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H-8215/C. Smith

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: THE IRONSTONE BUILDING COMPANY INC. 705 FREEPORT STREET MEETING ON JULY 22, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of The Ironstone Building Company Inc. relating to the property located at 705 Freeport Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 705 Freeport Street **FROM** a Holding Residential R5/ Residential R6 Special Provision (h*h-53*h-120*R5-7/R6-5 (10)) Zone **TO** a Residential R5/ Residential R6 Special Provision (h*h-53*h-120*R5-7/R6-5 (10)) Zone to remove the holding h*h-53*h-120 provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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July, 2003- Council approved Zoning By-law Amendments including Holding Provisions and approved Draft Plan of Subdivision 39T-02509 for the lands located on the south side of Fanshawe Park Road West, west of Aldersbrook Road.

June, 2014- Subdivision Plan 33M-671 registered.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the holding h, h-53 and h-120 provisions from 705 Freeport Street to allow for the consideration of building permits for an 87 unit cluster townhouse development.

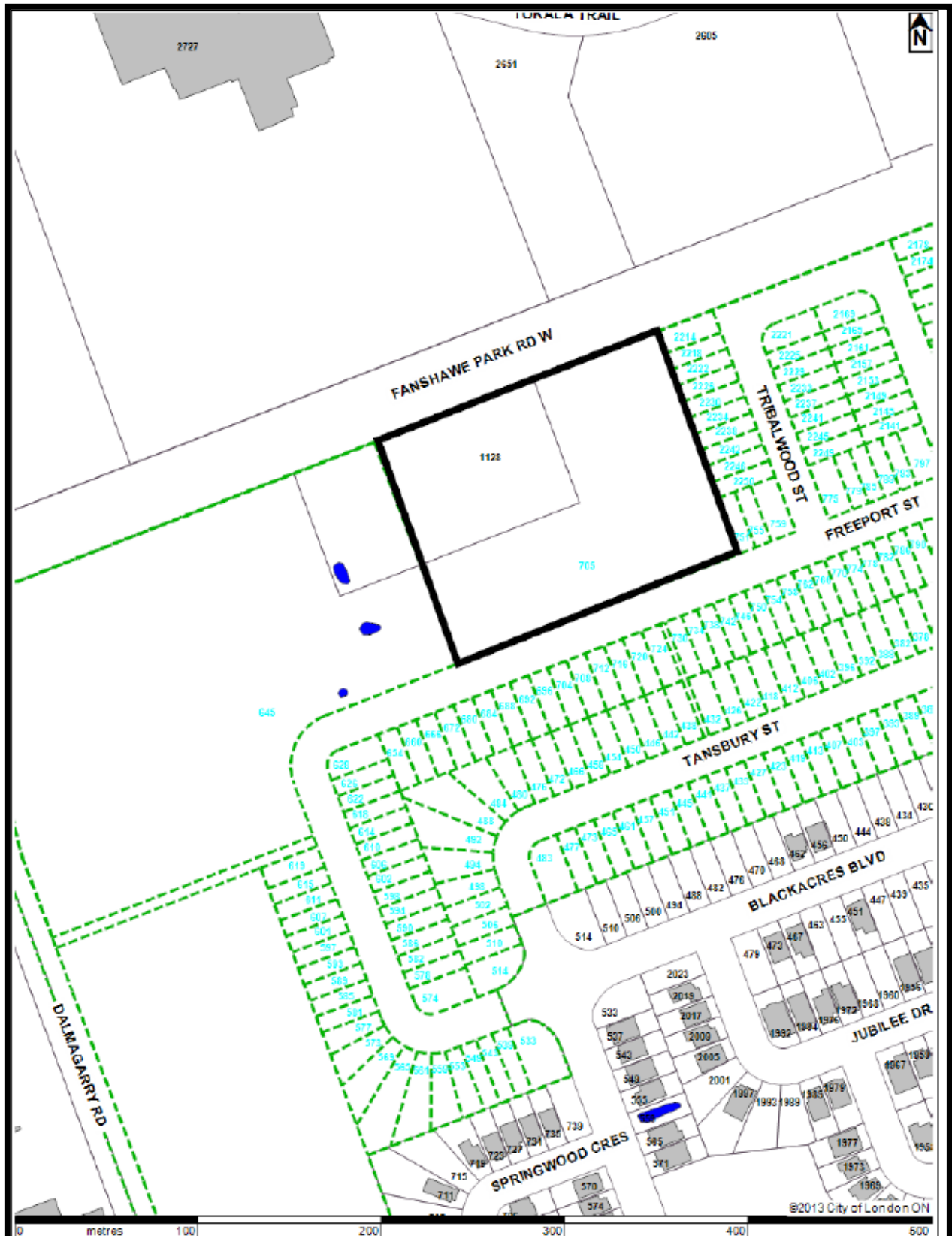
BACKGROUND

On July 29, 2013 the applicant applied for site plan approval (SP13-023720) to allow for the construction of an 87 unit townhouse development. The proposal was reviewed by the City of London Urban Design Peer Review Panel on April 7, 2014.

RATIONALE

1. The removal of the holding provision will allow for development in conformity with the City of London Official Plan and Zoning By-law Z.-1.
2. Through the site plan approval process the issues have been resolved and these holding provisions are no longer required.

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LOCATION MAP	LEGEND
Description: 705 Freeport Street File Number: H-8215 Created By: Craig Smith Date: 2013-08-06 Scale: 1:2500	<ul style="list-style-type: none"> Parks Assessment Parcels Flood Plains Buildings Address Numbers Parking Area 1 Parking Area 2 Parking Area 3

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Date Application Accepted: July 31, 2013	Owner: The Ironstone Building Company Inc.
REQUESTED ACTION: Removal of the holding h, h-53 and h-120 provisions from the Holding Residential R5/ Residential R6 Special Provision (h*h-53*h-120*R5-7/R6-5(10)) Zone.	

PUBLIC LIAISON:	Notice of the application was published in Living in the City on Saturday April 15, 2013
Nature of Liaison: City Council intends to consider removing the h-53 and h-120 holding provisions from the lands that encourage street-oriented development and discourage noise attenuation walls along arterial roads and requires that a Traffic Impact Study has been completed and the accepted recommendations have been implemented a development agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than September 17, 2013.	
Responses: None	

ANALYSIS

h. Holding Provision

“h - Purpose: 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 entered into a development agreement and has provided the required security with the City for the 87 unit townhouse development. The Development Agreement satisfies the requirements of this holding provision.

h-53 Holding Provision

Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.

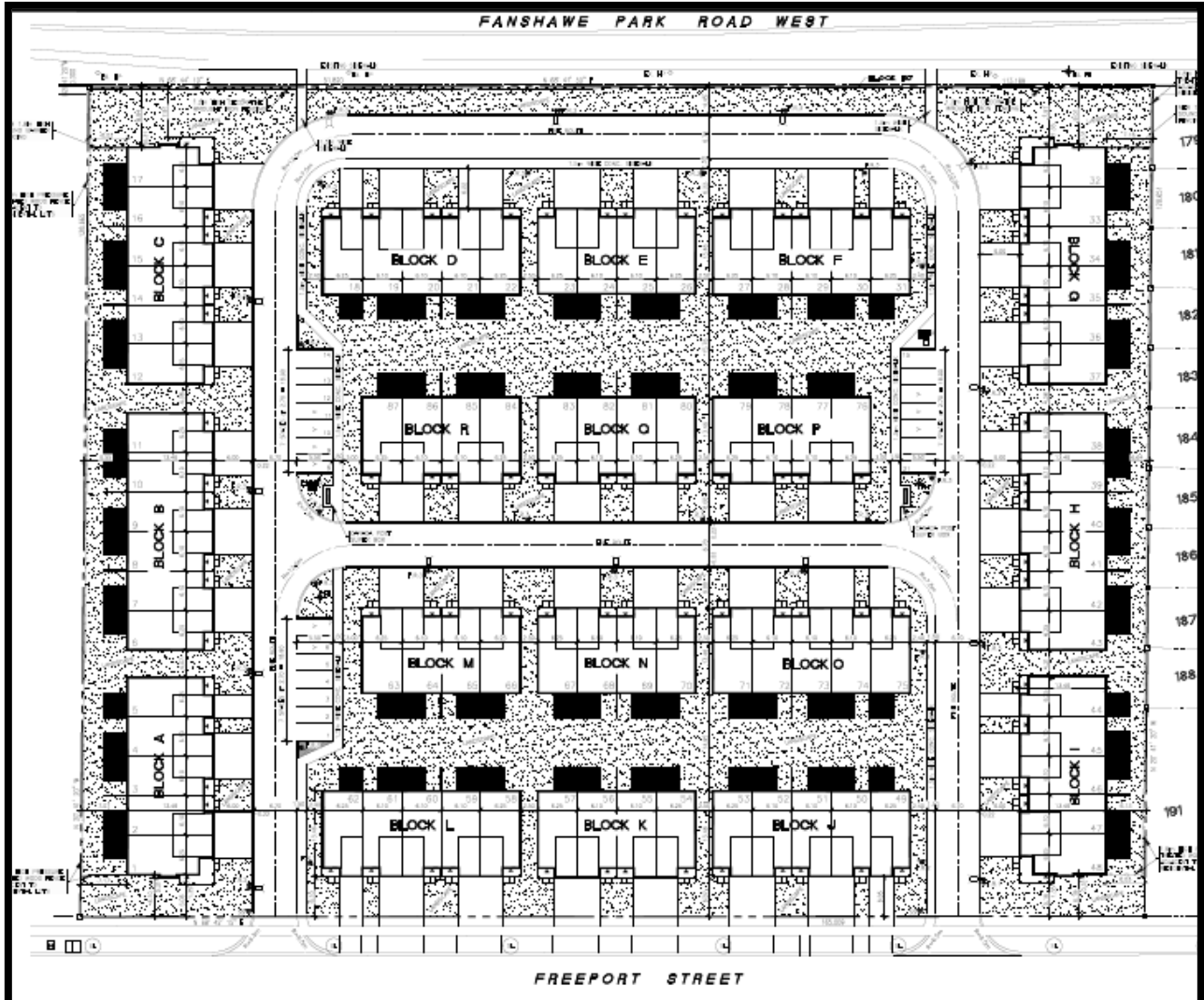
The proposed development has been designed to discourage a continuous noise wall adjacent to Fanshawe Park Road West. Localized walls for the end units (at the east and west limits) will be constructed on private property to mitigate any noise impacts from Fanshawe Park Road West. The site plan and executed development agreement includes the accepted mitigation measures for this development and also ensures that the design is consistent with the Hyde Park Area Plan.

A memo dated July 10, 2014, from the City of London Manager, Urban Design states: *Community Planning & Urban Design staff have reviewed the Urban Design Peer Review Panel comments and the submitted site plan and advise that we have no further concerns. This proposal satisfies the stated purposes for the h-53 holding provision that was applied to this property.*

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Site Plan, 705 Freeport Street



h-120 Holding Provision

Purpose: To ensure the orderly development of lands, the "h-120" symbol shall not be deleted until a Traffic Impact Study has been completed and the accepted recommendations have been implemented through a development agreement all to the satisfaction of the City Engineer and the General Manager of Planning and Development.

By email dated April 5, 2013, the City of London Transportation Planning and Design is satisfied that a Traffic Impact Study has been completed and any recommendations have been implemented in the development agreement. It is appropriate to remove the holding provision h-120 at this time.

CONCLUSION

Through the Site Plan Approval process the 87 unit townhouse development is street-oriented and a noise attenuation wall is not required along the arterial road (Fanshawe Park Road West). A development agreement has been executed by the developer. It is appropriate at this time to remove the h, h-53 and h-120 holding provisions from these lands.

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

Jcs/
"Attach."

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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 of the lands located at 705 Freeport Street

WHEREAS The Ironstone Building Company Inc. has applied to remove the holding provisions from the zoning for the lands located at 705 Freeport Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

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

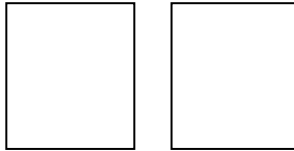
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 705 Freeport Street, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R5/ Residential R6 Special Provision (R5-7/R6-5 (10)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 29, 2014.

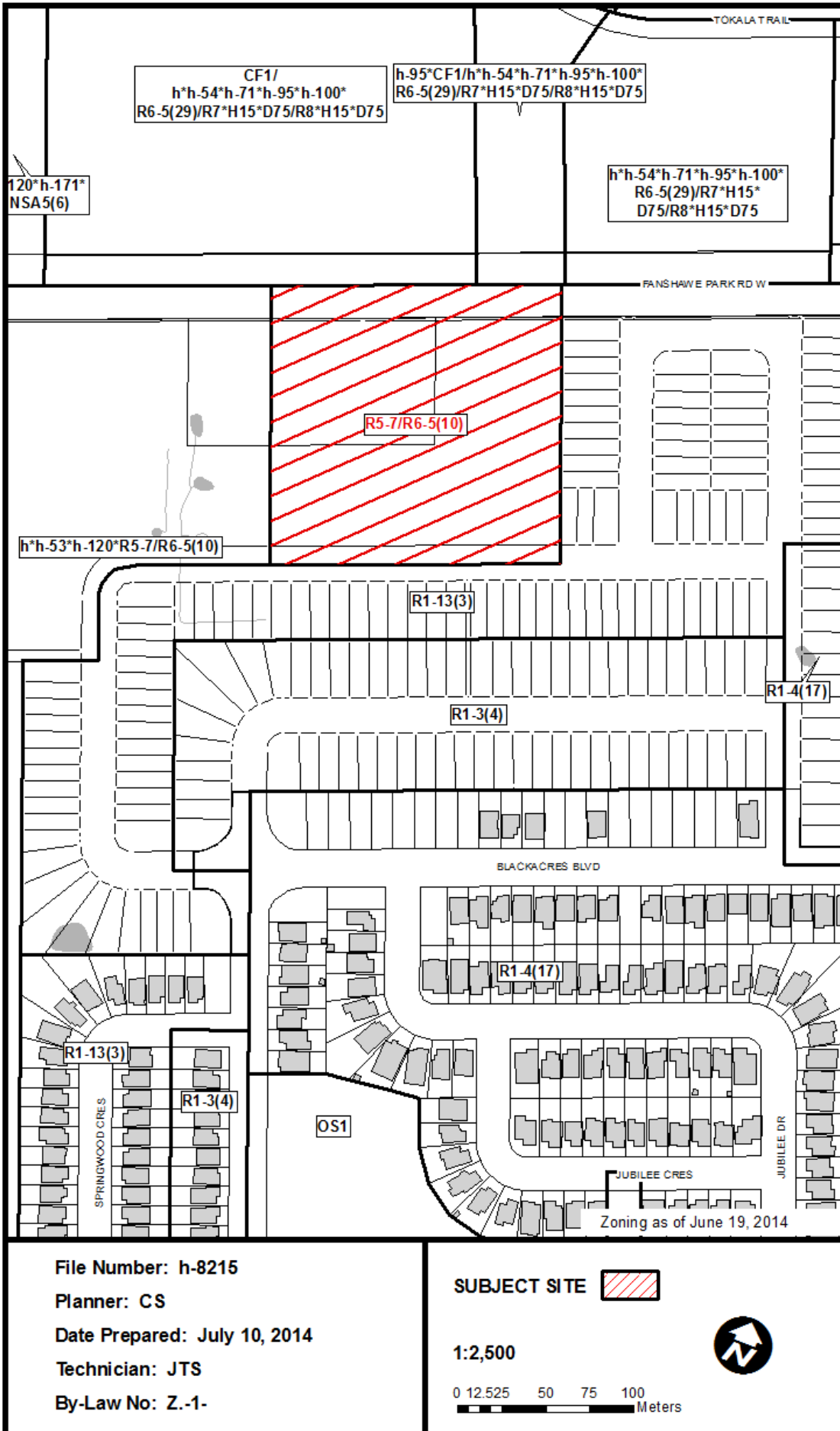
J. Baechler
Mayor

Catharine Saunders
City Clerk


First Reading – July 29, 2014
Second Reading – July 29, 2014
Third Reading – July 29, 2014



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



File Number: h-8215
 Planner: CS
 Date Prepared: July 10, 2014
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

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