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H-8119
Nancy McKee

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: REMBRANDT DEVELOPMENTS (FANSHAWE) INC. 1010 & 1068 FANSHAWE PARK ROAD EAST MEETING ON FEBRUARY 26, 2013

RECOMMENDATION

That, on the recommendation of the Senior Planner of Development Services, based on the application by Rembrandt Developments (Fanshawe) Inc. relating to the property located at 1010 & 1068 Fanshawe Park Road East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 5, 2013 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 R5/Residential R6 (h*R5-3/R6-5) Zone and a Holding Residential R5/Residential R6 (h*h-18*R5-3/R6-5) Zone **TO** a Residential R5/Residential R6 (R5-3/R6-5) Zone to remove the holding provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

39T-99521/Z-5753 (1010 Fanshawe Park Road East)
Public meeting on Draft Plan of Subdivision and Zoning By-law amendment – March 27, 2000
Public meeting on revised conditions of Draft Approval – January 26, 2004

Z-5831 (1068 Fanshawe Park Road East)
Public meeting on Zoning By-law Amendment – March 27, 2000

PURPOSE AND EFFECT OF RECOMMENDED ACTION

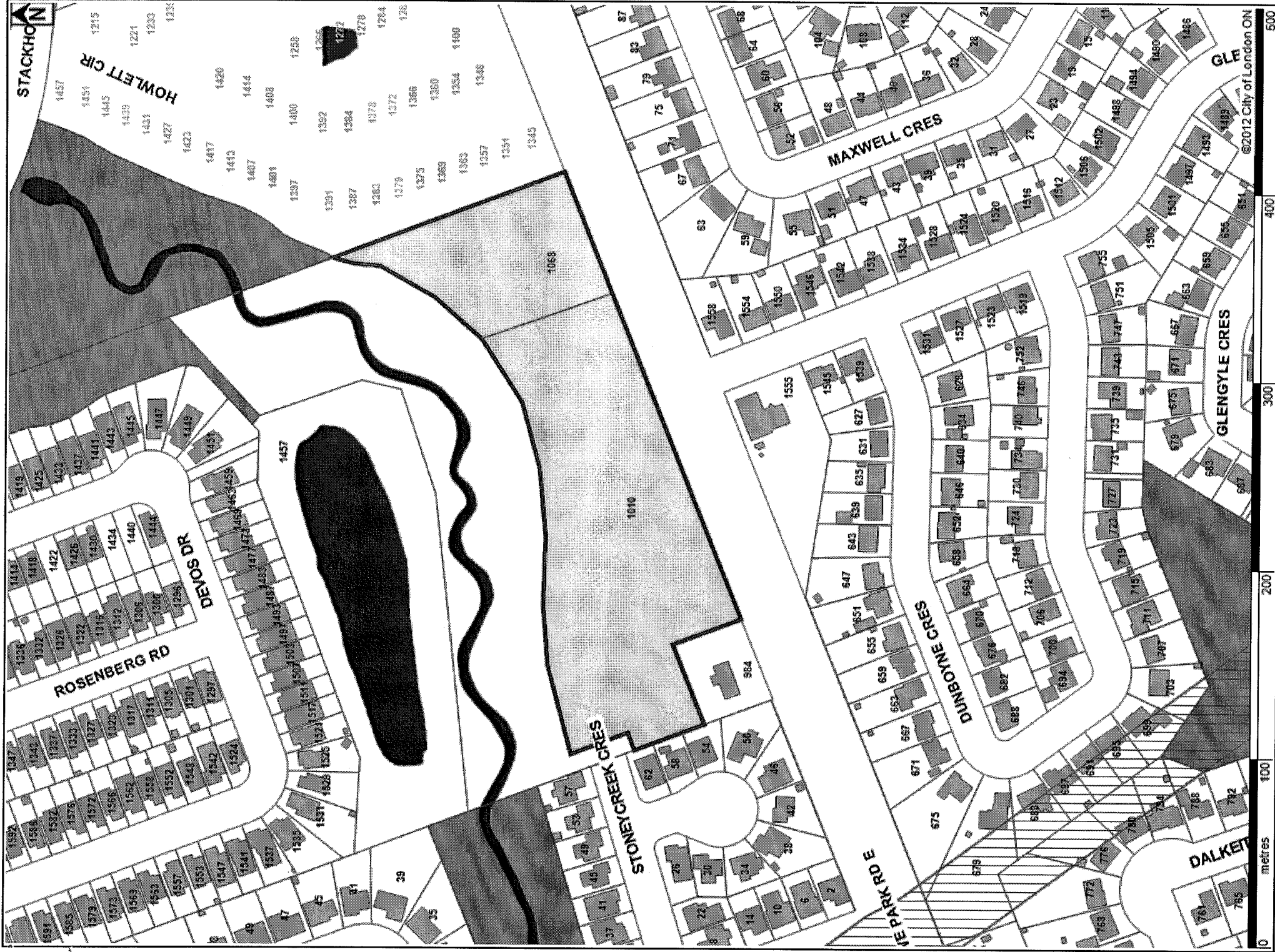
The purpose and effect of this zoning change is to remove the holding symbol to permit the development of 175 townhouse units.

RATIONALE






1. A development agreement has been entered into for the subject sites.
2. An archaeological assessment has been conducted and sign off has been provided from the Ministry of Citizenship.

BACKGROUND

Date Application Accepted: October 31, 2012	Agent: Kyle McIntosh, Whitney Engineering
REQUESTED ACTION: Request to remove the holding provisions from the zoning of lands located at 1010 & 1068 Fanshawe Park Road East to allow the development of 175 townhouse units.	



LEGEND

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

LOCATION MAP
 Subject Site: 1010 & 1068 Fanshawe Park Road East
 Applicant: Rembrandt Homes Inc.
 File Number: H-8119
 Planner: Nancy McKee
 Created By: Nancy McKee
 Date: 2012-11-05
 Scale: 1:2500

Corporation of the City of London
 Prepared By: Planning and Development

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PLANNING HISTORY

These lands were annexed to the City in 1993, from the former Township of London and are part of the Stoney Creek Community Plan area which was adopted by Council in June, 1998 and the decision upheld by the Ontario Municipal Board (OMB) in February, 2000.

The property at 1010 Fanshawe Park Road East was part of a draft plan of subdivision known as Northridge (39T-99521). The plan of subdivision received draft approval and the Zoning BHy-law amendment was adopted on May 2, 2000. At the same time, a Zoning By-law amendment was adopted by Council for 1068 Fanshawe Park Road East. Both properties were zoned for cluster housing/townhouses (R5-3/R6-5). Four phases of the subdivision were registered before the draft plan lapsed on July 6, 2008.

These lands were part of the Environmental Assessment which resulted in the Stoney Creek On-Line Flood Control Facility.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

PUBLIC LIAISON:	Notice was published in The Londoner on November 8, 2012.	One reply.
Nature of Liaison: The purpose and effect of this zoning change is to remove the holding symbol to permit the development of a residential condominium development with 175 townhouse units.		
Responses: questions on the application.		

ANALYSIS

Through the zoning by-law amendments adopted in 2000 for the draft plan of subdivision at 1010 Fanshawe Park Road East an (h) holding provision was applied to the site. Through the zoning by-law amendment for 1068 Fanshawe Park Road East, an (h) and (h-18) Holding provision were applied to the site.

(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."

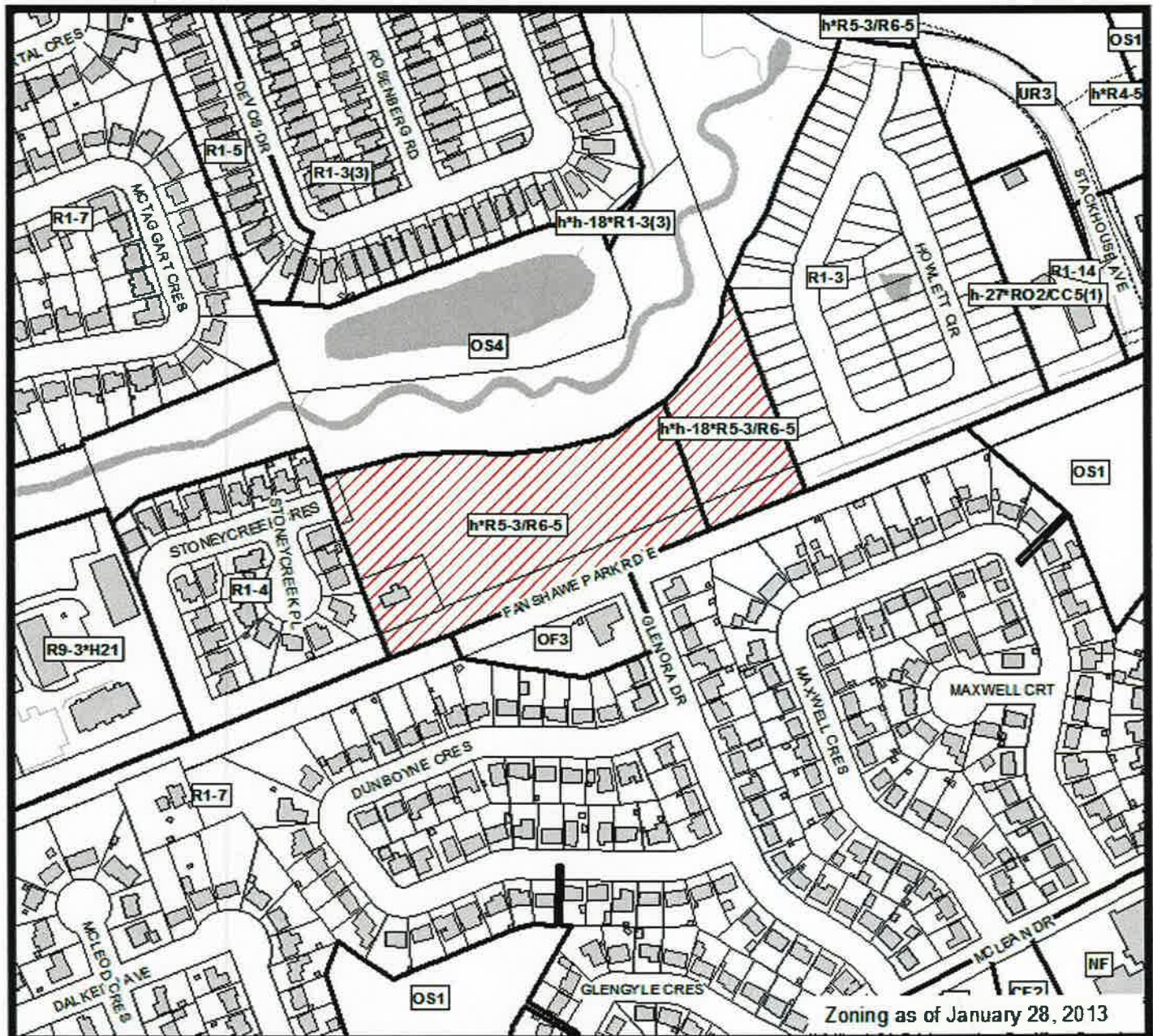
The applicant has entered into a development agreement with the City for the lands at 1010 & 1068 Fanshawe Park Road east, which consist of 175 townhouse units. This satisfies holding provision (h) for both properties.

(h-18) Holding Provision

The h-18 holding provision states that:

"To ensure that lands are assessed for the presence of archaeological resources prior to development. The proponent shall carry out an archaeological resource assessment of the entire subject property or identified part thereof and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London. No grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division."

A Stage 1-3 archaeological assessment was conducted at 1068 Fanshawe Park Road East by Martelle Heritage Consultants Inc. the findings of the assessments were submitted to the Ministry of Culture. The Ministry of Culture provided a letter, dated August 3, 2000 that they were satisfied with the studies and did not object to development proceeding on site.



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

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "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-8119

NM

MAP PREPARED:

2013/02/08

JS

1:4,000

0 20 40 80 120 160
Meters

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The Provincial Policy Statement, 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The proposed development will utilize existing municipal services and available infrastructure. The proposal is on an existing arterial road with transit routes and shared efficient and safe vehicular access/egress points. The subject site has no natural heritage features. The proposed redevelopment is outside the influence of a natural hazard. The development meets the policies of the Official Plan and conforms to the zoning by-law approved for the site.

CONCLUSION

It is appropriate to remove the h and h-18 Holding Provisions from the sites at this time based on the executed development agreement. Removal of these holding provisions will allow the property owner to apply for a building permit to commence construction of 175 townhouse units.

The proposed removal is in conformity with the Provincial Policy Statement and the Official Plan. The proposed amendments are consistent with the surrounding development. There are no heritage concerns on the site. The development agreement has been signed. Therefore, the removal of the holding provision represents sound land use planning and is appropriate.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
	
NANCY MCKEE, MCIP, RPP SENIOR PLANNER DEVELOPMENT SERVICES	TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON
CONCURRED BY:	SUBMITTED BY:
	
JENNIE A. RAMSAY, P.ENG. MANAGER, DEVELOPMENT SERVICES & ENGINEERING LIAISON	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

February 13, 2013

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Bill No. (Number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 1010 & 1068 Fanshawe Park Road East.

WHEREAS Rembrandt Developments (Fanshawe) Inc. has applied to remove the holding provision from the zoning for an area of land located at 1010 & 1068 Fanshawe Park Road East, 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 lands located at 1010 & 1068 Fanshawe Park Road East, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5/Residential R6 (R5-3/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 March 5, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - March 5, 2013
Second Reading - March 5, 2013
Third Reading - March 5, 2013

