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H-8153/C. Smith

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: CLAYBAR DEVELOPMENTS INC. 1968-1984 WATEROAK DRIVE MEETING ON JULY 22, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services and Planning Liaison, based on the application of Claybar Developments Inc. relating to the property located at 1968-1984 Waterlooak Drive, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1968-1984 Waterlooak Drive **FROM** a Holding Residential R1 (h*R1-4) Zone **TO** a Residential R1 (R1-4) Zone to remove the h. holding provision from these lands.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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July, 2009 - Report to the Planning Committee on draft plan of subdivision, Official Plan and Zoning By-law Amendment applications (39T-04503/Z-6717/O-7644).

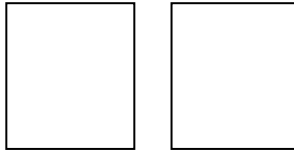
May 7, 2013- Report to Planning Committee to remove the h* and h-100 holding provisions from the lands located at 1934-1984 Waterlooak Drive and 1923-1931 Waterlooak Drive.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

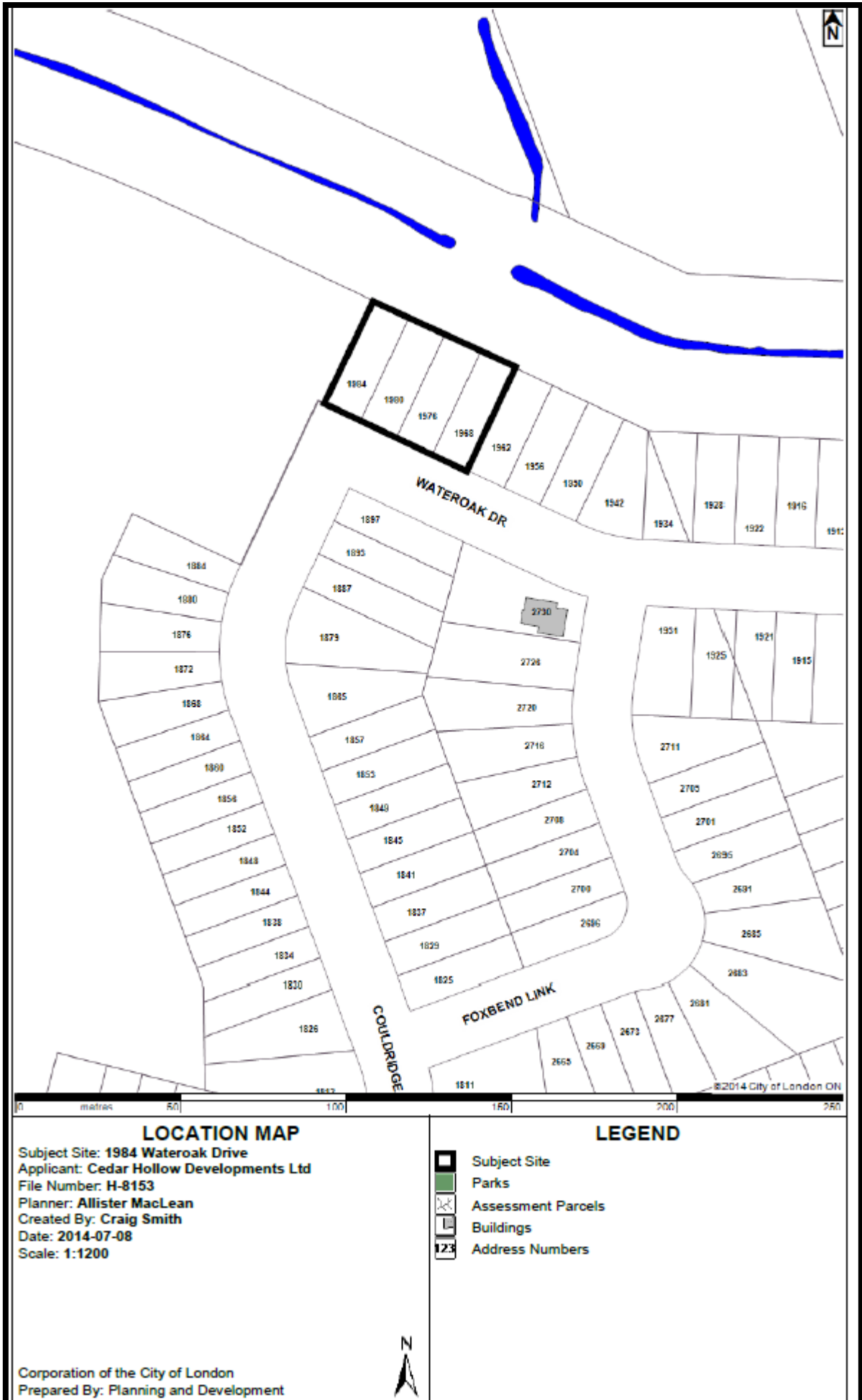
To remove the h. holding provision to allow for the consideration of building permits.

BACKGROUND

Date Application Accepted: March 1, 2013	Owner: Claybar Developments Inc.
REQUESTED ACTION: Removal of the h. and h-100 holding provisions from the low density residential zones.	



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PUBLIC LIAISON:	Notice of the application was published in the Londoner on March 14 th , 2013.
Nature of Liaison: Possible change to Zoning By-law Z.-1 by deleting the Holding “h” and “h-100” Provisions from the Residential R1 (R1-4) and Residential R1 (R1-13) Zones. The Holding “h” Provision ensures the orderly development of land and adequate provision of municipal services, and shall not be deleted until a subdivision agreement or development agreement is entered into for the lands in question. The Holding “h-100” Provision ensures there is adequate water service and appropriate access.	
Responses: None	

ANALYSIS

On May 14, 2013 Municipal Council resolved:

That, on the recommendation of the Manager, Development Planning, based on the application of Claybar Developments Inc., relating to the properties located at 1934-1984 Waterloo Drive and 1923-1931 Waterloo Drive, the following actions be taken:

- a) *the proposed by-law, as appended to the staff report dated May 7, 2013, **BE INTRODUCED** at the Municipal Council meeting to be held on May 14, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 1934-1984 Waterloo Drive and 1921-1931 Waterloo Drive **FROM** a Holding Residential R1 (h. h-100. R1-4) Zone and a Holding Residential R1 (h. h-100. R1-13) Zone **TO** a Residential R1 (R1-4) Zone; a Holding Residential R1 (h. R1-4) Zone and a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions from certain portions of these lands; and,*
- b) *the application to change the zoning of the properties located at 1968-1984 Waterloo Drive **FROM** a Holding Residential R1 (h. R1-4) Zone **TO** a Residential R1 (R1-4) Zone, to remove the h. holding provision **BE DEFERRED** until such time as the original Heard Drain, that is located within these parcels, is decommissioned.*

At the time of the Council’s May 14, 2013 resolution to remove the holding provisions from the balance of the lands in the second phase of the Claybar subdivision 33M- 655, the old Heard Drain had not yet been decommissioned. The drain was located over 1968-1984 Waterloo Drive. To decommission this portion of the old Heard drain a new temporary channel was required to be constructed from the temporary Calloway Reit Storm Water Facility located to the west of these lands. The work required to decommission the drain has been recently completed.

In an email dated June 26, 2014 the City of London Storm Water Management department states: *The SWM Unit received a substantial performance letter from our Consultant yesterday for the constructed City portion of the re-aligned channel for the temporary Calloway Reit SWM Facility and the channel is now deemed functional and operational.*

The SWM Unit has no objection with releasing the holding provision for the above noted property address. The developers consulting engineer must also demonstrate that the existing Heard Drain shall/will be properly decommissioned to the satisfaction of the City Engineer.

CONCLUSION

It is appropriate to remove the h. Holding Provision from the subject lands at this time based on the completion of the new temporary channel and the decommissioning of the old Heard Drain.

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PREPARED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
RECOMMENDED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

July 10, 2014
JCS/

"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2013\H-8153 - 1934-1984 Waterlooak Drive and 1923-1931 Waterlooak Drive
(AM)\PECreportpart2July22.doc

Agenda Item # Page #

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

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1968-1984 Waterloo Drive.

WHEREAS Claybar Developments Inc. have applied to remove the holding provision from the zoning for the lands located at 1968-1984 Waterloo 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 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 the lands located at 1968-1984 Waterloo Drive, as shown on the attached map to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-4) 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 29, 2014.

J. Baechler
Mayor

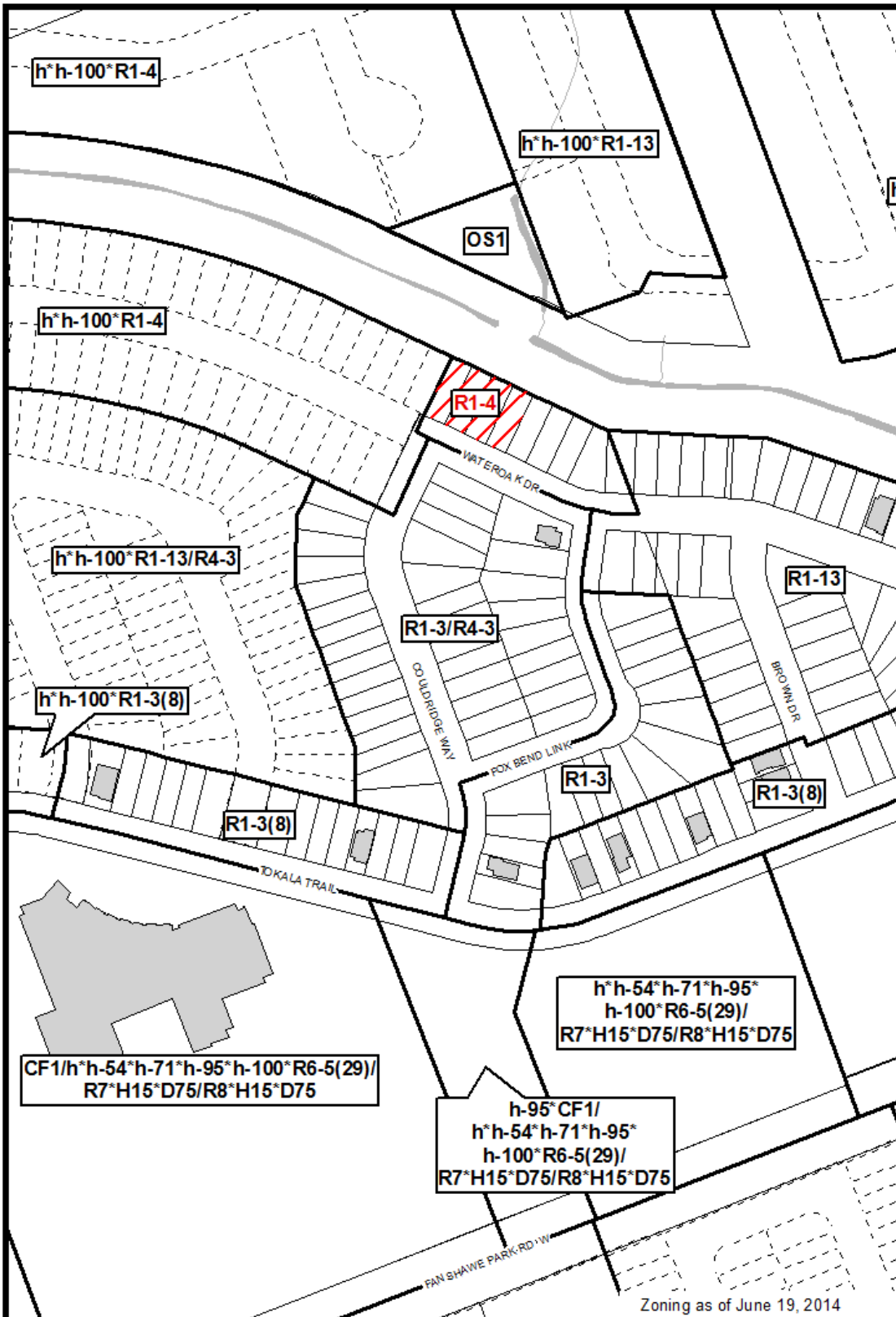
Catharine Saunders
City Clerk

First Reading - July 29, 2014
Second Reading – July 29, 2014
Third Reading - July 29, 2014

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



File Number: H-8153
 Planner: CS
 Date Prepared: July 7, 2014
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE 

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