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**H-8179
A.MacLean**

FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: OLD OAK PROPERTIES INC. 365 AND 385 SUGAR CREEK TRAIL MEETING ON JULY 23, 2013

RECOMMENDATION

That, on the recommendation of the Manager, Development Planning, based on the application of Old Oak Properties relating to the property located at 365 and 385 Sugar Creek Trail, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 30, 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 R5 Bonus (h-1*h-18*R5-2*B11) Zone **TO** a Residential R5 Bonus (R5-2*B11) Zone to remove the "h-1" and "h-18" holding provisions.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the h-1 and h-18 holding provisions so that development can proceed in accordance with the approved zoning.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

November 24, 2008 - Report to Planning Committee Public Participation meeting on Official Plan and Zoning By-law amendment applications (OZ-7573).

Date Application Accepted: May 9, 2013	Applicant: Old Oak Properties
REQUESTED ACTION: Removal of the holding provisions on the site to permit the proposed residential development.	

ANALYSIS

The purpose of applying holding provisions is to ensure that prior to development proceeding, certain requirements have been addressed to the satisfaction of Council.

h-1 – To ensure that mitigating measures are undertaken in areas adjacent to transportation and utility corridors, an agreement shall be entered into, following consultation with relevant agencies, covering requirements for incorporating appropriate noise and/or vibration attenuation measures into the design of the development, prior to the removal of the "h-1" symbol.

The applicant has provided a noise study which was reviewed by City staff and CN representatives and the conclusions and recommendations are acceptable. The recommendations of the accepted study have been incorporated into the development agreement.

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Location Map

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h-18 – The h-18 is to ensure that lands are assessed for the presence of archaeological resources prior to development.

The applicant has carried out Stage 1-2, Stage 3 and Stage 4 Assessments of the subject lands and the Ministry of Culture and Recreation has provided clearance of all studies by their letter dated September 8, 2010.

Based on the above, the removal of the holding provisions is appropriate and will allow the lands to be developed in accordance with the Zoning By-law.

CONCLUSION

It is recommended that the holding provisions be removed to enable these properties to be developed in accordance with the approved Zoning. The removal of these holding provisions represents sound land use planning.

REVIEWED BY:	
ALLISTER MACLEAN MANAGER – DEVELOPMENT PLANNING	
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

July 11, 2013
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Bill No.
2013

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on lands located at 365 and 385 Sugar Creek Trail.

WHEREAS Old Oak Properties Inc. has applied to remove holding provisions from the zoning on the lands located at 365 and 385 Sugar Creek Trail, 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 lands;

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 lands located at 365 and 385 Sugar Creek Trail, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5 Bonus (R5-2*B11) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 30, 2013

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - July 30, 2013
Second Reading – July 30, 2013
Third Reading - July 30, 2013