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File No: H-7928
Planner: N. Pasato

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	DAVID AILLES MANAGING DIRECTOR DEVELOPMENT APPROVALS D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING
SUBJECT:	APPLICATION BY: CEDAR HOLLOW DEVELOPMENT LIMITED 1671 & 1755 FANSHAWE PARK ROAD EAST MEETING ON MONDAY, NOVEMBER 14, 2011

RECOMMENDATION

That, on the recommendation of the Director of Development Planning and the Managing Director of Development Approvals, based on an application by Cedar Hollow Development Limited relating to the property located at 1671 & 1755 Fanshawe Park Road East, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 21, 2011 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/Residential R7 (h*R5-3/R6-5/R7*H12*50) Zone, a Holding Residential R5/Residential R6/Residential R7 (h*h-11*h-54*R5-3/R6-5/R7*H12*50) Zone, a Holding Residential R1 (h*R1-13) Zone, and a Holding Residential R1 (h*R1-3) Zone by removing the "h", "h-11", and the "h-54" holding provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- OZ-6697** - Kilally North Area Plan and Official Plan amendments, December 6, 2004
- 39T-03518/OZ-6584** - Draft Approval recommendation to Planning Committee, July 2004
- Phase 1 Special Provisions for the subdivision agreement, July 17, 2006
- Extension to Draft Approval, August 2007 and July 19, 2010
- Report to BNEC on revisions to draft plan of subdivision, June 8, 2011
- Report on special provisions for Subdivision Agreement (Phase II), September 26, 2011
- H-7101** - Report to Planning Committee on removal of holding provisions - August 2006 and June 2007

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended action would remove the holding provision for the site and would allow for the development of Phase II of the Cedarhollow subdivision.

RATIONALE

1. The removal of the h holding provision is appropriate, as the property owner has entered into a subdivision agreement for Phase II of the subdivision with the City.
2. The removal of the h-11 holding provision is appropriate as a one foot reserve was placed on the frontage along Fanshawe Park Road East to ensure no direct access to the arterial road.
3. The removal of the h-54 holding provision is appropriate noise and dust mitigation measures have been included in the Phase II signed Subdivision Agreement

FANSHAWE PARK RD E

33M-580

Removal of Holding Provision

CEDARHOLLOW BLVD

KILLARNEY RD

CEDARCREEK CRES







THAMES RIVER (NORTH BRANCH)

LOCATION MAP

CITY OF LONDON

Topographic Information Date: April 2010
PREPARED BY: Development Resources & Policy

Legend

-  ASSESSMENT PARCELS
-  BUILDINGS
-  WATER
-  VEGETATION
-  UNDER REVIEW SUBDIVISIONS
-  DRAFT APPROVED SUBDIVISIONS

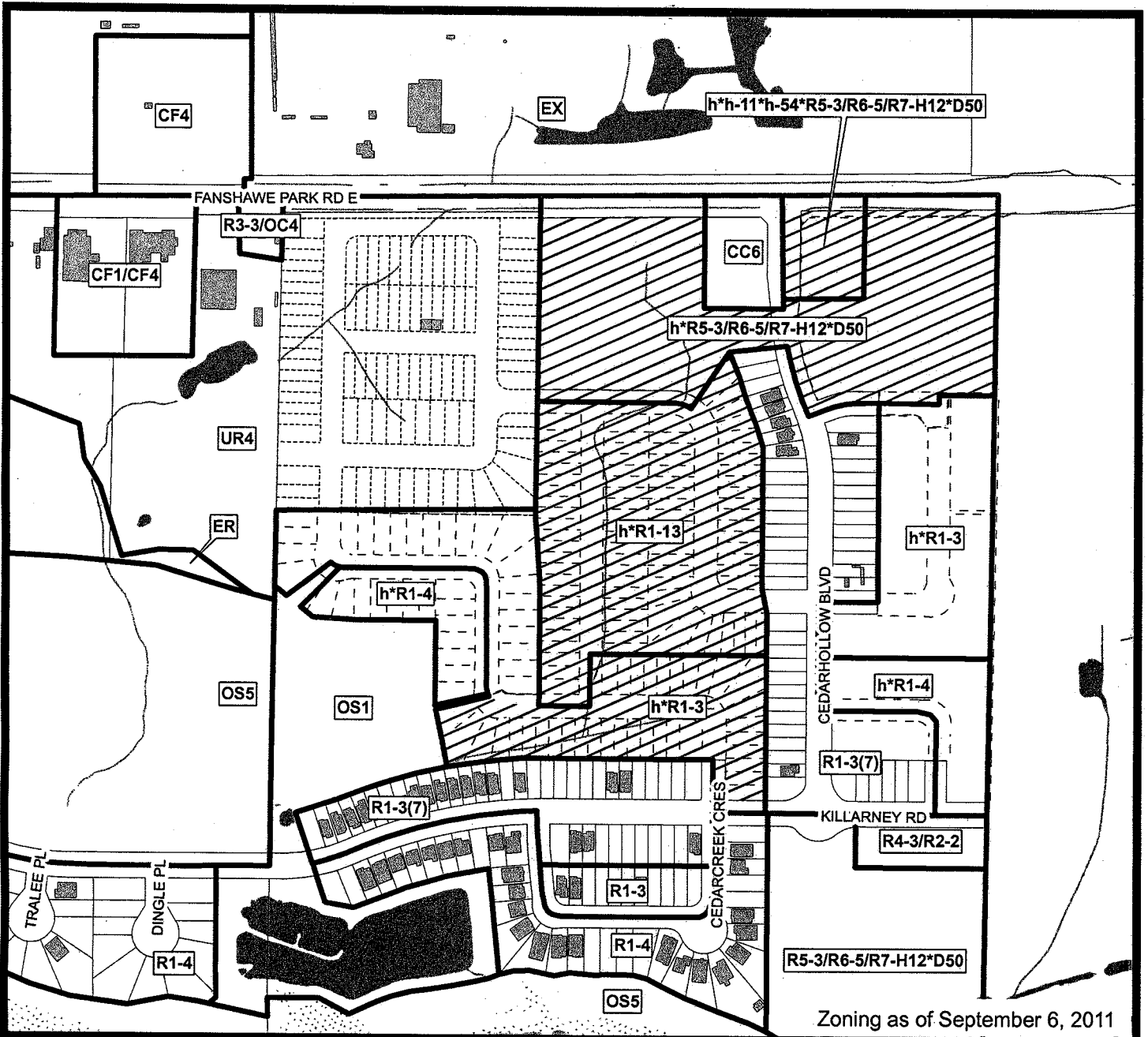


SUBJECT SITE:
1671 Fanshawe Park Rd E

FILE NO:
H-7928

MAP PREPARED:
November 1, 2011 DT

1:3,500
0 25 50 100
Meters



Zoning as of September 6, 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
- 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-7928

NP

MAP PREPARED:

September 7, 2011

DT

1:5,000

0 25 50 100 150 200

Meters

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BACKGROUND

Date Application Accepted: June 27, 2011	Agent: Steve Stapleton
REQUESTED ACTION: removal of h, h-11 and h-54 holding provisions on Phase II of 39T-03518 (and 1755 Fanshawe Park Road East) and removal of h on Block 138 in 33M-580.	

OFFICIAL PLAN DESIGNATION:
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential, Low Density Residential
EXISTING ZONING: (refer to map on page 3)
<ul style="list-style-type: none"> • Holding Residential R5/Residential R6/Residential R7 (h*R5-3/R6-5/R7*H12*50) Zone • Holding Residential R5/Residential R6/Residential R7 (h*h-11*h-54*R5-3/R6-5/R7*H12*50) Zone • Holding Residential R1 (h*R1-13) Zone • Holding Residential R1 (h*R1-3) Zone

PLANNING HISTORY

In March of this year the applicant applied for a revision to the draft approval for this subdivision. The purpose and effect of the proposed changes was to demarcate nine (9) single detached residential blocks into 119 single detached residential lots, and to include 1755 Fanshawe Park Road East into the draft plan. Since the application was originally granted draft approval, the Owner had acquired this parcel and wanted to incorporate it into the draft plan. No changes to the Official Plan or the zoning by-law were proposed as part of the revised plan. The Approval Authority granted draft approval for the revised subdivision on July 27, 2011. No appeals were received.

Council approved the special provisions for Phase II of the Subdivision on October 3, 2011, and the Owner subsequently returned the signed subdivision agreement on October 25, 2011.

ANALYSIS

h Purpose: 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 Phase II and the plan of subdivision will soon be registered. The h holding provision has been satisfied and it is therefore appropriate to remove this holding provision.

h-11 Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

Although there is no development agreement as yet for this parcel, on the face of the Plan of Subdivision and through the subdivision agreement a one foot reserve was placed on the frontage along Fanshawe Park Road East to ensure no direct access to the arterial road. Any access will be through Cedarhollow Boulevard or Cedarpark Crescent, as was intended when

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Planner: N. Pasato

this holding provision was placed in the site. Therefore, it is appropriate to remove this holding provision.

h-54 Purpose: To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

The applicant had submitted a Noise & Dust Impact Study through Phase 1 of the subdivision. The studies contained recommendations to ensure noise levels experienced by future residents are within acceptable limits. These mitigation measures are included in the Phase II signed Subdivision Agreement. Therefore, it is appropriate to remove the h-54 holding provision.

CONCLUSION

Removal of the holding provisions is appropriate, as the applicant has entered into a Subdivision Agreement, access to the multi-family block is restricted through the use of a one foot reserve along Fanshawe Park Road East, and the Subdivision Agreement has implemented the noise attenuation measures recommended through the noise studies.

BIBLIOGRAPHY

The following documents were used in the review of this development proposal:

- Provincial Policy Statement, 2005
- City of London Official Plan
- Zoning By-law Z.-1
- Subdivision Agreement – Cedarhollow, Phases I & II
- All planning reports, noted in "Previous Reports Pertinent to this Matter"

PREPARED BY:	SUBMITTED BY:
	
NANCY PASATO, MCIP, RPP SENIOR PLANNER – DEVELOPMENT PLANNING	JEFF LEUNISSEN, MCIP, RPP MANAGER – DEVELOPMENT PLANNING
RECOMMENDED BY:	REVIEWED AND CONCURRED BY:
	
D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	D.AILLES, P.ENG MANAGING DIRECTOR DEVELOPMENT APPROVALS

November 3, 2011
 NP /np "Attach"
 Y:\Shared\Sub&Spec\SUBDIV\2011\H-7928 - 1671 Fanshawe Park Road East
 (NP)\removal of h 1671 Fanshawe.docx

Agenda Item #	Page #

**File No: H-7928
Planner: N. Pasato**

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 1671 & 1755 Fanshawe Park Road.

WHEREAS Cedar Hollow Developments Limited has applied to remove the holding provision from the zoning for an area of land located at 1671 & 1755 Fanshawe Park Road, as shown on the map 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 1671 & 1755 Fanshawe Park Road, as shown on the attached map to remove the holding provision so that the zoning of the lands as a Residential R5/Residential R6/Residential R7 (R5-3/R6-5/R7*H12*50) Zone, a Residential R5/Residential R6/Residential R7 (R5-3/R6-5/R7*H12*50) Zone, a Residential R1 (R1-13) Zone, 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 21, 2011.

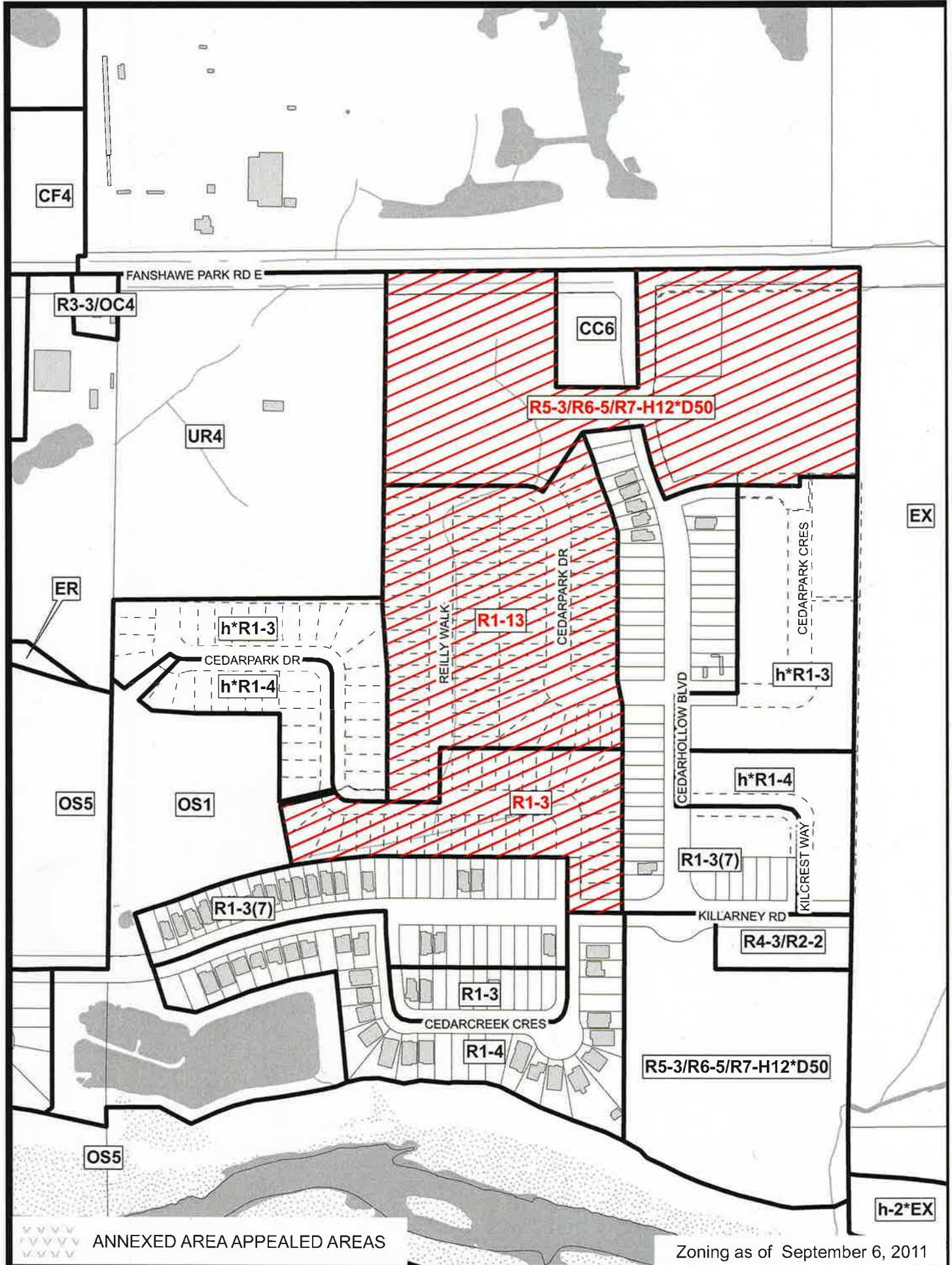
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - November 21, 2011
Second Reading - November 21, 2011
Third Reading - November 21, 2011



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



File Number: H-7928

Planner: NP

Date Prepared: September 7, 2011

Technician: DT

By-Law No: Z-1-

SUBJECT SITE



1:4,000

0 20 40 80 120 160 Meters

