

## MEMORANDUM

To: Mayor and Members of Council

From: Jim Baird, Commissioner of Development Services  
Biju Karumanchery, Senior Development Manager

DATE: May 20, 2009

RE: **Kylemore Post Road Limited (Village Grocer)**  
**4472 & 4476 16<sup>th</sup> Avenue**  
**OP 08 129443 & ZA 08 118671**

B.K.

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### Recommendation

That Council approve the following resolution:

WHEREAS a Public Meeting was held on February 3, 2009 for Official Plan and Zoning Amendments to permit a commercial building at 4472 & 4476 16<sup>th</sup> Avenue, in the COMMERCIAL – Community Amenity Area designation and Community Area Four (CA4) zone, respectively;

AND WHEREAS Council at the Public Meeting determined that a more appropriate Official Plan designation and zoning category would be URBAN RESIDENTIAL – Neighbourhood Commercial and Neighbourhood Commercial Three (NC3) respectively;

AND WHEREAS the proposal about which information was provided to the public dated February 3, 2009 has not changed;

NOW THEREFORE BE IT RESOLVED that no further notice be given in respect to the attached Official Plan Amendment and Zoning By-law Amendment to permit a commercial building at 4472 and 4476 16<sup>th</sup> Avenue;

AND THAT the Official Plan Amendment and Zoning By-law Amendment to permit a commercial building at 4472 and 4476 14<sup>th</sup> Avenue be enacted.

### Background

In June 2006, Council approved Official Plan and Zoning By-law amendments for residential lands to the north of the site (Kylemore) and a portion of the subject lands. As part of these approvals, the majority of the lands were designated URBAN RESIDENTIAL – Neighbourhood Commercial Centre and zoned Neighbourhood Commercial Three \* 327 (Hold), under By-law 177-96, as amended. Subsequently, the Owner purchased additional lands to the east of the property and applied for official plan and zoning by-law amendments to extend these permissions onto the newly acquired lands to allow for the construction of a commercial building (Village Grocer).

As part of the review process, the Policy Group suggested that it would be appropriate to designate the proposed use under the Community Amenity Area designation. The public meeting notice that was circulated indicated that the lands would be designated and zoned to Community Amenity Area.

On February 3, 2009 a public meeting was held to obtain input on these applications. Council expressed concerns with designating the property to Community Amenity Area and preferred to have the property remain in the Neighbourhood Commercial Centre designation.

Attached are the implementing official plan and zoning by-law amendments to recognize the property as Neighbourhood Commercial Centre to permit the development of a supermarket (Village Grocer).