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H-7904/M. Corby

<b>TO:</b>	<b>THE BUILT AND NATURAL ENVIRONMENT COMMITTEE</b> <b>DATE: OCTOBER 17, 2011</b>
<b>FROM:</b>	<b>D. N. STANLAKE</b> <b>DIRECTOR - DEVELOPMENT PLANNING</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: WHITNEY ENGINEERING LTD.</b> <b>751 FANSHAWE PARK ROAD WEST</b>

**RECOMMENDATION**

That, on the recommendation of the Director - Development Planning, based on the application of Whitney Engineering Inc. relating to the property located at 751 Fanshawe park Road West, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 24<sup>th</sup>, 2011 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 Residential R1 (h\*R1-4) and Holding Residential R5/R6 (h\*h-54\*R5-4/R6-5) Zone **TO** Residential R1 (R1-4) and Holding Residential (h-54\*R5-4/R6-5) Zone to remove the "h" holding provision.

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of this zoning change is to remove the "h" holding provision to allow for building permits to be issued for the single detached lots.

**BACKGROUND**

<b>Date Application Accepted:</b> April 1 , 2011	<b>Agent:</b> Kyle McIntosh, Whitney Engineering
<b>REQUESTED ACTION:</b> the applicant has requested the Holding Provision (h) be removed from the subject lands.	

<b>PUBLIC LIAISON:</b>	Notice was published in the Living in the City section of the London Free Press on April 30, 2011.	No replies.
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**AGENCY RESPONSE**

**Engineering Review**

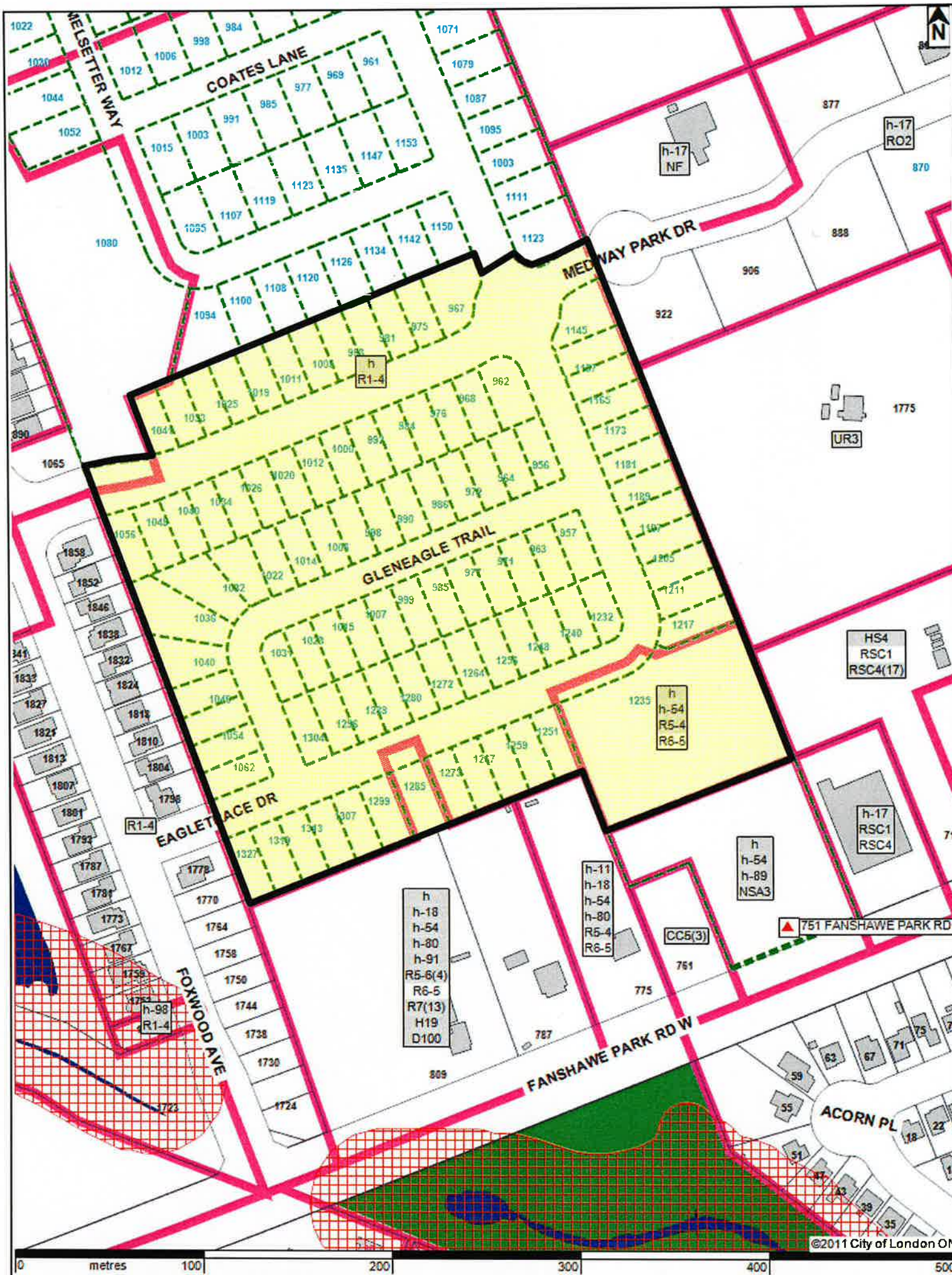
Although the City of London's Environmental and Engineering Services Department has no objection to the removal of a holding provision with respect to water and sanitary servicing for the subject lands, nonetheless a Subdivision Agreement has not been finalized at this time.

*Development Planning Staff Response: The City has recently received the executed subdivision agreement related to Phase I of the Vista Woods.*

**ANALYSIS**

**What is the Holding Provision?**






The purpose of the applying Holding Provision "h", to the subject lands is to ensure the orderly development of lands and the adequate provision of municipal services. The "h" symbol is not be deleted until a subdivision agreement or development agreement is entered into with the City for the lands in question. Until the Holding Provision h is removed, no new uses are permitted. Municipal Council applied the Holding Provision (h) to the subject lands in 2004 at the time of the Vista Woods Subdivision was being approved.



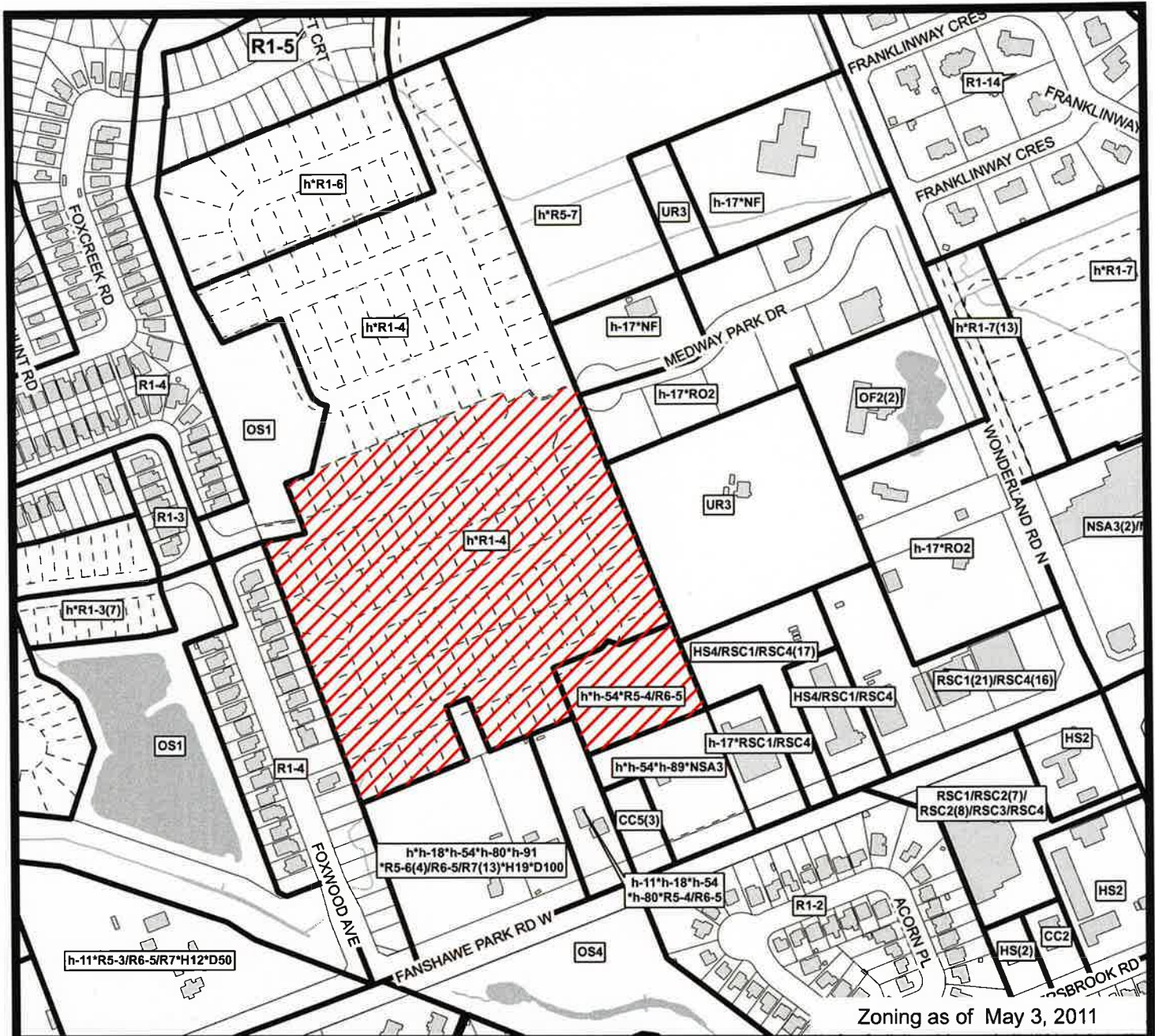
### LOCATION MAP

Subject Site: Vista Woods Estates Limited - Plan of Residential Subdivision  
 Applicant: Vista Woods Estates Ltd.  
 File Number: 39T-03505  
 Planner: Allister MacLean  
 Created By: Mike Corby  
 Date: 2011-06-15  
 Scale: 1:2500

### LEGEND

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





Zoning as of May 3, 2011



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- 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
  
- 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

2) ANNEXED AREA APPEALED AREAS

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

**CITY OF LONDON**

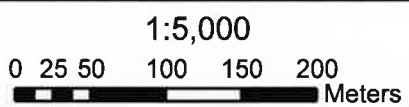
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:  
H-7904 AM

MAP PREPARED:  
2011/05/05 MC



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

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H-7904/M. Corby

**Why is it appropriate to remove the Holding Provision?**

The development of the Fox Hollow subdivision to the west provided the necessary municipal service connections to allow for servicing in the Vista Woods Subdivision. The Special Provisions for the Vista Woods subdivision Phase 1 were approved by Municipal Council on September 19, 2011. The applicant has entered into the Subdivision Agreement with the City and has provided the required security. The Subdivision Agreement ensures that the lands will be developed with full municipal services. Based on the above, Development Planning staff recommend the removal of the Holding Provision (h) from the identified zoned lands in the proposed Phase 1 of the Vista Woods subdivision.

**Lands Zoned Holding Residential (h. h-54\*R5-4/R6-5)**

The multi-family block located on the south side of Eagletrace Drive at the easterly limit of this plan is zoned Holding Residential (h. h-54\*R5-4/R6-5) which will permit multi-family medium density residential uses. As noted above, it is appropriate to remove the general h. holding provision from this site as a result of the executed subdivision agreement. The h-54 holding provision requires the owner to carry out a noise study and implement the necessary noise attenuation measures to address impacts from Fanshawe Park Road. As a result, it is appropriate to leave this holding provision in place until such time as this block comes forward for development. A separate application to remove the h-54 holding provision will be required at that time.

**CONCLUSION**

The applicant has satisfied the requirements of Holding Provision (h) as they have executed the subdivision agreement and it is now appropriate to remove the holding provision to allow for the development of single detached dwelling.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
	
<b>MIKE CORBY PLANNER - DEVELOPMENT PLANNING</b>	<b>BRUCE HENRY MANAGER – DEVELOPMENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
	
<b>D.N STANLAKE DIRECTOR – DEVELOPMENT PLANNING</b>	

October 5, 2011  
DNS/BH/AM/mc  
"Attach."

cc: David Ailles, Managing Director, DABU

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**H-7904/M. Corby**

Bill No. (Number to be inserted by Clerk's Office)  
2011

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

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 751 Fanshawe Park Road West.

WHEREAS Whitney Engineering Ltd. has applied to remove the holding provision from the zoning for an area of land located at 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 provision 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 lands located at 751 Fanshawe Park Road West, as shown on the attached map comprising part of Key Map No. 2 to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-4) and Holding Residential R5/R6 (h-54\*R5-4/R6-5) zone, comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 24, 2011.

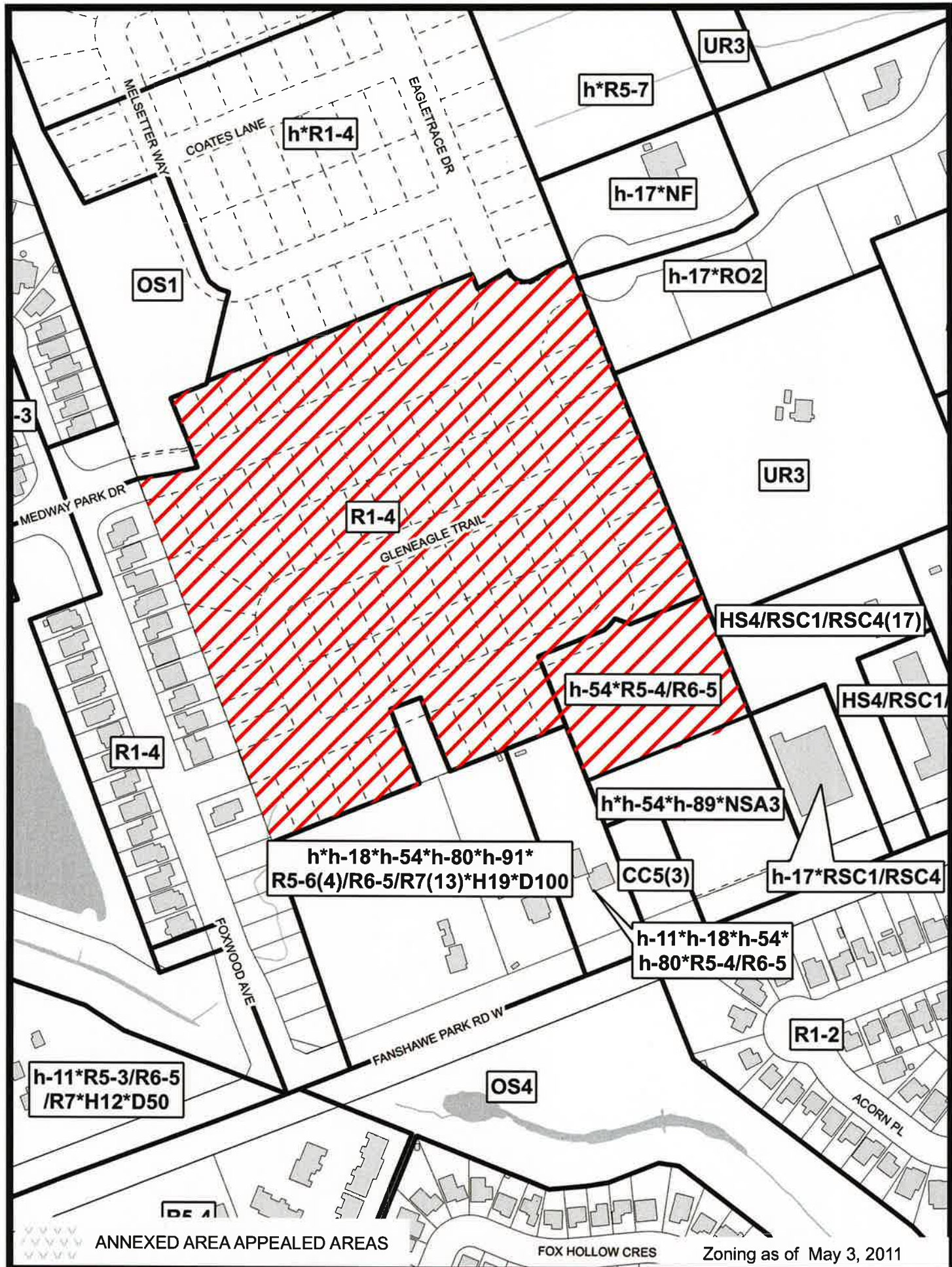
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 24, 2011  
Second Reading – October 24, 2011  
Third Reading – October 24, 2011



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



File Number: H-7904

Planner: AM

Date Prepared: 2011/05/05

Technician: MC

By-Law No: Z.-1-

SUBJECT SITE



1:3,000

0 15 30 60 90 120 Meters

