

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: G. Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application by: 1423197 Ontario Inc. (Royal Premier Homes)
307 Fanshawe Park Road East

Meeting on: January 18, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of 1423197 Ontario Inc. (Royal Premier Homes) relating to the property located at 307 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Residential R5 Special Provision (h-5*h-54*h-89*R5-7(10)) Zone **TO** Residential R5 Special Provision (R5-7(10)) Zone to remove the "h-5, h-54 and h-89" holding provisions.

Executive Summary

Summary of Request

The applicant has requested the removal of the h-5, h-54 and h-89 holding provisions from 307 Fanshawe Park Road East, for a proposed townhouse development. The holding provisions are in place to ensure a public site plan meeting is conducted, there are no land use conflicts between the arterial road and the proposed residential use and a stormwater servicing report has been completed and implemented.

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding h-5, h-54 and h-89 symbols to permit the construction of 42 townhouse dwelling units.

Rationale of Recommended Action

The requirements for removing the holding provision have been met.

1. The public site plan meeting was held on July 15, 2020, and staff have worked with applicant to ensure that matters raised throughout the public engagement process have been considered.
2. There are no land use conflicts between arterial roads and the proposed residential uses
3. A stormwater servicing report has been accepted and the recommendations of the study have been implemented to the satisfaction of the City Engineer.
4. A Development Agreement has been executed and security has been posted for this development.

It is appropriate to remove the holding provision as it is no longer required.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

The original 1972 plan of subdivision developed around 307 Fanshawe Park Road East providing the site with 2 legal frontages; Fanshawe Park Road East and Camden Road. In 1975, a severance was granted for the north portion of 307 Fanshawe Park Road to create 3 residential lots fronting onto Camden Road.

In April 2011, Municipal Council passed a Zoning By-law Amendment, Holding Residential R1/ Bonus (h-5*h-54*h-89*R1-8*B-15) Zone, to permit the development of a 3 story apartment building. The building was never constructed.

In 2019, an application was submitted to amend the zoning on the subject site from a Residential R8 Zone to a Special Provision Residential R5 Zone to permit townhouse and stacked townhouse dwellings. Planning Committee deferred the application and directed staff to undertake additional work with the applicant to consider site issues such as tree protection, building elevation, intensification and site grading. In addition, the development was to be presented to the Urban Design Peer Review Panel (UDPRP).

On July 17, 2019, the revised development proposal was presented to the UDPRP.

A second Public Participation Meeting was held before the Planning and Environment Committee on September 23, 2019. On October 1, 2019 Municipal Council amended the Zoning By-law a Holding Residential R5 Special Provision (h-5*h-54*h-89*R5-7(10)) Zone. The resolution of Council also included the following direction for the Site Plan Approval Authority to consider:

- i. the requirement for the protection and preservation of the trees and hedges on the easterly, southerly, and westerly boundary (both shared boundary and within-boundary vegetation) on the subject property, with the exception of invasive species or hazard trees;
- ii. where hedge growth is sparse the requirement for the provision of supplementary coniferous plantings post-construction to fill the gaps;
- iii. the comments from the Urban Design Peer Review Panel (UDPRP) from their meeting held on July 17, 2019; and
- iv. subject to iii) above, the submission of a revised site plan to the UDPRP for review.

The applicant returned to the UDPRP on November 11, 2019.

On April 28, 2020, a site plan application was received by the City (file SPA20-029). On July 15, 2020 a public meeting was held before PEC to discuss the site plan application for a 3-storey (11.7m) 24 unit stacked townhouse building and a 2- storey (8.9m) 18 unit building. Municipal Council supported the site plan application.

1.1 Property Description

The subject lands are located on the south side of Fanshawe Park Road East, east of and Hastings Drive. Fanshawe Park Road East is classified as an Urban Thoroughfare in The London Plan and an Arterial Road in the 1989 Official Plan. The City issued demolition permits on January 4, 2019 to remove the single detached dwelling and the accessory (barn) structure. The site is currently vacant.

1.2 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods Place Type
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – Holding Residential R5 Special Provision, (h-5*h-54*h-89*R5-7(10))

1.3 Site Characteristics

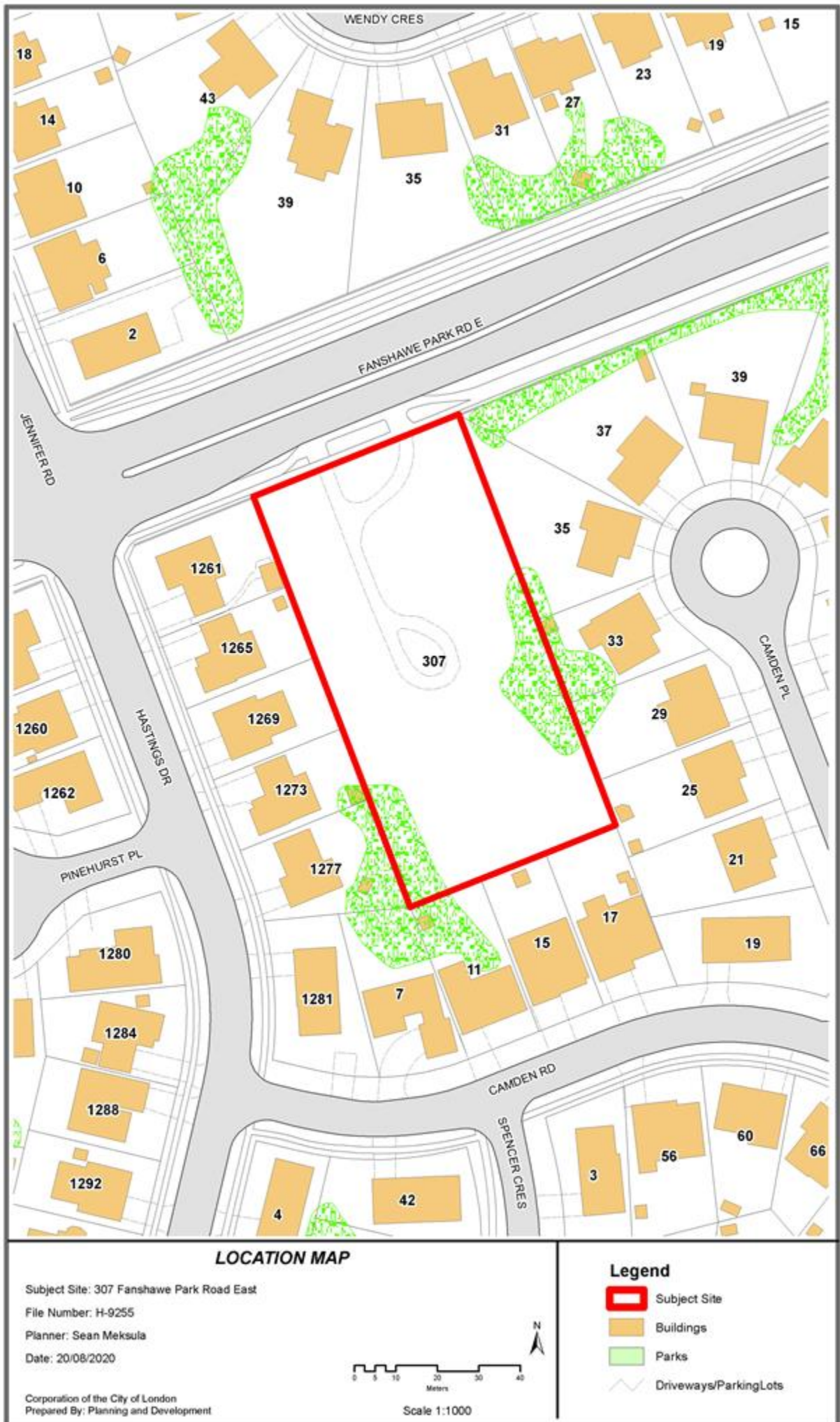
- Current Land Use – Vacant

- Frontage – 53.3 metres
- Depth – 105.9 metres
- Area – 0.56 hectares
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Single detached dwellings
- East – Single detached dwellings
- South – Single detached dwellings
- West – Single detached dwellings, approx. 400 metres, Masonville Transit Village.

1.5 Location Map



2.0 Discussion and Considerations

The proposed application is to remove the h-5, h-54 and h-89 holding provisions to allow a residential development of stacked townhouses on a vacant lot.

2.1 Development Proposal

The proposed development consists of a 3-storey, 24 unit stacked townhouse building fronting Fanshawe Park Road and a 2-storey, 18 unit stacked townhouse building internal to the site. The proposal provides 53 vehicular parking spaces, including 3 barrier-free spaces. Issues raised through the public meeting have been addressed in the proposal.

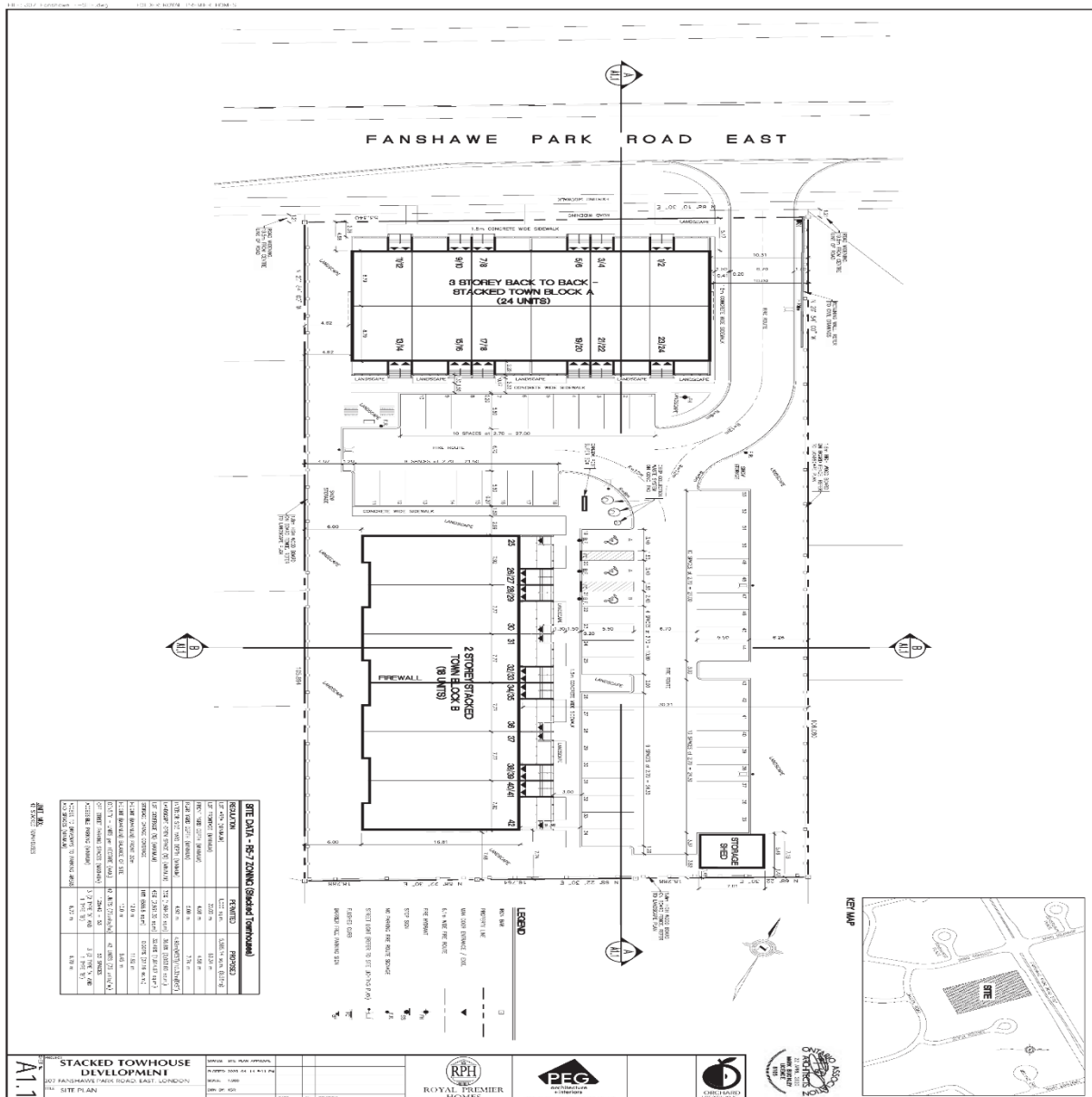


Figure 1: Conceptual Site Plan

2.2 Community Engagement (see detail in Appendix B)

No comments were received in response to the Notice of Application.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

h-5 Holding Provision

The “h-5” holding provision states:

“To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.

The required public participation meeting was held on July 15, 2020. The meeting provided the public an opportunity to review and comment on the proposed site plan. Public comments, such as, privacy fencing and enhanced landscaped buffering have been incorporated into the accepted plan. In addition, the applicant has executed the development agreement. This is sufficient to satisfy the requirements for the removal of the “h-5” holding provision.

h-54 Holding Provision

The “h-54” holding provision states:

“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.”

Development Services has confirmed that the applicant has implemented all noise attenuation measures recommended in their noise assessment report. This satisfies the requirement for removal of the h-54 holding provision for this site.

h-89 Holding Provision

The “h-89” holding provision states:

“To ensure the orderly development of the lands the “h-89” symbol shall not be deleted until a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer.”

A stormwater servicing report was submitted and accepted as part of the application for site plan. The site will outlet to municipal sewers fronting the site and ultimately discharge into a municipal stormwater management pond. This satisfies the requirement for removal of the h-89 holding provision for this site.

Conclusion

The requirements for three holding provisions on the subject lands have been addressed through the site plan approval process. Removal of these holding provisions will allow the issuance of building permits for the proposed 42 unit stacked townhouse development.

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbols from the zoning map.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Development Services

Submitted by: Paul Yeoman, RPP, PLE
Director, Development Services

Recommended by: George Kotsifas, P. Eng.
Managing Director, Development and Compliance
Services and Chief Building Official

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning (Subdivisions)
Michael Pease, Manager, Development Planning (Site Plan)

SM/sm

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21 _____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 307 Fanshawe Park Road East.

WHEREAS 1423197 Ontario Inc. (Royal Premier Homes) has applied to remove the holding provision from the zoning for the lands located at 307 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 provision from the zoning of the said lands;

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 307 Fanshawe Park Road East, as shown on the the attached map comprising part of Key Map No. 102, to remove h-5, h-54 and h-89 holding provisions so that the zoning of the lands as a Residential R5 Special Provision (R5-7(10)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

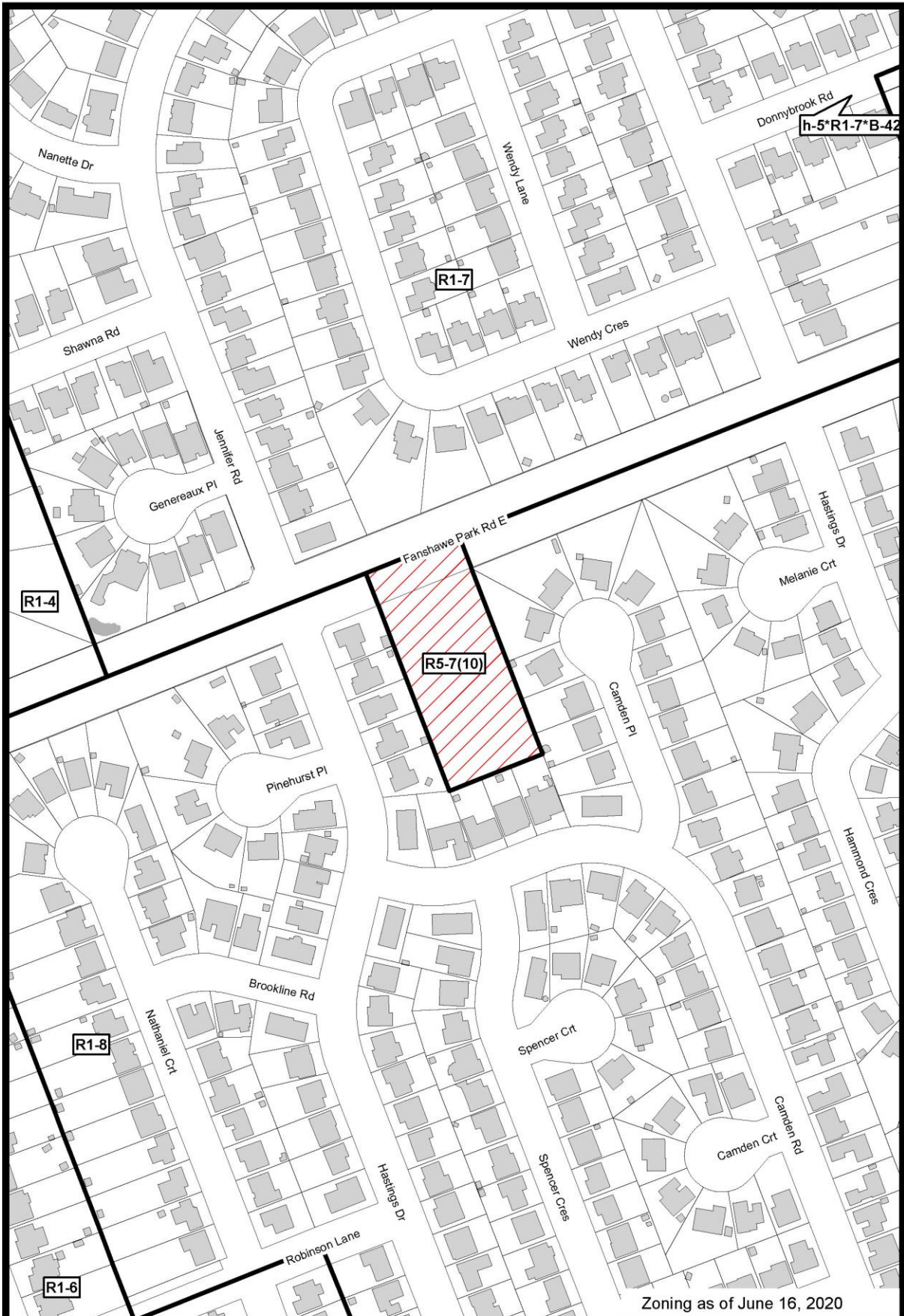
PASSED in Open Council on February 2, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 2, 2021
Second Reading – February 2, 2021
Third Reading – February 2, 2021

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



File Number: H-9255
Planner: SM
Date Prepared: 2020/08/24
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100
Meters



Appendix B – Public Engagement

Community Engagement

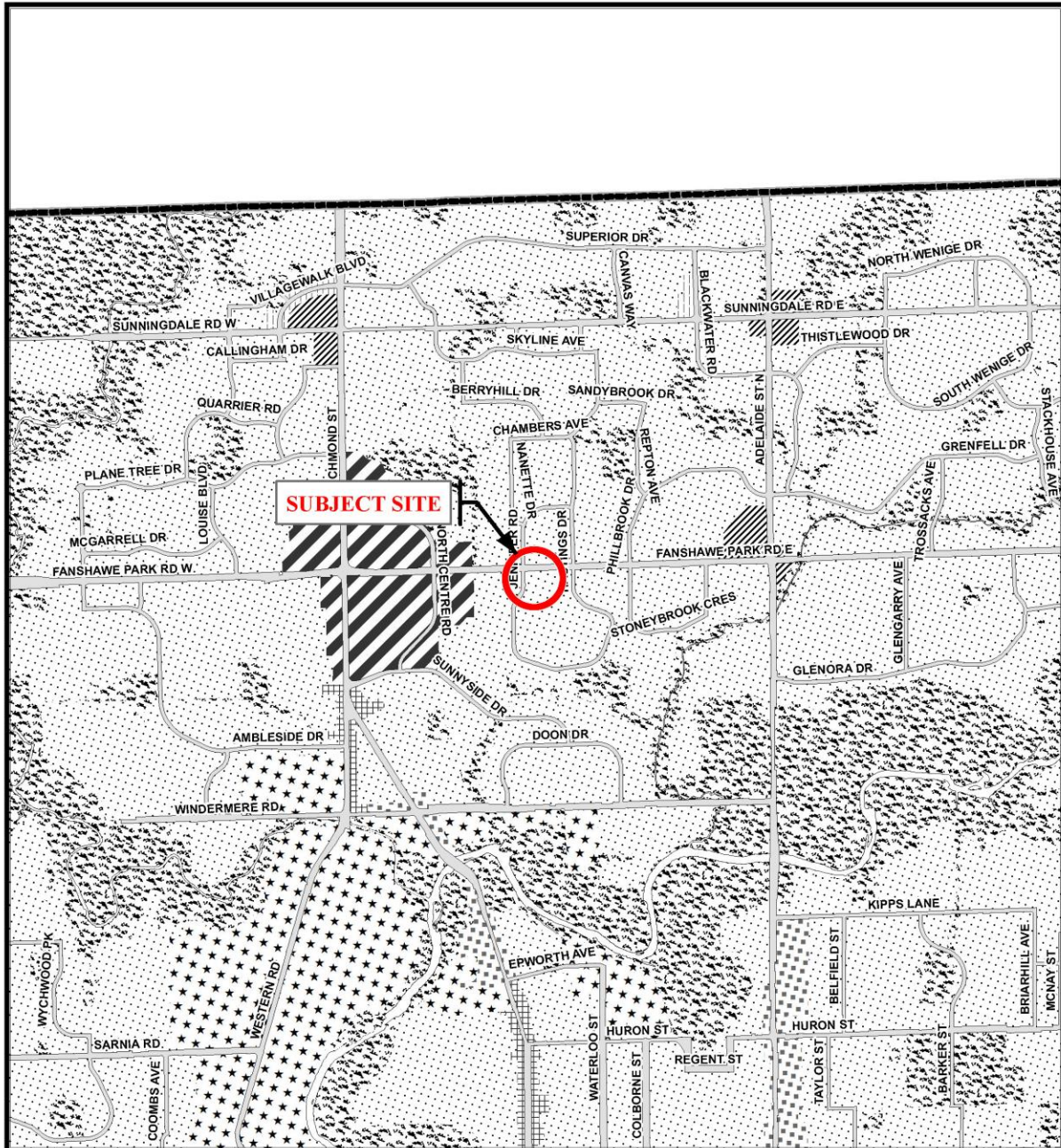
Public liaison: Notice of the application was published in the Londoner on September 3, 2020.

0 replies were received

Nature of Liaison: City Council intends to consider removing the Holding (h-5, h-54 and h-89), Provision(s) from the zoning of the subject lands to allow the development of 42 stacked townhouse dwelling units permitted under the Residential R5 Special Provision (R5-7(10)) Zone. The purpose of the “h-5” provision is to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the “h-5” symbol. The purpose of the “h-54” provision is 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 purpose of the “h-89” provision is to ensure the orderly development of the lands the “h-89” symbol shall not be deleted until a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer. Council will consider removing the holding provisions as it applies to these lands no earlier than October 19, 2020.

Appendix C– Relevant Background

London Plan Excerpt



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000



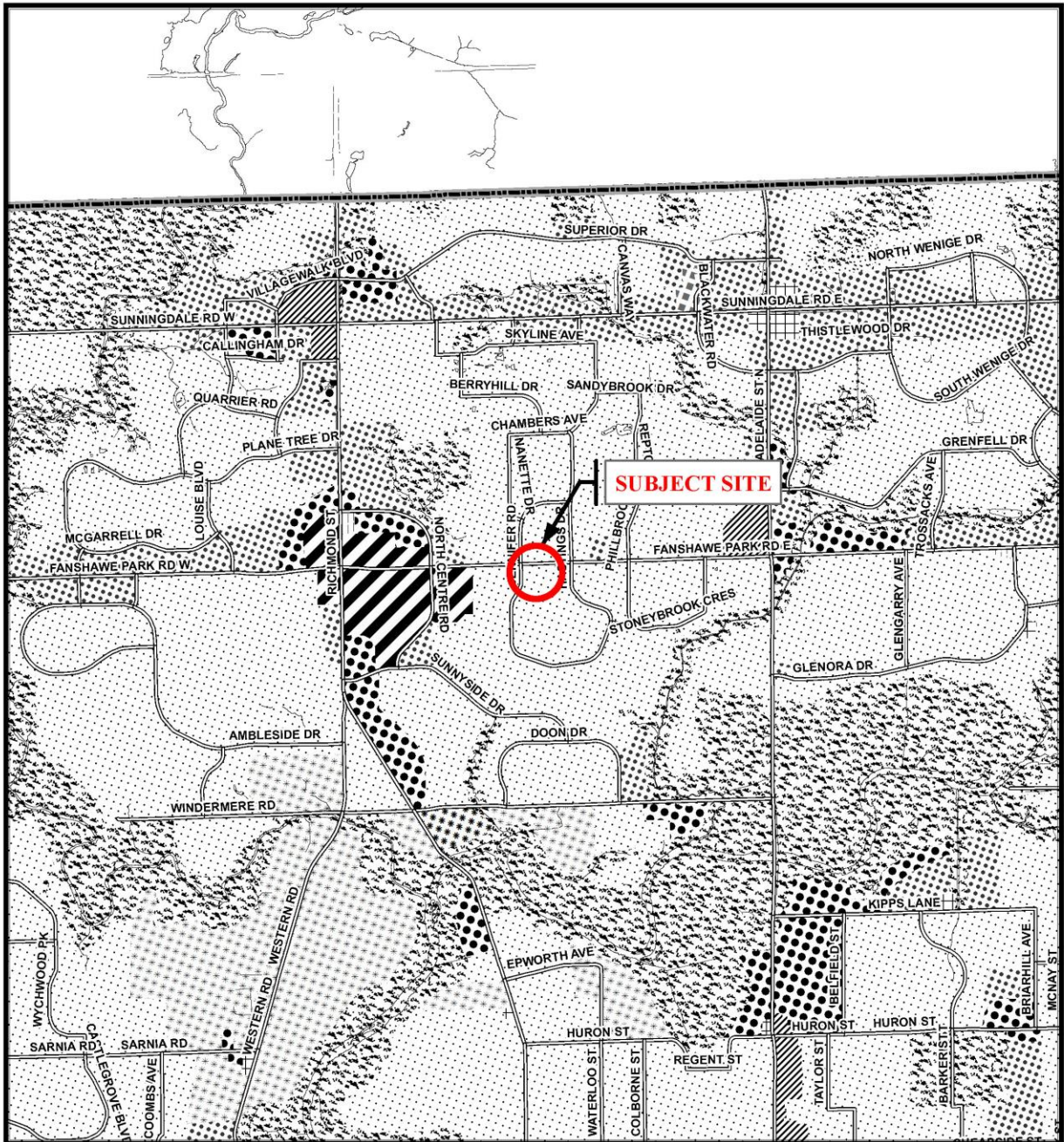
File Number: H-9255

Planner: SM

Technician RC

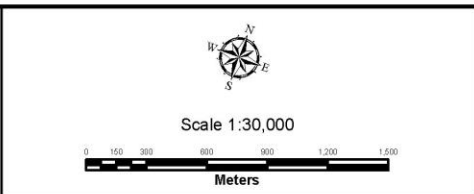
Date: August 24, 2020

1989 Official Plan Excerpt



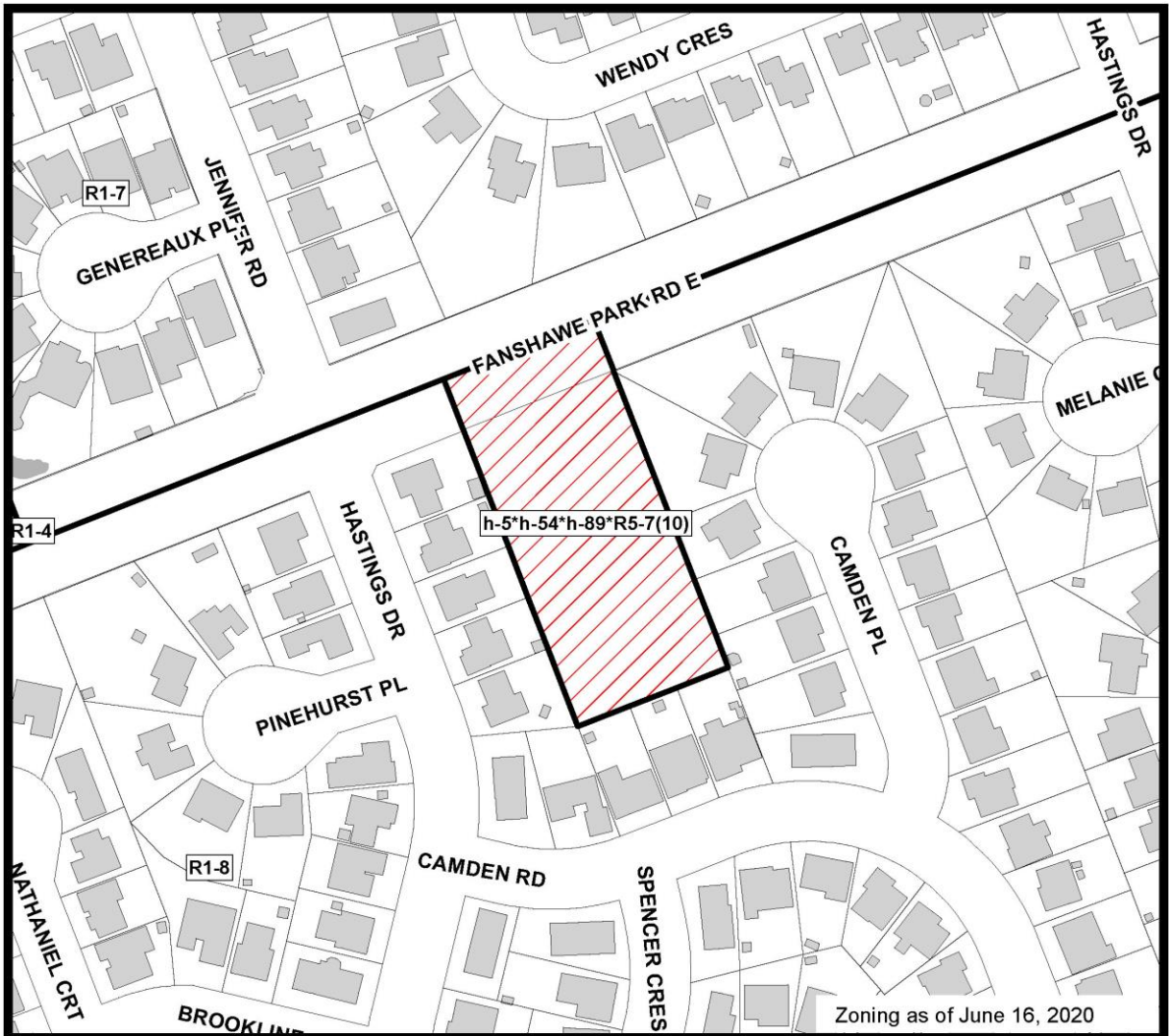
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented Commercial Corridor		Urban Reserve - Community Growth
	Multi-Family, High Density Residential		Urban Reserve - Industrial Growth
	Multi-Family, Medium Density Residential		Rural Settlement
	Low Density Residential		Environmental Review
	Office Area		Agriculture
	Office/Residential		Urban Growth Boundary

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9255
PLANNER: SM
TECHNICIAN: RC
DATE: 2020/08/24

Zoning Excerpt



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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



FILE NO:

H-9255

SM

MAP PREPARED:

2020/08/24

RC

1:2,000

0 12.5 25 50 75 100

Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS