

PC.29

Shell Type = use for removing a holding provision

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H-8153/A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE MEETING ON MAY 7, 2013
FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: CLAYBAR DEVELOPMENTS INC. 1934-1984 WATEROAK DRIVE AND 1921-1931 WATEROAK DRIVE

RECOMMENDATION

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 attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting 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 located within these parcels is decommissioned.

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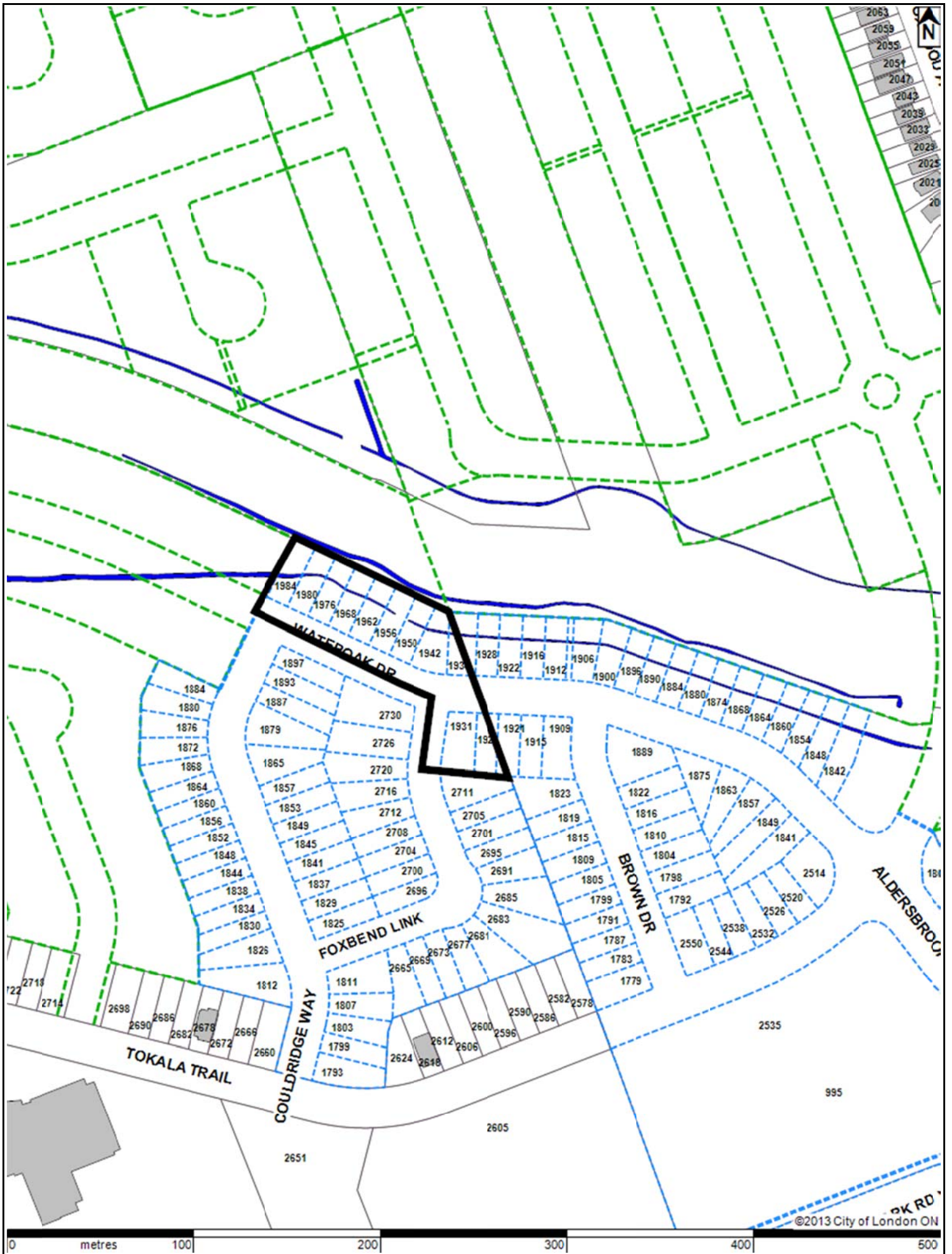
July, 2009 - Report to the Planning Committee on draft plan of subdivision, Official Plan and Zoning By-law Amendment applications (39T-04503/Z-6717/O-7644).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To remove the h. and h-100 holding provisions to allow for the consideration of building permits.

BACKGROUND






Date Application Accepted: March 1, 2013	Owner: Claybar Developments Inc.
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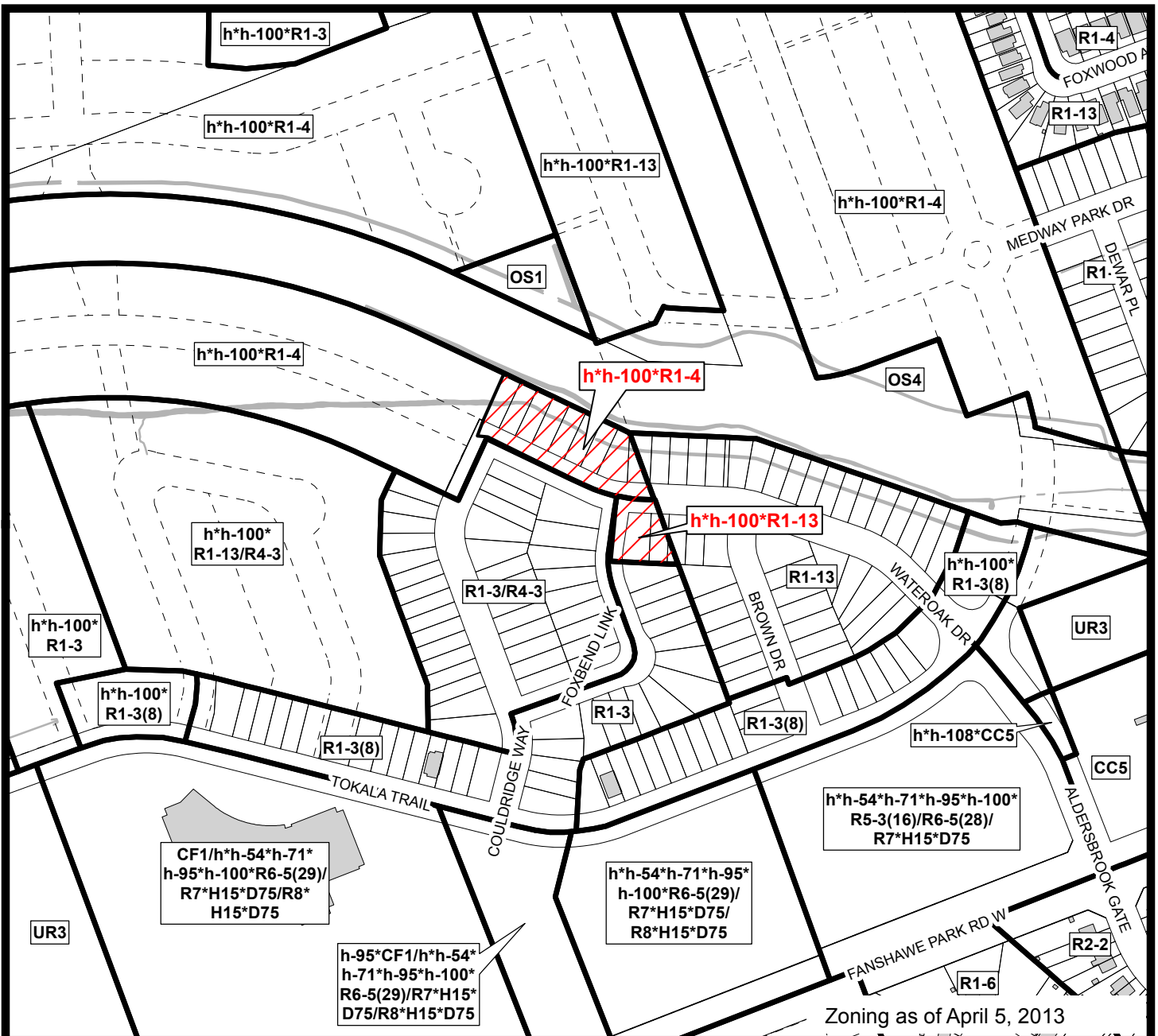
LOCATION MAP

Subject Site: 1984 Wateroak Drive
 Applicant: **Claybar Developments Inc.**
 File Number: **H-8153**
 Planner: **Allister MacLean**
 Created By: **Allister MacLean**
 Date: **2013-03-04**
 Scale: **1:2500**

LEGEND

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





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

2)  ANNEXED AREA APPEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z.-1

SCHEDULE A



FILE NO:

H-8153

AM

MAP PREPARED:

2013/04/23

JS

1:4,000

0 20 40 80 120 160

Meters

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REQUESTED ACTION: Removal of the h. and h-100 holding provisions from the low density residential zones.

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

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 applicant has entered into a subdivision agreement with the City for the 2nd Phase of the Claybar subdivision which satisfies this holding provision. For four of the lots, there is still an issue regarding the location of the old Heard Drain, which enters these lands and outlets to the newly constructed channel abutting these lands. The applicant is in the process of making an application to the Ministry of the Environment to decommission the drain in this location. When these works have been completed, this application to remove the h. holding provision from these four lots will be brought back to the Committee for consideration.

h-100 Holding Provision

The (h-100) holding provision states that:

“To ensure there is adequate water services and appropriate access, no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.”

The applicant has requested that the h-100 holding provision be removed these lots along Waterloo Drive. Water Engineering have confirmed that they agree with the removal of the h-100 holding provision. Also, a second public access will be available to service these lots (Tokola Trail and Waterloo Drive(to the east)).

CONCLUSION

It is appropriate to remove the h. and h-100 Holding Provisions from the subject lands at this time based on the executed subdivision agreement; the installation of water services in this area and

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the ability for these lands to utilize two public access points. Deferral of removal of the h. holding provision from a portion of the lands abutting the newly constructed SWM channel is appropriate and will be reconsidered when the old Heard Drain is decommissioned.

PREPARED and RECOMMENDED BY:	
ALLISTER MACLEAN MANAGER-DEVELOPMENT PLANNING	
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER-DEVELOPMENT SERVICES	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

April 25, 2013
AM/am

"Attach."

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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 provisions from the zoning for lands located at 1934-1984 Waterloo Drive and 1921-1931 Waterloo Drive.

WHEREAS Claybar Developments Inc. have applied to remove the holding provisions from the zoning for the lands located at 1934-1984 Waterloo Drive and 1921-1931 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 1934-1984 Waterloo Drive and 1921-1931 Waterloo Drive, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R1 (R1-4) ; a Holding Residential R1 (h. R1-4) and a Residential R1 (R1-13) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

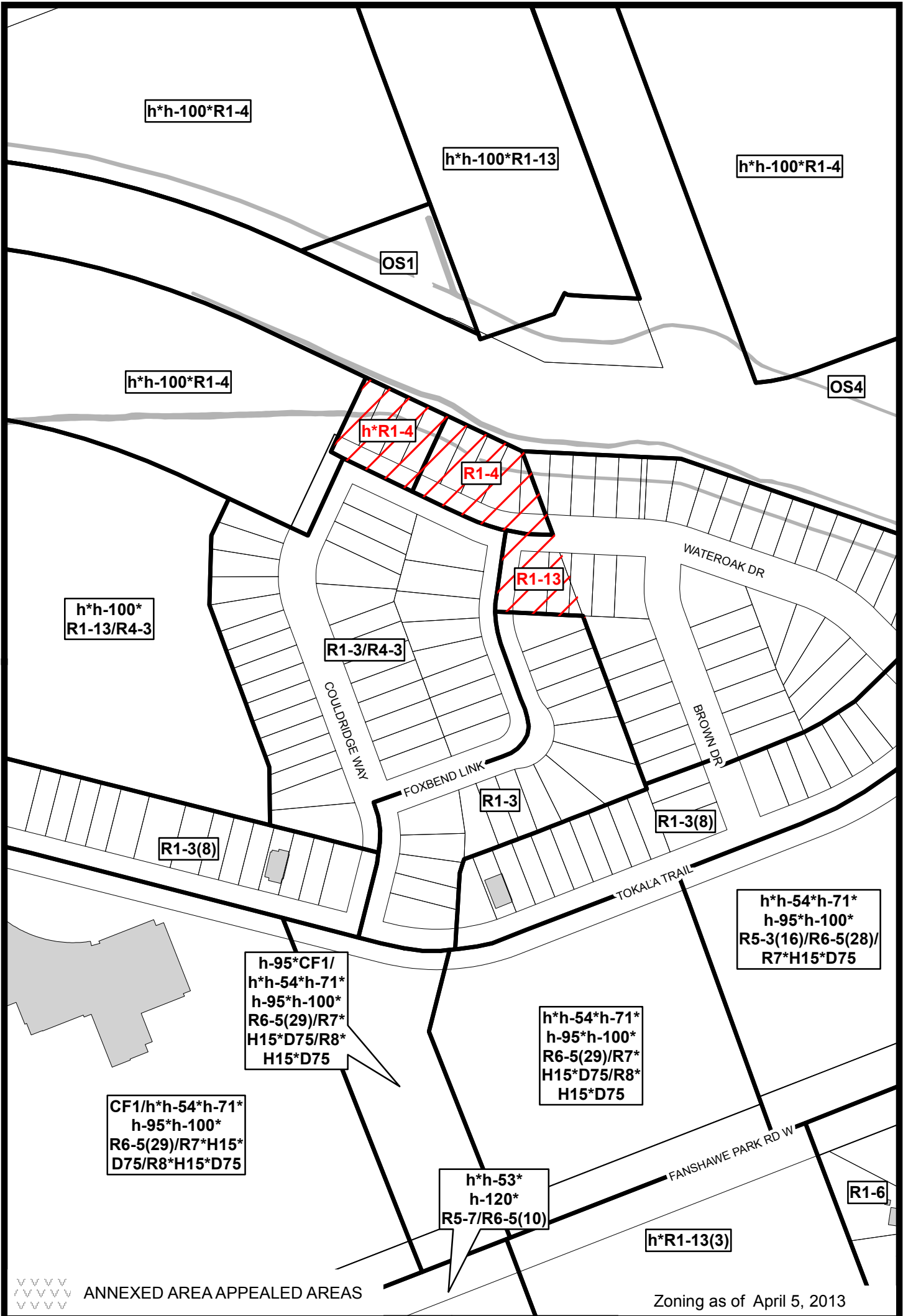
PASSED in Open Council on May 14, 2013.

Joseph Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - May 14, 2013
Second Reading – May 14, 2013
Third Reading - May 14, 2013

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



File Number: H-8153

Planner: AM

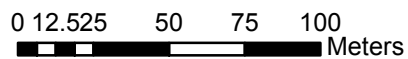
Date Prepared: 2013/04/23

Technician: JS

By-Law No: Z.-1-

SUBJECT SITE 

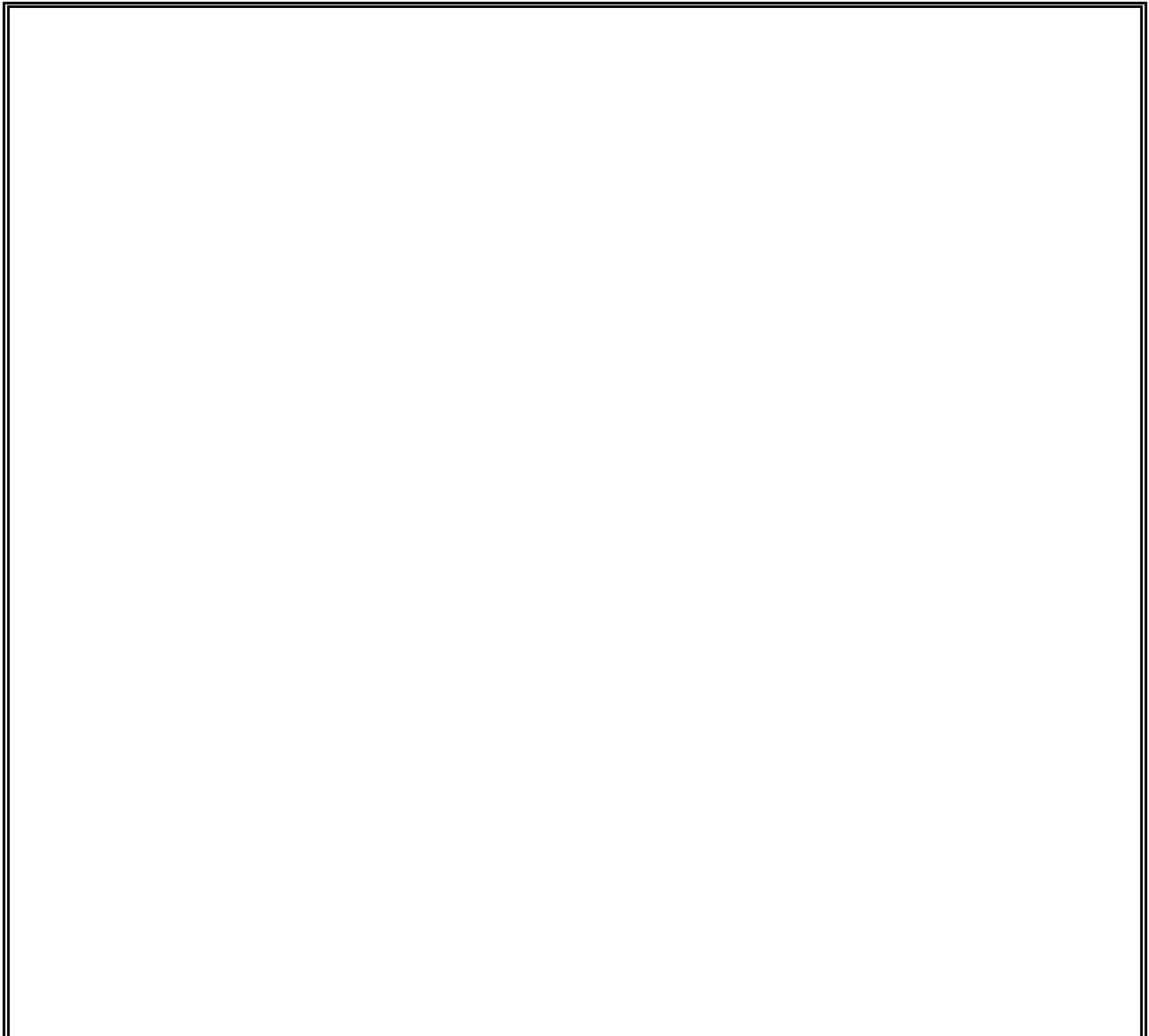
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AMENDMENT TO SCHEDULE "A"



Technician:

Date Prepared:

File Number/Planner:

Scale: 1:5000

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North

