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File No.: OZ-8115
Planner: B. Debbert

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CLAYBAR DEVELOPMENTS INC. 2825 TOKALA TRAIL WITHDRAWAL OF APPEAL TO THE ONTARIO MUNICIPAL BOARD MEETING ON NOVEMBER 12 , 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following report regarding an appeal to the Ontario Municipal Board by Stikeman Elliott on behalf of 1830145 Ontario Limited (York Developments) relating to Official Plan and Zoning By-law amendment application No. OZ-8115, and subsequent withdrawal of the appeal, **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

February 26, 2013 – Report to Planning and Environment Committee recommending approval of an Official Plan amendment and Zoning By-law amendment to permit the following:

- On the north part of the property, the construction of multiple apartment buildings with a maximum height of eight storeys and provision for convenience commercial uses on the ground floor in one of the buildings facing either Dalmagarry Road or an internal service road between the residential development and the proposed commercial development.
- On the south part of the property, the construction of one or more low-rise buildings to contain a range of retail, convenience and personal service uses, including a food store with a maximum floor area of 3,200 square metres and one other commercial space (not a restaurant) with a maximum floor area of 1,000 square metres.

July 23, 2013 – Report to Planning and Environment Committee advising of the appeal.

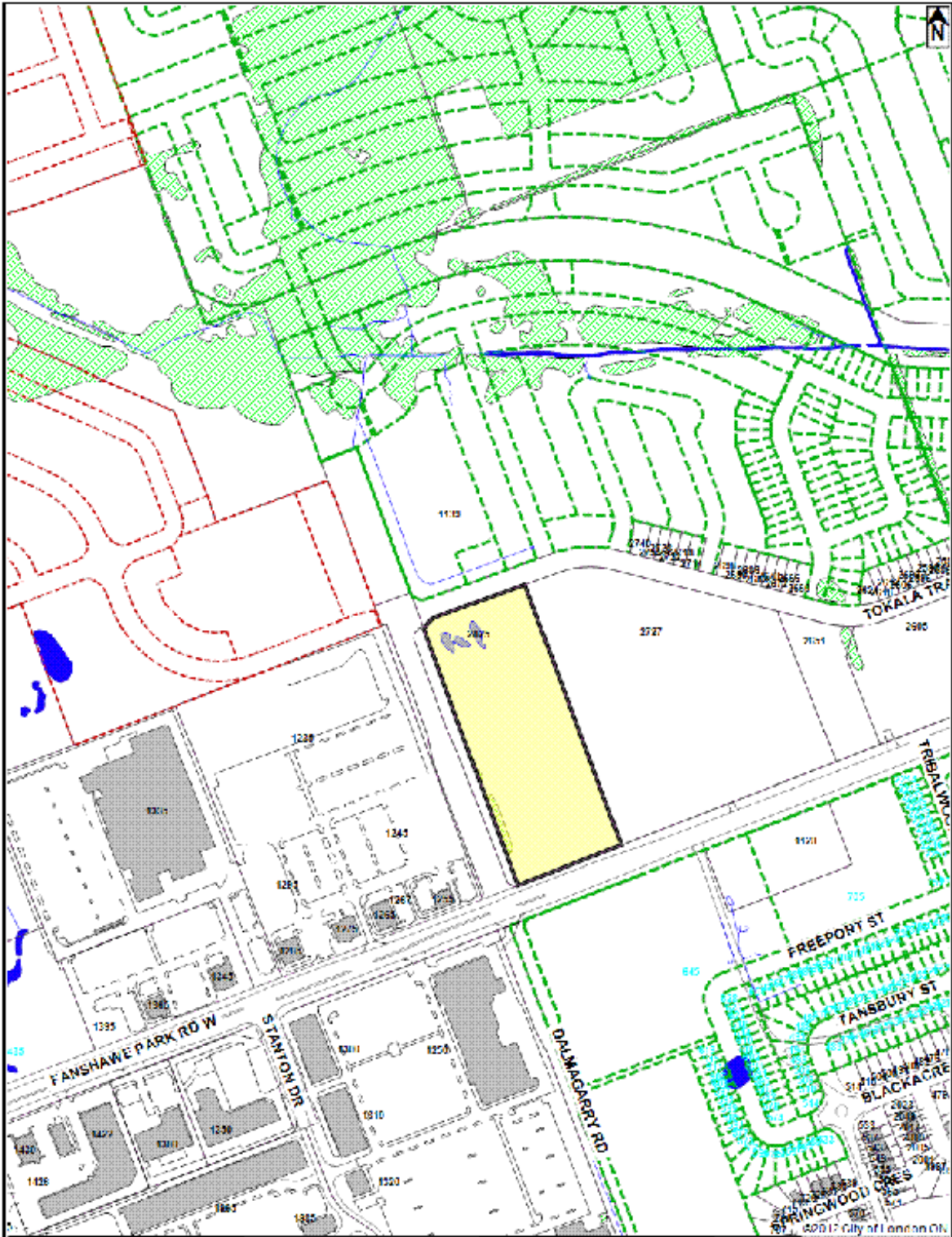
BACKGROUND

On March 6, 2013, Council approved the following:

- an Official Plan amendment to change the designation of the subject land from Low Density Residential and Multi-family, Medium Density Residential, to a Multi-family, High Density Residential and a Neighbourhood Commercial Node designation and to adopt special policies related to the north and south parts of the proposed development; and,
- a Zoning By-law amendment to change the zone on the property from an Urban Reserve (UR3) Zone to a Holding Residential R9 Special Provision/Holding Convenience Commercial Special Provision (h-120•R9-7(*)•H30/CC6(**)) Zone with special provisions pertaining to density, yard depths, the location of convenience commercial uses, and convenience commercial gross floor area, and to a Holding Neighbourhood Shopping Area Special Provision (h-120•NSA5(***)) Zone with special provisions pertaining to total and individual commercial gross floor areas, yard depths and location of parking.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 2825 Tokala Trail Applicant: Claybar Developments Inc File Number: OZ-8115 Planner: Barb Debbert Created By: Barb Debbert Date: 2012-10-17 Scale: 1:5000</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

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On April 2, 2013, an appeal was submitted by Stikeman Elliott on behalf of 1830145 Ontario Limited (York Developments), in opposition to Municipal Council's decision to approve the requested amendments.

On October 2, 2013, the Ontario Municipal Board advised that the appeal by Ali Soufan was withdrawn by letter dated July 31, 2013, that there are no outstanding appeals and that their file is closed.

The Official Plan and Zoning By-law amendments adopted by Council are now in force and effect.

PREPARED BY:	REVIEWED BY:
BARB DEBBERT, SENIOR PLANNER COMMUNITY PLANNING AND DESIGN	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN
SUBMITTED BY:	RECOMMENDED BY:
JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN	JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

BD/

Attach.

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