



Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: November 5, 2012 **Date of Meeting:** November 26, 2012

Report Number: PDS-648-2012 **File:** 60.35.892 Vol. 2

Subject: Application to Remove Holding Provision from Zoning – 189 Dieppe Road (193 Dieppe Road, 198 and 189 Bunting Road); Applicant: Smart Centres (Melissa McEnroe)

Recommendation

That Council grant approval to remove the Holding (H) designation from the zoning for lands known as 189 Dieppe Road, 193 Dieppe Road, 185 Bunting Road and 189 Bunting Road; and

That the City Solicitor be directed to prepare the necessary by-law to give effect to Council's decision once a survey of the lands is submitted to Planning and Development Services; and

Further, that the Clerk be directed to make the necessary notifications. FORTHWITH

Summary

The current Commercial Shopping Centre- Holding (C1-H) zone requires that certain conditions be met prior to the zoning taking effect. Those conditions have now been met. Staff is supportive of the removal of the Holding (H) designation.

Background

Staff have received a request to remove the Holding (H) provision attached to the zoning for the subject lands (Appendix "1"). The lands are zoned Commercial Shopping Centre- Holding (C1-H) by amending By-law 2009-226 (Zone 7), which was passed by Council on August 24, 2009.

The site specific zoning by-law requires that certain conditions be met prior to lifting the Holding (H) provision so that the underlying zoning can take effect. The condition is:

- (i) The Holding (H) designation shall be removed by Council, without further public meeting once a Record of Site Condition (RSC) has been submitted. The existing uses and uses permitted in the Industrial (M1) zone shall continue to be permitted until such time as the Holding (H) designation is removed.

In accordance with the Planning Act, the Holding (H) provision can be removed by Council, without any further public meeting, once these conditions have been met to the satisfaction of the City.

Report

The applicant has filed a Record of Site Condition (RSC) for the lands known as 189 Dieppe Road, 193 Dieppe Road, 185 Bunting Road and 189 Bunting Road (Appendix "1"). The Record of Site Condition for the lands known as 191 Bunting Road remains outstanding.

Transportation and Environmental Services (TES) has reviewed the Record of Site Condition (RSC) and is satisfied that there is no evidence of any contaminants in the soil, ground water or sediment on, in or under the subject property that would interfere with the permitted uses of By-law 2009-226.

No further public meeting is required prior to Council considering the lifting of the Holding (H) provision. The notice of Council's intent to remove the Holding (H) provision has been issued to the owner of the properties as required by the Planning Act.

Staff have reviewed the request to remove the Holding (H) provision and advise that the conditions required in accordance with By-law 2009-226 have been satisfied with respect to 189 Dieppe Road, 193 Dieppe Road, 185 Bunting Road and 189 Bunting Road. The Holding provision remains in place for the lands known as 191 Bunting Road since the RSC has not yet been submitted for that part of the site. The total land holdings of the owner includes 191 Bunting Road.

Financial Implications

Not Applicable.

Conclusion

Staff have reviewed the request to remove the Holding (H) provision and advise that the conditions required pursuant to By-law 2009-226 have been satisfied, save and except the lands municipally known as 191 Bunting Road. Staff is recommending that the Holding (H) designation be removed for lands municipally known as 189 Dieppe Road, 193 Dieppe Road, 185 Bunting Road and 189 Bunting Road as illustrated on Appendix "1".

Notification

It is in order to advise Melissa McEnroe, Smart Centres, 700 Applewood Crescent, Vaughan, ON, L4K 5X3.

Submitted by:

Judy Pihach, M.C.I.P., R.P.P.
Manager of Planning Services

Prepared by:

Jessica Button
Planner 1

Approved by:

James N. Riddell, M.Pl., M.C.I.P., R.P.P.
Director, Planning & Development Services

