

<b>FROM:</b>	<b>GEORGE KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: STAR HOMES LIMITED LOCATION: 537 CRESTWOOD DRIVE  PUBLIC PARTICIPATION MEETING ON: MONDAY MAY 28, 2012 (NOT TO BE HEARD BEFORE 4:30 P.M.)</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Star Homes Limited relating to the property located at 537 Crestwood Drive:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 12<sup>th</sup>, 2012 to amend the Official Plan to change the designation of lands from Urban Reserve Community Growth to Low Density Residential;
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 12, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to change the zoning on the easterly portion of the subject property **FROM** a Residential R1 (R1-9) Zone which permits single detached dwellings on lots with a minimum lot frontage of 18 metres and a minimum lot area of 690 m<sup>2</sup> and an Urban Reserve (UR1) Zone, **TO** a Residential R6 Special Provision (R6-2( )) Zone and a Holding Residential R6 Special Provision (h-\_.h-\_.R6-2( )) Zone, which permits cluster housing in the form of single detached dwellings at a maximum density of 20 units per hectare, with special provisions to recognize the existing 10 metre lot frontage and a 1.2 metre interior side yard for the existing dwelling;

It being noted that two holding provisions are being recommended to ensure that prior to development potential noise impacts and geotechnical issues will be addressed to the satisfaction of the City;

- c) The request to amend Zoning By-law No. Z.-1 to change the zoning on the westerly portion of the subject property from an Urban Reserve (UR1) Zone to a Residential R6 Special Provision (R6-2( )) Zone **BE REFUSED** for the following reasons:
  - i) changing the zoning on the westerly portion of the subject property is premature and the Urban Reserve (UR1) Zone should remain in place until such time as a rehabilitation plan and site restoration have been completed for peripheral lands in the adjacent aggregate extraction area;
  - ii) changing the zoning on the westerly portion of the property at this time is not in conformity with the policies of the Official Plan or consistent with the Provincial Policy Statement;
- d) Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft plan of vacant land condominium relating to the property located at 537 Crestwood Drive; and
- e) the Approval Authority **BE REQUESTED** to utilize (if possible) one agreement in place of a separate development agreement and condominium agreement, to address the development of this site.

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)  
2012

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 537  
Crestwood Drive.

WHEREAS Star Homes Limited has applied to rezone an area of land located at 537 Crestwood Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number \_\_, this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 537 Crestwood Drive, as shown on the attached map comprising part of Key Map No. 127, from a Residential R1 (R1-9) Zone and an Urban Reserve (UR1) Zone, to a Residential R6 Special Provision (R6-2( )) Zone and a Holding Residential R6 Special Provision (h-\_.h-\_.R6-2( )) Zone.

- 1) Section Number 3.8 of By-law No. Z-1 is amended by adding the following holding provisions:

- 2) xx) h-\_\_ *Purpose:* To ensure there will be no conflicts between the existing aggregate resource extraction use and the proposed residential uses, the h-\_\_ shall not be deleted until a geotechnical report is prepared which confirms the Erosion Hazard Limit and addresses potential erosion hazards based on the proposed development, layout and site grading, to the satisfaction of the City of London,

*Permitted Interim Uses:* Existing Uses

- xx) h-\_\_ *Purpose:* To ensure there will be no conflicts between existing aggregate resource extraction use and the proposed residential uses, the h-\_\_ shall not be deleted until a noise impact assessment is prepared which confirms that noise levels at 537 Crestwood Drive are within MOE guidelines, to the satisfaction of the City of London.

*Permitted Interim Uses:* Existing Uses

- 2) Section Number 10.4 of the Residential R6 Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

- b) R6-2 Zone Variation

\_) R6-2()

- a) Regulations:

- |  |             |
|--|-------------|
| i) Lot Frontage<br>(Minimum)             | 10.0 metres |
| ii) East Interior Side Yard<br>(Minimum) | 1.2 metres  |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the Planning Act, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

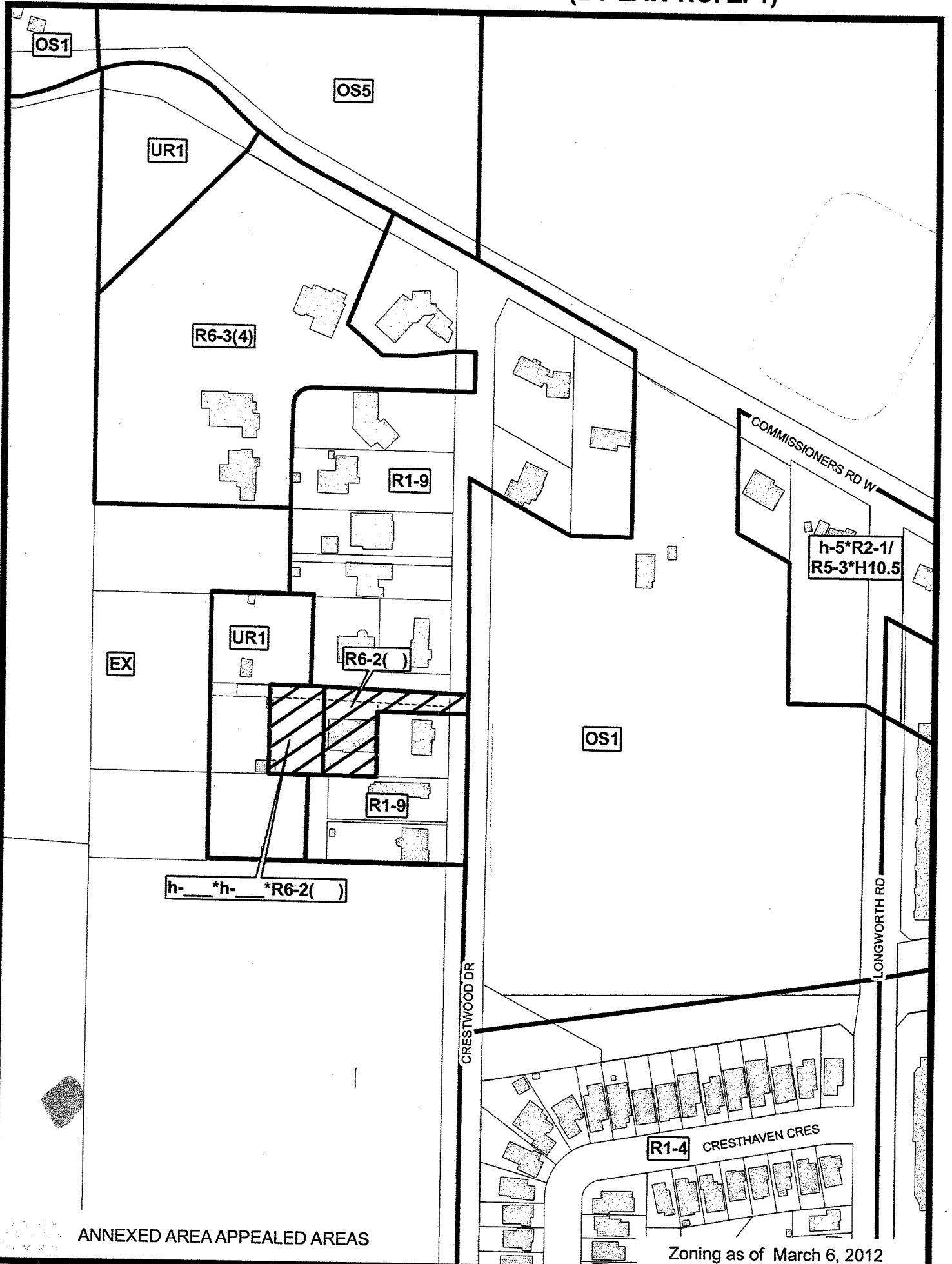
PASSED in Open Council on June 12, 2012.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - June 12, 2012  
Second Reading - June 12, 2012  
Third Reading - June 12, 2012

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



ANNEXED AREA APPEALED AREAS

Zoning as of March 6, 2012

File Number: OZ-7963

Planner: TG

Date Prepared: May 11, 2012

Technician: DT

By-Law No: Z.-1-

SUBJECT SITE



1:2,500

0 12.525 50 75 100 Meters

