TOWNHOUSE R5
 - CLUSTER HOUSING ALL FORMS
 - R7
 - SENIOR'S HOUSING MEDIUM DENSITY/LOW RISE APTS.
 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS
 - R11 LODGING HOUSE
 - DA DOWNTOWN AREA

 - RSA REGIONAL SHOPPING AREA CSA COMMUNITY SHOPPING AREA
 - 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
- 2)

ANNEXED AREA APPEALED AREAS

- OFFICE/RESIDENTIAL
- OFFICE CONVERSION RESTRICTED 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
- "H" HEIGHT SYMBOL
- "B" BONUS SYMBOL
 "T" TEMPORARY US - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z.-1 **SCHEDULE A**



FILE NO: Z-8113 LM MAP PREPARED: January 17, 2013 DT 1:4,000 0 20 40 80 120 160

Meters

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

Agenda Item #	Page #
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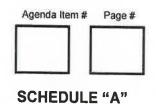
PLANNING HISTORY

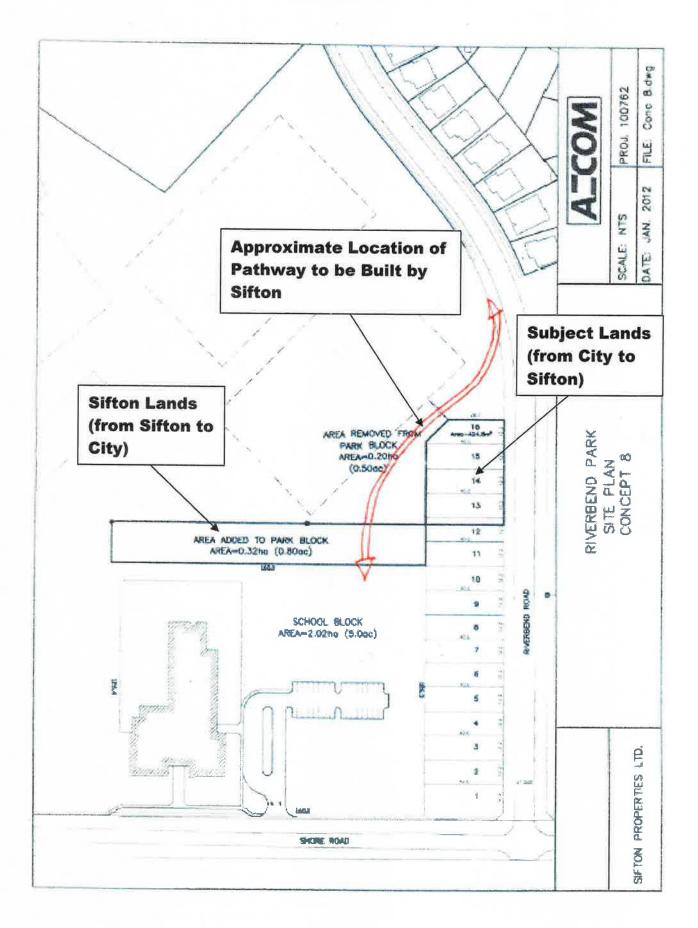
On January 15, 2013, Municipal Council resolved that on the recommendation of the Manager Realty Services, with respect to a portion of Riverbend Park, described as Part of Block 52, Plan 33M-549, fronting on Riverbend Road, containing approximately 0.5 acres, as shown on Schedule "A" <u>attached</u> (the "Subject Lands"), the following actions be taken:

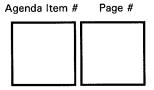
- a) the Subject Lands BE DECLARED surplus;
- b) a land exchange between The Corporation of the City of London and Sifton Properties Limited **BE APPROVED** subject to the following conditions:
 - i) in exchange for the Subject Lands, Sifton Properties Limited transferring to the City a parcel that contains approximately 0.8 acres of residential development land to be annexed to Riverbend Park;
 - ii) Sifton Properties Limited fencing the perimeter of the 0.5 acre parcel acquired from the City in a manner acceptable to Parks Planning;
 - iii) Sifton Properties Limited constructing a new pathway on the Riverbend Park lands for public access from Riverbend Road to the School Block, as outlined on the <u>attached</u> Schedule "A", in a manner acceptable to Parks Planning;
 - iv) Sifton Properties re-grading both parcels to have independent storm water drainage, after confirming with the Ministry of Natural Resources that the lands being transferred to the City are not to remain in their current state to protect potential species at risk habitat;
 - should the catch basin located in the City parcel to be transferred to Sifton Properties need to be relocated, Sifton Properties doing the required work and easement rights for storm water drainage being preserved, subject to review and acceptance by Development Services and Parks Planning;
 - vi) Sifton Properties preparing a Reference Plan of the Parcels exchanged, including any easements that are required; and
 - vii) the City's Zoning By-law Z-1 being amended for the parcels exchanged, as outlined in the application by Sifton Properties under File #Z-8113;

it being noted that the land exchange increases the size of the Park, provides a connecting pathway between the adjoining school site and Riverbend Road at the developer's expense, and permits development of four additional houses, with an increase in the City's assessment base.

On April 11, 2012, the City of London Consent Authority granted Sifton Properties Limited provisional consent to sever 2.02 hectares for a future elementary school and retain 0.91 hectares for future single detached dwellings and parkland (File No. B.003/12). The lands in question, Municipal Number 1956 Shore Road located at the north west corner of Shore Road and Riverbend Road, comprise all of Block 50 within Registered Plan 33M-549 which was registered in July 2006, and which had been set aside as a site for a future elementary school, or alternatively medium density residential cluster housing. The severed portion was transferred to the London District Catholic School Board on November 25, 2012. The retained portion of lands fronting Riverbend Road, including a strip of land adjacent Riverbend Park, are the subject of another application for consent to sever nine (9) single detached lots of 488m² and one (1) lot of 668 m² for a total of ten (10) lots for future residential uses, and approximately 0.43 ha for future residential, park and open space uses (File No. B.031/12).







SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Thames Valley District School Board

The proposed residential lots are presently within the boundaries of Byron Northview PS for Grades JK to 8 and Saunders SS for Grades 9-12. We are requesting that the following clause be included as a condition of Draft Plan Approval for the subject plan:

"That the Developer agrees to inform all Purchasers of residential lots by including a condition in all Purchase Agreements stating that the construction of additional public school accommodation is dependent upon funding approval from the Ontario Ministry of Education, therefore the subject community may be designated as a "Holding Zone" by the Thames Valley District School Board and pupils may be assigned to existing schools as deemed necessary by the Board."

PUBLIC On November 20, 2012, a Notice of Application to Amend the Zoning By-law was sent to 136 surrounding property owners. Notice was published in the "Londoner" on November 29, 2012.

Nature of Liaison: see "Requested Action" section.

Responses: One telephone call for further information and clarification and one written response was received. The main concern from the written response is summarized as follows:

- The proposed lots appear to be too close to the park and soccer fields.

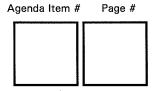
ANALYSIS

Existing Conditions

The subject lands consist of vacant, open field previously in agricultural use. Area "A" and Area "B" are part of a block within a registered plan of subdivision (Block 50 Plan 33M-549) which was registered in 2006. Block 50 was approximately 3 hectares (7 ac.) in size, and was originally intended as an elementary school site set aside for the Thames Valley District School Board. In 2011, the Thames Valley Board advised the City that they would not be completing the purchase of the property. Recently, an application for a severance was approved resulting in a smaller block of approximately 2 hectares (5 ac.) which was transferred to the London District Catholic School Board for a new Catholic elementary school. Provincial capital funding was announced in 2011. The Board has since acquired the land and in December 2012 the architect came in for a consultation meeting with staff to go over their site plan submission requirements. Sifton Properties Limited has requested a rezoning for the "L" shaped remnant parcel of lands excess to the school block to permit single family residential and park uses, in accordance with the Official Plan designations. Area "C" represents City-owned lands within Riverbend Park, approximately 0.2 hectares (0.5 ac.) fronting Riverbend Road. These lands were recently declared surplus and are proposed to be removed from the park block as part of a Council-approved land exchange between the City of London and Sifton Properties Limited.

Does the recommended zoning conform with the Official Plan?

These lands are designated as "Multi-family, Medium Density Residential" in the Official Plan. The primary permitted uses under Section 3.3.1. include multiple-attached dwellings such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and



homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. Secondary permitted uses include public parks and public recreational uses. Staff are satisfied the recommended Residential R1-4 zone to permit single detached dwellings, and the recommended Open Space OS2 zone to permit public park, active recreational and open space uses, are in conformity with the Official Plan.

Is the recommended zoning appropriate?

Area "A" (approx. 0.6 hectares / 1.5 acres) fronting the west side of Riverbend Road is presently zoned holding Residential R6/Neighbourhood Facility (h•R6-5/NF) which permits various forms of cluster housing and neighbourhood facilities including single detached and semi-detached dwellings, townhouses, low-rise apartment buildings, churches and elementary schools, subject to a holding "h" symbol requiring that a subdivision agreement or development agreement be entered into. This area is proposed to be rezoned to Residential R1 (R1-4) to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq.ft.). The frontage and depth is sufficient to accommodate approximately 10 - 12 single detached homes fronting Riverbend Road. The proposed use, scale, and intensity is compatible with existing residential uses on the east side of Riverbend Road, and is generally compatible and in keeping with the building form and character of the surrounding area.

Area "B" (approx. 0.3 hectares / 0.8 acres) represents a landlocked strip of land adjacent Riverbend Park. This area is zoned holding Residential R6/Neighbourhood Facility (h•R6-5/NF), and as a remnant parcel it is no longer considered suitable for this zoning and range of permitted uses. The recommended Open Space OS2 zoning is appropriate to permit park and open space uses. It is consistent with the zoning on Riverbend Park to the north, and would facilitate the proposed land exchange and future conveyance to the City as public parkland.

Area "C" (approx. 0.2 hectares / 0.5 acres) represents a portion of lands within Riverbend Park with frontage on Riverbend Road. The area is proposed to be rezoned to Residential R1 (R1-4) to permit single detached dwellings. The area and depth is sufficient to yield up to 4 additional single detached homes. There will be adequate separation distance of at least 15 metres (approx. 50 ft.) between the area to be rezoned and the existing soccer field within Riverbend Park. The Parks Planning and Design section recommend a pathway between the soccer pitch and the future residential lots for public access from Riverbend Road to the school block, to be constructed by Sifton Properties Limited in accordance with the terms of the proposed land exchange. Perimeter fencing around the 0.5 hectare parcel will also be required.

Is the recommended amendment consistent with the Provincial Policy Statement?

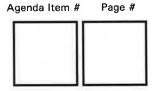
The recommended zoning is consistent with the PPS, as summarized as follows:

1. Building Strong Communities

The subject lands are located within the Urban Growth Boundary. The recommended zoning continues to meet objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient development patterns, and accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs.

2. Wise Use and Management of Resources

There are no identified Natural Heritage, Water, Agriculture, Minerals and Petroleum, or Mineral Aggregate Resource issues. The subject lands are currently vacant and are part of a block within a registered plan of subdivision. A consent for a severance has been granted which will enable the development of ten (10) future residential lots within an established residential area. The subject lands are located on the edge of



the groundwater divide for the Tributary 'C' Environmental Assessment Study. The establishment of the proposed lot line is expected to have no impact on tributary fish habitat.

3. Protecting Public Health and Safety

There are no Natural Hazards or Human-Made Hazard issues associated with this development.

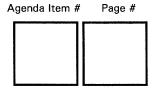
CONCLUSION

Based on our review, the recommended zoning is suitable for the remnant portion of the Sifton lands, and for the small portion of lands declared surplus to Riverbend Park. This action is being recommended in order to facilitate the proposed land exchange between Sifton Properties Limited and the City of London. The recommended amendments are appropriate and compatible with existing and planned uses within the surrounding area. The recommended zoning is also consistent with the PPS, and conforms with the Official Plan.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
Jany Watteam	Tarry Peny
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	TERRY GRAWEY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES AND PLANNING LIAISON
REVIEWED BY:	SUBMITTED BY:
Jennie Pomboey	A A
JENNIE A. RAMSAY, P. ENG. MANAGER, DEVELOPMENT SERVICES AND ENGINEERING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

January 22, 2013 GK/TG/LM/lm "Attach."

Y:\Shared\Sub&Spec\SUBDIV\2012\Z-8113 - Portions of 1956 Shore Road and portions of 1585 Riverbend Park\PEC Report.docx



Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone

Rebecca St. Pierre Unit 54 – 2295 Kains Road

- Request for information clarification

Written

James Mendham 1504 Logans Way

- Several of the lots seem too close to the park and near the soccer fields.
- Wants to ensure that families and children of their community have a nice neighbourhood and park to enjoy for generations that includes a baseball diamond, tennis courts, splash pads, and community center.

Bibliography

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Maureen Zunti, Project Manager – Planning, Sifton Properties Limited, dated October 1, 2012

Reference Documents:

City of London Official Plan, June 19, 1989, as amended

City of London, Zoning By-law No. Z.-1, May 21, 1991, as amended

Ontario Ministry of Municipal Affairs and Housing, *Planning Act, R.S.O. 1990, CHAPTER P. 13*, as amended

Ontario Ministry of Municipal Affairs and Housing, Provincial Policy Statement, March 1, 2005

City of London Development Services - Consent Application Files No. B.003/12 and B.031/12 - Applications for Consent to sever land for a future elementary school, single detached dwellings, and parkland; and application for Consent to sever ten (10) residential lots fronting the west side of Shore Road

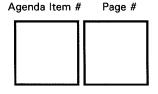
City of London Department of Planning and Development – Riverbend Community Plan - April 22, 1998 and updated June 18, 2001

Correspondence: (located in City of London File No. Z-8113 unless otherwise stated)

Manager Realty Services report to Corporate Services Committee, January 8, 2013 re: Declaration of Surplus Land and Land Exchange with Sifton Properties Limited - Riverbend Road (File No. P-2382)

Danielle Kettle, Thames Valley District School Board, December 3, 2012

Various e-mail correspondences



Bill No. (number to be inserted by Clerk's Office) 2013

By-law No. Z.-1-____

A by-law to amend By-law No. Z.-1 to rezone a portion of lands located at 1956 Shore Road and a portion of lands located at 1585 Riverbend Road (Riverbend Park).

WHEREAS Sifton Properties Limited has applied to rezone a portion of the lands located at 1956 Shore Road and a portion of the lands located at 1585 Riverbend Road (Riverbend Park), as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms 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 on a portion of the property located at 1956 Shore Road and a portion of the property located at 1585 Riverbend Road (Riverbend Park), as shown on the attached map, from a Holding Residential R6/Neighbourhood Facility (h•R6-5/NF) Zone to a Residential R1 (R1-4) Zone, and to an Open Space (OS2) Zone; and from an Open Space (OS2) Zone to a Residential R1 (R1-4) Zone.

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 subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on February 12, 2013.

Joe Fontana Mayor

Catharine Saunders City Clerk

First Reading - February 12, 2013 Second Reading - February 12, 2013 Third Reading - February 12, 2013

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

