

--	--

H-8089/A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON SEPTEMBER 24, 2012
FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: LANDEA DEVELOPMENTS INC. 995 FANSHAWE PARK ROAD WEST

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Landea Developments Inc. relating to the property located at 995 Fanshawe Park Road West the following actions be taken;

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 9, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of 995 Fanshawe Park Road West **FROM** a Holding Residential R1 Special Provision(h. h-100 R1-3(8)) Zone and a Holding Residential R1 (h. h-100 R1-13) Zone **TO** a Residential R1 Special Provision (R1-3(8)) and a Residential R1 (R1-13) Zone to remove the h. and h-100 holding provisions;
- b) the the application to change the zoning of a portion of the subject lands **FROM** a Holding Residential R1 (h. h-100. R1-13) Zone **TO** a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions from lots 13-29 **BE DEFERRED** until such time as the easement in favour of the City has been removed from these lots.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

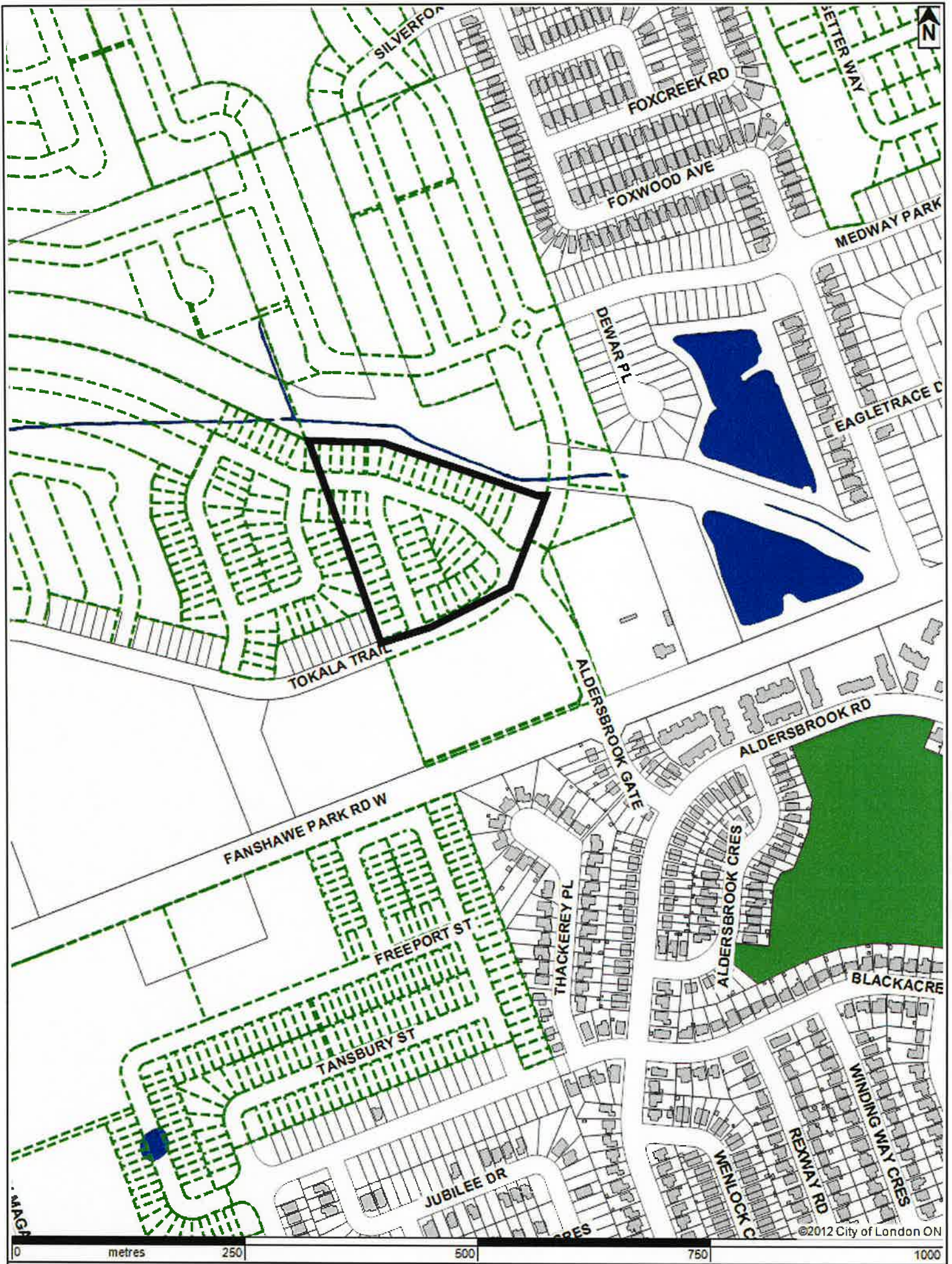
July, 2009 - Report to the Planning Committee on draft plan of subdivision, Official Plan and Zoning By-law Amendment applications (39T-05512/Z-6979).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the h. and h-100 holding provisions to allow for the consideration of building permits.

BACKGROUND






Date Application Accepted: August 14, 2012	Owner: Landea Developments
REQUESTED ACTION: Removal of the h. and h-100 holding provisions from the low density residential zones.	



LOCATION MAP

Subject Site: 995 Fanshawe Park Road West
 Applicant: Landea Developments Inc
 File Number: H-8089
 Planner: Allister MacLean
 Created By: Allister MacLean
 Date: 2012-09-10
 Scale: 1:5000

LEGEND

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



--	--

H-8089/A. MacLean

PUBLIC LIAISON:	Notice of the application was published in Living in the City on Saturday August 18 th , 2012.
Nature of Liaison: Possible change to Zoning By-law Z.-1 by deleting the Holding "h" and "h-100" Provisions from the Residential 1 (R1-13) and Residential 1 (R1-3(8)) Zone. The Holding "h" Provision ensures the orderly development of land and adequate provision of municipal services, and shall not be deleted until a subdivision agreement or development agreement is entered into for the lands in question, the Holding "h-100" Provision ensures there is adequate water service and appropriate access.	
Responses: None	

ANALYSIS

h. Holding Provision

The h. holding provision states that:

"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."

The applicant has entered into a subdivision agreement with the City for the first Phase of the Creekview subdivision which satisfies this 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."

The applicant has requested that the h-100 holding provision be removed from the 48 lots which comprise Phase I of the Creekview Subdivision. Since the 80 unit threshold has not been reached, removal of the h-100 holding provision from a portion of these lots (see Deferred Portion below) is appropriate at this time. Water Engineering have confirmed that they agree with the removal of the h-100 holding provision. Also, a second public access is available to service these lots (Tokola Trail and Aldersbrook Gate).

Deferred Portion

In 2010, the Owner granted the City a blanket easement to allow for the construction of the Heard Drain and other sanitary and SWM servicing works in this area. The Heard Drain immediately abuts the north limit of Phase I of this subdivision. Engineering SWM Unit have requested that the easement over lots adjacent to the Heard Drain be retained until such time as the Heard Drain in this area has been completed. As a result, staff are recommending that the h. and h-100 holding provision over these lots (ie 13-29) be retained until such time as we are prepared to release the easement. Once the easement is lifted a further report to remove the holding provisions in this area will be brought to the Committee for consideration.

CONCLUSION

APPROVED UNDER SECTION 51 OF THE PLANNING ACT THIS
 DAY OF _____, 20____.

PLAN 33M--

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND
 REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF MIDDLESEX
 AT _____ O'CLOCK ON THE _____ DAY OF _____
 FOR PLAN _____ AND EXTENDING IN THE PARCEL REGISTER
 CONVEYS ARE REGISTERED AS PLAN DOCUMENT NO. _____

DEP. LAND REGISTRAR

THIS PLAN IS COMPRISED OF PART OF P.L.M. 08138-0754(LT)
 LOTS 1 to 48, BLOCKS 49 to 54, STREET 'X', 'Y' and 'Z'
 ARE SUBJECT TO ER68474

PLAN OF SUBDIVISION
 OF PART OF
LOT 22, CONCESSION 5
 (GEOGRAPHIC TOWNSHIP OF LONDON)
 IN THE
CITY OF LONDON
 COUNTY OF MIDDLESEX
 SCALE 1:750 (METRIC)

JEREMY C.E. MATTHEWS
 ONTARIO LAND SURVEYOR

LEGEND:

BOUNDARIES ARE METRIC GRID DERIVED FROM SPECIFIED CONTROL POINTS
 028841015 AND 028841016, UTM ZONE 17, NAD83 (GEOIDAL).
 DISTANCES ARE GIVEN AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY
 THE CORRECTED SCALE FACTOR OF 0.999960005.

SPECIFIED CONTROL POINTS (SCP) AND OBSERVED REFERENCE POINTS (ORP) ARE
 UTM ZONE 17, NAD83 (GEOIDAL).
 COORDINATES TO METRIC ACCURACY PER SEC. 14 (3) OF CLREG. 218/10

POINT ID	NORTHING	EASTING
SCP 028841015	4,782,454.32	473,513.28
SCP 028841016	4,782,024.26	472,467.47
ORP A	4,782,484.98	473,567.23
ORP B	4,782,833.32	473,508.23

COORDINATES CHANGE, IN THEMSELVES, BE USED TO
 RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

□ DENOTES SURVEY MONUMENT SET
 ■ DENOTES SURVEY MONUMENT FOUND
 ▨ DENOTES STANDARD IRON BAR
 ▩ DENOTES IRON BAR
 ○ DENOTES CEMENT CROSS
 ✕ DENOTES WITNESS
 ⊕ DENOTES MEASURED
 ⊖ DENOTES SET
 /T DENOTES IRON TANGENTIAL
 S/T DENOTES SLOTTED TO
 DENOTES BOUNDARY
 RD DENOTES DRAINAGE, GUTTER, D.I.S.'S
 MTD DENOTES SIGNIFICANT TRANSPORTATION OF OVERLOAD
 P1 DENOTES PLAN 33M-17911
 P2 DENOTES PLAN 33M-18005
 P3 DENOTES PLAN 33M-523

MONUMENT NOTE:
 ALL SET MONUMENTS SHOWN HEREON ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.

OWNER'S CERTIFICATE:

THIS IS TO CERTIFY THAT:
 1) LOTS 1 to 48, WITH INCLUSIVE, BLOCKS 49, 50, 51, 52 AND 53, THE STREETS MAINLY STREET 'X', STREET 'Y' AND STREET 'Z', THE STREET WINDING, MAINLY BLOCK 54, THE RESERVES, MAINLY BLOCKS 55, 56 AND 57, THE WALKWAYS, MAINLY BLOCK 58 HAVE BEEN LAYED OUT IN ACCORDANCE WITH THE RESTRICTIONS.
 2) THE STREETS AND STREET WINDINGS ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF LONDON AS PUBLIC HIGHWAYS.

LONDON DEVELOPMENTS INC.
 LONDON, ONTARIO
 VITO FRIMA

I HAVE THE AUTHORITY TO SIGN THE CORPORATION

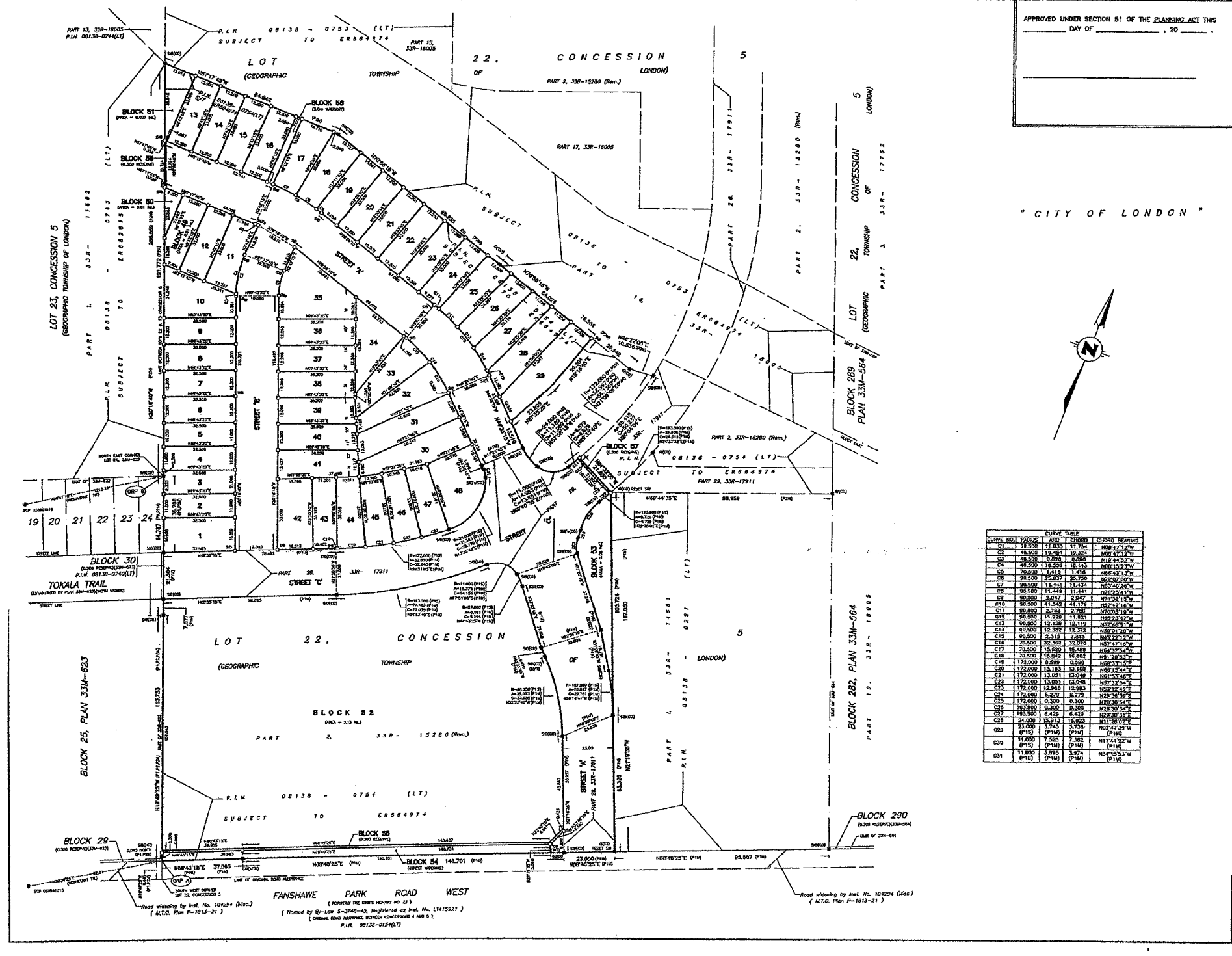
SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
 (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 (2) THE SURVEY WAS COMPLETED ON THE _____

LONDON, ONTARIO
 JEREMY C.E. MATTHEWS
 ONTARIO LAND SURVEYOR

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048


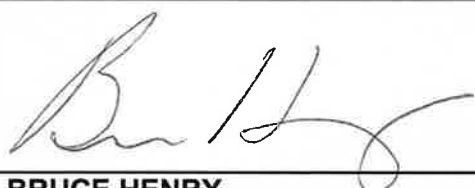


Callon & Dietz
 INCORPORATED
 ONTARIO LAND SURVEYORS
 LONDON, ONTARIO
 T: (519) 673-0220 F: (519) 673-5052 www.callondietz.com
 SURVEY BY: _____ DRAWN BY: H.R.D. FILE NO: 11-18014 PLAN NO: X-1578
 10060503



--	--

H-8089/A. MacLean

It is appropriate to remove the h. and h-100 Holding Provisions from a portion of the subject lands at this time based on the executed subdivision agreement and the limited number of lots in the first Phase of the Creekview Subdivision.

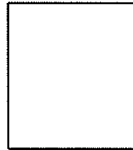
PREPARED and RECOMMENDED BY:	REVIEWED BY:
	
ALLISTER MACLEAN SENIOR PLANNER	BRUCE HENRY MANAGER – DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
	
TERRY GRAWAY MANAGER-DEVELOPMENT SERVICES	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

September 12, 2012
AM/am

"Attach."

Y:\Shared\Sub&Spec\SUBDIV2012\H-8089 995 Fanshawe Park Rd W (AM)\Report to PEC.doc

Agenda Item # Page #



H-8089/A. MacLean

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

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 995 Fanshawe Park Road West.

WHEREAS Landea Developments Inc. have applied to remove the holding provisions from the zoning for the lands located at 995 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 a portion of the lands located at 995 Fanshawe Park Road West, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-3(8)) and a Residential R1 (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 October 9, 2012.

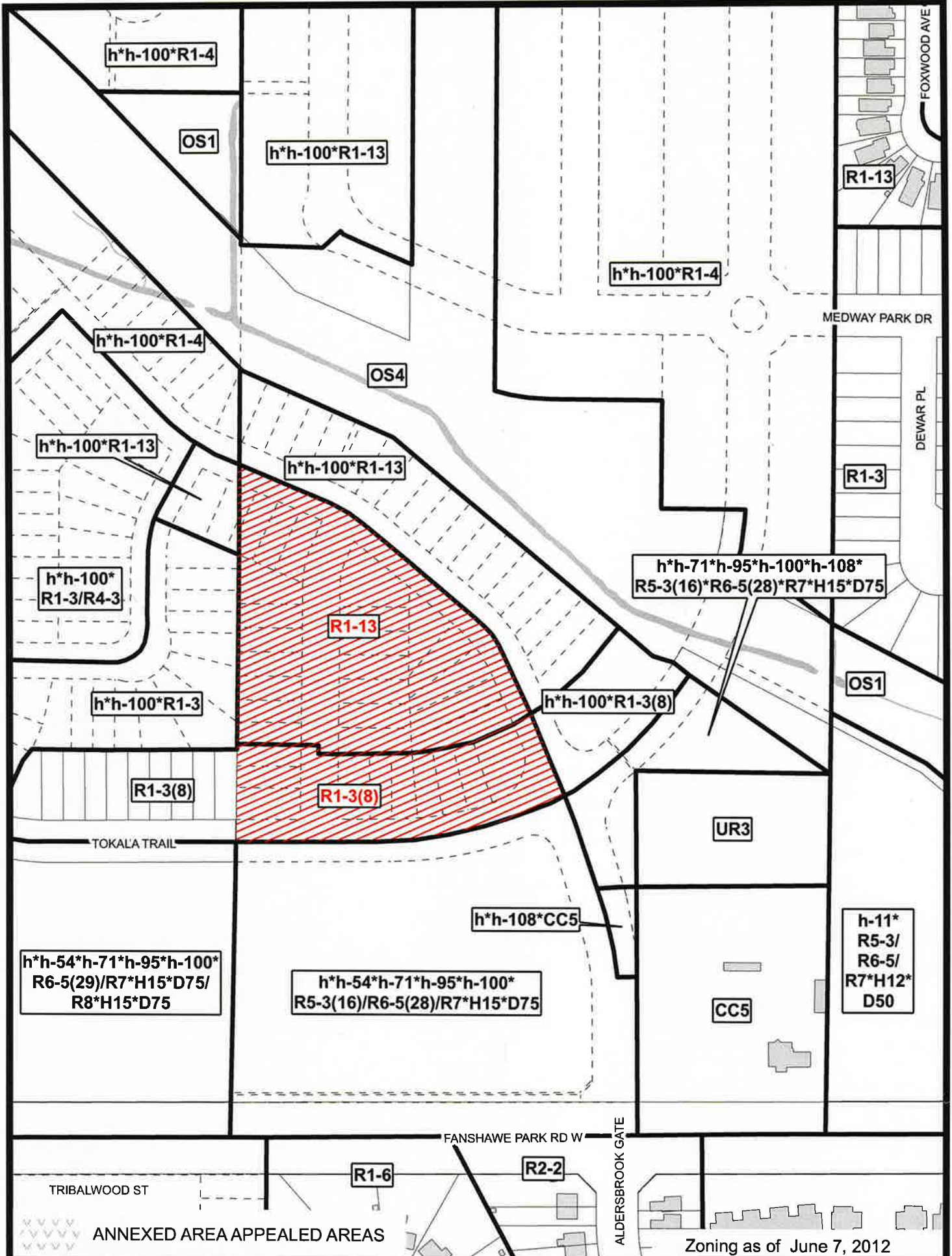
Joseph Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - October 9, 2012
Second Reading - October 9, 2012
Third Reading - October 9, 2012



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



File Number: H-8089

Planner: SW

Date Prepared: September 12, 2012

Technician: DT

By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters 