



Meeting Date: April 19, 2023

Submitted by: Marion-Frances Cabral, Planner

Report No: PLA-26-2023

Subject: Request to Remove (h-3)(h-6)(h-7) Holding Symbols from 10092 Oxbow Drive; Filed by Zelinka Priamo Ltd. on behalf of Oxbow Developments Limited Partnership

Recommendation:

THAT the request by Zelinka Priamo Ltd. on behalf of Oxbow Developments Limited Partnership to remove the (h-3), (h-6), and (h-7) holding symbols from the zoning of the land known legally as 10092 Oxbow Drive, Middlesex Centre, be APPROVED.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding a request to remove the (h-3), (h-6), and (h-7) holding symbols the land located on the north side of Oxbow Drive and west of Union Avenue in Komoka.

A location map is included in Attachment 1.

Background:

The subject land is zoned “Urban Residential Third Density exception 14 (UR3-14)” to permit residential development in the form of townhouse dwellings and other similar built form types. In addition, Holding Symbols (h-3), (h-6) and (h-7) apply to the land and may only be removed when: a noise impact analysis has been prepared and recommendations for noise mitigation have been incorporated into the site plan; a public site plan review process has been undertaken; and, that an urban design brief be prepared to the satisfaction of the Municipality.

The lands subject to the H-removal is approximately 2.00 ha (4.99 ac) in area and is legally described as Concession 3 S Part of Lot 6 RP 33R21086 Parts 1 and 2, and Concession 3 S Part of Lot 6 RP 33R7661 Parts 1,2, and 3, geographic Township of Lobo, Municipality of Middlesex Centre.

Consultation:

Notice of the application was circulated to agencies and area residents in accordance to the requirements of the Planning Act.

Public Comments:

At the time of writing this report staff did not receive comments from the public.

Agency Comments:

The following comments were received at the time of writing this report;

Middlesex Centre's Building Department has no concerns with the subject application.

Middlesex Centre's Corporate Services Department has no concerns with the subject application.

Middlesex Centre's Public Works and Engineering Department has no concerns with the subject application. All matters will be addressed through the site plan agreement.

Analysis:

The holding symbols applicable to the subject lands have the following conditions to be met prior removal and are assessed below:

The precondition for the removal of the '(h-3)' holding symbol shall be that a Noise Impact Analysis be prepared by a qualified professional in association with the site plan approval process for any proposed development on the lands to which the holding symbol applies and that any recommendations for noise mitigation arising from the Noise Impact Analysis have been incorporated into the site plan such that the proposed development will meet the Ministry of Environment (MOE) noise criteria.

The landowner has completed a Noise Report in consideration of proximity to the CN Railway and Oxbow Drive road. The recommendations of the noise report have been incorporated into the site plan and associated site plan agreement for the development of the land.

The precondition for the removal of the "(h-6)" holding symbol shall be the undertaking of a public site plan review process, addressing the issues outlined under Section 41 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

A Public Site Plan review was undertaken on December 14, 2022.

The precondition for the removal of the (h-7) holding symbol shall be that an urban design brief be prepared by a qualified professional in association with the site plan approval process for any proposed development on the lot to which the holding symbol applies and that the urban design brief shall require the approval of the Municipality.

An Urban Design Brief was completed by a qualified professional during the site plan review process to the satisfaction of the Municipality.

As a result of the above, planning staff are satisfied that the preconditions have been met and that a site plan agreement will be entered into with the Corporation addressing matters noted above and recommend that the Holding Symbols (h-3), (h-6) and (h-7) be removed from the subject lands.

Financial Implications:

None.

Strategic Plan:

This matter aligns with following strategic priorities:

- Balanced Growth

Attachments:

Attachment 1 – Location Map