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H-8337/C. Smith

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: CLAYBAR DEVELOPMENTS INC. 2211, 2217, 2221, 2225, 2229, 2244, 2252 AND 2258 WATEROAK DRIVE  MEETING ON NOVEMBER 28, 2016

RECOMMENDATION
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That, on the recommendation of the Manager, Development Services and Planning Liaison, based on the application of Claybar Developments Inc. relating to the properties located at 2211, 2217, 2221, 2225, 2229, 2244, 2252 and 2258 Watroak Drive the following actions be taken:

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 6, 2016 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 2211, 2217, 2221, 2225 and 2229 Watroak 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:
- b) the application to change the zoning of 2244, 2252 and 2258 Watroak 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 extension of Watroak Drive is completed and dedicated by the City as a public street.

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).

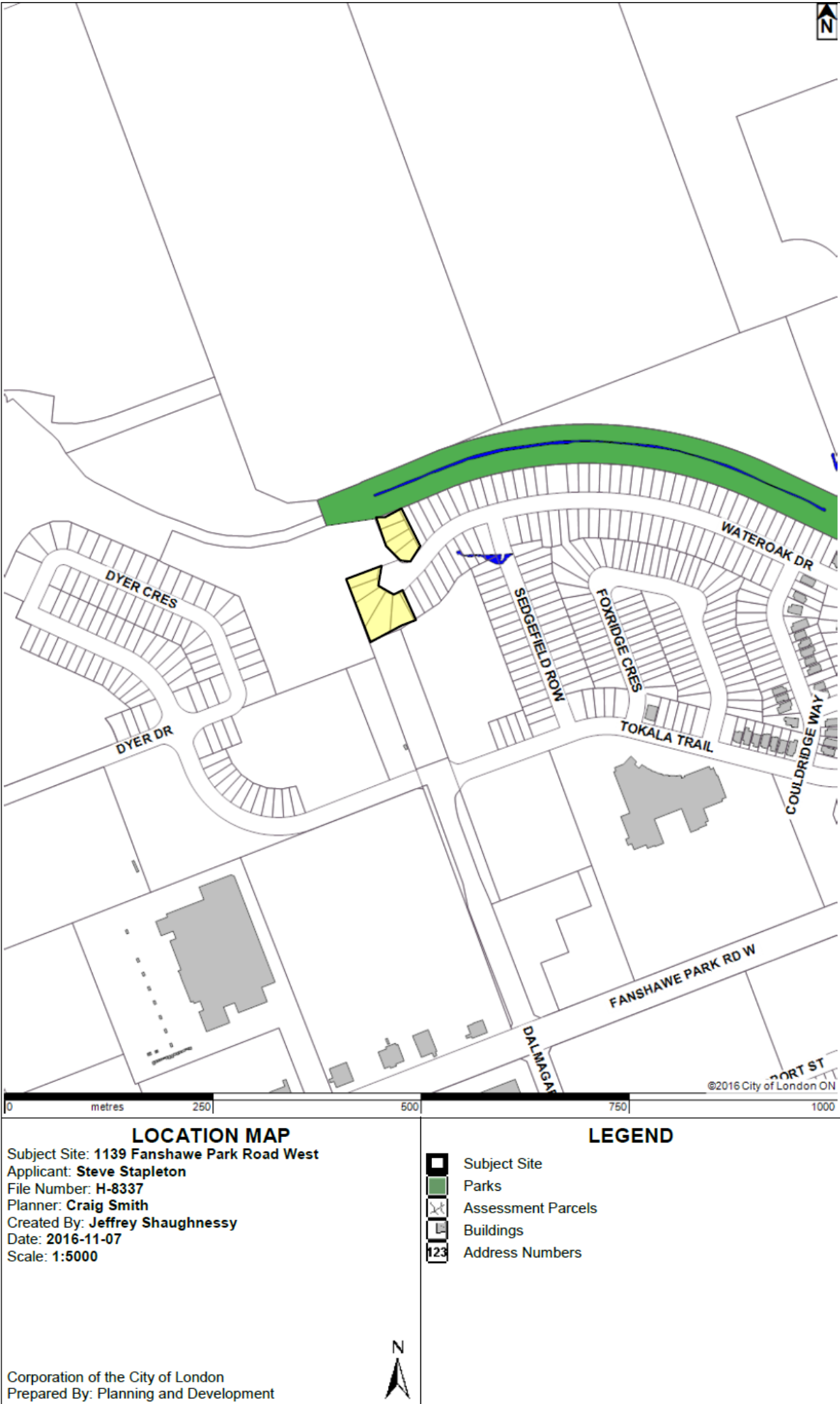
**September 9, 2014-** Report to the Planning Committee to remove holding provisions h. and h-100 from the 3<sup>rd</sup> phase of draft plan 39T-04503 excluding 2211, 2221, 2225, 2229, 2244, 2252, 2258 Watroak Drive.

PURPOSE AND EFFECT OF RECOMMENDED ACTION
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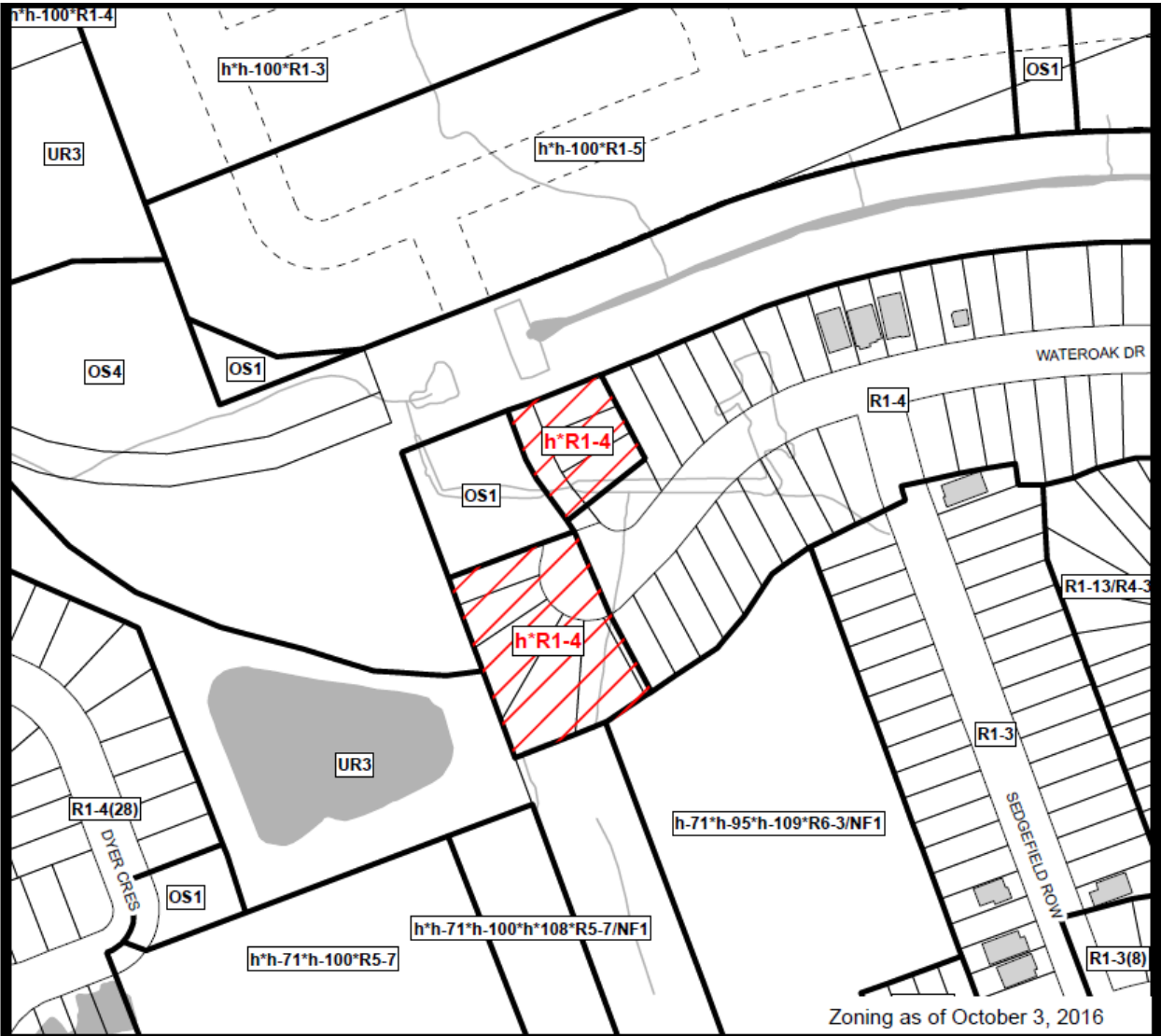
To remove the h. holding provision to allow for the consideration of building permits.

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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, ENVIRONMENTAL AND ENGINEERING SERVICES

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



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

FILE NO:  
H-8337                      CS

MAP PREPARED:  
2016/11/07                      JS

1:2,500  
0 12.525 50 75 100  
Meters

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BACKGROUND

<b>Date Application Accepted:</b> March 1, 2013	<b>Owner:</b> Claybar Developments Inc.
<b>REQUESTED ACTION:</b> Removal of the h. holding provisions from the low density residential zones.	

<b>PUBLIC LIAISON:</b>	The original notice of the application was published in the Londoner on April 1, 2013. The request to remove the h. holding provision from 2211, 2221, 2225, 2229, 2244, 2252, 2258 Watroak Drive was published in the Londoner on October 25, 2016.
<b>Nature of Liaison:</b> City Council intends to consider removing the h holding provision from the lands that ensures for the orderly development a development agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than November 28, 2016.	
<b>Responses:</b> None	

ANALYSIS

On September 16, 2014 Council resolved: That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Claybar Developments Inc., relating to the property located at 1139 Fanshawe Park Road West:

- a) the proposed by-law, as appended to the staff report dated September 9, 2014, **BE INTRODUCED** at the Municipal Council meeting to be held on September 16, 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 R1 (h. h-100. R1-3) Zone, a Holding Residential R1 Special Provision (h. h-100. R1-3 (8)) Zone, a Holding Residential R1 (h. h-100. R1-4) Zone, a Holding Residential R1/ Residential R4 (h. h-100. R1-13/R4-3) Zone and a Holding Residential R6/ Neighbourhood Facility (h. h-71. h-95. h-100. h-109. R6-3/NF1) Zone **TO** a Residential R1 (R1-3) Zone, a Residential R1 Special Provision (R1-3 (8)) Zone, a Residential R1 (R1-4) Zone, a Residential R1/ Residential R4 (R1-13/R4-3) Zone and a Holding Residential R6/ Neighbourhood Facility (h-71. h-95. h-109. R6-3/NF1) 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 a portion of the subject lands **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 temporary stormwater management pond outlet channel located within this parcel is decommissioned. (2014-D14)

h. Holding Provision

The h. holding provision states that:

“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 lots are located within registered plan of subdivision 33M-676. The development agreement

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was registered on November 20, 2014 as Instrument Number ER960041 and satisfies this holding provision. The City withheld the removal of the holding provision on these lots pending the completion of the construction of the Regional SWM facility in the Foxwood (39T-11503) subdivision to the west and the decommissioning of the Calloway Reit temporary SWM facility. The regional SWM is complete and by email dated November 8, 2016 the City of London Development Engineering division confirms that the temporary SWM facility has been decommissioned and the h. Holding Provision can be removed from 2211, 2217, 2221, 2225, and 2229 Watroak Drive.

Deferred 2244, 2252 and 2258 Watroak Drive

There are three (3) remaining lots on the east side of the future extension of Watroak Drive that cannot be developed until such time as a public road is created and established as a public highway. As a result it is recommended that the h holding provision remain on these lots and removal be deferred until such time as the road is developed.

<b>CONCLUSION</b>
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It is appropriate to remove the h. Holding Provision from a portion of the subject lands at this time based on the registered subdivision agreement and the removal of the temporary Storm Water Management facility.

<b>PREPARED BY:</b>	<b>REVIEWED BY:</b>
<b>C. SMITH SENIOR PLANNER, DEVELOPMENT SERVICES</b>	<b>ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING</b>
<b>RECOMMENDED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWLEY MCIP, RPP MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

November 21, 2016  
CS/

"Attach."

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Bill No. (Number to be inserted by Clerk's Office)  
2017

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2211, 2217, 2221, 2225 and 2229 Watroak Drive.

WHEREAS Claybar Developments Inc. have applied to remove the holding provisions from the zoning for the lands located at 2211, 2217, 2221, 2225 and 2229 Watroak 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 2211, 2217, 2221, 2225 and 2229 Watroak Drive, as shown on the attached map to remove the holding provision so that the zoning of the lands as 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 December 6, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading - December 6, 2016  
Second Reading – December 6, 2016  
Third Reading - December 6, 2016

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

