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**H-8147**  
**Alanna Riley**

<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG.</b> <b>MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES</b> <b>&amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY:</b> STARCEVIC HOMES LIMITED  537 CRESTWOOD DRIVE

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Planning, based on the application of Starcevic Homes Limited. relating to the property located at 537 Crestwood Drive, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 2013 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning **FROM** a Holding Residential R6 Special Provision (h-145.h-146.R6-2(13)) Zone **TO** a Residential R6 Special Provision (R6-2(13)) Zone to remove the h-145 and h-146 holding provisions.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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May 28, 2012 - Report to the Planning Committee on Vacant Land Condominium, Official Plan and Zoning By-law Amendment applications (OZ-7963/39CD-11519).

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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To remove the h-145 and h-146 holding provisions, to permit the issuance of a building permit in accordance with the approved zoning.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> January 22, 2013	<b>Owner:</b> Starcevic Homes Limited
<b>REQUESTED ACTION:</b> Removal of the h-145 and h-146 holding provisions from the existing Residential R6 Special Provision (R6-2(13)) Zone.	

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Location Map

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<b>PUBLIC LIAISON:</b>	Notice of the application was published in the Londoner on January 31, 2013
<b>Nature of Liaison:</b> City Council intends to consider removing the “h-145” and “h-146” holding provisions from the Residential R6 Special Provision (R6-2(13)) Zone.	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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In June 2012, Council amended the zoning for the developable portion of the subject site. The approved Residential R6 Special Provision (R6-2(13) Zoning permits cluster housing in the form of single detached dwellings at a maximum density of 20 units per hectare, with special provisions to recognize the existing 10 metre lot frontage and a 1.2 metre interior side yard.

Two holding provisions were applied to the residential zoning which require the submission of site specific geotechnical and noise impact assessment reports, to ensure that potential impacts associated with the adjacent aggregate extraction activity have been addressed to the satisfaction of the City.

**Holding Provisions**

The “h-145” holding provision states that:

*“To ensure there will be no conflicts between the existing aggregate resource extraction use and the proposed residential uses, the h-\_\_ shall not be deleted until a geotechnical report is prepared which confirms the Erosion Hazard Limit and addresses potential erosion hazards based on the proposed development, layout and site grading, to the satisfaction of the City of London.”*

The “h-146” holding provision states that:

*“To ensure there will be no conflicts between existing aggregate resource extraction use and the proposed residential uses, the h-\_\_ shall not be deleted until a noise impact assessment is prepared which confirms that noise levels at 537 Crestwood Drive are within MOE guidelines, to the satisfaction of the City of London”*

The applicant has provided the City with a Noise Assessment report (prepared by RDWI) and Geotechnical report (prepared by EXP) for this development. These reports have been reviewed by staff and the conclusions and recommendations are deemed acceptable. The recommended measures will be addressed through conditions applied to the site plan and development agreement.

<b>CONCLUSION</b>
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The site plan and development agreement will ensure that the proper mitigation measures as outlined in the Noise Assessment and Geotechnical Study are properly implemented for this development. Therefore, it is appropriate to consider removal of the holding provisions.

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<b>PREPARED and RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>ALANNA RILEY, MCIP, RPP SENIOR PLANNER</b>	<b>ALLISTER MACLEAN MANAGER – DEVELOPMENT PLANNING</b>
<b>REVIEWED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY, MCIP, RPP MANAGER-DEVELOPMENT SERVICES</b>	<b>G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

July 12, 2013  
AR/ar

"Attach."

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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 provision from the zoning for a portion of land located at 537 Crestwood Drive

WHEREAS Starcevic Homes Limited has applied to remove the holding provisions from the zoning for the land located at 537 Crestwood Drive, 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 a portion of the land located at 537 Crestwood Drive, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R6 Special Provision (R6-2(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 July 30, 2013.

Joseph Fontana  
Mayor

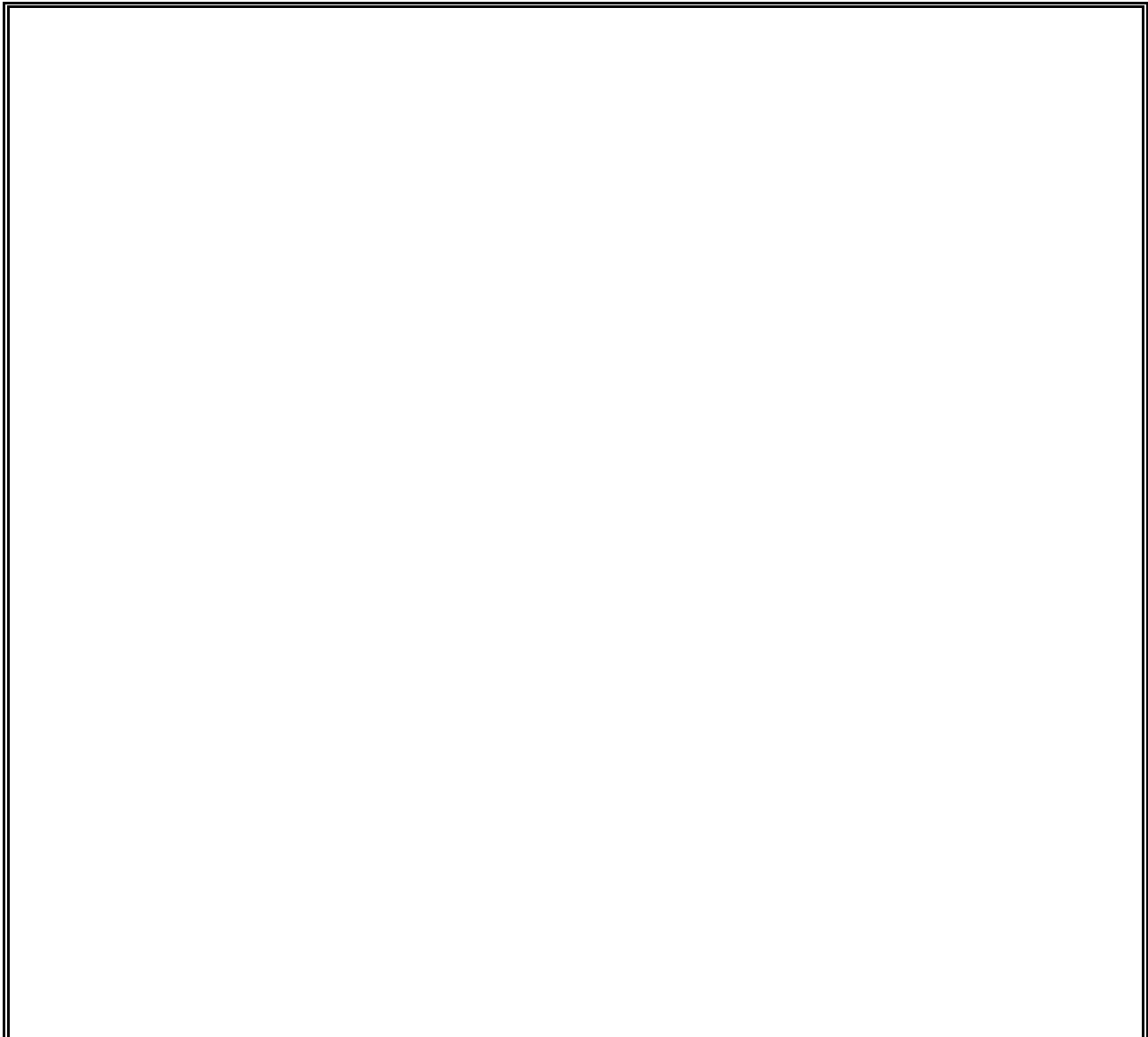
Catharine Saunders  
City Clerk

First Reading - July 30, 2013  
Second Reading – July 30, 2013  
Third Reading - July 30, 2013

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**AMENDMENT TO SCHEDULE "A"**



Technician:

Date Prepared:

File Number/Planner:

Scale: 1:5000

Site:



**North**

