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Alanna Riley
H-8233

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: BANMAN DEVELOPMENTS(LEGENDARY) INC. 1040 WHARNCLIFFE ROAD SOUTH WHITE OAKS SUBDIVISION – PHASE 3C MEETING ON JUNE 17, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Banman Developments Inc. relating to a portion of the property located at 1040 Wharncliffe Road South the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 24, 2014 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of a portion of 1040 Wharncliffe Road South **FROM** a Holding Residential R1 Special Provision (h*R1-3 (7)) Zone **TO** a Residential R1 Special Provision (R1-3 (7)) Zone, to remove the h* holding provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

May 27, 2014 - Report to Planning Committee on Special Provisions for Subdivision Agreement.

September 26, 2011 - Report to Built and Natural Environment Committee on Draft Approval extension request.

October 14, 2003 - Report to Planning Committee on Revised Draft Plan.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the holding symbol to permit the development of six(6) single detached dwelling lots.

RATIONALE

1. Security has been provided and the applicant is prepared to enter into the subdivision agreement.
2. The removal of the holding provision will allow for development in conformity with the Zoning By-law.

BACKGROUND

Date Application Accepted: September 9, 2013	Owner: Banman Developments Inc.
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REQUESTED ACTION: City Council intends to consider removing the h holding provision that ensures for the orderly development of the land a security has been provided for the subdivision agreement. Council will consider removing the holding provision as it applies to these lands no earlier than June 24, 2014.

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> .
Nature of Liaison:	
The purpose and effect of this zoning change is to remove the holding symbol to permit the development of 6 single detached dwelling lots.	
Responses: None	

ANALYSIS

The applicant is currently in the process of registering Phase 3c of this subdivision.

h. Holding Provision

The h. holding provision states that:

“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.”

The applicant has provided the required security to the City for phase 3C of Draft Plan 39T-02502 for 6 single family residential lots which satisfies the requirements of the holding provision.

CONCLUSION

It is appropriate to remove the h. holding provision from the low density residential zone at this time. Removal of the holding provision will allow the property owner to apply for building permits to allow for the construction of six(6) single detached dwellings.

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PREPARED AND RECOMMENDED BY:	REVIEWED BY:
ALANNA RILEY, MCIP, RPP SENIOR PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

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Bill No. (Number to be inserted by Clerk's Office)
2014

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 1040 Wharnclyffe Road South.

WHEREAS Banman Developments Inc. have applied to remove the holding provision from the zoning for a portion of the lands located at 1040 Wharnclyffe Road South 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 a portion of the lands located at 1040 Wharnclyffe Road South, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-3 (7)) 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 24, 2014.

Joe Fontana
Mayor

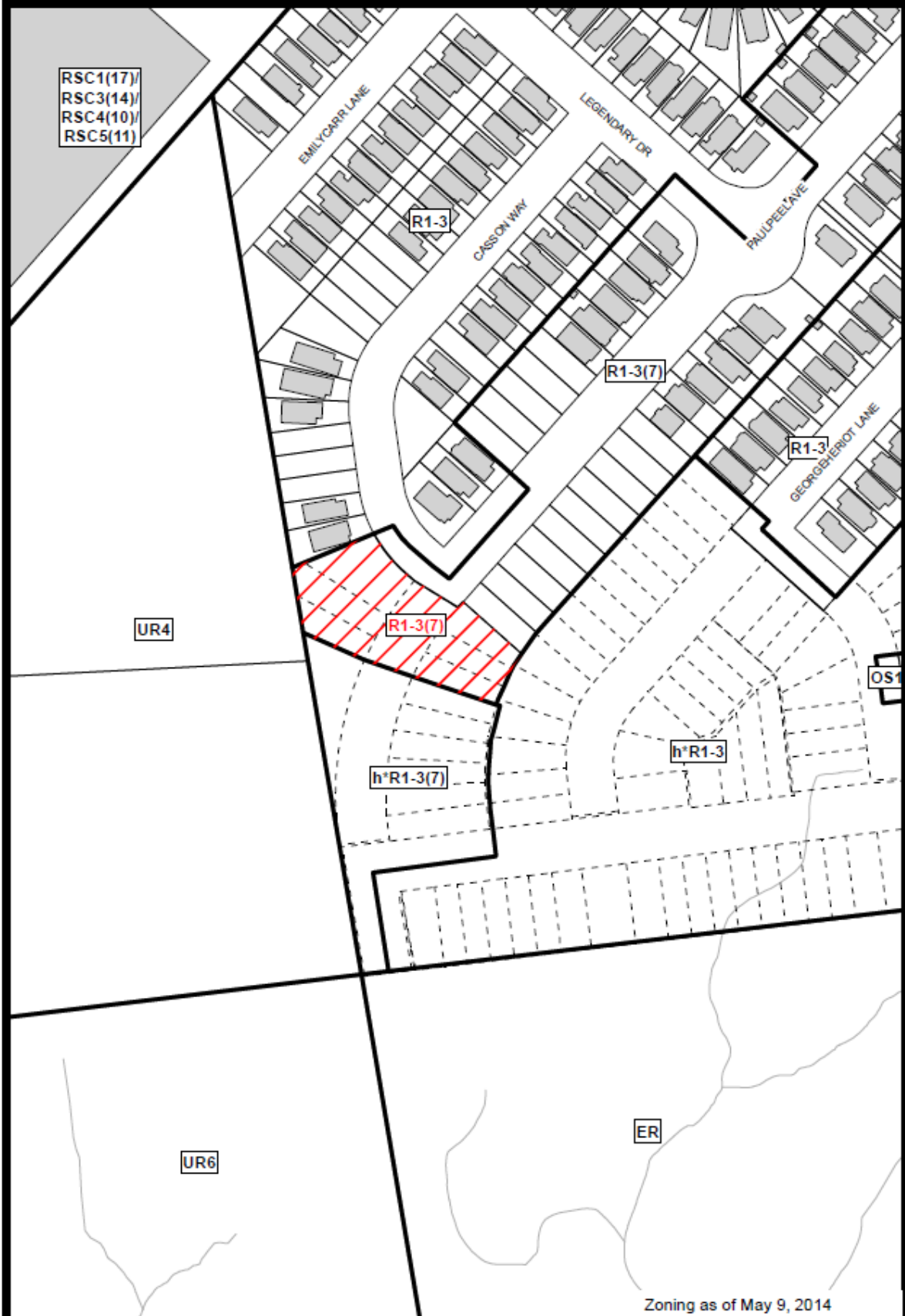
Catharine Saunders
City Clerk

First Reading - June 24, 2014
Second Reading – June 24, 2014
Third Reading - June 24, 2014


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



File Number: 39T-02502-3C
Planner: AR
Date Prepared: May 26, 2014
Technician: JTS
By-Law No: Z.-1-

SUBJECT SITE 

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