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H-8089/A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON NOVEMBER 5, 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 Services, 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 November 20, 2012 to amend Zoning By-law No. Z-1 to change the zoning of 995 Fanshawe Park Road West **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.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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September 24, 2012 – Report to the Planning and Environment Committee recommending removal of holding provisions.

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: 2012-10-18
 Scale: 1:2500

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

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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 will be available to service these lots (Tokola Trail and Aldersbrook Gate).

Deferred Portion of Application

In August 2012 the property owner submitted an application to remove the h. and h-100 holding provisions from all single detached residential lots in Phase I of the Creekview Subdivision. On September 24th a report was submitted to the Committee recommending that the h. and h-100 holding provisions be deleted from all lots save and except lots 13-29 which backed onto the Heard Drain. Given the works associated with the Heard Drain construction, this portion of the application was deferred until such time as the City was in a position to release the City's easement over these lots.

SWM staff have reviewed the issue and they have advised that the City is now in the position to release the easement over lots 13-29. Based on the above, it is recommended that the h. and h-100 holding provisions be deleted from these lots.


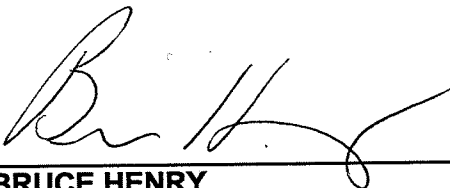
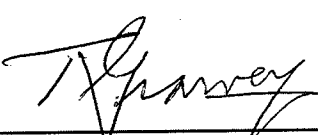

CONCLUSION

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 first Phase of

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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

October 22, 2012
AM/am

"Attach."

Y:\Shared\Sub&Spec\SUBDIV\2012\H-8089 995 Fanshawe Park Rd W (AM)\Report to PEC - lands adjacent to Heard Drain.doc

Agenda Item # Page #

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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 a portion of 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 (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 November 20, 2012.

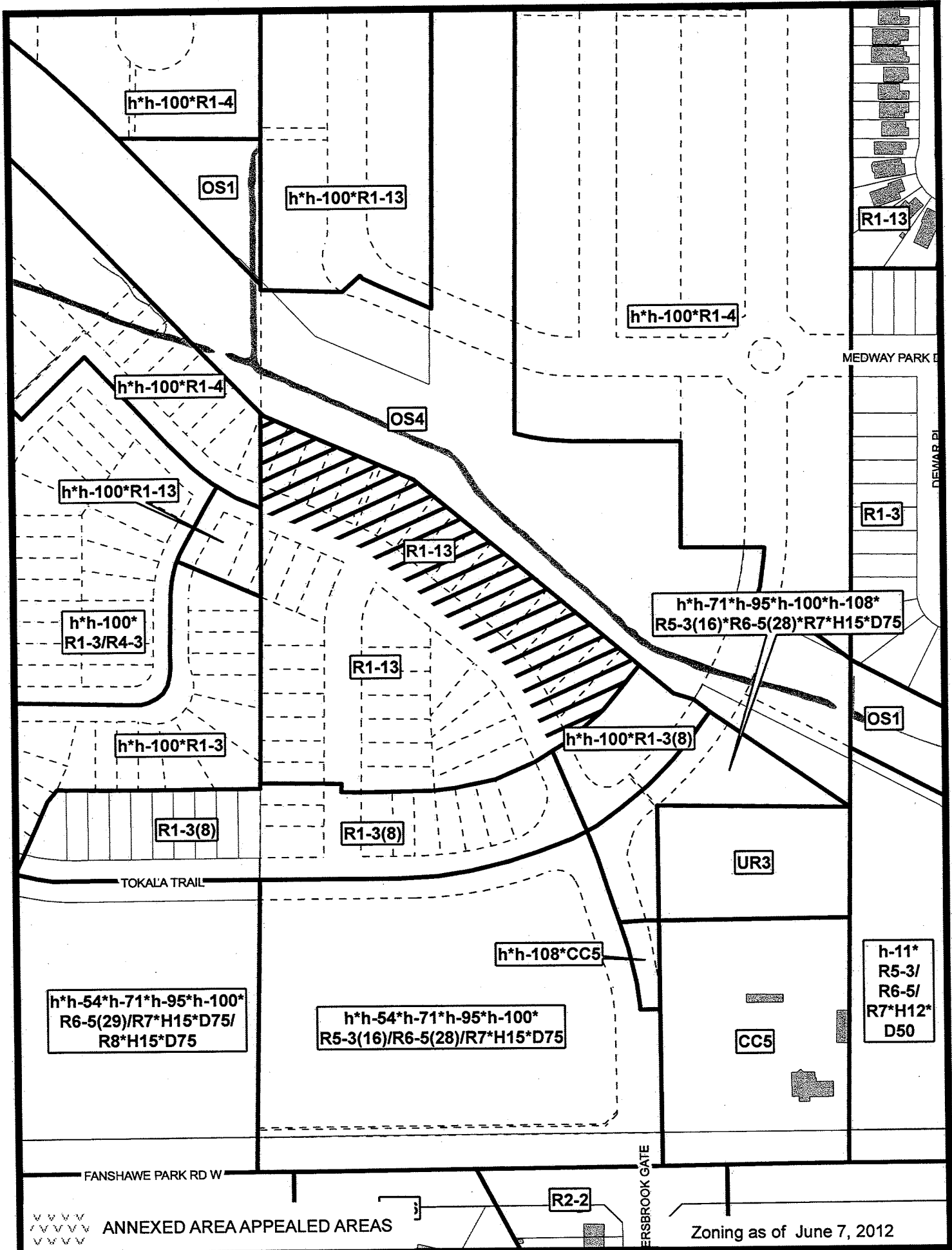
Joseph Fontana
Mayor

Catharine Saunders
City Clerk

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

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



File Number: H-8089

Planner: AM

Date Prepared: October 19, 2012

Technician: RN

By-Law No: Z.-1-122136

SUBJECT SITE



1:2,500

