

--	--

**Z-8553**  
**Alanna Riley**

<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG.</b> <b>MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES</b> <b>&amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY:</b> <b>BANMAN DEVELOPMENTS (LEGENDARY) INC.</b> <b>1040 WHARNCLIFFE ROAD SOUTH – PAULPEEL AVENUE EXTENSION</b> <b>FEBRUARY 22, 2016</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Banman Developments (Legendary) Inc. relating to a portion of the property located at 1040 Wharncliffe Road South – Paulpeel Ave extension, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 1, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Residential R1 Special Provision (R1-3(7)) Zone to a Holding Residential R1 Special Provision (h-111.R1-3(7)) Zone.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
-------------------------------------------------

The purpose and effect is to add a holding provision on a portion of the lands to ensure that these lands have consolidated with adjacent lands prior to development.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--------------------------------------------------

**October 14, 2003** – Report to Public Participation meeting at Planning Committee on application for Draft Plan of subdivision approval and associated Zoning By-law amendment.

**March 24, 2005** – Report to Planning Committee meeting on special provisions for Phase 1 lands subdivision agreement.

**October 16, 2006** – Report to Planning Committee recommending a two (2) year extension of Draft Plan approval.

**October 16, 2006** – Report to Planning Committee meeting on special provisions for Phase 3A lands subdivision agreement.

**June 18, 2007** – Report to Planning Committee meeting on special provisions for Phase 2 lands subdivision agreement.

**June 16, 2008** - Report to Planning Committee meeting on special provisions for Phase 2A lands subdivision agreement.

**September 22, 2008** – Report to Planning Committee meeting recommending a three (3) year extension of Draft Plan approval.

**November 8, 2010** – Report to Built & Natural Environment Committee on special provisions for the Phase 3B subdivision agreement.

--	--

**Z-8553**  
**Alanna Riley**

**September 26, 2011** - Report to Built & Natural Environment Committee recommending a three (3) year extension of Draft Plan approval.

**May 27, 2014** – Report to Planning Committee on special provisions for the Phase 3C subdivision agreement.

**March 23, 2015** - Report to Planning Committee meeting recommending a one (1) year extension of Draft Plan approval.

**July 20, 2015** - Report to Planning Committee on special provisions for the Phase 4 subdivision agreement.

<b>RATIONALE</b>
------------------

1. The recommended Zoning By-law amendment to add a holding provision will implement draft condition #27 and ensure that the lands have consolidated with adjacent lands prior to development.

<b>BACKGROUND</b>
-------------------

<b>Date Application Accepted:</b> November 23, 2015	<b>Agent:</b> Kyle McIntosh – Whitney Engineering
<b>REQUESTED ACTION:</b> application for Zoning By-law amendment to change the zoning from a Residential R1 Special Provision (R1-3(7)) Zone to a Holding Residential R1 Special Provision (h-111.R1-3(7)) Zone.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – vacant</li> <li>• <b>Frontage</b> – N/A</li> <li>• <b>Depth</b> – N/A</li> <li>• <b>Area</b> – N/A</li> <li>• <b>Shape</b> - triangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> –residential</li> <li>• <b>South</b> – future residential,</li> <li>• <b>East</b> – future residential</li> <li>• <b>West</b> – vacant , agricultural</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to map on page 6)
<ul style="list-style-type: none"> <li>• Low Density Residential</li> </ul>
<b>EXISTING ZONING:</b> (refer to map on page 5)
<ul style="list-style-type: none"> <li>• Residential R1 Special Provision (R1-3(7)) Zone</li> </ul>

--	--

**Z-8553  
Alanna Riley**

**PLANNING HISTORY**

The subject site is Block 343 in registered plan 33M-674. This parcel is located within the North Longwoods Planning Area, which is bounded by Southdale Road on the north, the Bradley extension alignment on the south, White Oak Road on the east and Wharnccliffe Road on the west.

To date, all phases of the draft plan of subdivision have received final approval, as follows:

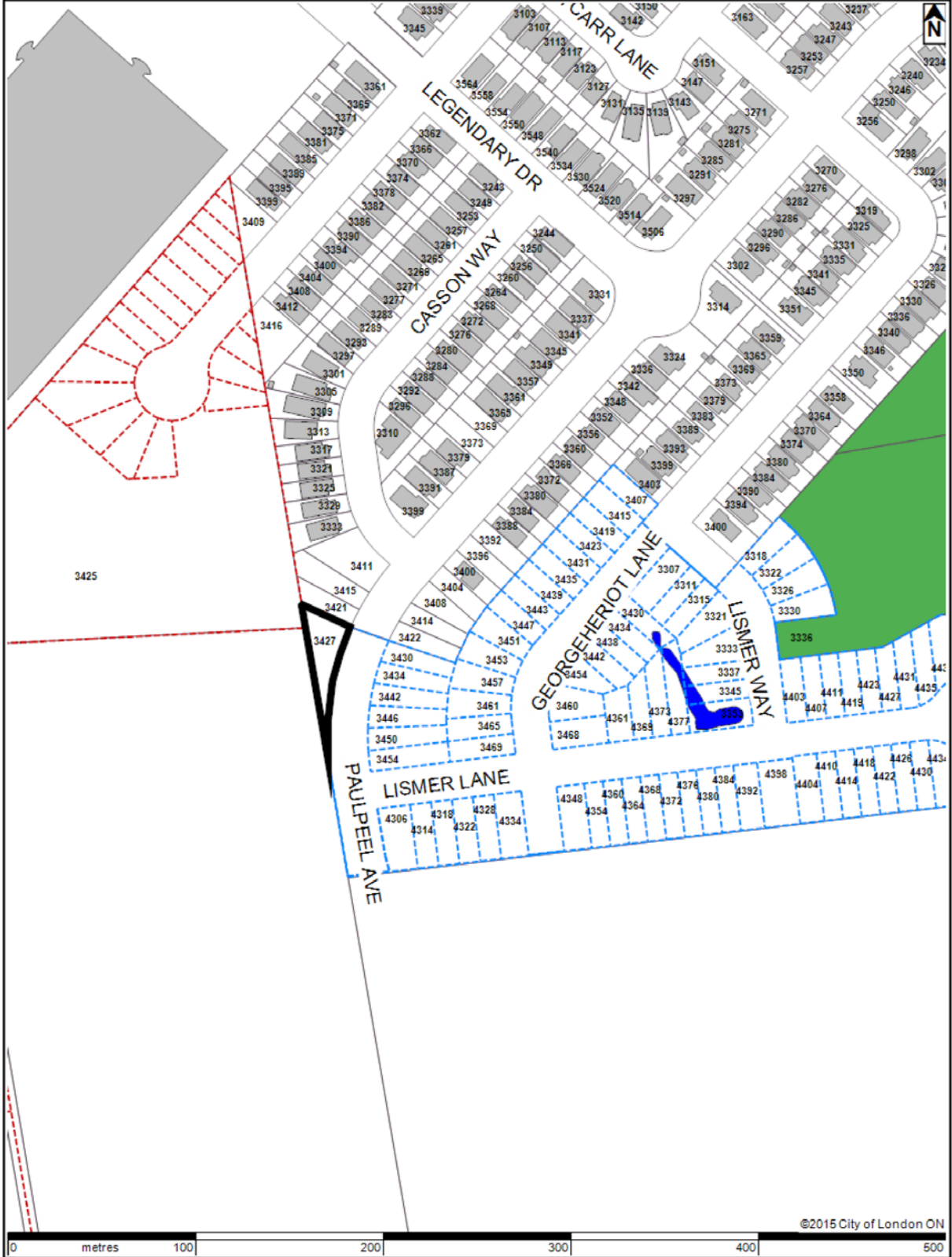
- Phase 1 was registered as Plan 33M-518 on May 2, 2005;
- Phase 2 was registered as Plan 33M-581 on September 5, 2007;
- Phase 2A was registered as Plan 33M-594 on July 28, 2008;
- Phase 3A was registered as Plan 33M-582 on September 20, 2007;
- Phase 3B was registered as Plan 33M-625 on December 29, 2010;
- Phase 3C was registered in October 2014.
- Phase 4 was registered in November 2015.

**SIGNIFICANT AGENCY/DEPARTMENT COMMENTS**

No comments.

<b>PUBLIC LIAISON:</b>	Notice of the application was also published in the Public Notices and Bidding Opportunities section of The Londoner on December 10, 2015. On December 11, 2015 the Notice of Application was sent to all property owners within 120 m of the subject site.
<b>Nature of Liaison:</b> Possible Amendment to Zoning By-law Z.-1 to change the zoning from a Residential R1 Special Provision (R1-3(7)) Zone to a Holding Residential R1 Special Provision (h-111.R1-3(7)) Zone.	
<b>Responses:</b> One Inquiry regarding fencing	

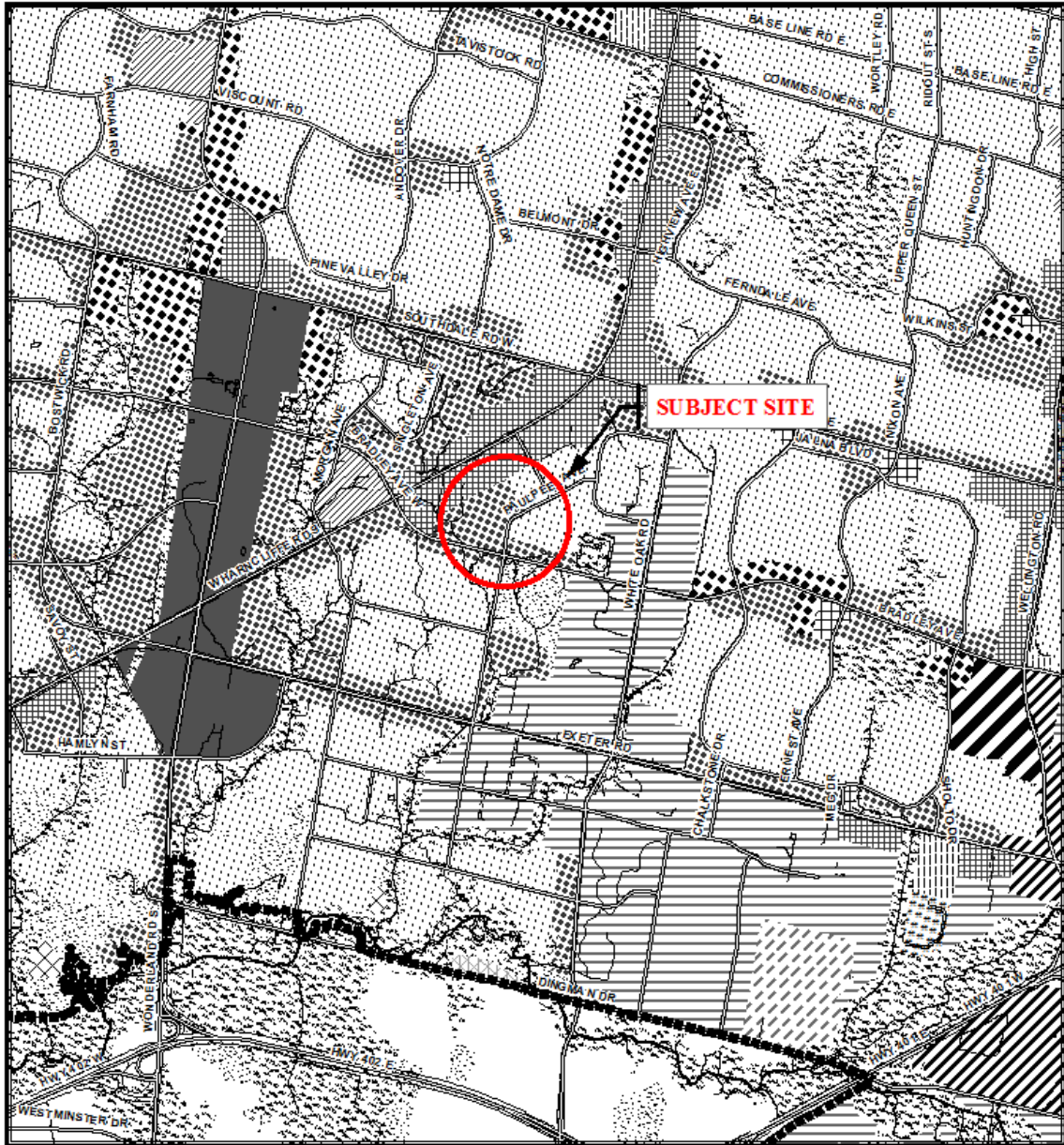
**Z-8553**  
**Alanna Riley**



©2015 City of London ON

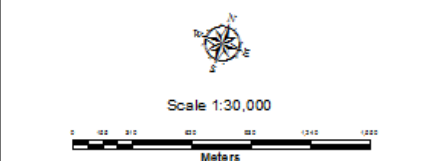
LOCATION MAP	LEGEND
Subject Site: <b>1040 Wharncliffe Rd S</b> Applicant: <b>Banman Developments (Legendary) Inc.</b> File Number: <b>Z-8553</b> Planner: <b>Alanna Riley</b> Created By: <b>Alanna Riley</b> Date: <b>2015-12-10</b> Scale: <b>1:2500</b>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: black; margin-right: 5px;"></span> Subject Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; margin-right: 5px;"></span> Parks</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px dashed black; margin-right: 5px;"></span> Assessment Parcels</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Buildings</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; text-align: center; line-height: 15px; font-size: 10px; margin-right: 5px;">123</span> Address Numbers</li> </ul>
Corporation of the City of London Prepared By: Development and Compliance Services	

Z-8553  
Alanna Riley



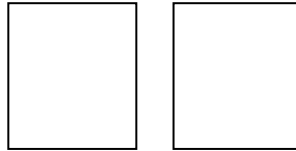
Legend			
	Downtown		Office/Residential
	Wonderland Road Community Enterprise Corridor		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
	Multi-Family, Medium Density Residential		Rural Settlement
	Low Density Residential		Environmental Review
	Office Area		Agriculture
			Urban Growth Boundary

**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LAND USE -  
PREPARED BY: Graphics and Information Services

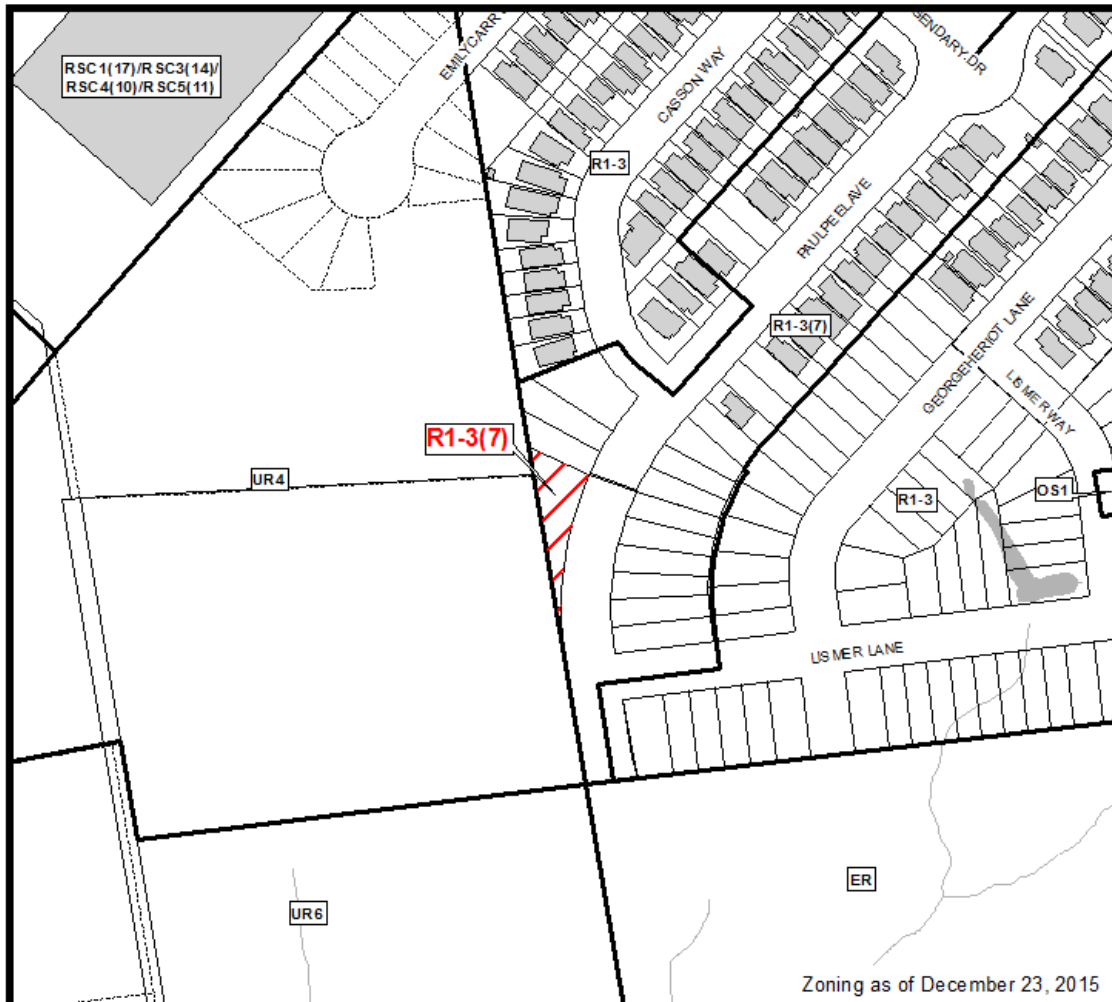


FILE NUMBER: Z-8553  
PLANNER: AR  
TECHNICIAN: JS  
DATE: 2016/02/04


PROJECT LOCATION: e:\planning\proj\cts\p\_officialplan\work\00\00\exco\ts\mxd\_templates\schedule\_A\_b&w\_8x14\_with\_SWAP.mxd



**Z-8553**  
**Alanna Riley**



Zoning as of December 23, 2015

 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-3(7)**

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"H" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

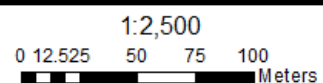
**ZONING**  
**BY-LAW NO. Z-1**  
**SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:  
Z-8553 AR

MAP PREPARED:  
2016/02/04 JS

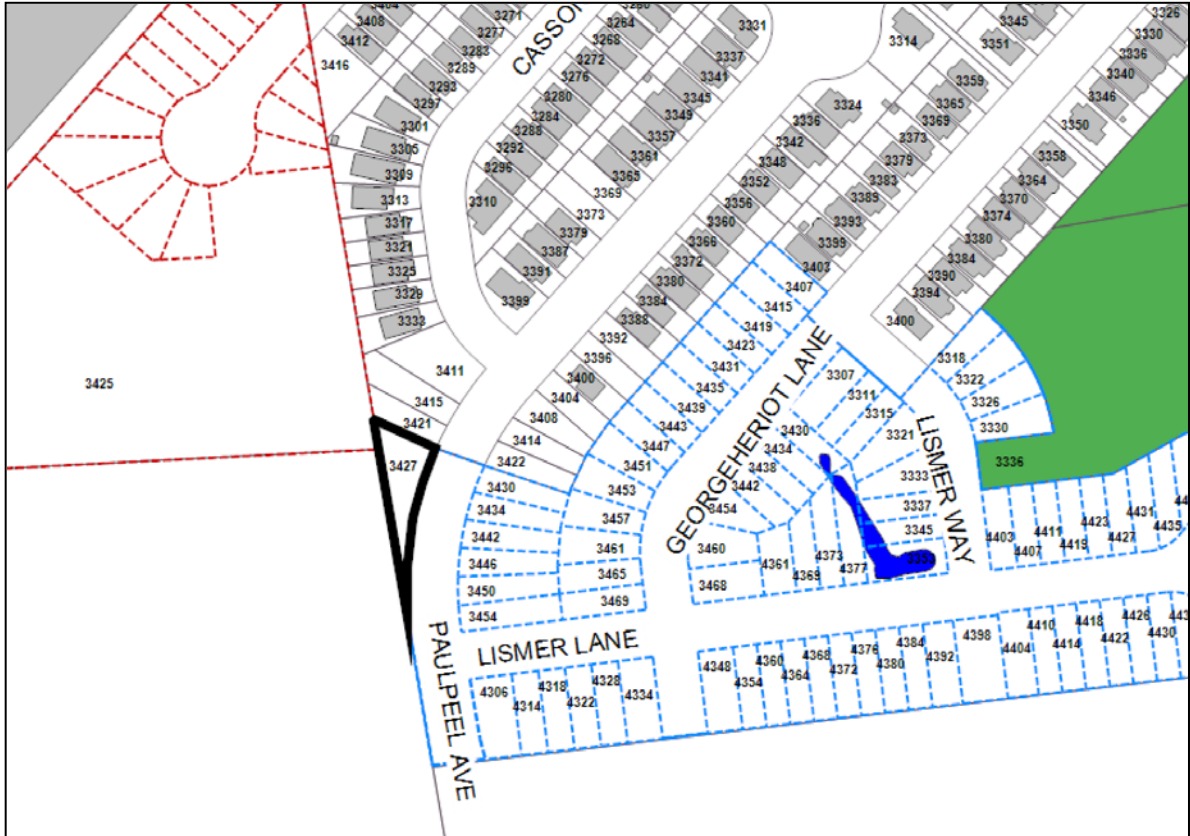


Two empty rectangular boxes for agenda item and page numbers.

Z-8553  
Alanna Riley

**ANALYSIS**

Nature of Application



As noted above, the subject site is Block 343 on the recently approved “Legend” subdivision, 33M-674. The last phase of this draft plan was registered December 2015.

As a result of the request for draft approval extension in 2011, there were recommended modifications to conditions. A condition that was changed that resulted in this rezoning application was to add the recommended holding provision h-111 as follows:

*The Owner shall agree to only develop Block 343 with adjacent lands to the west. Prior to final approval, the Owner shall apply for a Zoning By-law amendment to add a holding provision which will only permit development after this block has been consolidated with adjacent lands.*

This rezoning application is intended to satisfy the above draft approval condition and add the h-111 to the current Residential R1 Special Provision (R1-3(7)) Zone.

Consistency with the Official Plan and PPS

The subject lands are designated Low Density Residential in the City Of London Official Plan, which permits single detached dwellings and secondary uses. The draft plan of subdivision was found to be consistent with relevant policies of the Official Plan and the 2005 Provincial Policy Statement. Adding the proposed holding provision to satisfy a condition of draft approval will ensure that the block is developed appropriately with adjacent lands in accordance with Municipal and Provincial policies.

--	--

**Z-8553  
Alanna Riley**

Zoning

The current zoning is Residential R1 Special Provision (R1-3(7)) Zone which permits single detached dwellings on lots with reduced interior side yards of 1.2 metres (3.94 feet) and increased lot frontages of 11.0 metres (36.09 feet). The application is not to change a use but rather to add the holding 'h-111' to the existing residential zone on the block to ensure it is consolidated with adjacent lands prior to development. The h-111 holding provision is as follows:

*Purpose: To ensure that there is a consistent lotting pattern in this area, the h-111 symbol shall not be deleted until the block has been consolidated with adjacent lands.*

Where there is an "h" provision on a subject site, notwithstanding the provisions of that zone or zones, unless the Zoning By-law has been amended to remove the relevant "h" provision, those lands shall not be developed or used except in compliance with the provisions of the applicable zone for existing uses.

In this case, it is recommended to add the "h-111" provision to ensure development does not occur until this block has been consolidated with adjacent lands to the west.

<b>CONCLUSION</b>
-------------------

Given this is an irregular block that requires consolidation with adjacent lands before it can be developed, it is appropriate to add of the holding provision 'h-111' as requested by condition #27 of the draft approval.

<b>PREPARED and RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>ALANNA RILEY, MCIP, RPP SENIOR PLANNER</b>	<b>ALLISTER MACLEAN MANAGER – DEVELOPMENT PLANNING</b>
<b>REVIEWED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY, MCIP, RPP MANAGER-DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

AR/ar



Agenda Item # Page #

--	--

**Z-8553**  
**Alanna Riley**

Bill No. (Number to be inserted by Clerk's Office)  
2016

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1040 Wharnccliffe Road South – Paulpeel Avenue extension.

WHEREAS Banman Developments (Legendary) Inc. has applied to rezone an area of land located 1040 Wharnccliffe Road South – Paulpeel Avenue extension, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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 land located at 1040 Wharnccliffe Road South – Paulpeel Ave extension, as shown on the attached map to from a Residential R1 Special Provision (R1-3(7)) Zone to a Holding Residential R1 Special Provision (h-111.R1-3(7)) Zone.
2. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on March 1, 2016

Matt Brown  
Mayor

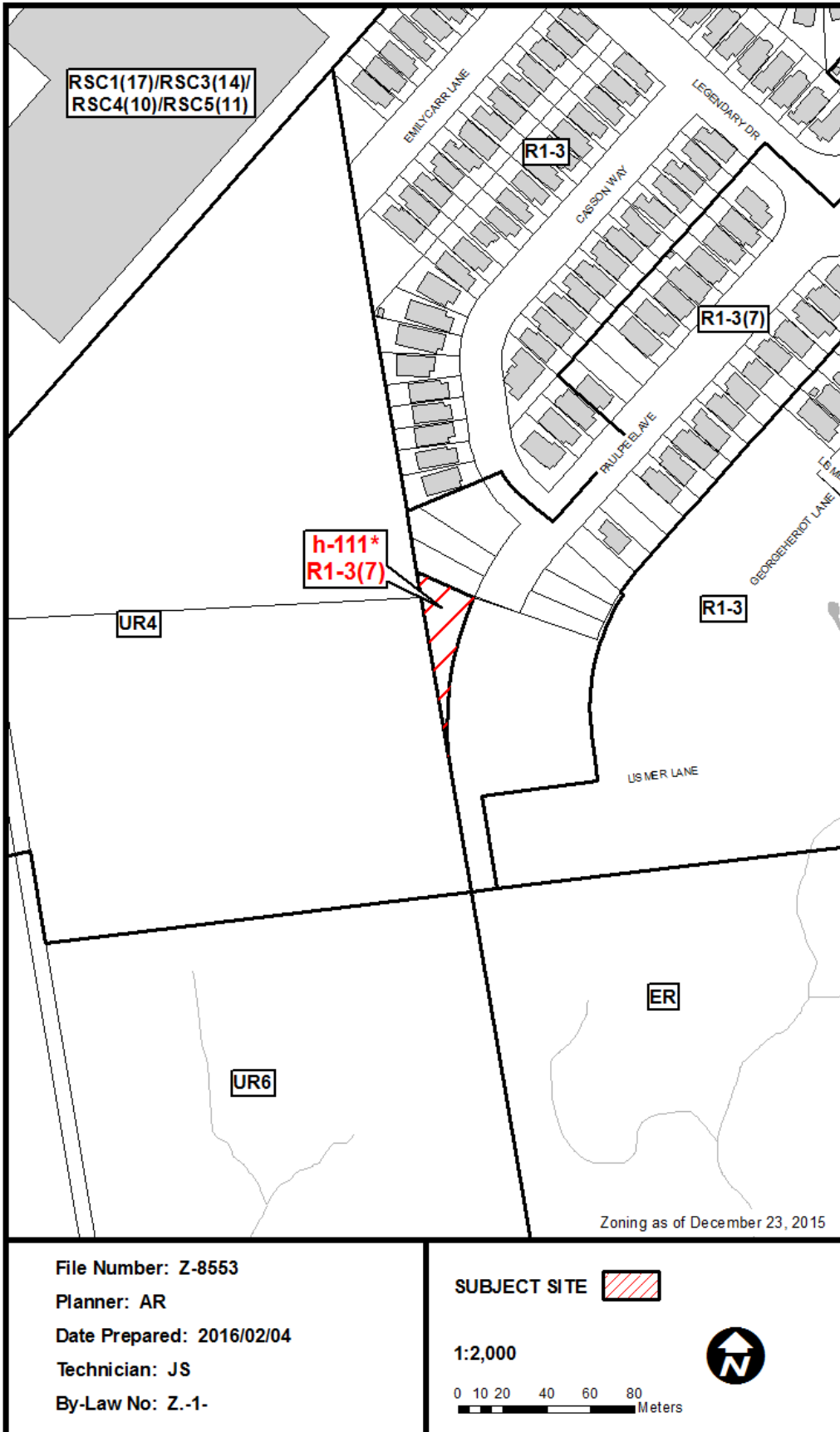
Catharine Saunders  
City Clerk

First Reading - March 1, 2016  
Second Reading – March 1, 2016  
Third Reading - March 1, 2016

Two empty rectangular boxes for agenda item and page numbers.

Z-8553  
Alanna Riley

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



File Number: Z-8553  
 Planner: AR  
 Date Prepared: 2016/02/04  
 Technician: JS  
 By-Law No: Z.-1-