

Agenda Item #	Page #

**File No.:39T-11503  
Planner: Craig Smith**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR OF DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>FOXWOOD DEVELOPMENTS (LONDON) INC. 1602 SUNNINGDALE ROAD WEST  ONTARIO MUNICIPAL BOARD DECISION MEETING ON TUESDAY, FEBRUARY 4, 2014</b>

<b>RECOMMENDATION</b>
-----------------------

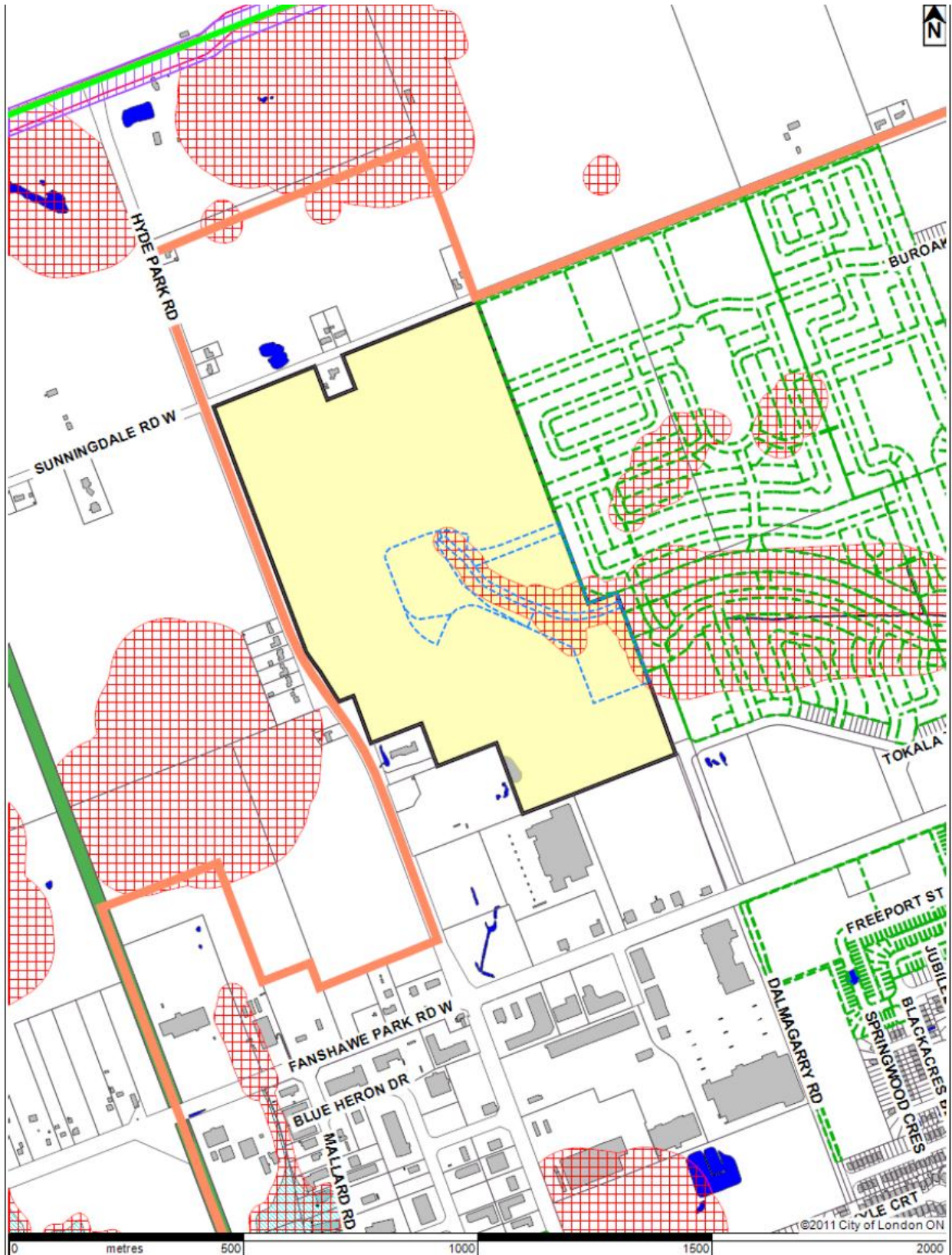
That, on the recommendation of the Senior Planner, Development Services, the following report on the withdrawal of the appeal to the Ontario Municipal Board by as submitted by Alan Patton on behalf of Old Oak Properties., relating to draft plan of subdivision located at 1602 Sunningdale Road West **BE RECEIVED** for information.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

**March 26, 2012** –public meeting relating to the Draft Plan of Subdivision, Official Plan & Zoning By-law Amendment (39T-11503/OZ-7985).

**July 16, 2012** - Report on the appeals to the Official Plan and Zoning By-law amendments.

**MAY 7, 2013-** Report on the appeal to the Conditions of Draft Plan Approval.



**LOCATION MAP**

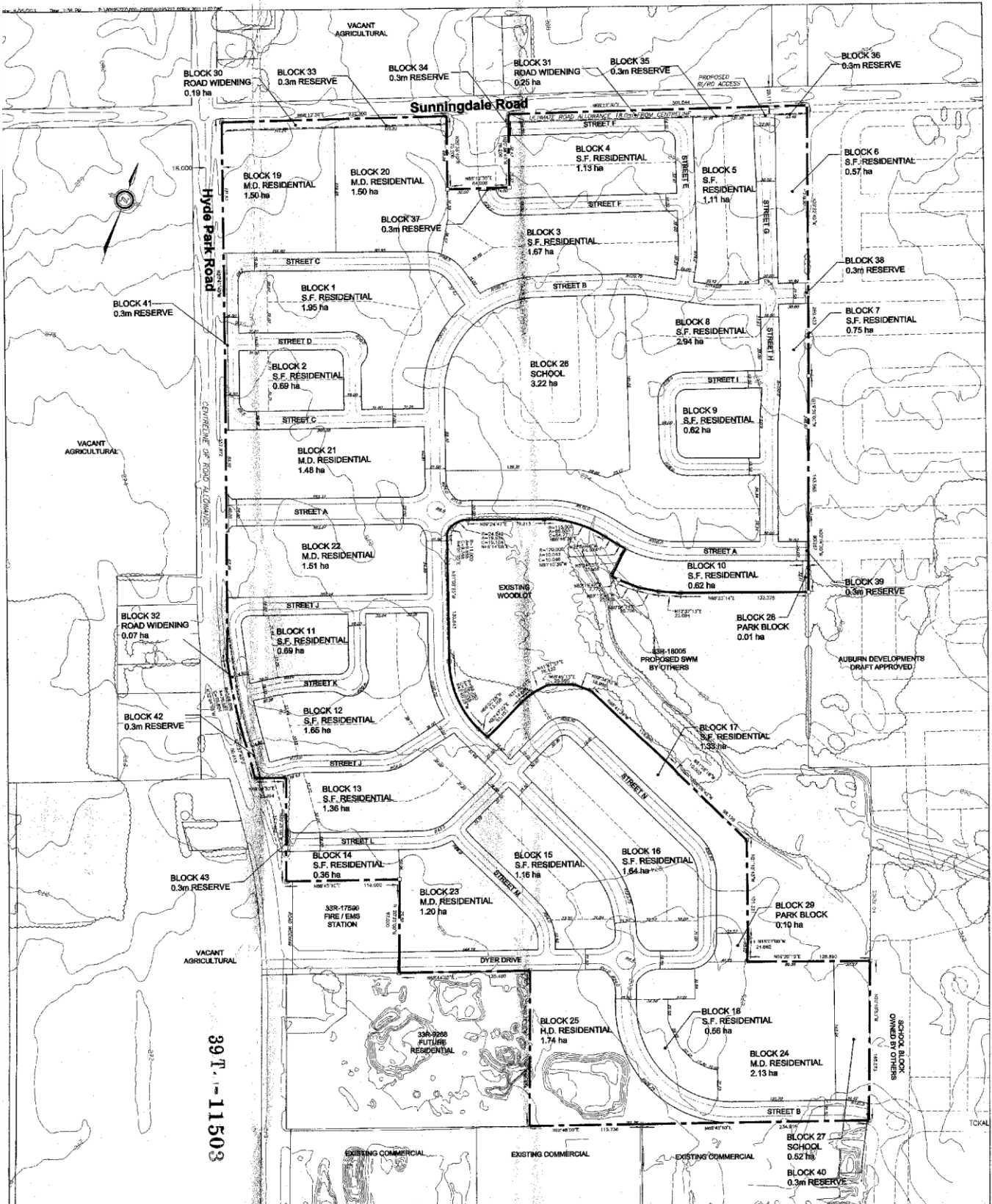
Subject Site: 1602 Sunningdale Rd W  
 Applicant: Foxwood Development (London) Inc.  
 File Number: 39T-11503  
 Planner: Allister MacLean  
 Created By: Allister MacLean  
 Date: 2011-11-16  
 Scale: 1:10100

**LEGEND**

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



File No.: 39T-11503  
 Planner: Craig Smith



39T-11503

NO.	REVISION	DATE	INITIALS

**AECOM**

RECEIVED BY  
 NOV 09 2011  
 CITY OF LONDON DEVELOPMENT APPRAISAL SERVICES

**33R-17590 FIRE/EMS STATION**

**33R-2288 FUTURE RESIDENTIAL**

**33R-18005 PROPOSED SWM BY OTHERS**

**33R-17590 FIRE/EMS STATION**

**33R-2288 FUTURE RESIDENTIAL**

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**33R-18005 PROPOSED SWM BY OTHERS**

**33R-17590 FIRE/EMS STATION**

**33R-2288 FUTURE RESIDENTIAL**

**33R-18005 PROPOSED SWM BY OTHERS**

**DRAFT PLAN OF SUBDIVISION**  
 PART OF LOT 24 CONDEMNION 5  
 (Geographic Township of London)  
 In the  
**CITY OF LONDON**  
 SCALE: 1:1750

**Additional Information Required Under Section 51(17) of the Planning Act:**

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KEYPLAN  
 Subject Site

Agenda Item #	Page #

**File No.:39T-11503  
Planner: Craig Smith**

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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This is an information report. The effect of the withdrawal of the appeal from the OMB is to allow for the subdivision of the subject lands, as shown on the attached map. The subdivision of this land, as proposed, is to permit the lands to be developed for single detached dwellings, medium and high density residential development and a school.

<b>BACKGROUND</b>
-------------------

On January 23, 2013, the City of London Approval Authority granted draft approval to the plan of subdivision with a condition that states:

*Condition 22. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater services for this draft plan of subdivision:*

- ii) Construct sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan, all to the specifications of the City Engineer;*

Old Oak Properties Inc. the property owners of 2179 and 2201 Hyde Park Road, high density residential designated lands abutting the subdivision to the south-west, had concerns that the condition wasn't sufficient to ensure the provision of full sanitary servicing for their property. Old Oak Properties Inc. appealed the draft plan of subdivision.

Staff met with representation of Old Oak Properties and Foxwood Developments and based on the discussion and additional information provided by Foxwood, Old Oak was satisfied that their servicing concerns were properly addressed.

On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal by Old Oak Developments was withdrawn by letter dated June 25, 2013 Attached Appendix 1.

As per Section 51 (51) of the Planning Act, the draft approval lapse date is June 26, 2016.

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



Agenda Item #	Page #

File No.:39T-11503  
Planner: Craig Smith

Appendix 1

Environment and Land Tribunals  
Ontario

Ontario Municipal Board

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Fax: (416) 326-5370  
Website: www.elfto.gov.on.ca

Tribunaux de l'environnement et de  
l'aménagement du territoire Ontario

Commission des affaires municipales  
de l'Ontario

655 rue Bay, suite 1500  
Toronto ON M5G 1E5  
Téléphone: (416) 212-6349  
Sans Frais: 1-866-448-2248  
Télécopieur: (416) 326-5370  
Site Web: www.elfto.gov.on.ca



August 16, 2013

VIA: Regular Mail

2013-LO1

The Clerk  
City of London  
P.O. Box 5035  
City Hall, 300 Dufferin Avenue  
London, ON  
N6A 4L9

City Clerk No. 2551  
Subject APPEAL withdraw  
- PL130194-1102  
Sunningdale Rd w-  
AUG 19 2013  
39T-11503 - file closed  
Ref. JNethercott  
C.C. Trawley Saunders

Subject: Case Number: PL130194  
File Number: PL130194  
Municipality: City of London  
Subdivision Number: 39T-11503  
Property Location: 1602 Sunningdale Road West  
Applicant(s): Foxwood Developments (London) Inc.  
Appellant(s): Old Oak Properties Inc.

SCANNED  
Ref to: JN TG CS (W)

Subsection 51(51) of the *Planning Act* provides;

(51) If all appeals under subsection (39) or (48) are withdrawn and the time for appealing has expired or if all appeals under subsection (43) are withdrawn, the secretary of the Municipal Board shall notify the approval authority and the decision of the approval authority shall be deemed to have been made on the day after the day all appeals have been withdrawn, subject to any other right of appeal that may be exercised under this section and subject to subsection (44).

I am writing to advise that the appeal by Old Oak Properties Inc. was withdrawn by letter dated June 25, 2013.

There are no outstanding appeals in this matter, and our file is closed.

Yours truly,

For JOANNE HAYES  
SECRETARY