



Planning, Development and Sustainability

MEMORANDUM

TO: Mayor Bonnette & Members of Council

FROM: Mark H. Kluge, Senior Planner – Development Review
Planning, Development & Sustainability

DATE: March 16, 2015

MEMO NO.: PDS-2015-0004

RE: OMB Appeal – Eden Oak (Creditview Heights) Inc.
(formerly Desol Developments)
Part of Lot 20, Concession 9 (Glen Williams)
Files: D12SUB08.001 & D14ZBA08.004

The purpose of this memorandum is to provide Council with a status update regarding the above captioned applications.

As Council will recall, Eden Oak (Creditview Heights) Inc. *(formerly Desol Developments)* filed a Draft Plan of Subdivision and Zoning By-law Amendment applications, in February 2008, to permit a residential development.

As proposed the development consists of 33 single detached lots to be serviced by regional water and wastewater systems, a proposed road network with an access to the existing Gamble Street and an emergency access point via the Town Rail Trail to Anne Street and an additional cul-de-sac, pedestrian walkways, stormwater management facility and open space blocks (see attached Schedule 1 – Location Map). The applications were deemed complete on March 19, 2008 and a statutory Public Meeting pursuant to the *Planning Act* was held on October 5, 2009. A further public consultation meeting was held on February 9, 2010.

To date there have been 3 Circulations for Comments on these applications. Two (March 2008 and January 2012) were full circulations to all departments, agencies and the GWCA, while the 3rd (March 2013) was technical in nature and limited to discussions between the Applicant, Town Staff and the CVC. Town Staff provided technical comments to the Applicant on January 26, 2015, with the understanding that receipt of the Town's comments would generate another full circulation for comment. To date the Town has not received a full 3rd circulation of these applications.

By way of a letter dated February 3, 2015 (received by the Town on February 4, 2015), the Applicant (via their legal counsel) appealed both applications directly to the Ontario Municipal Board (OMB) on the basis that the Town had not made a decision within 180

days of the receipt of the applications. Staff has since forwarded the necessary documentation to the OMB (February 24, 2015) in accordance with *Planning Act* requirements and on March 2, 2015 the OMB acknowledged receipt. The OMB is now in the process of scheduling a prehearing conference prior to a full hearing commencing, however, no hearing date has been set at this time.

Planning Staff will continue to keep Council updated as to the on-going developments regarding these applications and the OMB appeal.

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Schedule 1 – Location Map to MEMO-PDS-2015-0004

