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H-8086/A. MacLean

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON NOVEMBER 5, 2012</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: STEVE STAPLETON 1139 FANSHAWE PARK ROAD WEST</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, based on the application of Steve Stapleton, relating to the property located at 1139 Fanshawe Park Road West the following actions be taken;

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 20, 2012 to amend Zoning By-law No. Z-1 to change the zoning of 995 Fanshawe Park Road West **FROM** a Compound Holding Residential R1/R4 (h. h-100 R1-3/R4-3) Zone and a Holding Residential R1 (h. h-100 R1-3) Zone **TO** a Compound Residential R1 (R1-3/R4-3) and a Residential R1 (R1-3) Zone to remove the h. and h-100 holding provisions.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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September 24, 2012 - Report to Planning Committee on Special Provisions.

July 2009 – 39T-04503/O-7644/Z-6717 - Report to Planning Committee on Draft Plan of Subdivision, Official Plan and Z-1 Zoning By-law amendments.

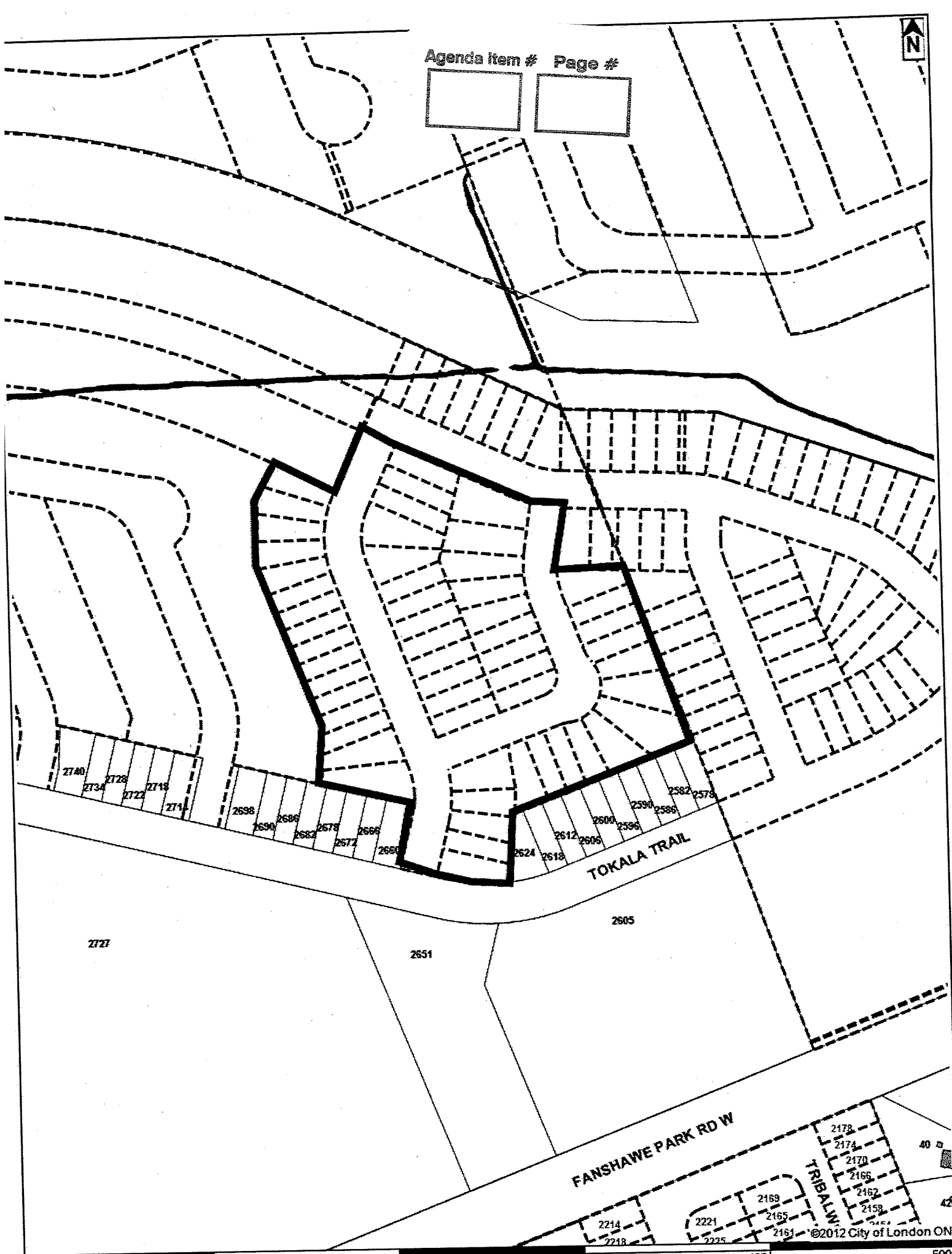
<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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To remove the h. and h-100 holding provisions to allow for the consideration of building permits.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> August 9, 2012	<b>Owner:</b> Claybar Developments
<b>REQUESTED ACTION:</b> Removal of the h. and h-100 holding provisions from the low density residential zones.	

[ ] [ ]








0 metres 100 200 300 400 500

### LOCATION MAP

Subject Site: 1139 Fanshawe Park Road West  
Applicant: Claybar Developments Inc  
File Number: H-8086  
Planner: Allister MacLean  
Created By: Allister MacLean  
Date: 2012-10-23  
Scale: 1:2500

### LEGEND

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



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<b>PUBLIC LIAISON:</b>	Notice of the application was published in Living in the City on Saturday August 25 <sup>th</sup> , 2012.
<b>Nature of Liaison:</b> Possible change to Zoning By-law Z.-1 by deleting the Holding "h" and "h-100" Provisions from the Residential R1-3 and Residential 4-3 Zones. 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.	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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**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 2nd Phase of the Claybar 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."*


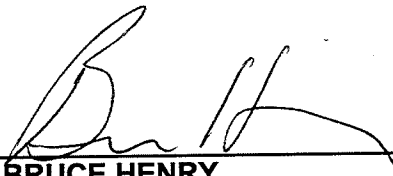


The applicant has requested that the h-100 holding provision be removed from 56 lots within Phase 2 of the Claybar Subdivision. Since the 80 unit threshold has not been reached, removal of the h-100 holding provision from a portion of these lots is appropriate at this time. Water Engineering have confirmed that they agree with the removal of the h-100 holding provision. Also, a second public access will be available to service these lots through Creekview Phase I (immediately to the east).

<b>CONCLUSION</b>
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It is appropriate to remove the h. and h-100 Holding Provisions from the subject lands at this time based on the executed subdivision agreement and the limited number of lots in the second Phase of the Claybar Subdivision.

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

October 23, 2012  
AM/am

"Attach."

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Agenda Item #      Page #

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**H-8086/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 1139 Fanshawe Park Road West.

WHEREAS Steve Stapleton has applied to remove the holding provisions from the zoning for the lands located at 1139 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 1139 Fanshawe Park Road West, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Compound Residential R1/R4 (R1-3/R4-3) and a Residential R1 (R1-3) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on November 20, 2012.

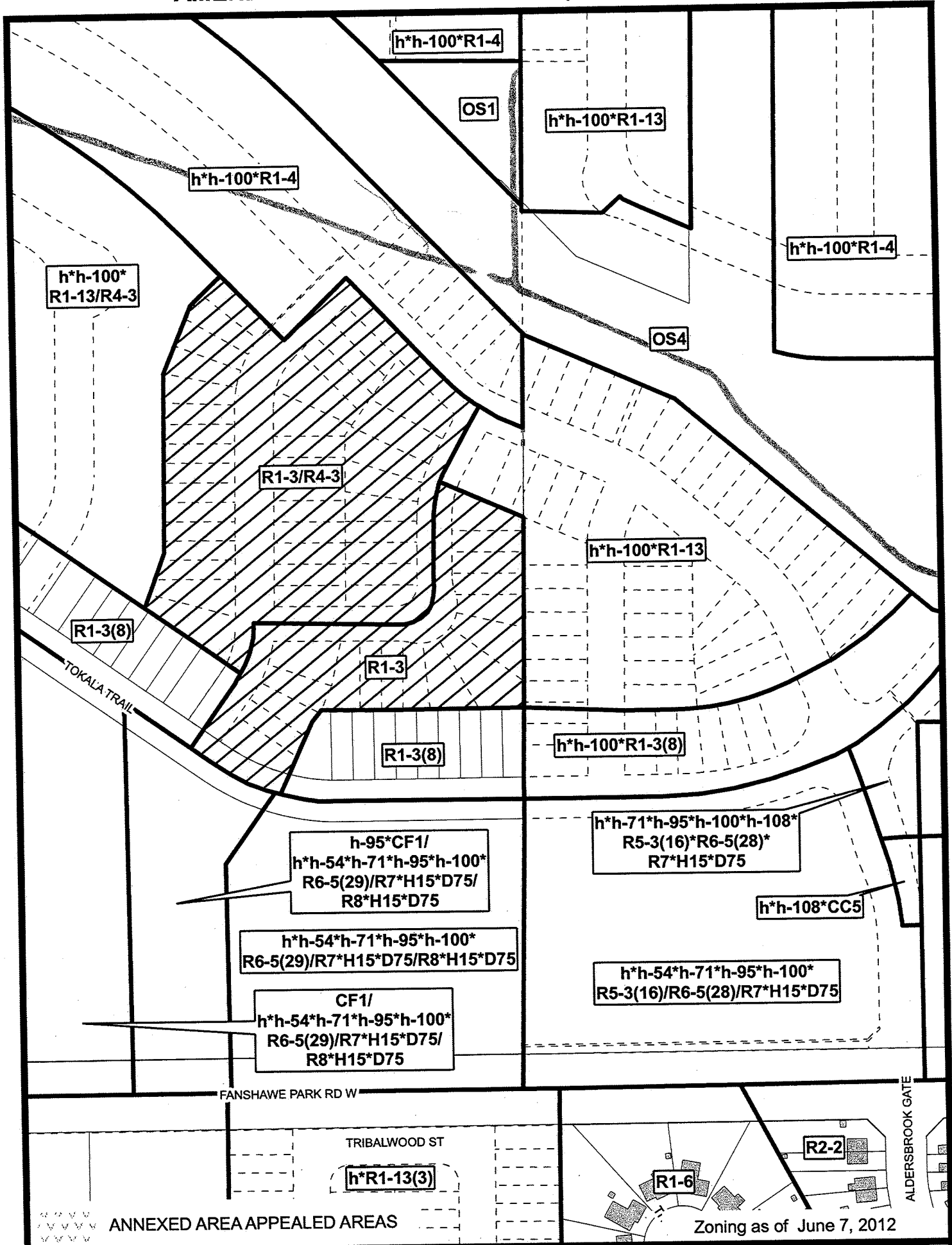
Joseph Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - November 20, 2012  
Second Reading - November 20, 2012  
Third Reading - November 20, 2012



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



File Number: H-8086

Planner: SW

Date Prepared: September 4, 2012

Technician: DT

By-Law No: Z.-1-

SUBJECT SITE



1:2,500

