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H-7934/M. Corby

TO:	THE BUILT AND NATURAL ENVIRONMENT COMMITTEE MEETING ON OCTOBER 17, 2011
FROM:	D. N. STANLAKE DIRECTOR - DEVELOPMENT PLANNING
SUBJECT:	APPLICATION BY: AUBURN DEVELOPMENTS. 2062 DENVIEW AVENUE

RECOMMENDATION

That, on the recommendation of the Director - Development Planning, based on the application of Auburn Developments relating to the property located at 2062 Denview Avenue, the attached proposed by-laws **BE INTRODUCED** at the Municipal Council meeting on October 24, 2011 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands:

- a) **FROM** a Holding Residential R1 (h*R1-4) Zone **TO** a Residential R1 (R1-4) Zone;
- b) **FROM** a Holding Special Provision R1 (h*R1-3(7)) and Holding Residential R1 (h*R1-3) Zone **TO** a Special Provision Residential R1 (R1-3(7)) Zone and Residential R1 (R1-3) Zone; and
- c) **FROM** a Holding Residential R1 (h*R1-3) Zone, a Holding Special Provision Residential/Residential R1/R2 (h*R1-3(7)/R2-3) and a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H12*D50) **TO** a Residential R1 (R1-3) Zone, a Special Provision Residential/Residential R1/R2 (R1-3(7)/R2-3) and a Residential R5/R6/R7 (R5-3/R6-5/R7*H12*D50);
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

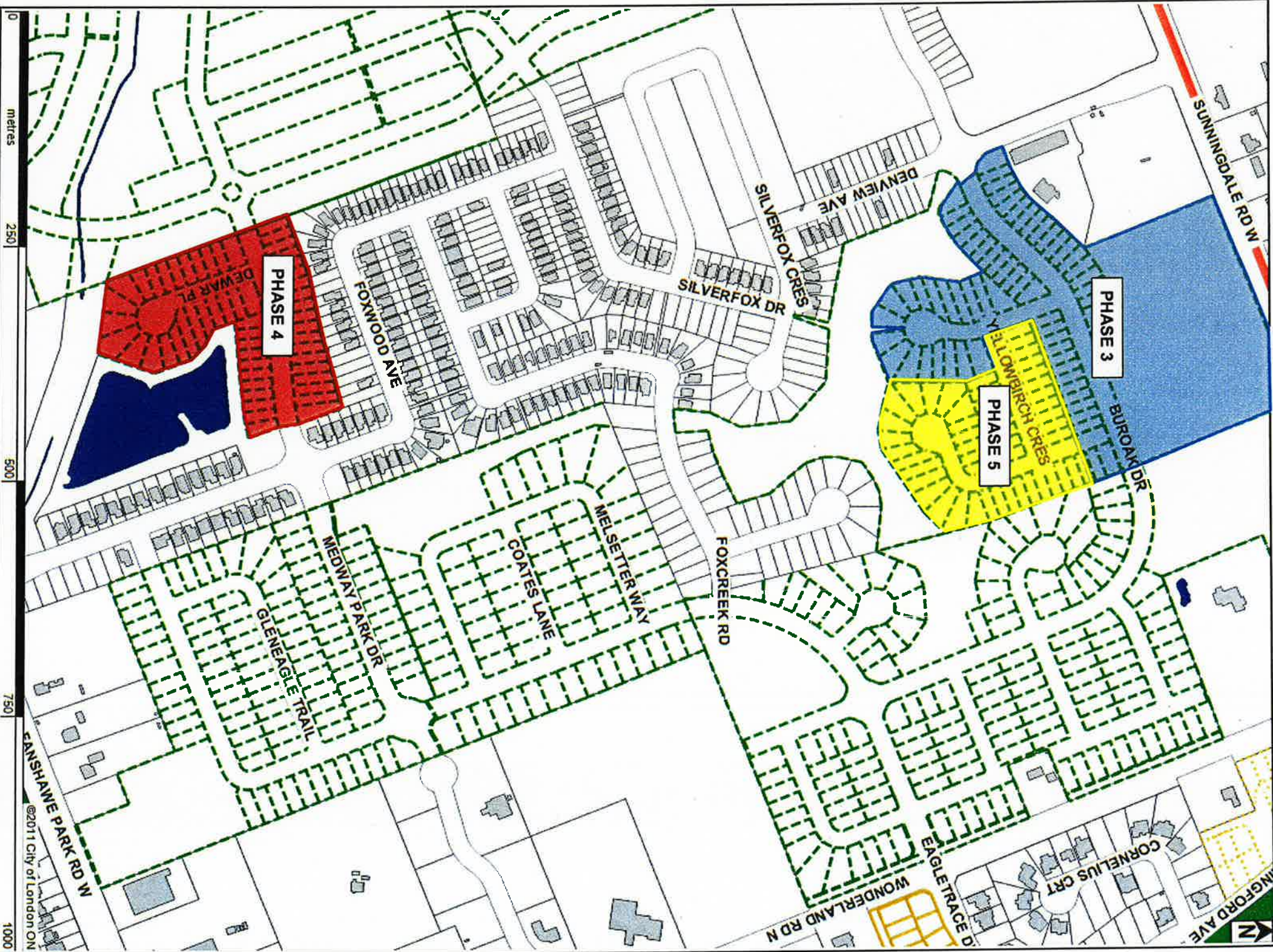
<p>Date Application Accepted: June 29 , 2011 Application was revised on July 26, 2011</p>	<p>Agent: Stephen Stapleton, Auburn Developments</p>
<p>REQUESTED ACTION: the applicant has requested the Holding Provision (h) be removed from the subject lands.</p>	

PUBLIC LIAISON:	A revised Notice was published in the Living in the City section of the London Free Press on August 20, 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.


Staff Response: The City has recently received the executed subdivision agreement related to Phase 3, 4 and 5 of the Foxhollow subdivision.



LOCATION MAP

File Number: Z-7934
 Created By: Mike Corby
 Date: 2011-09-08
 Scale: 1:5000

LEGEND

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



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ANALYSIS

What is the Holding Provision? The purpose of 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 shall not be deleted until a subdivision agreement or development agreement is entered into for the lands in question with the City of London. Until the Holding Provision "h" is removed, no new uses are permitted. Municipal Council applied the Holding Provision (h) to the subject lands in 2003 at the time of the Foxfield Subdivision was being approved.

Why is it appropriate to remove the Holding Provision? The development of Phases 1 and 2 of the Fox Hollow subdivision has provided the necessary municipal service connections to allow for the development of Phases 3, 4 & 5 in the Foxhollow Subdivision. Municipal Council approved the Special Provisions for Phases 3, 4 and 5 on October 4, 2011 and the applicant has entered into the Subdivision Agreement with the City and provided the required security. The Subdivision Agreement ensures that the lands will be developed on 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 3, 4 and 5 of the Foxhollow Subdivision.

CONCLUSION

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

PREPARED BY:	SUBMITTED BY:
	
MIKE CORBY PLANNER - DEVELOPMENT PLANNING	BRUCE HENRY MANAGER - DEVELOPMENT PLANNING
RECOMMENDED BY:	
	
D.N STANLAKE DIRECTOR - DEVELOPMENT PLANNING	

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

cc: David Ailles, Managing Director, DABU

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H-7934/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 2062 Denview Avenue.

WHEREAS Auburn Developments has applied to remove the holding provision from the zoning for an area of land located at 2062 Denview Avenue, as shown on the maps 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:

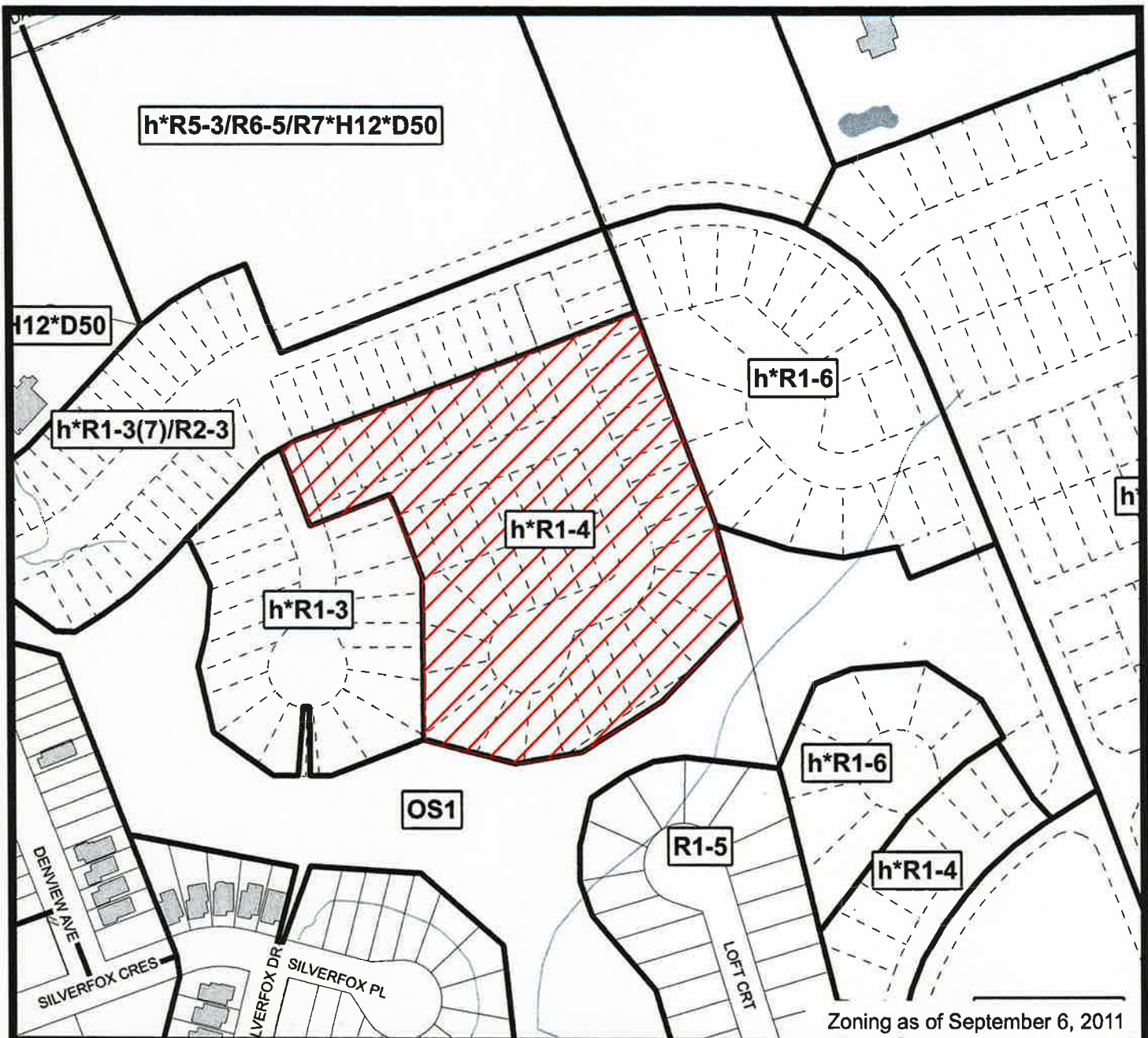
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2062 Denview Avenue, as shown on the attached map comprising part of Key Map No. 2 to remove the holding provision so that the zoning of the lands as Residential R1 (R1-4) Zone, comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 3, 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – October 24, 2011
Second Reading – October 24, 2011
Third Reading – October 24, 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
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- "h" - HOLDING SYMBOL
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- "T" - TEMPORARY USE SYMBOL

2)  **ANNEXED AREA APPEALED AREAS**

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z-1

SCHEDULE A



FILE NO:

H-7934

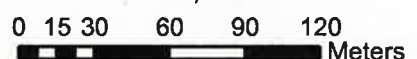
AM

MAP PREPARED:

2011/09/10

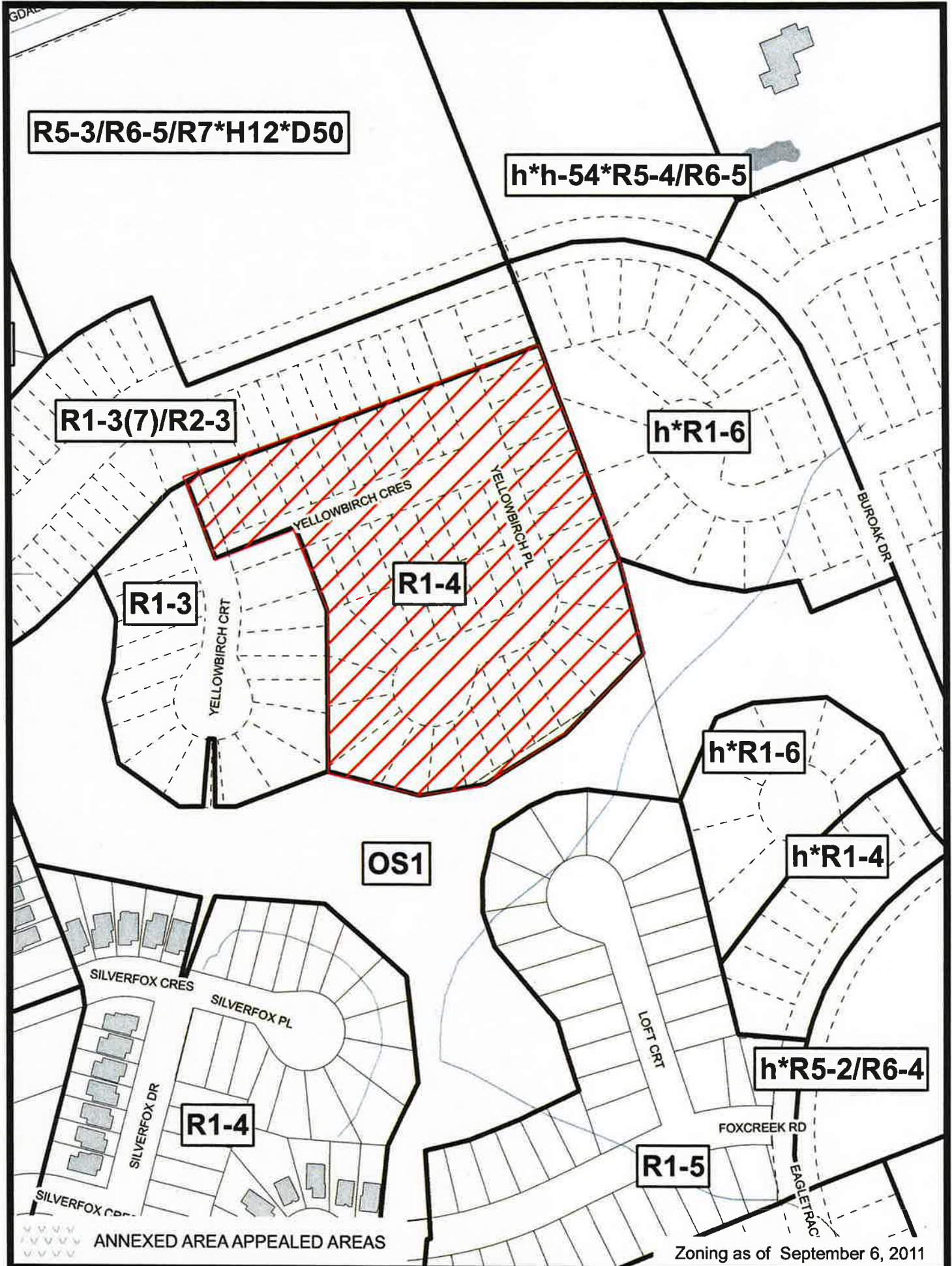
MC

1:3,000





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



File Number: H-7934

Planner: AM

Date Prepared: 2011/09/10

Technician: MC

By-Law No: Z.-1-

SUBJECT SITE



1:2,500

0 12.525 50 75 100 Meters



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

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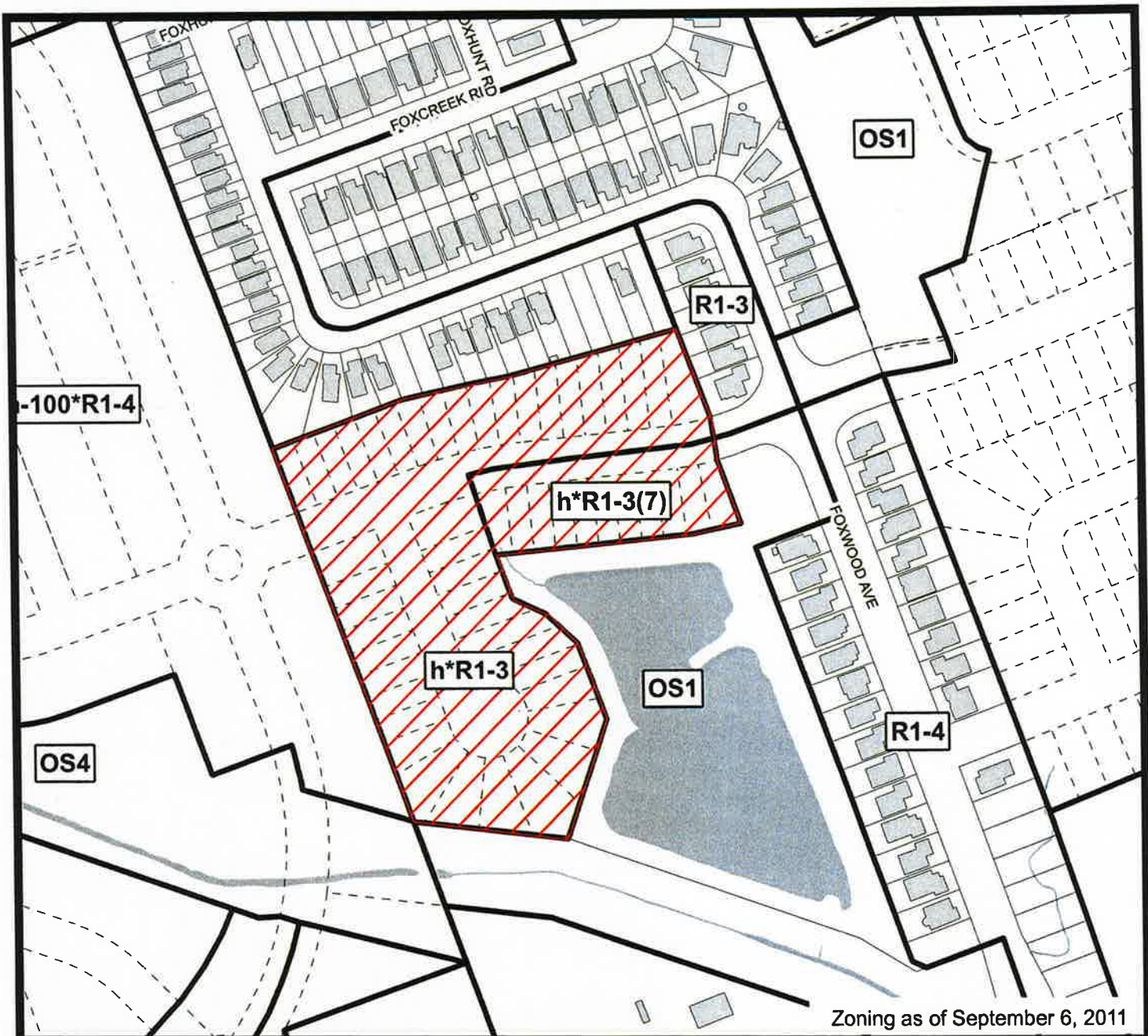
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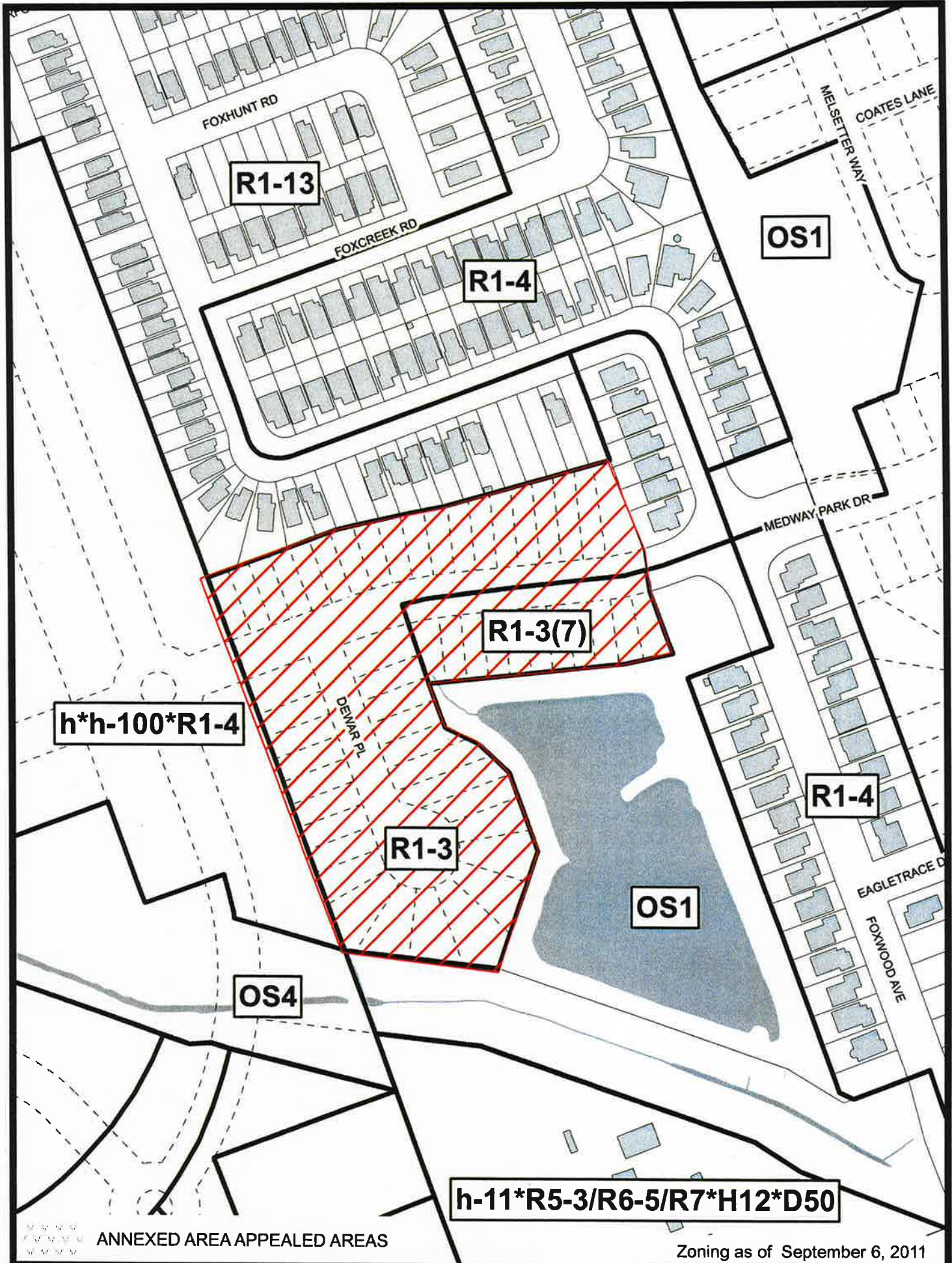
FILE NO:
H-7934 AM

MAP PREPARED:
2011/09/10 MC

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



Zoning as of September 6, 2011

File Number: H-7934

Planner: AM

Date Prepared: 2011/09/10

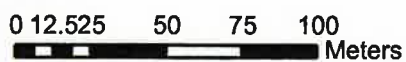
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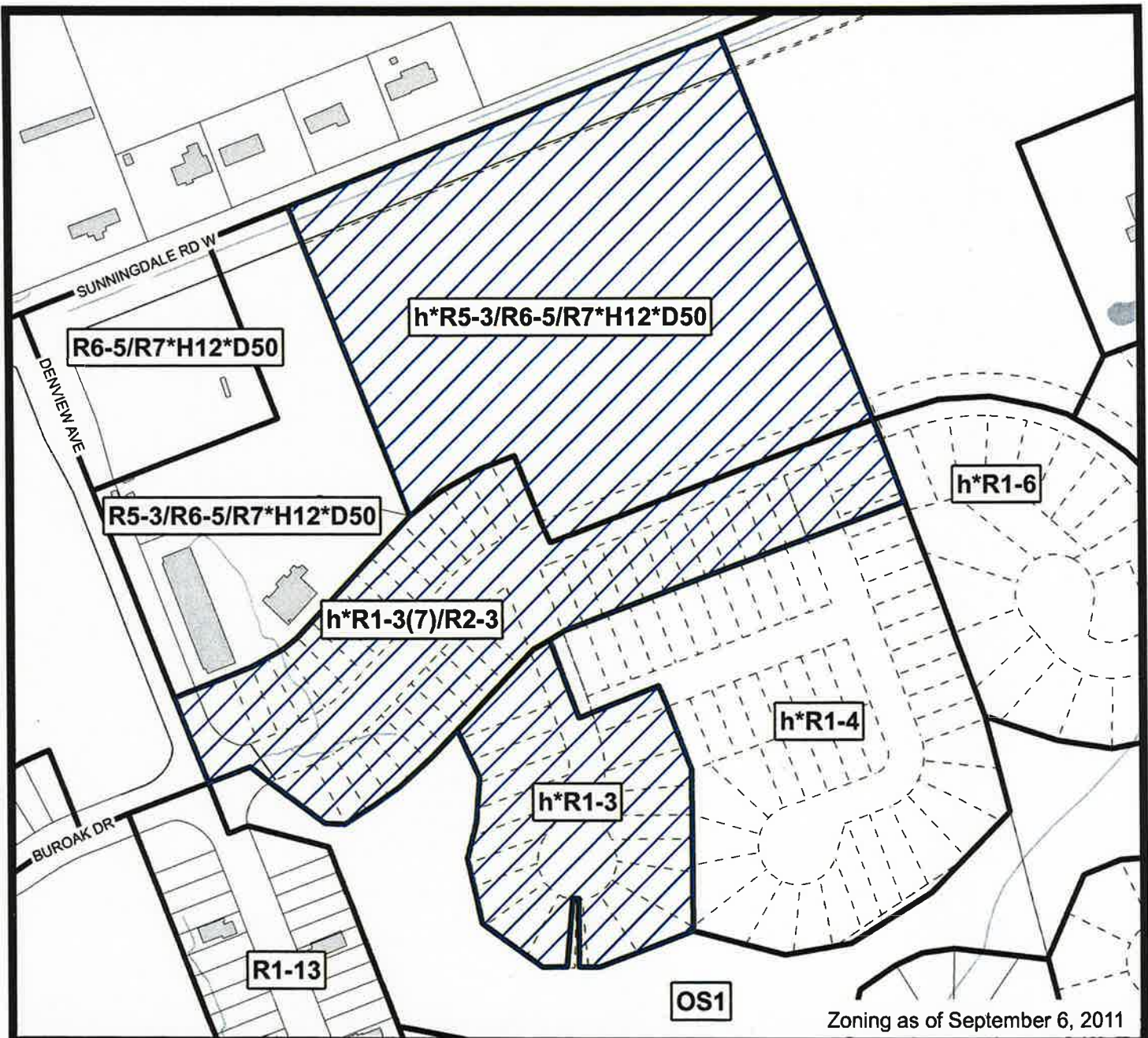
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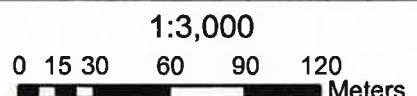
ZONING BY-LAW NO. Z-1

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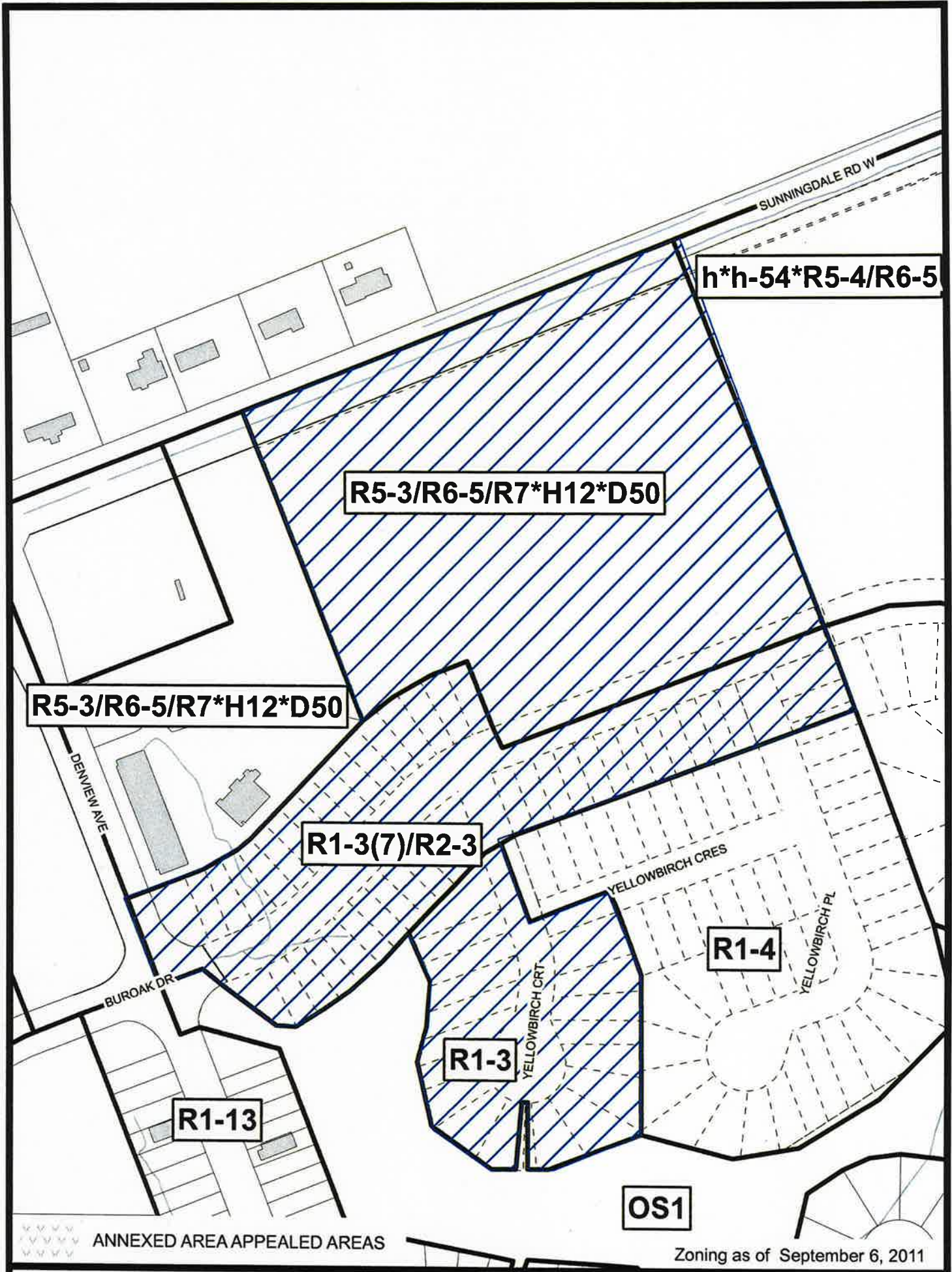
FILE NO:
H-7934 AM

MAP PREPARED:
2011/09/10 MC





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



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