### From:

**G. KOTSIFAS, P.ENG.**  
MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES  
& CHIEF BUILDING OFFICIAL

### Subject:

APPLICATION BY: MTE CONSULTANTS INC.  
1647 FANSHAWE PARK ROAD EAST  
(O’HANLAN SUBDIVISION – 39T-10503)  
MEETING ON AUGUST 28, 2017

### Recommendation

That, on the recommendation of the Senior Planner, Development Services, based on the application of MTE Consultants Inc. relating to the property located at 1647 Fanshawe Park Road East (O’Hanlan Subdivision – 39T-10503):

a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on September 5, 2017 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Residential R1 (h-52*h-100*R1-3) Zone, a Holding Residential R1 (h-52*h-100*R1-5) Zone and a Holding Residential R1 (h-52*h-100*R1-13) Zone **TO** a Holding Residential R1 (h-100*R1-3) Zone, a Holding Residential R1 (h-100*R1-5) Zone and a Holding Residential R1 (h-100*R1-13) Zone to remove the “h-52” holding provision; and

b) the application to remove the “h-100” holding provision from the lands **BE DEFERRED** until such time as a second public access and water looping is provided.

### Purpose and Effect of Recommended Action

The purpose and effect of this zoning change is to remove the “h-52” holding symbol to permit the development of single detached dwelling lots.

### Rationale

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law Z.-1.
2. The required noise and dust study has been completed and clauses have been added to the subdivision agreement.
3. The proposed phase does have a second access proposed and will be able to provide the required access and water looping once it is constructed. Removal of the h-100 holding provision will occur in the future once the City Engineer is satisfied the works are completed.
**Background**

**Date Application Accepted:** July 27, 2017  
**Owner:** 756949 Ontario Limited  

**Requested Action:** Removal of the “h” and “h-100” holding provisions from the zoning for the O’Hanlan Subdivision.

**Public Liaison:**

Notice of the application was published in the Londoner on August 10, 2017  

**Nature of Liaison:**

City Council intends to consider removing the “h-52” and the “h-100” holding provision from the subject lands. The purpose of the “h-52” provision is to ensure there are no land use conflicts between existing industrial/aggregate resource extraction use and the proposed residential use, the “h-52” shall not be deleted until the Owner agrees to implement all noise and dust attenuation measures recommended in a noise and dust assessment report acceptable to the City. The “h-100” symbol is intended to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer. Interim uses may be permitted up to 80 units maximum. Council will consider removing the holding provision(s) as it applies to these lands no earlier than August 21, 2017.

**Responses:** None

**Analysis**

**Why is it Appropriate to remove this Holding Provision?**

The “h-52” holding provision states that:

“Purpose: To ensure that there are no land use conflicts between existing industrial/aggregate resource extraction use and the proposed residential uses, the “h-52” shall not be deleted until the owner agrees to implement all noise and dust attenuation measures recommended in a noise and dust assessment report acceptable to the City of London.”

The noise and dust assessment report was completed as part of the draft plan of subdivision application and finalized through the Design Studies process. Staff have reviewed the study and are satisfied with the report. The subdivision has been designed with a window street to minimize the use of noise walls. Warning clauses advising purchasers of active aggregate operations ongoing in the area have been added to the subdivision agreement. This satisfies the requirement for removal of the “h-52” holding provision.

**h-100 Holding Provision**

The “h-100” holding provision states that:

“To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”
The h-100 holding provision requires that a looped watermain system be constructed and a second public access is available for these lands. A looped watermain has not been constructed and a second public access is not available at this time. However, through the accepted engineering drawings, a second access and looped watermain will be provided to this subdivision. The total number of units for the subdivision is 96 lots and building permits can be issued to a maximum of 80 units without the need for removal of the h-100. As a result, the removal of h-100 holding provision will be deferred at this time and will be considered once the applicant has constructed the second access and water looping is provided, to the satisfaction of the City Engineer.

CONCLUSION

It is appropriate to remove the “h-52” holding provision from the subject lands at this time as the required noise and dust study has been completed. The removal of the “h-100” holding provision will be dealt with at a future PEC meeting once the second access and water looping has been constructed.

PREPARED AND RECOMMENDED BY: REVIEWED BY:

NANCY PASATO, MCIP, RPP LOU POMPILII, MCIP, RPP
SENIOR PLANNER, DEVELOPMENT MANAGER, DEVELOPMENT PLANNING
SERVICES

CONCURRED BY: SUBMITTED BY:

PAUL YEOMAN, RPP, PLE G. KOTSIFAS, P.ENG
DIRECTOR, DEVELOPMENT SERVICES MANAGING DIRECTOR, DEVELOPMENT &

August 18, 2017
NP/
"Attach."
WHEREAS MTE Consultants Inc. have applied to remove the holding provisions from the zoning for the lands located at 1647 Fanshawe Park Road East (O’Hanlan Subdivision – 39T-10503), 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 1647 Fanshawe Park Road East (O’Hanlan Subdivision – 39T-10503), as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Holding Residential R1 (h-100*R1-3) Zone, a Holding Residential R1 (h-100*R1-5) Zone, and a Holding Residential R1 (h-100*R1-13) Zone comes into effect.

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

PASSED in Open Council on September 5, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - September 5, 2017
Second Reading – September 5, 2017
Third Reading - September 5, 2017