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C. Smith

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 2403290 ONTARIO LTD (ALI SOUFAN). 545 FANSHAWE PARK ROAD WEST MEETING ON JUNE 19, 2017

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of 2403290 Ontario Ltd. (Ali Soufan) relating to the property located at 545 Fanshawe Park Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 26, 2017 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R9*Bonus (h-5.*h-11*h-55*h-169*h-170*R9-7*B-39) Zone **TO** a Residential R9*Bonus (R9-7*B-39) Zone, to remove the “h-5.*h-11*h-55*h-169 and h-170” holding provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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April 1, 2014-OZ-8286 - Council approved Official Plan and Zoning By-law Amendments including a Bonus Zone and Holding Provisions to permit the development of two high rise apartment buildings.

December 6, 2016- Z-8633 – Council approved a Zoning By-law Amendment that included revision to the Bonus Zone to permit the development of two high rise apartment buildings.

April 10, 2017 – SP15-019249– PEC, Public Site Plan meeting.

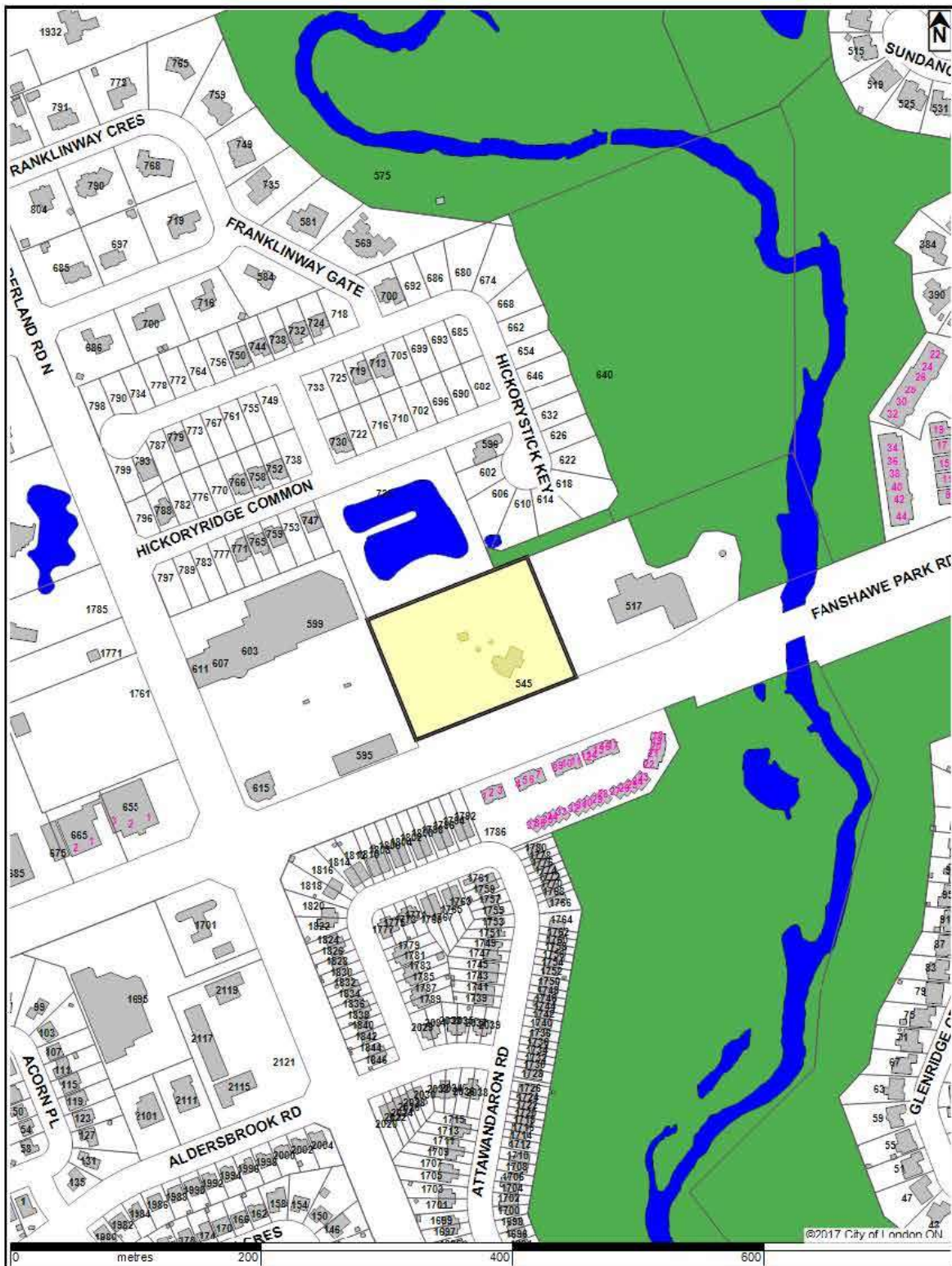
PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the h-5, h-11, h-55, h-169 and h-170 holding provisions from the Residential R9-7*B-39 Zone at this time. Removal of the holding provision will allow for the consideration of building permits to permit the construction of two (2) apartment buildings, a sixteen (16) storey apartment building with 143 units and a seventeen (17) storey apartment building with 143 units.

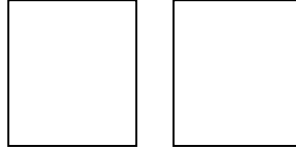
RATIONALE

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 (SP15-0448110) all issues have been resolved and these holding provisions are no longer required.

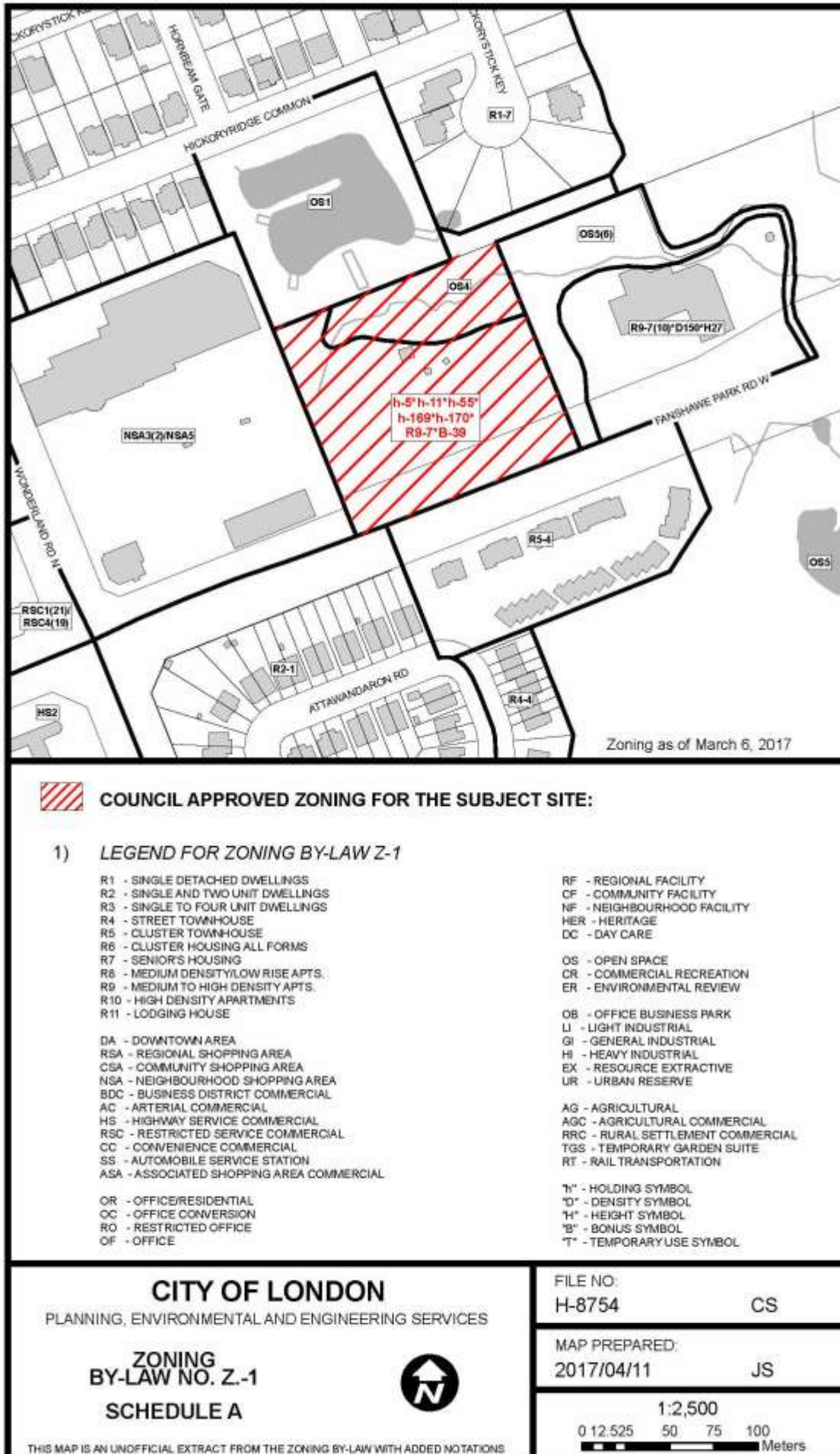
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LOCATION MAP	LEGEND										
Subject Site: 545 Fanshawe Park Road W File Number: H-8754 Planner: Craig Smith Created By: Jeff Shaughnessy Date: 2017-04-11 Scale: 1:3700	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">□</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">▤</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">▣</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	□	Subject Site	■	Parks	▤	Assessment Parcels	▣	Buildings	123	Address Numbers
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<div style="display: flex; justify-content: center; align-items: center;"> <div style="margin-right: 20px;"> <p>Corporation of the City of London</p> <p>Prepared By: Planning and Development</p> </div> <div style="text-align: center;"> <p>N</p> </div> </div>											



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Date Application Accepted: March 27, 2017	Owner: 2403290 Ontario Ltd. (Ali Soufan)
<p>REQUESTED ACTION: The purpose and effect of this zoning change is to remove the h-5, h-11, h-55, h-169 and h-170 holding provisions from the Residential R9-7*B-39 Zone at this time. Removal of the holding provision will allow for the consideration of building permits to permit the construction of two (2) apartment buildings, a seventeen (17) storey apartment building with 143 units and an eighteen (18) storey apartment building with 143 units</p>	

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on April 6, 2017.
<p>Nature of Liaison: City Council intends to consider removing the “h-5*h-11*h-55*h-169* and h-170” holding provisions from the lands which requires that a public site plan meeting be held, all services are provided, traffic impact studies completed and implemented, the design of stormwater servicing has been completed and approved and an agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provisions as it applies to these lands no earlier than April 24, 2017.</p>	
Responses: None	

ANALYSIS

Why is it Appropriate to remove these Holding Provisions

Site Plan Approval (SP15-019249) and the execution of a Development Agreement to construct two (2) apartment buildings, a sixteen (16) storey apartment building with 143 units and a seventeen (17) storey apartment building with 143 units is imminent. The applicant has provided the required security with the City.

h-5 Holding Provision

h-5 Purpose: 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 site plan meeting was held before the Planning and Environment Committee on April 10, 2017. The comments and concerns raised at the public participation meeting have been adequately addressed through the site plan and will be included in the Development Agreement. It is appropriate to remove this holding provision at this time.

h-11 Holding Provision

h-11 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

The site will be serviced by an 825mm stormwater service, a 400mm water service on Fanshawe Park Road West and a 300mm sanitary service located in the 8.0m easement to the west of the site. The City’s Transportation Planning and Design Division confirmed that appropriate access arrangements have been provided and will be implemented through the approved Site Plan and Development Agreement all to the satisfaction of the City.

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h-55 Holding Provision

h-55 Purpose: To ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-55" symbol shall be deleted upon the acceptance of the traffic study by the City of London.

The City's Transportation Planning and Design Division confirmed that a Traffic Impact Study has been completed and accepted and the recommendations will be implemented through the approved Site Plan and Development Agreement all to the satisfaction of the City.

h-169 Holding Provision

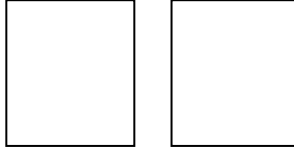
h-169 Purpose: A h-169 holding provision shall not be deleted until the conceptual design of the proposed storm/drainage and SWM servicing works is completed and approved prior to the site plan application being considered to satisfaction of the City Engineer.

The City's Stormwater Management Department confirmed that a conceptual design of the proposed storm/drainage and SWM servicing works has been completed and the recommendations will be implemented through the approved Site Plan and Development Agreement all to the satisfaction of the City

h-170 Holding Provision

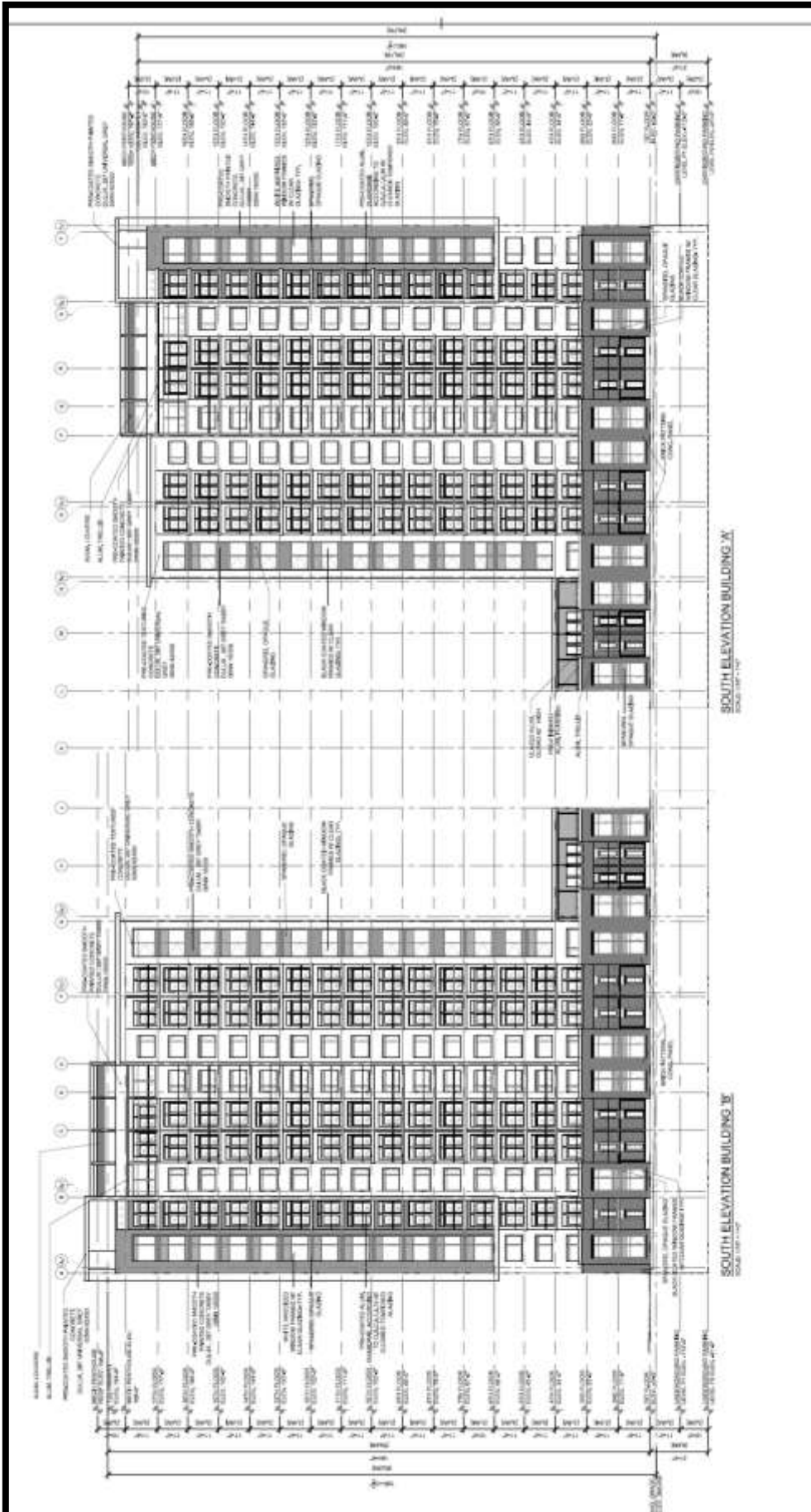
h-170 Purpose: A h-170 holding provision shall not be deleted until the following development design criteria are met: the design shall include, but not be limited to, the required engineering evaluations and confirmation of the existing outlet capacity to the Medway Creek main channel via Amica's storm sewer and channel, address minor and major flows conveyance, SWM measures (quantity, quality and erosion control), all in accordance with City of London Design Permanent Private Systems (PPS) and MOE's requirements, all to the satisfaction of the City Engineer and the MOE ECA's requirements. The Owner's consulting engineer must ensure that the proposed PPS for storm/drainage and SWM servicing works for the subject lands will be sized to address the proposed land use on the subject lands and the limitation in the outlet system, no adverse impact on the downstream lands or the existing water resources/storm conveyance and SWM system.

The City's Stormwater Management Department has confirmed that all stormwater management design criteria have been met including the Permanent Private Systems, and will be implemented through the approved Site Plan and Development Agreement and the accepted engineering drawings all to the satisfaction of the City



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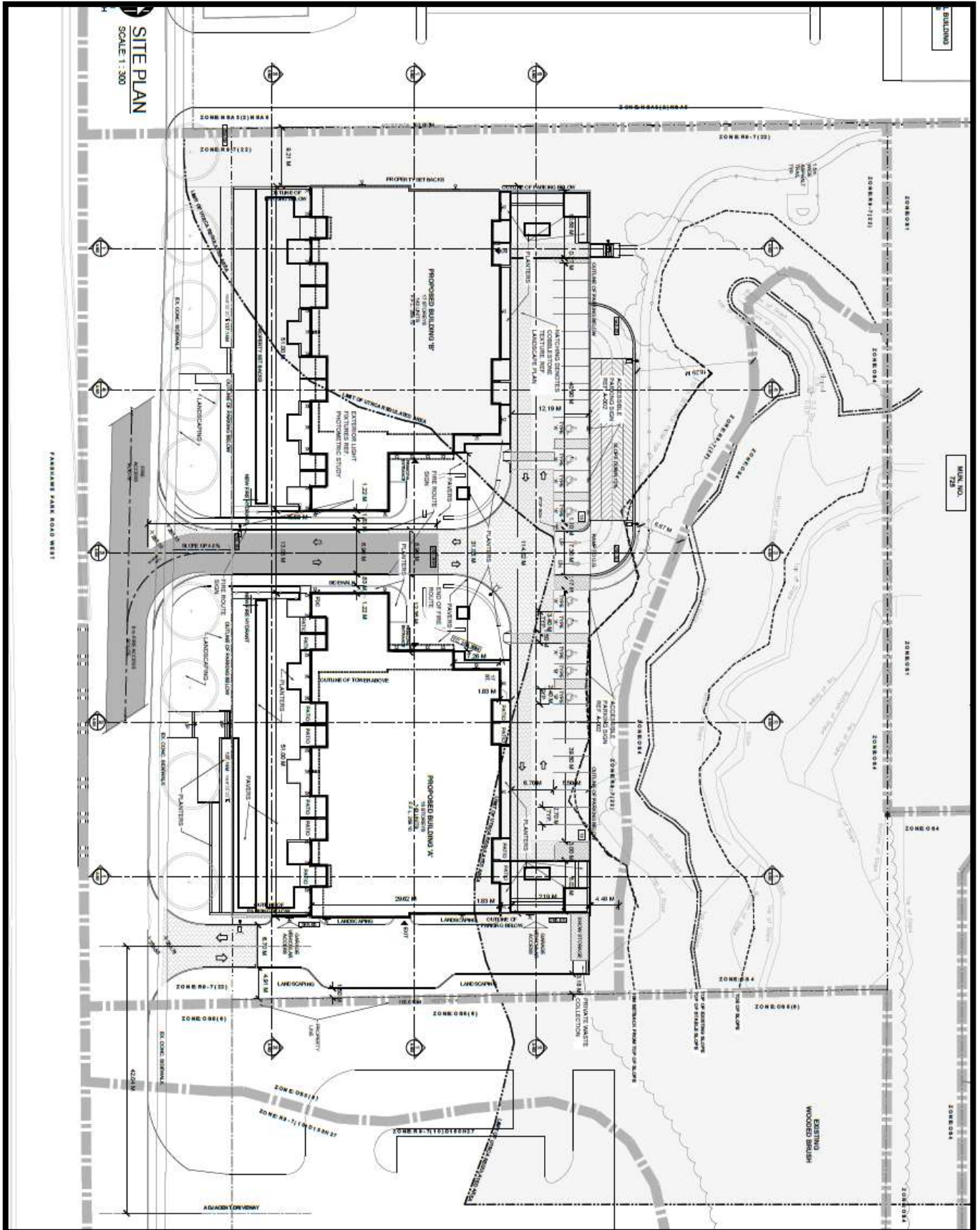
Proposed Fanshawe Park Road West Elevation





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Proposed Landscape Site Plan



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CONCLUSION

It is appropriate to remove the h-5, h-11, h-55, h-169 and h-170 holding provisions from the Residential R9-7*B-39 Zone at this time. Removal of the holding provision will allow for the consideration of building permits to permit the construction of a two (2) apartment buildings, a sixteen (16) storey apartment building with 143 units and a seventeen (17) storey apartment building with 143 units.

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

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Agenda Item # Page #

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Bill No. (Number to be inserted by Clerk's Office)
2017

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 545 Fanshawe Park Road West.

WHEREAS 2403290 Ontario Ltd. (Ali Soufan) has applied to remove the holding provisions from the zoning for the land located at 545 Fanshawe Park Road West, 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 545 Fanshawe Park Road West, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R9*Bonus (R9-7*B-39) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on June 26, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2017
Second Reading – June 26, 2017
Third Reading – June 26, 2017

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

