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**File No. H-8347
Planner: B. Debbert**

TO:	CHAIR AND MEMBERS – PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: THOMSON MAHONEY DELOREY 1183, 1191, 1199 AND 1205 WESTDEL BOURNE MEETING ON MAY 27, 2014
RECOMMENDATION	

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Thomson Mahoney Delorey relating to the properties located at 1183, 1191, 1199 and 1205 Westdel Bourne, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 10, 2014 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 R1 Special Provision (h-124•R1-11(15)) Zone **TO** a Residential R1 Special Provision (R1-11(15)) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Z-7848 – Report to Built and Natural Environment Committee, March 7, 2011

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended Zoning By-law Amendment recognizes that the required easements have been created and joint use and maintenance agreements registered on title to these properties to ensure that shared driveway access is provided to these four lots.

RATIONALE

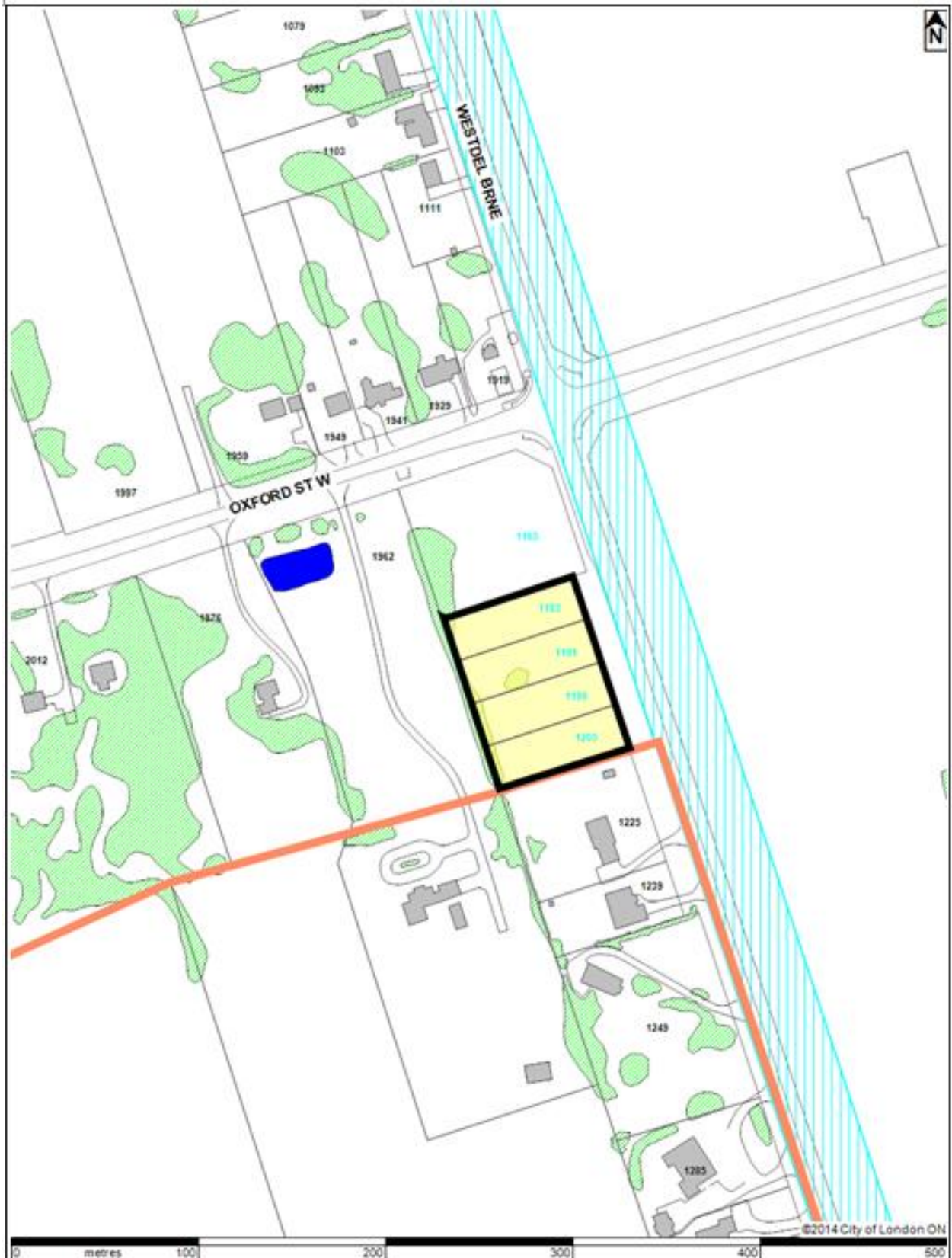
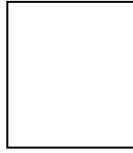
The required joint access plan has been approved and the joint rights-of-way have been registered on title as required by the Holding (h-124) provision.

BACKGROUND

Date Application Accepted: April 24, 2014	Agent: Thomson Mahoney Delorey
REQUESTED ACTION: Remove the Holding (h-124) provision from all four properties.	

PLANNING HISTORY

On March 21, 2011, Council considered and approved a Zoning By-law amendment to change the zoning of the four vacant single detached residential lots from a Residential R1 (R1-17) Zone, to a Holding Residential R1 Special Provision (h-124•R1-11(15)) Zone. The amendment was necessary because the R1-17 Zone did not permit new development where there was no existing development on the lots. Through the review process, the Transportation Division expressed concerns about the traffic impacts of four new driveways accessing directly to Westdel Bourne close to its intersection with Oxford Street West. As a result, a holding provision was applied that required the twinning of the driveways along the property lines between 1183 and 1191, and between 1199 and 1205 Westdel Bourne.



LOCATION MAP
 Applicant: Thompson Mahoney DeJorey
 Location: 1183, 1191, 1199 and 1205 Westdel Bourne
 File Number: H-8347
 Created By: Barb Debbert
 Date: 2014-04-29
 Scale: 1:2500

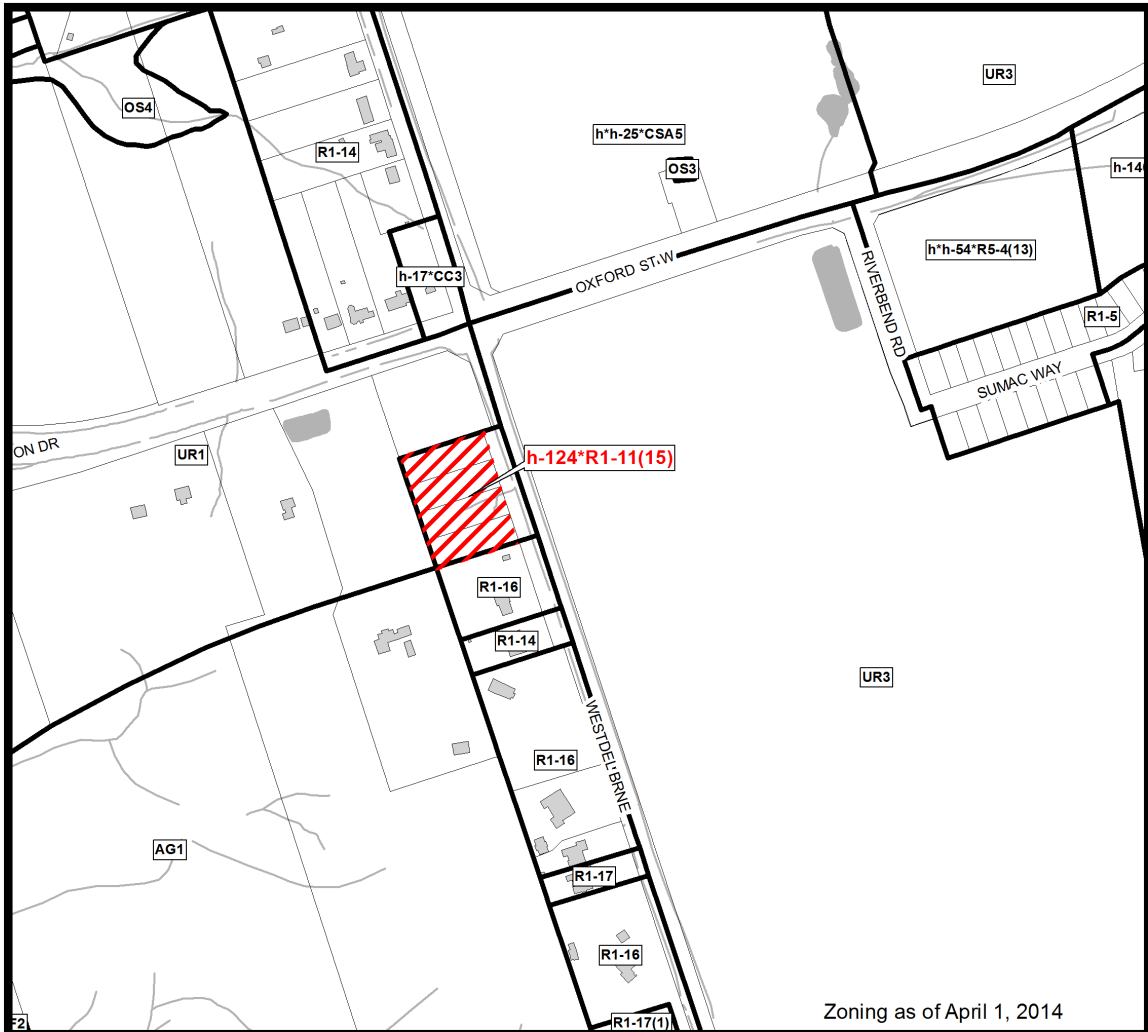
Corporation of the City of London
 Prepared By: Planning and Development

LEGEND

	Subject Site
	Parks
	Assessment Parcels
	Buildings
	Address Numbers

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-124*R1-11(15)

1) **LEGEND FOR ZONING BY-LAW Z-1**

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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
|--|---|

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p>ZONING BY-LAW NO. Z.-1</p> <p>SCHEDULE A</p> <p><small>THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</small></p>	<p>FILE NO: H-8347 BD</p> <hr/> <p>MAP PREPARED: 2014/05/02 CK</p> <hr/> <p style="text-align: center;">1:5,000</p> <p style="text-align: center;">0 25 50 100 150 200 Meters</p>
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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Transportation Division

The Transportation Division has no objection to the removal of the holding provision.

PUBLIC LIAISON:	On May 2, 2014, Notice of Application was sent to the three owners of the four properties in question. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on May 8, 2014.	To date, no replies were received
<p>Nature of Liaison:</p> <p>The purpose and effect of this Zoning By-law amendment is to remove the holding symbol that prohibits the issuance of a building permit until legal arrangements have been made for appropriately located driveway accesses to the four single detached residential lots.</p> <p>Possible change to Zoning By-law Z.-1 by deleting the Holding (h-124) Provision from the subject lands. The removal of the holding symbol is contingent on a joint access plan being submitted and approved, and the joint rights of way registered on title, all to the satisfaction of the City Engineer, to ensure appropriate vehicular access to the property.</p>		
<p>Responses: none</p>		

ANALYSIS

The applicant submitted documentation with the application to support the removal of the holding provision. This documentation included the transfer easements for joint vehicular access (ER 808802, ER808803, ER 808804 and ER 808805) and registered Joint Use and Maintenance Agreements between the owners of 1183 and 1191 Westdel Bourne (ER808807 and correction ER858340) and between the owners of 1199 and 1205 Westdel Bourne (ER834455).

The submission of these materials is satisfactory to demonstrate that the requirements of the holding provision have been met and it is appropriate to remove the holding provision.

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CONCLUSION

The requirements of the holding provision have been satisfied and it is appropriate to remove the holding provision from the zoning for the property.

PREPARED BY:	SUBMITTED BY:
BARB DEBBERT CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

May 6, 2014

BD/

Attach.

Y:\Shared\implemen\DEVELOPMENT APPS\2014 Applications 8309 to\8347H - 1183, 1191, 1199 and 1205 Westdel Brne (BD)\H-8347 report to PEC.docx

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**File No. H-8347
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**Bibliography of Information and Materials
H-8347**

Request for Approval

City of London Removal of a Holding Provision Application Form, completed by Thomson Mahoney Delorey, April 24, 2014.

Transfer Easement ER808802 for the joint vehicular access
Transfer Easement ER808803 for the joint vehicular access
Transfer Easement ER808804 for the joint vehicular access
Transfer Easement ER808805 for the joint vehicular access
Notice ER808807 for the Joint Use and Maintenance Agreement
Notice ER858340 for the Joint Use and Maintenance Agreement
Notice ER834455 for the Joint Use and Maintenance Agreement

Reference Documents

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. *Official Plan*, June 19, 1989, as amended.

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

Correspondence: (all located in City of London File No. H-8347 unless otherwise stated)

City of London –

Couvillon, A., City of London Transportation Division. E-mail to B. Debbert May 5, 2014.

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**File No. H-8347
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Bill No. (Number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 1183, 1191, 1199 and 1205 Westdel Bourne.

WHEREAS Thomson Mahoney Delorey has applied to remove the holding provision from the zoning for an area of land located at 1183, 1191, 1199 and 1205 Westdel Bourne, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision 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 lands located at 1183, 1191, 1199 and 1205 Westdel Bourne, as shown on the attached map comprising part of Key Map No. A110 to remove the holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-11(15)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on June 10, 2014.

Joe Fontana
Mayor

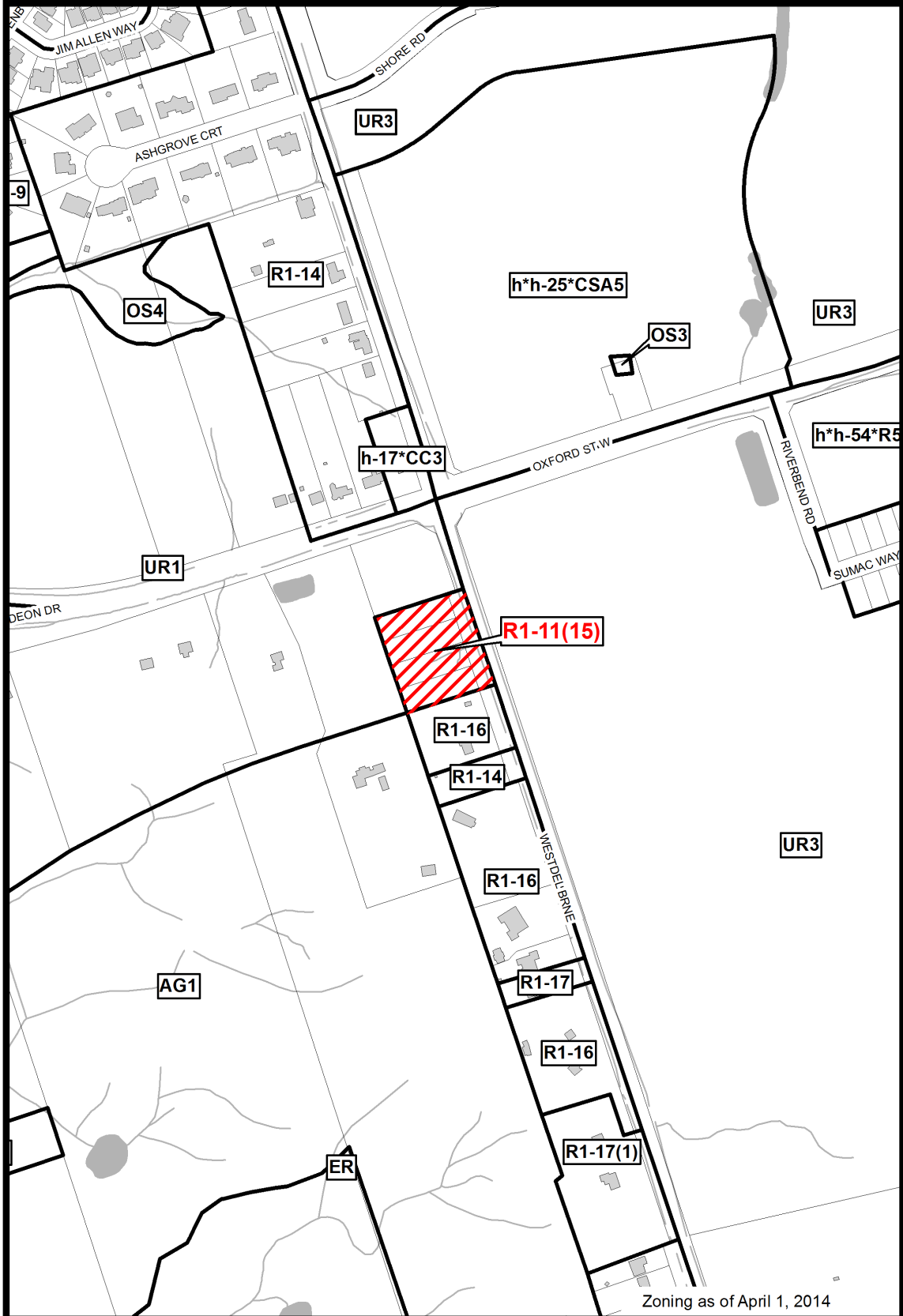
Catharine Saunders
City Clerk

First Reading - June 10, 2014
Second Reading – June 10, 2014
Third Reading - June 10, 2014

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

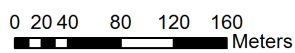


Zoning as of April 1, 2014

File Number: H-8347
Planner: BD
Date Prepared: 2014/05/02
Technician: BD
By-Law No: Z.-1-

SUBJECT SITE 

1:4,500



Geodatabase