

--	--

Attach.

H-7841/A. MacLean

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE MEETING ON DECEMBER 13, 2010
FROM:	D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING D. AILLES MANAGING DIRECTOR OF THE DEVELOPMENT APPROVALS BUSINESS UNIT
SUBJECT:	APPLICATION BY WHITNEY ENGINEERING INC. 2105 WALLINGFORD AVENUE

RECOMMENDATION

That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, based on the application of Whitney Engineering Inc. relating to the property located at 2105 Wallingford Avenue, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 20, 2010 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of 2105 Wallingford Avenue **FROM** a Compound Holding Residential R5/R6 (h-5, h-54, h-71, R5-4/R6-4) Zone; **TO** a Compound Residential R5/R6 (R5-4/R6-4) Zone to remove the h-5, h-54, and h-71 holding provisions;

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

September 13, 2010 Report and Public Meeting of Planning Committee on Site Plan and Vacant Land Condominium Applications.

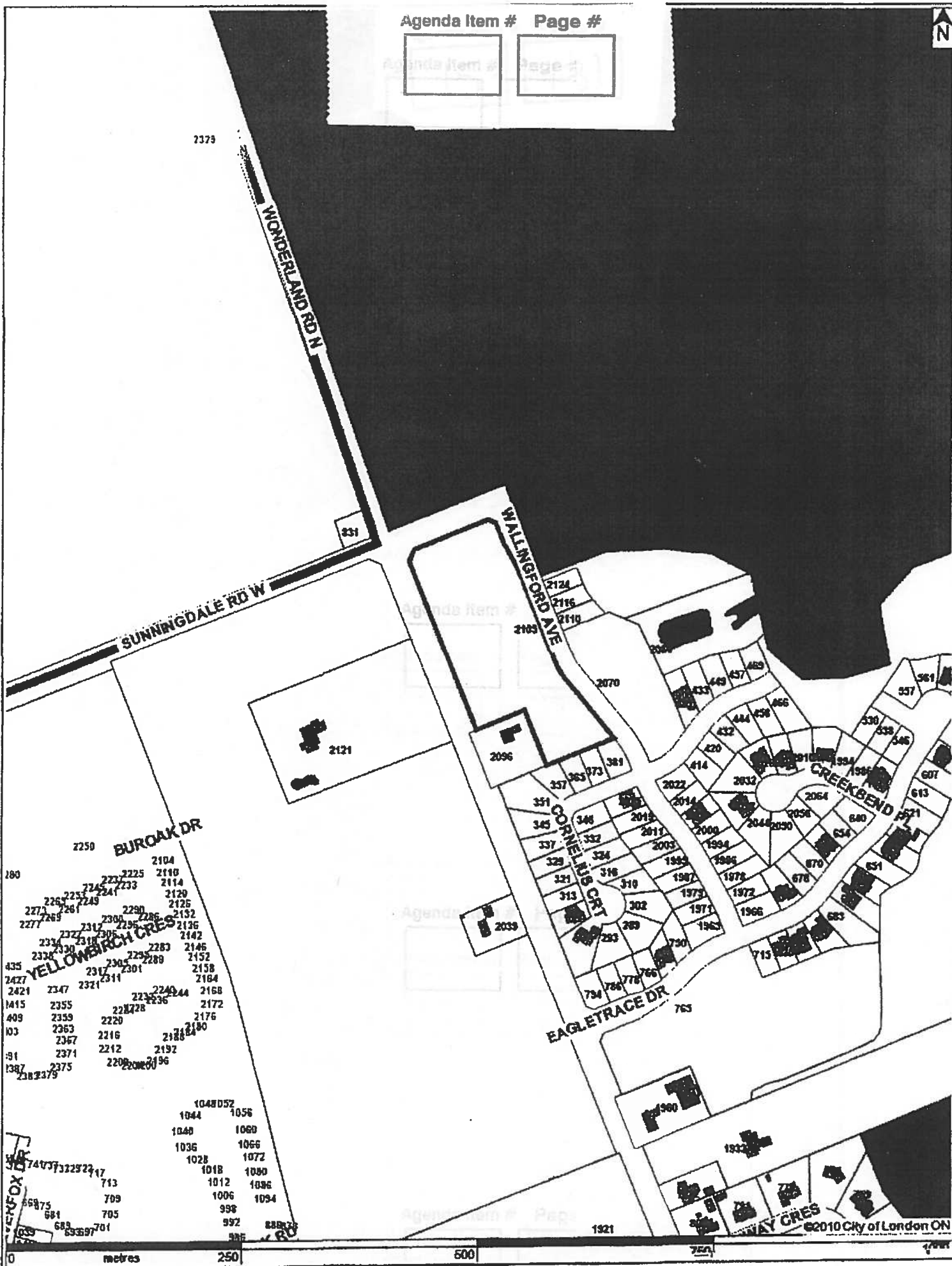
PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the holding provisions which have been fulfilled by the land owner.

RATIONALE

1. The public meeting has been held, as required by the h-5 holding provision, and issues have been addressed in the Site Plan and Development Agreement. The Development Agreement has been executed.
2. Staff have reviewed the Noise Report prepared by HGC Engineering and accept the recommendations for noise attenuation. These recommendations have been shown on the approved site plan and included in the development agreement for this site.
3. The applicant has provided for a street oriented development. Elevation have been prepared which demonstrates how the façade of the dwelling units are oriented to the street. These elevations have been reviewed and accepted by the City's Urban Designer and they have been incorporated into the approved site plan.

--	--








0 metres 250 500 750 1000

LOCATION MAP

Subject Site: 2105 Wallingford Ave
 Applicant: Rembrandt Riverbend Inc.
 File Number: 39CD-10508
 Planner: Allister MacLean
 Created By: Allister MacLean
 Date: 2010-09-02
 Scale: 1:5000

LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



--	--

H-7841/A. MacLean

BACKGROUND			
Date Application Accepted: November 9, 2010	Owner: Z Group at Sunningdale West Inc.		
<p style="text-align: center; font-size: small;">Agenda Item # Page #</p> <table border="1" style="margin: auto; width: 80%;"> <tr> <td style="width: 50px; height: 30px;"></td> <td style="width: 50px; height: 30px;"></td> </tr> </table>			

SIGNIFICANT PART	IMPACT
------------------	--------

PUBLIC LIAISON:	Notice of the application was published in Living in the City on Saturday November 20, 2010. Notice of the applications was also sent to two property owners who were in attendance at the September 13, 2010 Planning Committee meeting.	None.
<p>The purpose and effect of this application is to remove the holding symbols to allow for building permits to be issued. Possible change to Zoning By-law Z.-1 by deleting the Holding (h) Provisions (h-5; h-54; and h-71). The h-5 Holding Provision requires an agreement to be entered into following public site plan review. The h-54 Holding Provision requires the owner to implement all noise attenuation measures as recommended in accepted noise assessment reports. The h-71 Holding Provision requires the Owner to prepare a building orientation plan acceptable to the General Manager of Planning and Development which encourages street orientation development. Council will consider removing the holding provision as it applies to the lands described above, no earlier than December 20, 2010.</p>		
Responses: None		

ANALYSIS

h-5. Holding Provision

The (h-5.) holding provision states that:

"To ensure that development takes a form compatible with adjacent land uses, *agreements* shall be entered into following public site plan review specifying *the* issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, *prior* to the removal of the "h-5" symbol."

A public meeting to review the site plan was held before Planning Committee on September 13, 2010. At that meeting the following concerns were raised:

- an increase in traffic along Wallingford Avenue and safety concerns in connection with the neighbourhood park,
- uniformity of fencing with the existing development, and
- the extension of sanitary services to the neighbouring property located at 2096 Wonderland Road North;

It was also noted that the potential connection of water service from the subject property to 2096 Wonderland Road North would also be reviewed and that the property owner would be advised of the outcome with respect to that matter prior to draft approval of the vacant land condominium and the execution of the development agreement.

Increased Traffic

The issue of increased traffic was identified at the time of the public meeting and staff advised the Committee that the traffic volumes produced by this development were no higher than other multi-family developments in the City. As a result staff did not support any amendments to the site plan to address this concern.

Fencing

The applicant advised staff that they are prepared to match the design and height of the fence along the southerly limit of this development to ensure that the fencing is consistent. This has been shown on the approved site plan.

Extension of Sanitary Services

The following clause has been inserted into the development agreement to address the issue of sanitary servicing for 2096 Wonderland Road North:

The Owner shall provide permanent municipal multi-purpose easements and permanent municipal services to service the External Land, (known as **2096** Wonderland Rd), at the Owners expense and at no cost to the City, all to the satisfaction of the City Engineer, as set out in the Subdivision Agreement for Plan **33M-593**. The Owner is advised that municipal services require MOE certificates. In addition the Owner shall provide permanent easements in favour of the owners to the External Land for any private service connections extending from the termination of the municipal services to the private property limits, if necessary, all at the Owner's expense

Water Service

Subsequent to the Planning Committee meeting on September 13, 2010, Development Approvals staff had several discussions with staff from EESD-Water Division regarding the potential for 2096 Wonderland Road North to connect into the water supply of the future condominium at 2105 Wallingford Avenue. As a result of these discussions, the property owner of 2096 Wonderland Road North was advised by email (dated November 19") that the proposed connection is not permitted due to Provincial regulations. Therefore the connection for this property would need to be from the existing water main on Wonderland Road North.

The public meeting has been held and an agreement has been entered into with the applicant to address many of the issues raised by the public. As result, it is appropriate to remove the h-5 holding provision.

h-54 Holding Provision

The (h-54) holding provision states that:

"To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London."

The applicant submitted a Noise Report prepared by HGC Engineering dated September 2, 2010. Staff have reviewed the report and accept the recommendations for noise attenuation. These recommendations have been shown on the approved site plan and included in the development agreement for this site. As a result, it is appropriate to remove the h-54 holding provision.

Agenda Item #	Page #

H-7841/A. MacLean

h-71 Holding Provision

The (h-71) holding provision states that:

"To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front facade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the h-71 symbol."




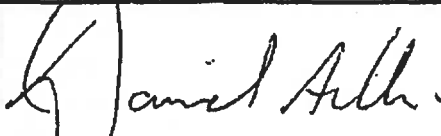
The applicant has provided for a street oriented development. Elevations have been prepared which demonstrates how the façade of the dwelling units are oriented to the street. These elevations have been reviewed and accepted by the City's Urban Designer. These accepted plans have been incorporated into the approved site plan. Therefore, it is appropriate to lift the h-71 holding provision at this time.

CONCLUSION

Based on the public site plan meeting, the accepted noise study and the accepted building elevations (which were included in the approved site plan and executed development agreement) it is appropriate to consider removal of the h-5, h-54, and h-71 holding provisions from the R5-4/R6-4 Zone at this time. Removal of these holding provisions represents good land use planning.

--	--

H-7841/A. MacLean

PREPARED BY:	SUBMITTED BY:
	
A. MACLEAN SENIOR PLANNER	BRUCE HENRY MANGER, DEVELOPMENT PLANNING
RECOMMENDED BY:	RECOMMENDED BY:
	
D. N. STANLAKE DIRECTOR DEVELOPMENT PLANNING	D. AILLES MANAGING DIRECTOR OF THE DEVELOPMENT APPROVALS BUSINESS UNIT

December 1, 2010
 AM/am
 c. D. Ailles
 D. Stanlake
 "Attach."

Y:\Shared\Sub&Spec\SUBDIV\2010\H-7841 - 2105 Wallingford Avenue (AM)\Report to PC.doc

Agenda Item # Page #

--	--

H-7841/A. MacLean

Responses to Public Liaison Letter and Publication in "Living in the City"

<u>Telephone</u>	<u>Written</u>

n# Page #

--	--

n# Page #

--	--

n# Page #

--	--

n# Page #

--	--

n# Page #

--	--

Agenda Item # Page #

[] []

H-7841/A. MacLean

Bill NO. (Number to be inserted by Clerk's Office)
insert year

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for land located at 2105 Wallingford Avenue.

WHEREAS Whitney Engineering Inc. has applied to remove the holding provisions from the zoning for the lands located at 2105 Wallingford Avenue, 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 2105 Wallingford Avenue, as shown on the attached map comprising part of Key Map No. 3 to remove the holding provisions so that the zoning of the lands as a Compound Residential R5/R6(R5-4/R6-4) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on December 20,2010.

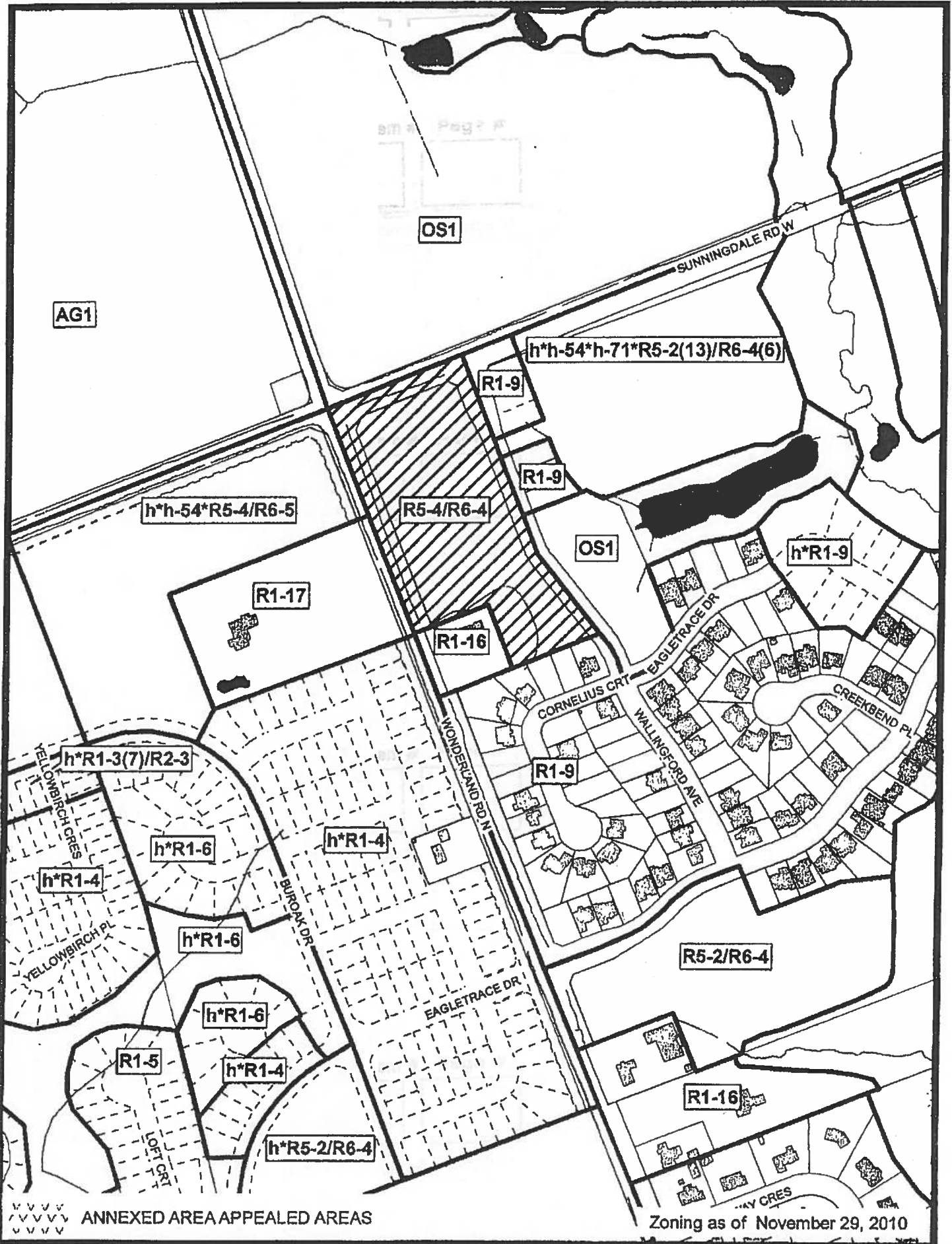
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - December 20,2010
Second Reading - December 20,2010
Third Reading - December 20,2010

Empty boxes for Agenda Item # and Page #

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



File Number: H-7841

Planner: AM

Date Prepared: 2010/12/01

Technician: MC

By-Law No: Z.-1-

SUBJECT SITE



1:4,500

