



CITY OF SARNIA

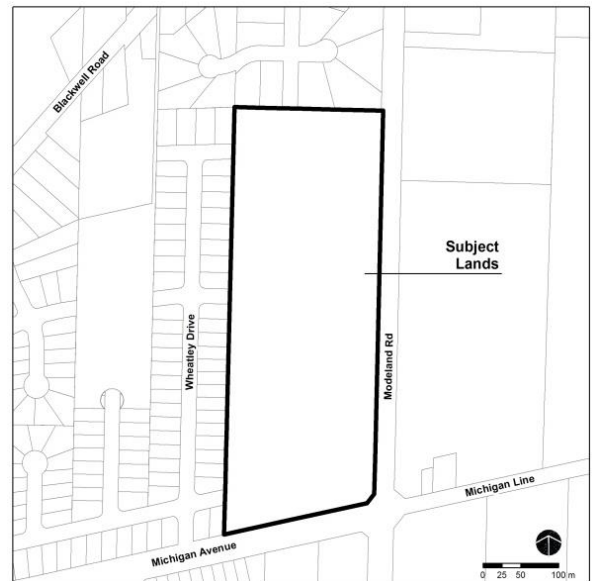
NOTICE OF REFUSAL OF OFFICIAL PLAN AMENDMENTS, ZONING BY-LAW AMENDMENTS AND DRAFT PLAN OF SUBDIVISION BY THE CORPORATION OF THE CITY OF SARNIA

SUBJECT: Northwest Corner of Modeland Road and Michigan Avenue
Official Plan Amendment Applications No. 41 and 42
Zoning By-Law Amendment Applications 14-2009-85 and 15-2009-85
Plan of Subdivision Application 2-2009

TAKE NOTICE that on May 25 2015, the Council of the Corporation of the City of Sarnia made a decision to refuse the above noted applications by MHBC Planning Ltd., on behalf of Sifton Properties Ltd., for Official Plan Amendments, Zoning By-Law Amendments and a Draft Plan of Subdivision.

The purpose and effect of these applications is to amend the Official Plan and Zoning By-Law to implement a proposed development on the subject lands, as shown on the key map, as follows:

KEY MAP



a) redesignate low-density residential lands in the City Official Plan and Secondary Plan Area 1 into a 0.98ha (2.4 acre) community commercial designation, a 2.80ha (6.86 acre) medium/high-density residential (28-60 units/ha) designation, a 0.87ha (2.15 acre) park, a 0.27ha (0.64 acre) park/vegetation preserve, and to permit lot frontages and accesses onto Modeland Road.

b) change the zoning of the subject lands from an Interim Use 1 (IU1) Zone to a Community Commercial 1 (COC1) site zone with a maximum floor area of 2,415m² (26,000ft²), an Urban Residential 4 (UR4) site zone with a maximum of 75 multiple attached dwellings or 160 apartment dwellings/retirement

suites or a combination thereof, an Urban Residential 1 (UR1) site zone and Open Space 1 (OS1) site zones.

- c) sever the property as a Plan of Subdivision into separate and conveyable parcels including a 0.97ha (2.4 acre) commercial block and 2.78ha (6.86 acre) medium/high-density residential block having frontages onto Modeland Road; and 64 single detached residential lots, a 0.87ha (2.15 acre) park block and a 0.27ha (0.64 acre) park/vegetation block having frontage onto proposed Streets 'A and B'.

REASON FOR THE REFUSAL

The Official Plan Amendments were refused for the following reasons:

- the applications are not consistent with the Provincial Policy Statement
- the applications do not conform to the County of Lambton Official Plan
- the applications do not conform with the policies of the 2001 and 2014 City of Sarnia Official Plans
- there is sufficient land supply available and no need to designate new areas of community-scale commercial and medium/high-density residential uses
- the proposal would introduce a mix of land uses and densities that would result in inefficient and inappropriate land use patterns
- the proposal would require the unjustified and uneconomical need to expand available and planned infrastructure and public services
- they do not represent good planning

This Zoning By-law Amendments were refused because the Zoning By-law cannot be implemented to regulate a development not permitted by the Official Plan.

APPEALS

Any person or agency may appeal to the Ontario Municipal Board in respect to Council's decisions by filing an appeal with the Clerk of the Corporation of the City of Sarnia not later than the **June 17, 2015**. A notice of appeal must set out the reasons for the appeal and must be accompanied by a certified cheque or money order in the amount of \$125.00, made payable to the Minister of Finance, which is the fee prescribed under the Ontario Municipal Board Act. A copy of an appeal form is available from the OMB website at www.omb.gov.on.ca.

The decision of Council of the Corporation of the City of Sarnia is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

Only individuals, corporations or public bodies may appeal a decision of the municipality or planning board to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the requested official plan amendments, zoning amendments and draft plan of subdivision were refused, the person or public body made oral submission at a public meeting or written submission to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

More Information:

Copies of the material relating to the Official Plan Amendment, Zoning By-Law Amendment and Plan of Subdivision applications are available for review at the City of Sarnia, Planning and Building Department at 225 Christina St. N., during regular business hours Monday to Friday, 8:30 a.m. to 5:00 p.m. Inquiries may be directed to Kevin Edwards – Planning Manager at 519-332-0330 ext. 3291.

DATED at the City of Sarnia this 28th day of May, 2015.

NANCY WRIGHT-LAKING - CITY CLERK
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Sarnia, ON
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