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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. 2244, 2252 AND 2258 WATEROAK DRIVE MEETING ON MAY 8, 2017

RECOMMENDATION

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 2244, 2252 and 2258 Waterlooak Drive the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on May 16, 2017 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 2244, 2252 and 2258 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).

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

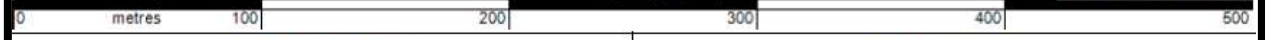
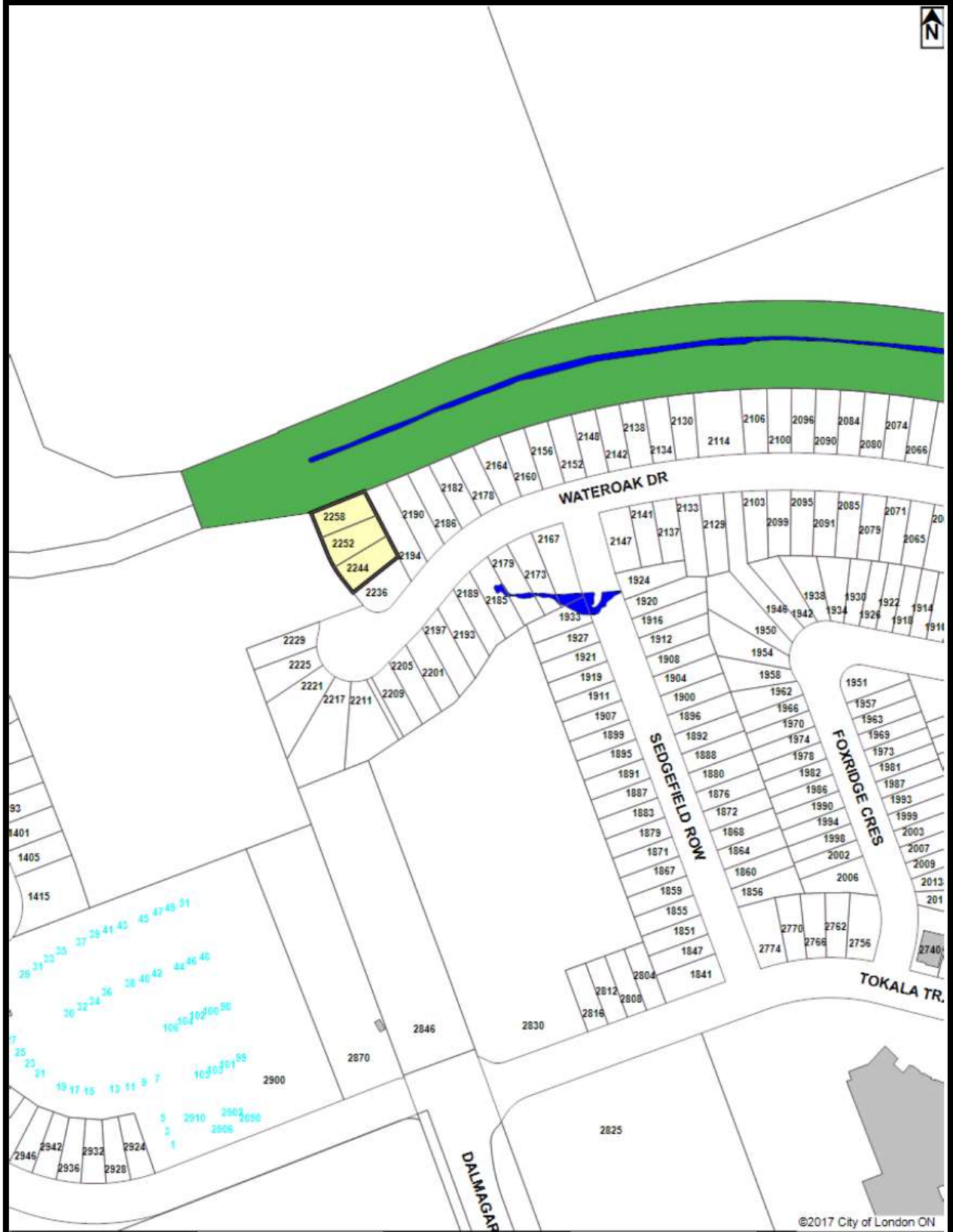
November 28, 2016- Report to the Planning Committee to remove holding provision h. from 2211, 2221, 2225, 2229, 2244, 2252, 2258 Waterlooak Drive excluding 2244, 2252 and 2258 Waterlooak Drive.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

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

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LOCATION MAP
 Subject Site: 1139 Fanshawe Park Road West
 Applicant: **Steve Stapleton**
 File Number: H-8337
 Planner: **Craig Smith**
 Created By: **Craig Smith**
 Date: 2017-04-13
 Scale: 1:2500

Corporation of the City of London
 Prepared By: Planning and Development

LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers

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BACKGROUND

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

PUBLIC LIAISON:	The original notice of the application was published in the Londoner on April 1, 2013. The request to remove the h. holding provision from 2244, 2252 and 2258 Waterlooak Drive was published in the Londoner on October 25, 2016.
Nature of Liaison: 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.	
Responses: None	

ANALYSIS

On December 6, 2016 Council approved removal of the h. holding provision from 2211, 2217, 2221, 2225, and 2229 Waterlooak Drive as 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 is now complete. The holding provision application for the remainder of the lands at 2244, 2252 and 2258 Waterlooak Drive was deferred pending the completion of the extension of Waterlooak Drive.

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 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 2244, 2252 and 2258 Waterlooak Drive at that time as Waterlooak Drive needed to be extended in front of these lots. The road has been constructed to a point where the developer has submitted a request for a Certificate of Conditional Approval to allow for the consideration of building permits. Based on the above, it is appropriate to now consider removal of the h. Holding Provision from the lots at 2244, 2252 and 2258 Waterlooak Drive.

CONCLUSION

It is appropriate to remove the h. Holding Provision from the subject lands at this time based on the registered subdivision agreement and the extension of Waterlooak Drive.

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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 MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

April 25, 2017
CS/

"Attach."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2014\H-8337 - 1139 Fanshawe Park Road West (CS)\PECWaterOakreportH-8337ThirdTimeaCharm.doc

Agenda Item # Page #

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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 2244, 2252 and 2258 Waterlooak Drive.

WHEREAS Claybar Developments Inc. have applied to remove the holding provisions from the zoning for the lands located at 2244, 2252 and 2258 Waterlooak 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 2244, 2252 and 2258 Waterlooak 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 May 16, 2017

Matt Brown
Mayor

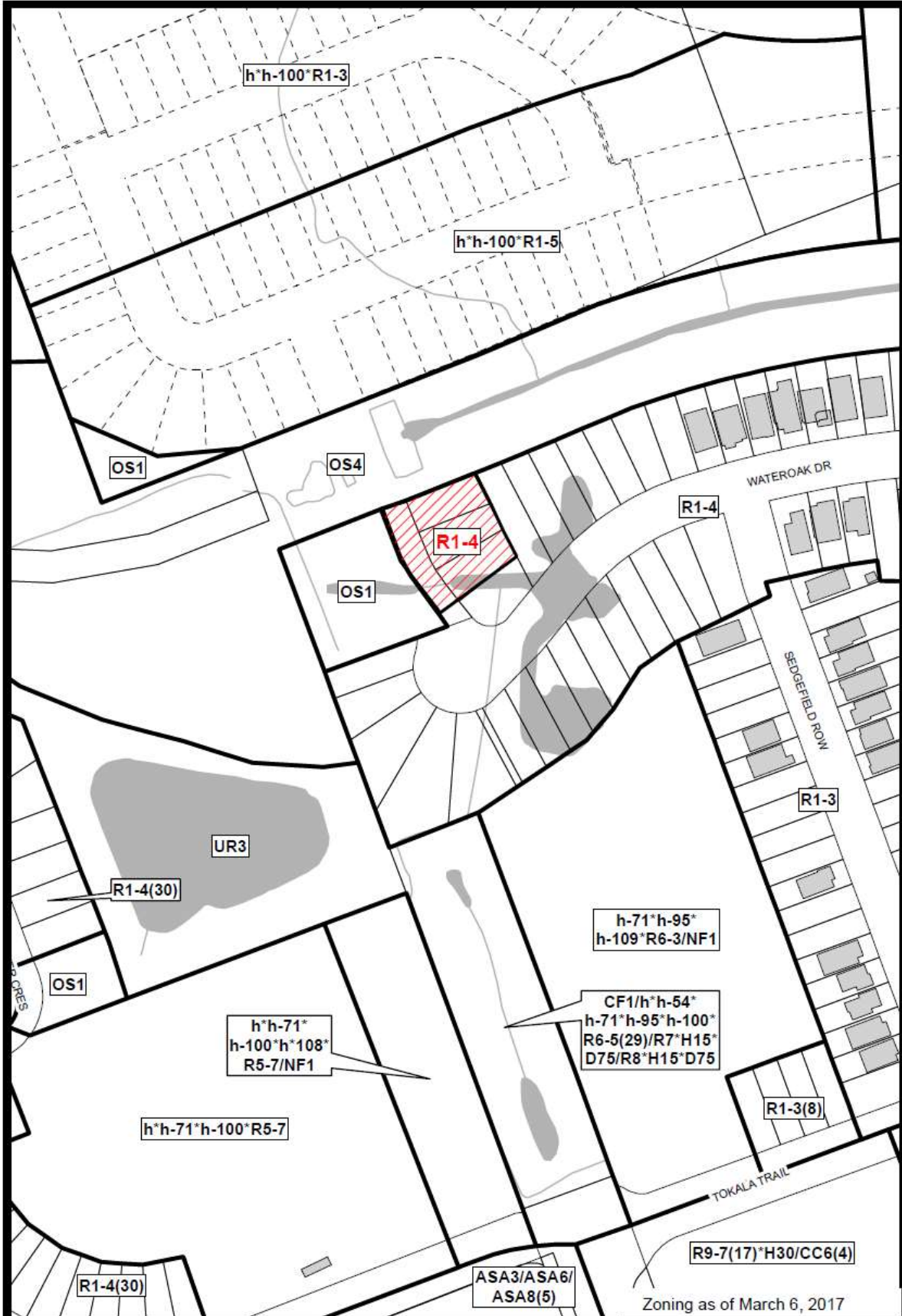
Catharine Saunders
City Clerk

First Reading - May 16, 2017
Second Reading – May 16, 2017
Third Reading - May 16, 2017

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



File Number: H-8337

Planner: CS

Date Prepared: 2017/04/20

Technician: JS

By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

