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H-8600
Nancy Pasato

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 700531 ONTARIO LIMITED PORTION OF 1300 FANSHAWE PARK ROAD EAST MEETING ON JULY 18, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of 700531 Ontario Limited relating to a portion of 1300 Fanshawe Park Road East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 26, 2016 to amend Zoning By-law Z.-1 (in conformity with the Official Plan) to change the zoning **FROM** a Holding Residential R4 (h*R4-5) Zone and a Holding Associated Shopping Area Commercial (h*ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone **TO** a Residential R4 (R4-5) Zone and an Associated Shopping Area Commercial (ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone to remove the holding h provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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June 19, 2006 – Environment and Transportation Committee approves initiation of the Stoney Creek Sanitary Sewer Extension Municipal Class EA.

February 27, 2006 - Environment and Transportation Committee approves initiation of the Storm Drainage and Stormwater Management Works for Stoney Creek Undeveloped Lands Municipal Class EA – Schedule “B”.

September 25, 2006 – Municipal Council recommended the City of London Approval Authority grant draft approval to the plan of subdivision and adopted a zoning by-law to permit residential and commercial uses with holding provisions. (our files 39T-04512/Z-6833)

March 26, 2007 - Municipal Council deferred the request by 700531 Ontario Limited for the Municipal Class EA to be fully funded by the developer without any compensation or implied commitment to future development until such time as further financial information is available through the Urban Works Reserve Fund/Development Charge Implementation Team.

June 27, 2007 – Municipal Council resolved that further development approvals be allowed for up to 3.1 ha of medium density land within draft approved plan 39T-04512. The remaining lands were withheld until a Phased or Full Stormwater Erosion Implementation Plan for Stoney Creek was approved by Council.

September 24, 2007 - Environment and Transportation Committee accepts recommendation of the Storm Drainage and Stormwater Management Works for Stoney Creek Undeveloped Lands Municipal Class EA – Schedule “B”.

November 12, 2007 – Report to the Planning Committee recommending refusal of Zoning By-

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H-8600
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law Amendment application Z-7441, submitted by 700531 Ontario Limited for 1300 Fanshawe Park Road East to remove Holding Provisions h- 11 and h-73.

February 11, 2008- Report to the Planning Committee advising that the applicant had filed an appeal against the City for neglecting to amend the zoning by-law within 120 days of receipt of an application, that the City Solicitor be directed to provide legal representation at the hearing and that the City recommends the Ontario Municipal Board refuse the request.

February 21, 2008 – 2008 Budget adopted by City Council, includes provision for funding a Municipal Class EA for Fanshawe Park Road East between Adelaide Street North and Highbury Avenue North.

April 6, 2009 – Report to Environment and Transportation Committee regarding acceptance of the recommendations of the Municipal Class EA for Fanshawe Park Road East between Adelaide Street North and Highbury Avenue North.

December 7, 2009 - Information Report to the Planning Committee advising the appeal of Zoning By-law Amendment Application Z-7414 had been resolved.

March 2010 - 2010 Budget adopted by City Council, included provision for funding Phase I of the Fanshawe Park Road East road improvements (Fanshawe Park Road East/Highbury Avenue North intersection).

March 22, 2010 – Report to Planning Committee on three year extension for draft plan of subdivision.

September 10, 2013 - Report to Planning Committee on three year extension for draft plan of subdivision.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

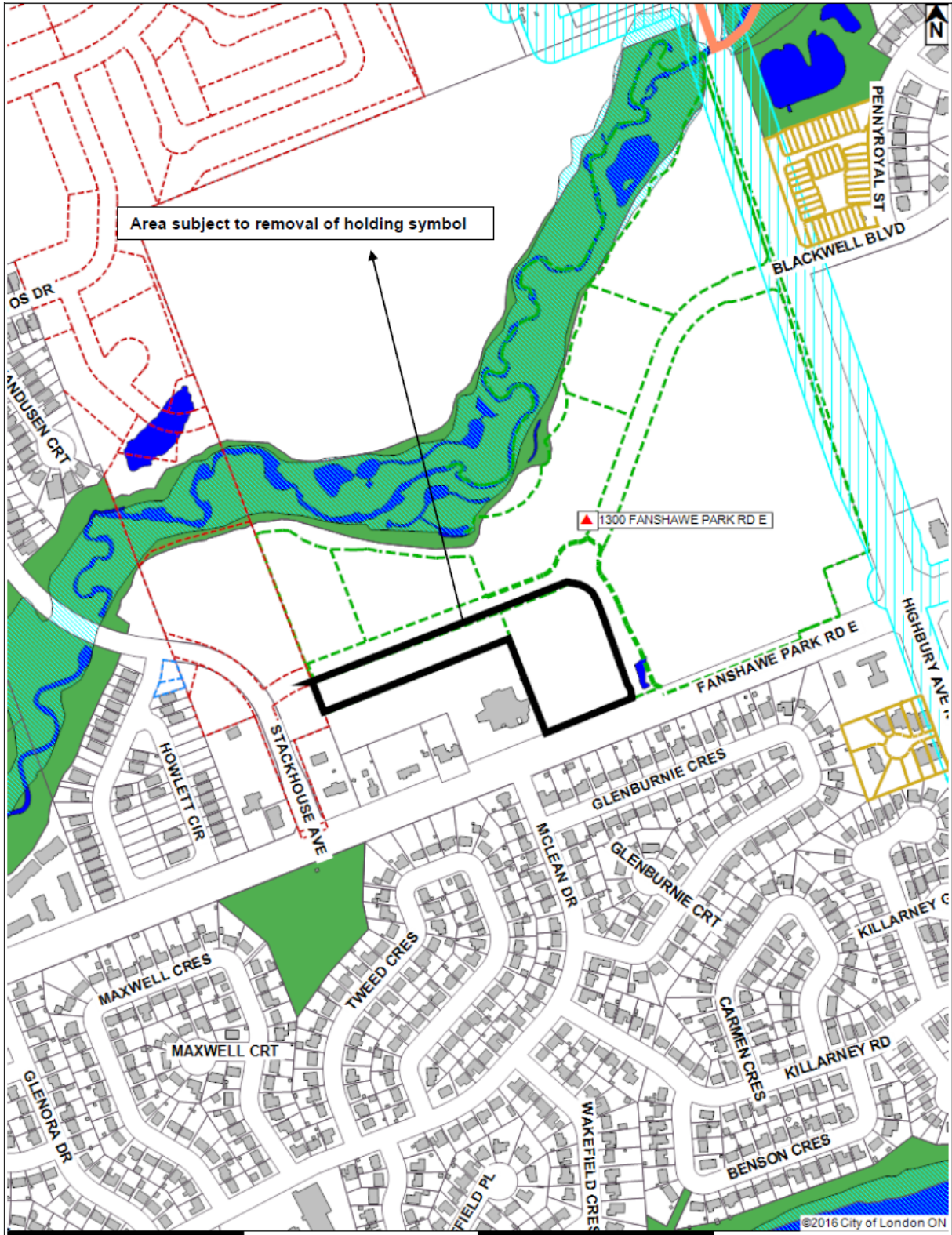
The purpose and effect of this zoning change is to remove the holding symbol to permit development of street townhouses and commercial uses on Phase 1 of the Marsman Subdivision.

RATIONALE

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law Z.-1.
2. Through the subdivision approval process the required security has been submitted to the City of London, all issues have been resolved and the holding provision for Phase 1 is no longer required.

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H-8600
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LOCATION MAP
 Subject Site: portion of 1300 Fanshawe Park Rd E
 Applicant: 700531 Ontario Limited
 File Number: H-8600
 Planner: Nancy Pasato
 Created By: Nancy Pasato
 Date: 2016-03-10
 Scale: 1:5000

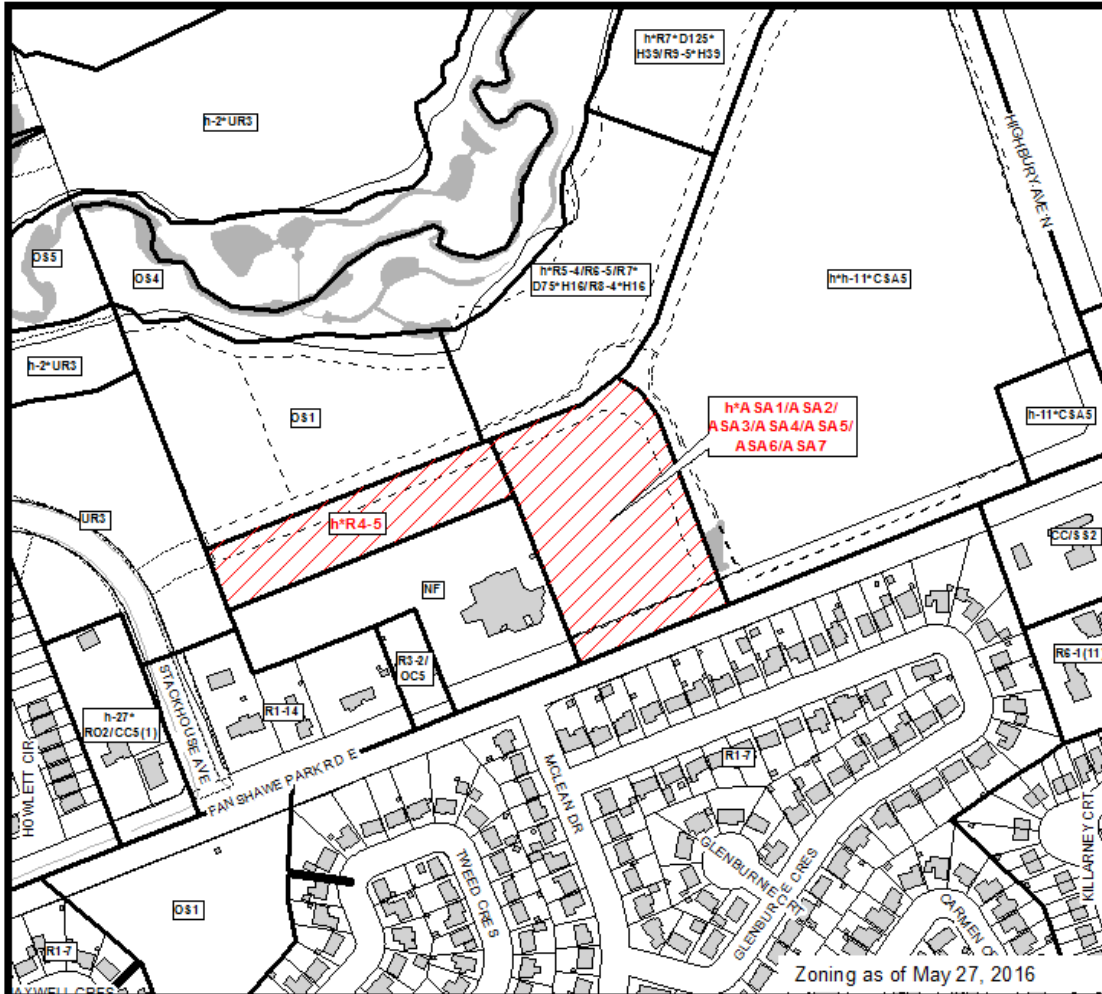
LEGEND


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

Corporation of the City of London
 Prepared By: Development and Compliance Services

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H-8600
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 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

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:
H-8600 NP

MAP PREPARED:
2016/05/30 JS

1:4,000
0 20 40 80 120 160 Meters

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BACKGROUND

Date Application Accepted: March 9, 2016	Owner: 700531 Ontario Limited
REQUESTED ACTION: Removal of the h holding provision from Phase 1 of the Marsman Subdivision.	

PUBLIC LIAISON:	Notice of the application was published in the Londoner on March 24 th , 2016
Nature of Liaison: City Council intends to consider removing the holding (h) provision from the subject lands. The purpose of the “h” provision is 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 and/or a subdivision agreement has been entered into for the subject lands. Council will consider removing the holding provision as it applies to these lands no earlier than April 8, 2016.	
Responses: None	

ANALYSIS

Why is it Appropriate to remove this 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 submitted the required security to the City of London for the 1st Phase of this subdivision, which consists of a street townhouse block, a commercial block, a stormwater management block and a park block. The removal of holding provision only applies to the street townhouse block and the commercial block (as shown in the previous location map). The special provisions have been endorsed by Council, the applicant has provided the necessary securities, and the subdivision agreement is being finalized for execution by the owner and the City. This satisfies the requirement for removal of the “h” holding provision.

CONCLUSION

It is appropriate to remove the h holding provision from the commercial block and street townhouse block within Phase 1 of the subject lands at this time as the required security has been submitted to the City of London and execution of the subdivision agreement is imminent.

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

July 11, 2016
NP/

"Attach."

\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2016\H-8600 - 1300 Fanshawe Park Road East
(NP)\PECreportH-8600.doc

Agenda Item # Page #

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H-8600
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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 remove holding provisions from the zoning for lands located on a portion 1300 Fanshawe Park Road East.

WHEREAS 700531 Ontario Limited have applied to remove the holding provisions from the zoning for the lands on a portion 1300 Fanshawe Park Road East, 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 on a portion 1300 Fanshawe Park Road East, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R4 (R4-5) Zone and an Associated Shopping Area Commercial (ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) 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 26, 2016.

Matt Brown
Mayor

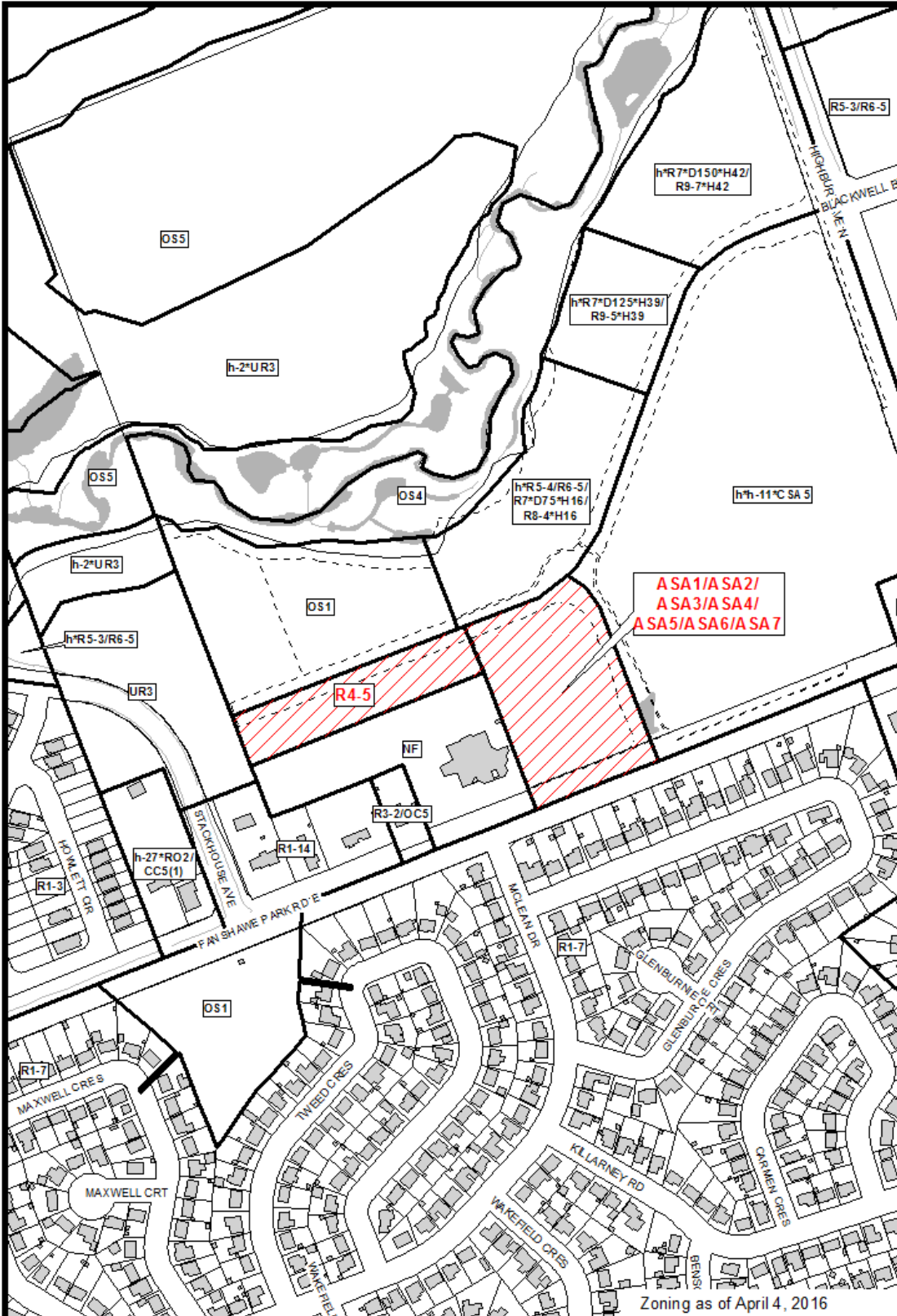
Catharine Saunders
City Clerk

First Reading -July 26, 2016
Second Reading -July 26, 2016
Third Reading - July 26, 2016

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



<p>File Number: H-8600 Planner: NP Date Prepared: 2016/05/25 Technician: JS By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:4,000</p> <p> Meters</p> <p style="text-align: right;"></p>
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Geobase