

**REPORT RECOMMENDATIONS:**

That the Planning Committee recommend Council:

1. Approve an amendment to the Preston-Champagne Secondary Plan to redesignate the property at 101 Champagne Avenue South from Residential Low Profile to Residential High Profile, as detailed in Document 2; and
2. Approve an amendment to the Zoning By-law 2008-250 to change the zoning of 101 Champagne Avenue South from a Residential Fourth Density exception zone (R4M [924]) to a Residential Fifth Density Exception Zone with a holding symbol (R5B[924]-h) as detailed in Documents 3 and as shown on Document 1.

Staff submitted the following Motion for Committee's consideration, a technical amendment to clarify ambiguous wording related to the conditions for the holding provisions within the details of recommended zoning:

**MOTION NO PLC 44/1**

Moved by Councillor J. Harder:

**WHEREAS the Details of Recommended Zoning contains a provision that prior to the lifting of the holding provisions, the Applicant is required to obtain Site Plan Approval, which approval will include a condition requiring the Owner to enter into separate agreement with the Owners of 125 Hickory Street and 855 Carling Avenue for roadway improvements;**

**AND WHEREAS there is ambiguity related to the details of this condition that has caused the applicant to express a concern that the lifting of the holding provision would be subject to the willingness of the other two Owners to enter into the cost share agreement for intersection improvements that will be required under the site plan approval prior to development occurring;**

**AND WHEREAS staff have reviewed this concern and agree that further clarity to the wording of the requirements set out the details of the recommended zoning related to the holding provision is appropriate;**

**NOW THEREFORE BE IT RESOLVED THAT Section 1. d. P) iii be replaced with the following text to clarify the requirement to be set out in the Site Plan Agreement.**

**The Owner(s) providing financial security, representing an estimate of their proportionate share of the cost of design and construction of required improvements to the intersection of Carling Avenue and Champagne Avenue South, (including the following lane extensions: westbound right-turn lane, eastbound left-turn lane and southbound left-turn lane), as described in the Delcan report TO3059TOL00, dated December 18, 2009, at no cost to the City, and to City standards to the satisfaction of the General Manager, Planning and Growth Management. The proportionate share estimate is to based on the combined traffic generation potential of the development proposals for the subject property, plus 855 Carling Avenue (across Hickory Street to the south) and 125 Hickory Street (adjacent to the south). The Owner(s) shall further be required under the site plan approval to enter into a cost sharing agreement with the owners of the properties located at 855 Carling Avenue and 101 Champagne Avenue South for the design and construction of the required intersection improvements which agreement may be completed after the required Site Plan Control Agreement is registered, subject to the required securities having been posted. The required security shall not be released until such time as the noted intersection improvements have been completed to the satisfaction of the General Manager, Planning and Growth Management.**

**AND BE IT FURTHER RESOLVED THAT no further notice be given under subsection 34(17) of the Planning Act.**

CARRIED

The Committee then “CARRIED” the report recommendation, as amended by Motion No. PLC 44/1.

**That the Planning Committee recommend Council:**

- 1. Approve an amendment to the Preston-Champagne Secondary Plan to redesignate the property at 101 Champagne Avenue South from Residential Low Profile to Residential High Profile, as detailed in Document 2; and**
- 2. Approve an amendment to the Zoning By-law 2008-250 to change the zoning of 101 Champagne Avenue South from a Residential Fourth Density exception zone (R4M [924]) to a Residential Fifth Density Exception Zone with a holding symbol (R5B[924]-h) as detailed in Documents 3 and as shown on Document 1.**
- 3. Approve that Section 1. d. P) iii be replaced with the following text to clarify the requirement to be set out in the Site Plan Agreement:**

***The Owner(s) providing financial security, representing an estimate of their proportionate share of the cost of design and construction of required improvements to the intersection of Carling Avenue and Champagne Avenue South, (including the following lane extensions: westbound right-turn lane, eastbound left-turn lane and southbound left-turn lane), as described in the Delcan report TO3059TOL00, dated December 18, 2009, at no cost to the City, and to City standards to the satisfaction of the General Manager, Planning and Growth Management. The proportionate share estimate is to be based on the combined traffic generation potential of the development proposals for the subject property, plus 855 Carling Avenue (across Hickory Street to the south) and 125 Hickory Street (adjacent to the south). The Owner(s) shall further be required under the site plan approval to enter into a cost sharing agreement with the owners of the properties located at 855 Carling Avenue and 101 Champagne Avenue South for the design and construction of the required intersection improvements which agreement may be completed after the required Site Plan Control Agreement is registered, subject to the required securities having been posted. The required security shall not be released until such time as the noted intersection improvements have been completed to the satisfaction of the General Manager, Planning and Growth Management.***

**And that no further notice be given under subsection 34(17) of the *Planning Act*.**

CARRIED as amended

Messrs. Ted Fobert, FoTenn Consultants, and Ritchard Brisbin, BBB Architects, were present in support of the report recommendations, but did not speak.

Ms. Jamie Liew had registered, in advance, to speak to this item, but was not present at the time the item was considered.