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H-8187
Alanna Riley

FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SORIN MARINESCU 3 AND 5 FRONT STREET MEETING ON JUNE 18, 2013

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Sorin Marinescu relating to the property located at 3 and 5 Front Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 25, 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 R3 Special Provision (h-5.h-80.h-121.R3-2(7)) Zone and a Holding Residential R3 Special Provision(h-5. h-80. h-121.R3-2(8)) Zone **TO** a Residential R3 Special Provision (R3-2(7)) Zone and a Residential R3 Special Provision(R3-2(8)) Zone to remove the “h-5”, “h-80” and “h-121”, holding provisions.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the holding provisions, to permit the proposed residential development.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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SP12-015522

May 28, 2013 – Report to Planning & Environment Committee on Public Site Plan Meeting for the proposed residential development.

Z-7815

March 7, 2011 – Report to Built and Natural Environment Committee to rezone the property to permit two fourplex dwellings.

Date Application Accepted: May 9, 2013	Applicant: Sorin Marinescu
REQUESTED ACTION: Removal of the holding provisions on the site to permit the proposed residential development.	

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LOCATION MAP

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ANALYSIS

The purpose of applying holding provisions is to ensure that prior to development proceeding, certain requirements have been addressed to the satisfaction of Council.

h-5 – The h-5 holding 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 public meeting for the site plan was held on May 28, 2013. No issues were raised from the public regarding this development. The applicant has entered into development agreements for each property to ensure that the site develops on full municipal services and that the development proceeds as approved.

h-80 – The h-80 is to ensure the orderly development of lands and the adequate provision of municipal services, the holding shall not be removed until full municipal services are available to the site.

Special Provision clauses in the development agreements require the applicant to install full municipal services to services these duplexes. The applicant has entered into the development agreements with the City which ensures that this will be addressed.

h-121 – The h-121 is to ensure that floodproofing requirements are incorporated and/or that dry, safe access to the Regulatory Flood Elevation is achieved to the satisfaction of the Upper Thames River Conservation Authority.

The applicant applied for and received a permit from the UTRCA to ensure that floodproofing requirements are incorporated and/or that dry, safe access to the Regulatory Flood Elevation is achieved. The UTRCA have advised that this issue is addressed to their satisfaction.

Based on the above, the removal of the holding provisions is appropriate and will allow the lands to be developed in accordance with the Zoning By-law.

CONCLUSION

The Owner has entered into separate development agreements for 3 and 5 Front Street and is now requesting removal of the holding provisions, which were applied at the time of the earlier rezoning. It is recommended that the holding provisions be removed to enable these properties to be developed in accordance with the Zoning By-law. The removal of these holding provisions represents sound land use planning.

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PREPARED and RECOMMENDED BY:	REVIEWED BY:
ALANNA RILEY, MCIP, RPP SENIOR PLANNER	ALLISTER MACLEAN MANAGER – DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

June 7, 2013
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Bill No.
2013

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on lands located at 3 and 5 Front Street.

WHEREAS Sorin Marinescu has applied to remove holding provisions from the zoning on the lands located 3 and 5 Front Street, 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 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 3 and 5 Front Street, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R3 Special Provision (R3-2(7)) Zone and a Residential R3 Special Provision (R3-2(8)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on June 25, 2013

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - June 25, 2013
Second Reading – June 25, 2013
Third Reading - June 25, 2013