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H-8806
Nancy Pasato

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

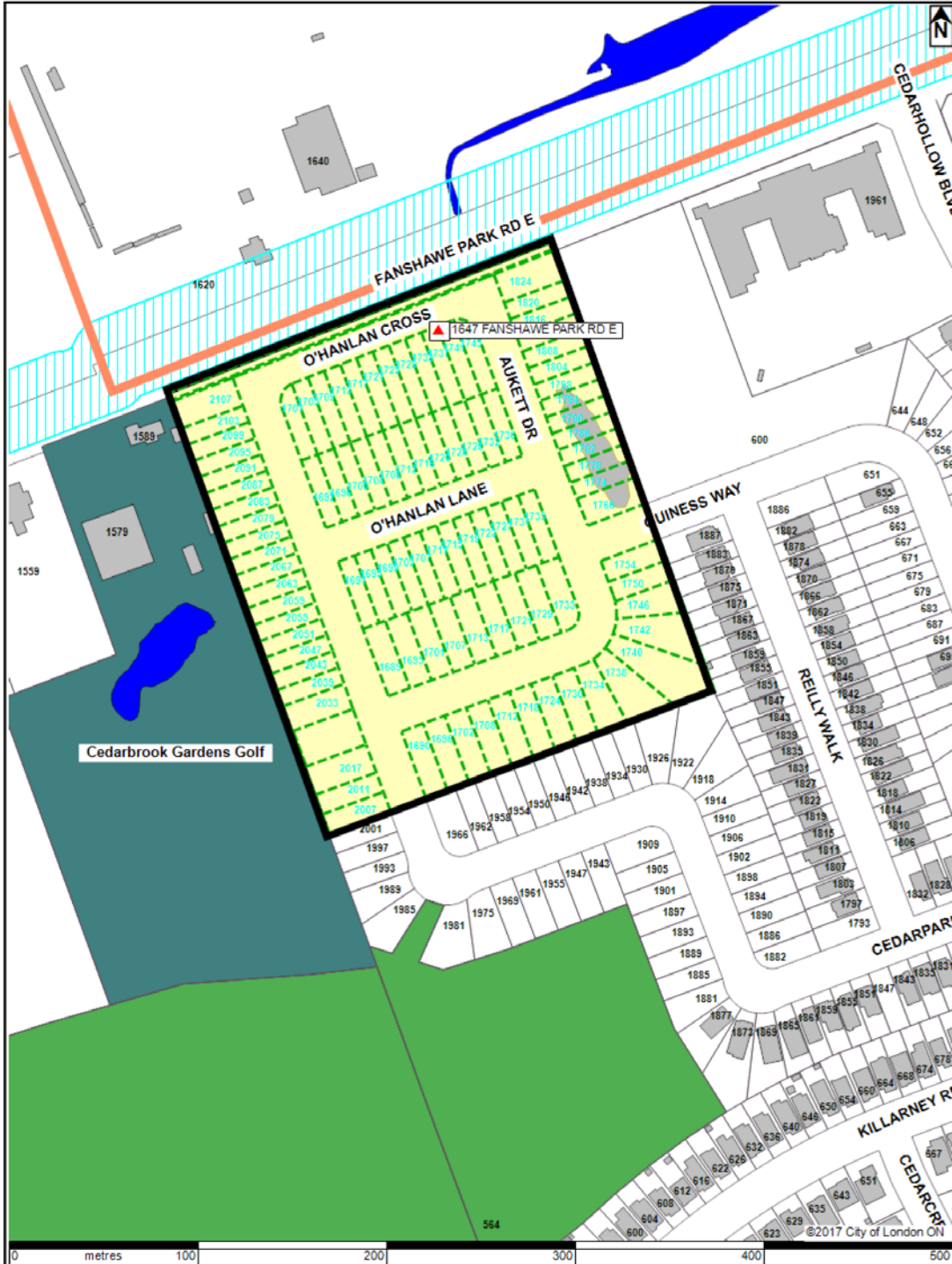
The purpose and effect of this zoning change is to remove the "h-52" holding symbol to permit the development of single detached dwelling lots.

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.

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

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LOCATION MAP

Subject Site: 1647 Fanshawe Park Road E
 Applicant: MTE Consultants Inc.
 File Number: H-8806
 Planner: Nancy Pasato
 Created By: Nancy Pasato
 Date: 2017-07-31
 Scale: 1:2500

LEGEND

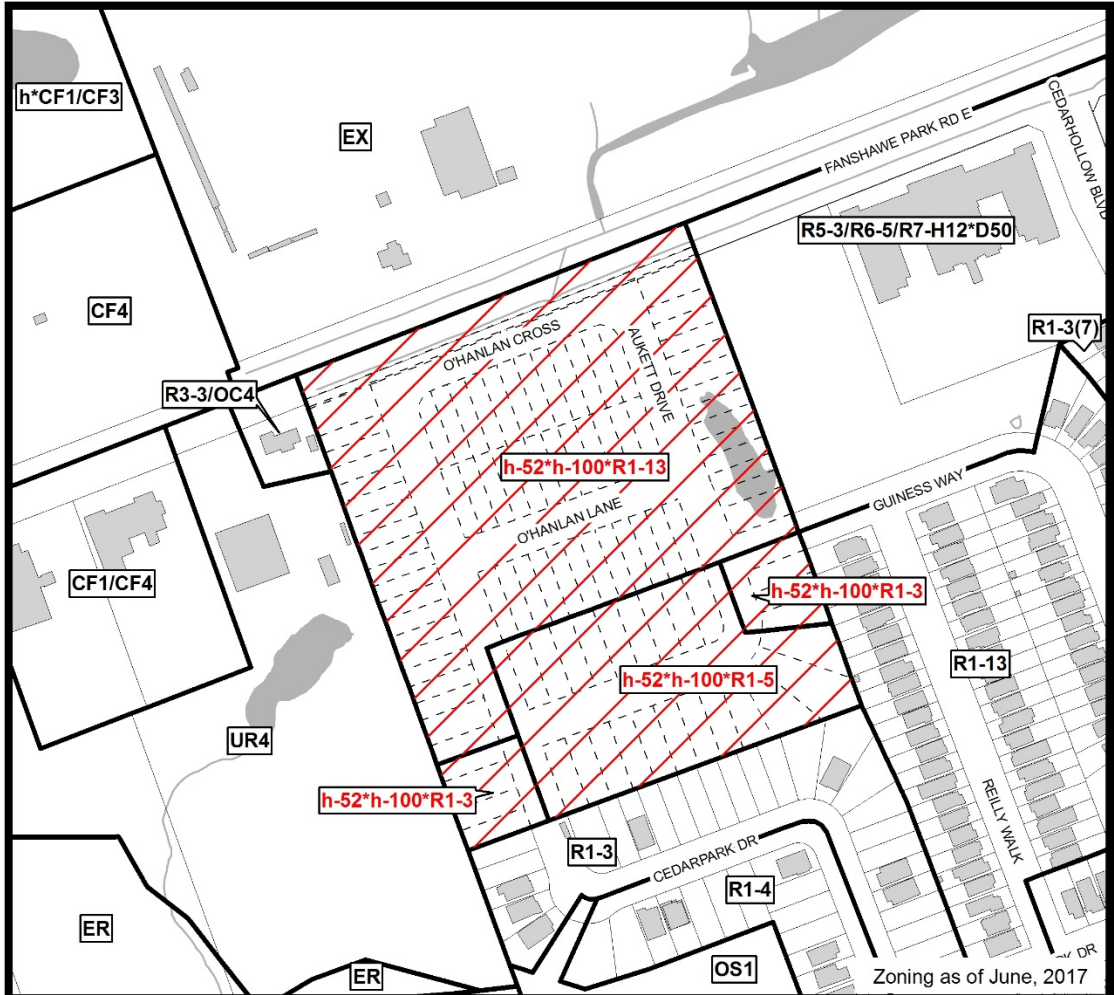
-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

Corporation of the City of London
 Prepared By: Planning and Development



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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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



FILE NO:
H-8806 NP

MAP PREPARED:
August 14, 2017 RC

1:3,000
0 15 30 60 90 120
Meters

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

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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 on-going 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.”

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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 SENIOR PLANNER, DEVELOPMENT SERVICES	LOU POMPILII, MCIP, RPP MANAGER, DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
PAUL YEOMAN, RPP, PLE DIRECTOR, DEVELOPMENT SERVICES	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

August 18, 2017
NP/

"Attach."

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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 for lands located at 1647 Fanshawe Park Road East (O'Hanlan Subdivision – 39T-10503).

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

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



File Number: H-8806
Planner: NP
Date Prepared: 2017/08/14
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters

