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H-8050/A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: DECADE GROUP 725 & 751 FANSHAWE PARK ROAD WEST MEETING ON JUNE 26, 2012

RECOMMENDATION

That, on the recommendation of the Senior Planner of Development Services, based on the application of Decade Group relating to the property located at 725 & 751 Fanshawe Park Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 26, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** a Holding Neighbourhood Shopping Area (h-h-54-h-89-NSA3) Zone to a Neighbourhood Shopping Area (NSA3) Zone, to remove the holding provisions.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the holding "h", "h-54" and "h-89" provisions, to permit the development of commercial and retail uses at 725 & 751 Fanshawe Park Road West.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

April 4, 2011 – Report to Planning Committee – to consider the proposed Official Plan and Zoning By-law amendment to apply the holding provisions (OZ-7855).

BACKGROUND





The parcel at 751 Fanshawe Park Road originally formed part of the Vista Woods draft plan of subdivision(38T-03505). In 2011 an application was made to amend the Official Plan to change the designation of the subject lands from Multi-Family, Medium Density Residential to Neighbourhood Commercial Node (NCN) and amend the Zoning By-law No. Z.-1 for 751 Fanshawe Park Road West to change the zoning from a Holding Residential R5/Residential R6 (h-h-54-R5-4/R6-5) Zone to a Holding Neighbourhood Shopping Area (h-h-54-h-89-NSA3) Zone which permits a wide range of commercial uses and includes office uses to a maximum gross floor area of 6,000m². The application also proposed to change the zoning for 725 Fanshawe Park Road West from a Holding Restricted Service Commercial (h-17-RSC1/RSC4) Zone to a Holding Neighbourhood Shopping Area (h-h-54-h-89-NSA3) Zone.

As a result of the rezoning, the parcel at 751 Fanshawe Park Road was created as part of the registration of the 1st Phase of the Vista Woods Subdivision(33M-639).

Date Application Accepted: April 27, 2012	Applicant: Decade Group
REQUESTED ACTION: Removal of the "h", "h-54" and "h-89" holding provisions on the proposed Neighbourhood Shopping Area located at 725 & 751 Fanshawe Park Road West.	



LEGEND

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

LOCATION MAP

Subject Site: 725-751 Fanshawe Park Road West
 Applicant: Decade Group Inc.
 File Number: H-8050
 Planner: Allister MacLean
 Created By: Allister MacLean
 Date: 2012-06-20
 Scale: 1:2500



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PUBLIC LIAISON:	Notice was published in the "Living in the City" section of the London Free Press on May 5, 2012	No replies.
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ANALYSIS

When were the holding provisions applied?

The holding "h", "h-54" and "h-89" provisions were applied in April 4, 2011 at the time the properties 725 & 751 Fanshawe Park Road applied for zoning and official plan amendment.

What is the purpose of the holding provisions?

The purpose of applying holding provisions is to ensure that prior to development proceeding, certain requirements have been addressed to the satisfaction of Council.

- **"h"** – this holding provision can be removed after the owner enters into a development agreement with the City of London, which provides clearly defined requirements for the provision of municipal services and orderly development of lands.

The Manager of Development Planning has advised that the Owner has entered into a development agreement with the City for this development.

- **"h-54"** – this holding provision was put in place to ensure noise attenuation is addressed through a Noise Impact Study.

A Noise Impact Study was submitted on April 17, 2012. The Noise Study was reviewed by Development Planning staff on May 16, 2012 and is deemed acceptable.

- **"h-89"** – this holding provision requires the applicant to submit a Stormwater Servicing Report and confirm that stormwater management system is implemented to the satisfaction of the City Engineer.

A Stormwater Servicing Report was submitted to the City on April 24, 2012. The Manager of Development Planning has advised that, as part of the Site Plan Approval process, the engineering drawings (which includes the accepted stormwater management system) have been accepted and will be implemented through the site plan and development agreement.


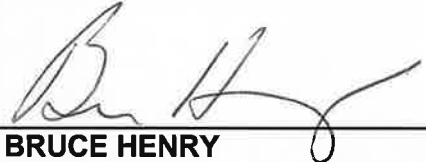

Based on the above, the requirements for removal of the holding "h", "h-54" and "h-89" provisions have been satisfied. The recommended amendment which will allow the Neighbourhood Shopping Area Zone (NSA3) to come into effect is appropriate.

CONCLUSION

The removal of these holding provisions will facilitate the development of commercial and retail uses.

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PREPARED AND RECOMMENDED BY:	REVIEWED BY:
	
ALLISTER MACLEAN SENIOR PLANNER, DEVELOPMENT SERVICES	BRUCE HENRY MANAGER, DEVELOPMENT PLANNING SERVICES
SUBMITTED BY:	
	
GEORGE KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING CONTROLS	

June 20, 2012
AM/sw

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H-8050/A. MacLean

Bill No.
2012

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on the land located at 725 & 751 Fanshawe Park Road West.

WHEREAS Decade Group has applied to remove holding provisions from the zoning on the lands located at 725 & 751 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 725 & 751 Fanshawe Park Road West, as shown on the attached map, to remove the "h", "h-54" and "h-89" holding provisions so that the zoning of the land as a Neighbourhood Shopping Area (NSA3) 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, 2012

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – June 26, 2012
Second Reading – June 26, 2012
Third Reading – June 26, 2012

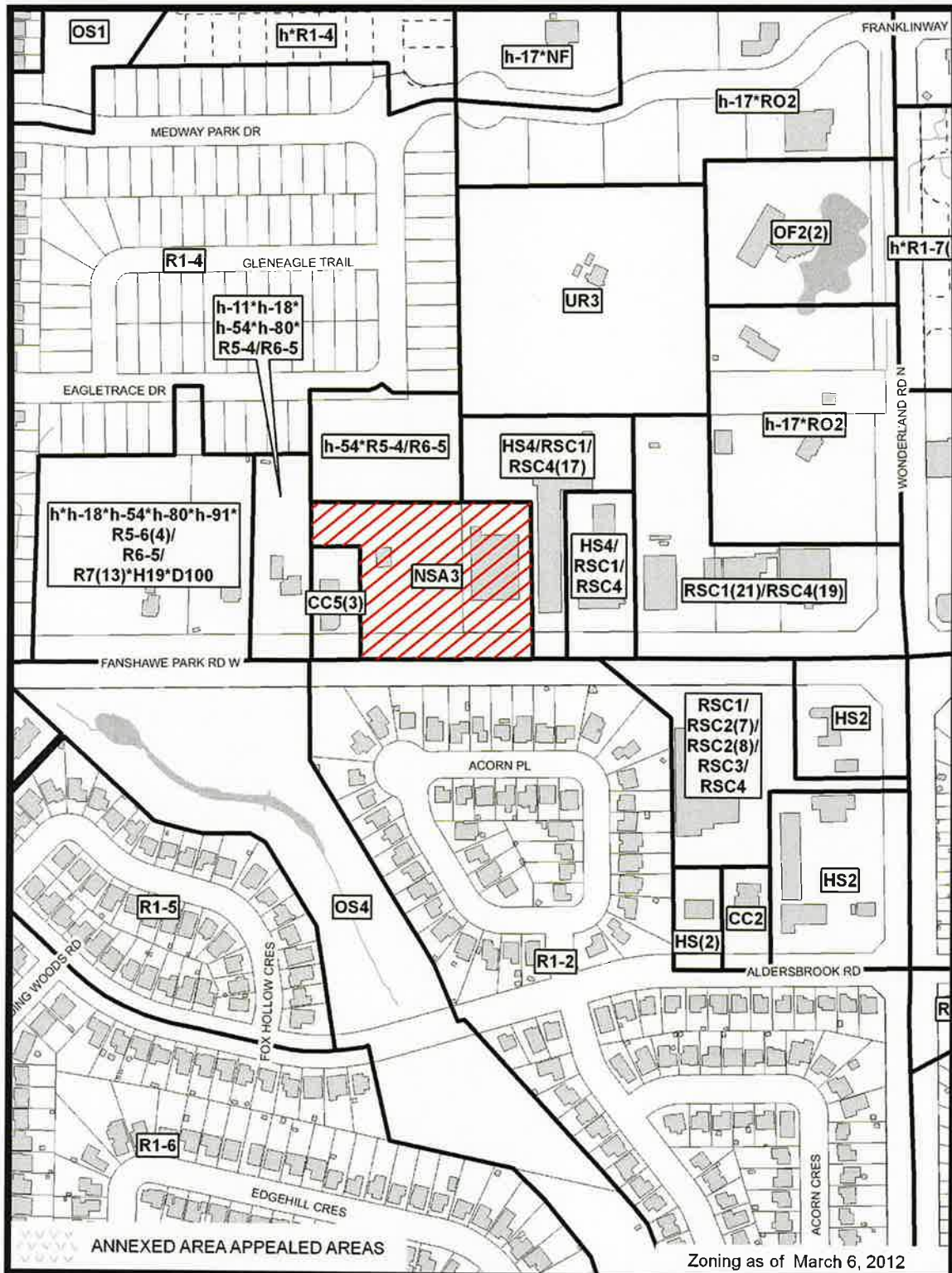
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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-8050
 Planner: SW
 Date Prepared: May 17, 2012
 Technician: DT
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,500

