



MEMORANDUM

FROM: Jim Baird, Commissioner of Development Services
TO: Kimberley Kitteringham, City Clerk
PREPARED BY: Stephen Corr, Senior Planner

A handwritten signature in black ink, appearing to read 'Jim Baird', located to the right of the 'TO' and 'PREPARED BY' fields.

DATE: June 21, 2015

**RE: Hold Removal By-law
Wykland Estates Inc.
Proposed 6-storey Mixed Use Building Containing 100 apartment
units and 5 non-residential units, as well as a 6 unit stacked
townhouse building at the southeast corner of Bur Oak Avenue and
Rustle Woods Avenue – Cornell Centre
Planning File: ZA 17 135999
(Ward 5)**

The applicant has submitted a Zoning By-law amendment to remove a Holding provision, applicable to the subject lands, located at the southeast corner of Bur Oak Avenue and Rustle Woods Avenue, as shown in Figure 1. Removal of the Holding provision will permit the development of a 6-storey mixed use building containing 100 condominium apartment dwellings and 5 ground floor commercial units fronting Bur Oak Avenue, and 6 stacked townhouse dwellings. This development has been endorsed in principle by Development Services Committee, and the technical review of the site plan application (File SC 16 140975) is being completed by staff. Once complete, site plan endorsement can be issued, followed by the submission and review of a building permit application.

The subject lands are zoned Community Amenity One*547 – Hold *(CA1*547(H)) under By-law 177-96, as amended. The criteria to remove the Holding provision is for “the applicant to enter into a Section 37 Agreement to secure the provision of community facilities and services to the City.”

In an email dated June 21st, 2017, the applicant has confirmed they will enter into a Section 37 Agreement with the City which to a financial contribution in the amount of \$81,406.00 as a Section 37 benefit for increased unit density (26 additional units) and \$97,800.00 for public art. The Legal Department is currently in the process of finalizing the agreement to be forwarded to the applicant for execution. As the applicant has committed to enter a Section 37 agreement which is being finalized by the Legal Department, staff recommend that the Holding provision be lifted on the subject lands and that the by-law be tabled for the June 27th, 2017 Council meeting agenda. This will allow for site plan endorsement and submission of a building permit during Development Services Committee’s summer recess. Staff are satisfied that the Holding provision can be removed from the subject lands.