RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Horizon Medical Developments relating to the property located at 2605-2651 Tokala Trail and 1055 & 1075 Fanshawe Park Road West, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on April 18, 2017 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning FROM a Holding Office Special Provision (h.*h-17*h-54*h-71*h-95*OF5 (5)) Zone TO an Office Special Provision (OF5 (5)) Zone, to remove the “h.*h-17*h-54*h-71” and “h-95” holding provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER


November 2010- Subdivision Plan 33M-623 registered.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the h, h-17, h-54, h-71 and h-95 holding provisions from 2605-2651 Tokala Trail and 1055 & 1075 Fanshawe Park Road West for the consideration of building permits to construct a three (3) storey medical/dental office building.

RATIONALE

1. The removal of the holding provision will allow for development in conformity with the Z-1 Zoning By-law.
2. Through the Site Plan Approval process (SPA17-005) all issues have been resolved and these holding provisions are no longer required.
REQUESTED ACTION: The purpose and effect of this zoning change is to remove the holding symbols to permit the development of a three storey (3) medical/dental office building.

PUBLIC LIAISON:
Notice of Application was published in the Public Notices and Bidding Opportunities section of The Londoner on February 9, 2017.

Nature of Liaison:
City Council intends to consider removing the "h., h-17, h-54, h-71 and h-95" holding provisions from the lands which requires that all services are provided, encourage street-oriented development and discourage noise attenuation walls along arterial roads, urban design concepts are implemented and an 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 March 6, 2017.

Responses: None

ANALYSIS

Why is it Appropriate to remove these Holding Provisions

Site Plan Approval (SPA17-005) and the execution of a development agreement to construct a three (3) storey medical/dental office building is imminent. The applicant has provided the required security with the City.

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 imminent execution of the development agreement combined with the submission of the required security, adequately satisfies the requirements of this holding provision. It is appropriate to remove this holding provision at this time.

h-17 Holding Provision

h-17 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-17" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site.

Full municipal services are available to service the site. Through the site plan approval process the property owner will enter into a development agreement requiring connection to the existing City services.

h-54 Holding Provision

h-54 Purpose: 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 proposed medical/dental office is not a residential use and a noise assessment report to mitigate conflicts between the arterial road and residential uses is not required. It is appropriate to remove this holding provision at this time.

**h-71 Holding Provision**

**h-71 Purpose:** To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade 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.

No noise walls are required. The development agreement will be executed implementing the accepted plan. It is appropriate to remove this holding provision at this time.

**h-95 Holding Provision**

**h-95 Purpose:** To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues.

The below urban design concepts were identified by Council and have been implemented through the Site Plan Approval application:

i.) **That the office use provide fencing and landscaped buffering to mitigate impacts and provide a visual buffer between the office uses and future residential uses;**

The proposed plans provide for fencing and landscaping that visual buffers and mitigates impacts between the office and future residential uses.

ii.) **Locate and orient the building in a position and form which spans as much of Fanshawe Park Road West corridor as feasible to reduce the exposure of the parking area to the street and locate the building entrance on the south façade or corner location that is highly visible from the street to activate the street edge;**

The proposed plans and elevation shows a building that is located and oriented to Fanshawe Park Road West corridor which limits the exposure of parking area and provides for an entrance on the south façade that is highly visible from the street.

iii.) **Reduce and reconfigure the surface parking area in order to increase the amount of green space throughout the parking area;**

The proposed plans provide for a parking area that increases the amount of green space throughout the parking area.

iv.) **Screen the remaining parking area that is exposed to the street through the use of landscaping and a low masonry wall to provide a strong street-wall and attractive view from the public realm;**

The proposed plans provides for a low masonry wall along Fanshawe Park Road West that will result in an attractive view from the public realm.

The City Planner confirmed by email dated, March 2, 2017 that the proposed plans and elevations are consistent with the urban design concepts established through the Official Plan and Zoning By-law amendment (OZ-8511). The development agreement will be executed implementing the urban design concepts to the satisfaction of the City. It is appropriate to remove this holding provision at this time.
Proposed Fanshawe Park Road West Elevation
Proposed Landscape Site Plan
**CONCLUSION**

It is appropriate to remove the h. h-17, h-54, h-71 and h-95 holding provisions from the Office Special Provision (OF5 (5)) Zone at this time. Removal of the holding provision will allow for the consideration of building permits to permit the construction of a 3 storey medical/dental office building.

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<tr>
<th>PREPARED and RECOMMENDED BY:</th>
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<tr>
<td>C. SMITH \nSENIOR PLANNER, DEVELOPMENT SERVICES</td>
<td>ALLISTER MACLEAN \nMANAGER, DEVELOPMENT PLANNING</td>
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<td>TERRY GRAWEY \nMCIP, RPP \nMANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</td>
<td>G. KOTSIFAS, P.ENG \nMANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</td>
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CS/
WHEREAS Horizon Medical Developments has applied to remove the holding provisions from the zoning for the land located at 2605-2651 Tokala Trail and 1055 & 1075 Fanshawe Park Road West.

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 2605-2651 Tokala Trail and 1055 & 1075 Fanshawe Park Road West, as shown on the attached map to remove the holding provisions so that the zoning of the lands as an Office Special Provision (OF5 (5) Zone comes into effect.

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

PASSED in Open Council on April 18, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – April 18, 2017
Second Reading – April 18, 2017
Third Reading – April 18, 2017