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SP11-033137 / L. McDougall

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>D. N. STANLAKE DIRECTOR DEVELOPMENT PLANNING</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: MHBC PLANNING 1680 RICHMOND STREET PUBLIC PARTICIPATION MEETING ON DECEMBER 12, 2011 AT 4:10 PM</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of MHBC Planning relating to the property located at 1680 Richmond Street.:

- (a) On behalf of the Approval Authority, the Planning and Environment Committee **BE REQUESTED** to conduct a public meeting on the subject site plan application and Council **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval;
- (b) Council **ADVISED** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approved Authority whether they support the Site Plan application for the revised elevations at 1680 Richmond Street.
- (c) Council **ADVISE** the Approval Authority any issues they may have with respect to the Development Agreement Clauses proposed in Appendix 1;

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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April 28, 2003 Public Site Plan Report to Planning Committee SP 03-1106572

<b>RATIONALE</b>
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The purpose of the report is for Planning & Environment Committee to conduct a public participation meeting to receive feedback from the public and for Planning & Environment Committee and Council to provide advice to the approval authority when they are considering the plans, elevations and requirements for the Site Plan.

The need for the further public engagement is a result of the changes in the in effect elevations to accommodate a change in occupancy of the subject store from a Zellers operation to a Target store.

<b>Date Application Accepted:</b> October 7, 2011	<b>Agent:</b> MHBC Planning
<b>REQUESTED ACTION:</b> Conduct a public meeting on behalf of the approval authority with regard for approval of revised elevations for a portion of the existing building at 1680 Richmond Street.	

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<b>PLANNING HISTORY</b>
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A Development Agreement was entered into 4th day of June, 1984.

The Masonville Mall was built in 1984.

The addition for the Zellers was built in 1993.

A Public Site Plan Meeting for the new Bus Bays was held on April 28, 2003

**Subsequent Actions**

March 17, 2011 Consultation for Site Plan was held for the current project and preliminary comments were provided by staff to the owner.

October 7, 2011, the owner filed for site plan approval. The plans were circulated with staff.

October 18, 2011, Notice of Application for Site Plan Approval was sent out to area property owners.

October 21, 2011 The elevations for the proposed Target store were stamped Accepted for Urban Design by Eno Rebecca Udoh-Orok, Urban Designer.

November 26, 2011 Notice of Public Site Plan Meeting was published in the Living in the City section of the London Free Press.

December 1, 2011 notice of Public Site Plan Meeting was sent to area residents advising them of the meeting.

<b>PUBLIC LIAISON:</b>	Notice appeared in the London Free Press on November 26, 2011 and notice was sent to area property owners on December 1, 2011	0 replies received
<b>Nature of Liaison:</b> Consideration of the request for Site Plan Approval for revised elevations for a portion of the existing building at 1680 Richmond Street Drive		
<b>Responses:</b> none		

<b>ANALYSIS</b>
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**1. Description of the Proposed Elevations**

The size, height and location of the existing building are not changing.

The majority of existing brick will remain on all four sides of the building. The south elevation will continue to act as the front façade with the main entrance shifting slightly to the east. The front façade will have additional Exterior Insulation and Finishing System (EIFS) material over the door, the existing EIFS will be painted and new ashlar stone will be applied near the entrance at pedestrian level.

The existing Zellers signage will be changed to show internally illuminated Target signs appearing on the south, west, and east building elevations.

Agenda Item #	Page #

SP11-033137 / L. McDougall

**2. Does the Site Plan Comply with Zoning**

The Site Plan meets all the required yard setbacks, lot coverage, landscape open space, height and parking requirements under the Z-1 By-law. There are no proposed changes to the size, height or location of the existing building.

**3. Are the Plans Compatible with Abutting Neighbours?**

It is staff's opinion that the proposed elevations will be compatible with the abutting neighbours for the following reasons.

1. Existing landscaping will continue to screen the buildings
2. The changes to the building elevations are minor in nature.
3. The size, height and location of the existing building are not changing.

**4. Elevations have been Accepted for Urban Design**

Urban Design Staff have accepted the design for building elevations for the new tenant (Target).

**5. Involvement of the Neighbours on the Subject Application**

October 18, 2011, Notice of Application for Site Plan Approval was sent out to area property owners.

November 26, 2011 Notice of Public Site Plan Meeting was published in the Living in the City section of the London Free Press.

December 1, 2011 notice of Public Site Plan Meeting was sent to area residents advising them of the meeting.

No responses were received with regard to the notices.




Agenda Item #	Page #

SP11-033137 / L. McDougall

<b>SUMMARY</b>
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- Proposed elevations have been accepted by Urban Design
- Existing building size, height and location is not changing
- Changes to the elevations are minor in nature

The amended elevations represent good land use planning.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
	
<b>L. MCDOUGALL LANDSCAPE PLANNER</b>	<b>B. HENRY MANAGER, DEVELOPMENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
	
<b>D. N. STANLAKE DIRECTOR DEVELOPMENT PLANNING</b>	

October 5, 2011

CC. P. MCNALLY  
D. AILLES

**MHBC c/o Oz Kemal  
7050 Weston Road Suite 230  
Woodbridge ON L4L 8G7  
FAX 905-761-5589**

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Agenda Item #	Page #

SP11-033137 / L. McDougall

**Bibliography of Information and Materials**

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London, Notice of Application, October 18, 2011.

City of London, Notice of Public Meeting, December 1, 2011.

City of London, Living in the City – Saturday, November 26, 2011.

City of London, Site Plan By-law C.P.-1455-451

Provincial Policy Statement, March 1, 2005

Agenda Item #	Page #

SP11-033137 / L. McDougall

**Appendix A Draft Amending Development Agreement**

This Agreement made in duplicate this 21<sup>st</sup> day of December, 2011

BETWEEN:

THE CADILLAC FAIRVIEW CORPORATION LIMITED AND  
C/F REALTY HOLDINGS INC.  
(hereinafter collectively called the "OWNER") OF THE FIRST PART

AND

THE CORPORATION OF THE CITY OF LONDON,  
(hereinafter called "the City") OF THE SECOND PART;

**WHEREAS** the Owner represents that it is the registered owner of those lands and the premises in the City of London, in the Country of Middlesex, being more particularly described in Schedule "A" attached hereto consisting of a commercial shopping centre complex located at 1680 Richmond Street.

**AND WHEREAS** a certain Development Agreement respecting the construction of a shopping centre was entered into between THE CADILLAC FAIRVIEW CORPORATION LIMITED and GARDEN CENTRE DEVELOPMENTS LIMITED, as the Developers, and THE CORPORATION OF THE CITY OF LONDON, as the City, dated the 15th day of May, 1984, and registered in the Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 4th day of June, 1984, as Instrument Number 73751 covering the lands described in Schedule "A" attached hereto;

**AND WHEREAS** a certain Development Agreement respecting a two storey shopping centre building addition was entered into between THE CADILLAC FAIRVIEW CORPORATION LIMITED, FIVEBROS INC., SAFRHOMA INVESTMENTS LIMITED and BUTMAR LIMITED, as the Owners, and THE CORPORATION OF THE CITY OF LONDON, as the City, dated the 31st day of July, 1989, and registered in the Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 14th day of September, 1989, as Instrument Number 189973 covering the said lands described in Schedules "A" attached hereto;

**AND WHEREAS** a certain Development Agreement respecting a two storey shopping building addition including a Zellers retail store was entered into between THE CADILLAC FAIRVIEW CORPORATION LIMITED, FIVEBROS INC., and BUTMAR LIMITED, as the Owners, and THE CORPORATION OF THE CITY OF LONDON, as the City, dated the 9th day of August, 1993, and registered in the Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 30<sup>th</sup> day of August, 1993, as Instrument Number 316454 covering the said lands described in Schedules "A" attached hereto;

**AND WHEREAS** a certain Development Agreement respecting a two storey shopping centre building addition was entered into between THE CADILLAC FAIRVIEW CORPORATION LIMITED, FIVEBROS INC., and BUTMAR LIMITED, as the Owners, and THE CORPORATION OF THE CITY OF LONDON, as the City, dated the 23rd day of April, 1999, and registered in the Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 8th day of June, 1999, as Instrument Number ER15948 covering the said lands described in Schedules "A" attached hereto;

Agenda Item #	Page #

**SP11-033137 / L. McDougall**

**AND WHEREAS** a certain Development Agreement respecting a public transit facility at Masonville Mall was entered into between THE CADILLAC FAIRVIEW CORPORATION LIMITED, FIVEBROS INC., and BUTMAR LIMITED, as the Owners, and THE CORPORATION OF THE CITY OF LONDON, as the City, dated the 14th day of May, 2003, and registered in the Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 27th day of August, 2003, as Instrument Number ER240851 covering the said lands described in Schedules "A" attached hereto;

**AND WHEREAS** the City has approved revised elevations as annexed hereto as Schedule "B" respecting revised building elevations for the conversion of the existing Zellers store to a Target store.

**AND WHEREAS** the Parties hereto are desirous of amending the said Development Agreement registered as Number Instrument Number 73751 as hereinafter set out;

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the premises and the sum of TWO DOLLARS (\$2.00) of lawful money of Canada now paid by the City to the Developer, the receipt whereof is hereby acknowledged, it is agreed between the Parties hereto that the said Agreement registered as Instrument Number 73751 against the lands and premises described in Schedule "A" attached hereto be and the same is hereby amended as follows:

1. Add Schedule "B" attached to and forming part of this Agreement to be read in conjunction with the Development Agreement registered as Instrument Number 73751 on the 4<sup>th</sup> day of June, 1984.

In all other respects, save as hereinbefore set out, the said Development Agreement registered in the Registry Office for the Land Titles Division of Middlesex East (No. 33) on the 4<sup>th</sup> day of June, 1984, as Instrument Number 73751 shall remain binding and of full force and effect.

Agenda Item #	Page #

**SP11-033137 / L. McDougall**

**IN WITNESS WHEREOF** the City has executed this agreement by its authorized officers pursuant to C.P. Bylaw 1213-340 as amended and the owner has hereunto set his hand and seal, or hereunto affixed his corporate seal attested by the hands of its duly authorized officers.

THE CORPORATION OF THE CITY OF LONDON  
by its authorized officers:

\_\_\_\_\_  
D. N. Stanlake (seal)  
Director, Development Approvals

\_\_\_\_\_  
George Kotsifas (seal)  
Director, Building Controls

THE CADILLAC FAIRVIEW CORPORATION LIMITED

\_\_\_\_\_  
(Owner) (seal)

\_\_\_\_\_  
(seal)

C/F REALTY HOLDINGS INC.

\_\_\_\_\_  
(Owner) (seal)

\_\_\_\_\_  
(seal)



Agenda Item #	Page #

**SP11-033137 / L. McDougall**

**Description of Schedules**

**Schedule "A"**

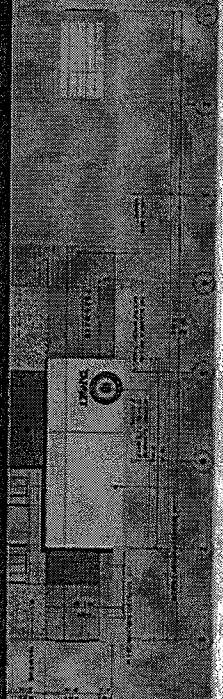
Legal Description

**Schedule "B" Page 1 of 1**

Drawing Title: **Elevations**  
Municipal Address: 1680 Richmond Street  
City File Number: SP11-033137

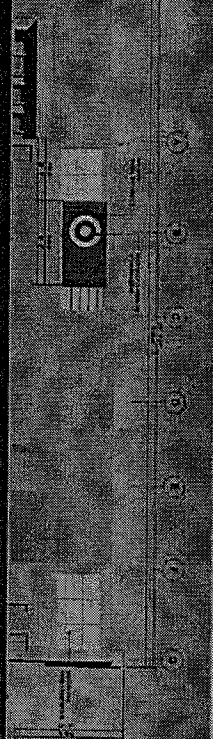
Drawing Title: Elevations  
Date of Drawing: September 14, 2011  
Drawing Latest Revision Date:  
Municipal Address: 1680 Richmond Street  
City File Number: SP11-033137

SOUTH ELEVATION (FRONT)

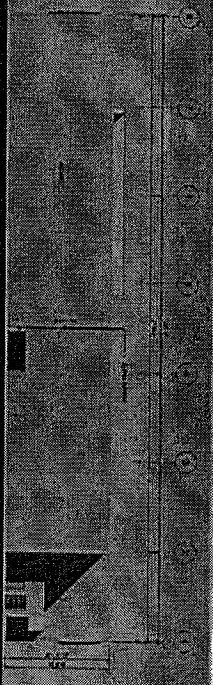


ACCEPTED FOR  
URBAN DESIGN  
OCT 21 2011  
*[Signature]*  
URBAN DESIGNER

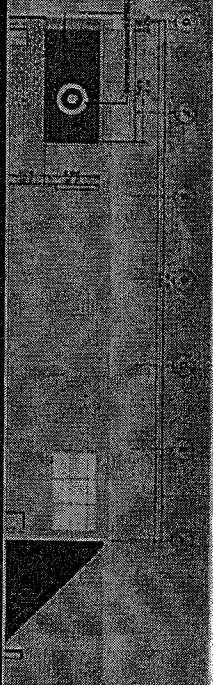
WEST ELEVATION (LEFT)



NORTH ELEVATION (REAR)



EAST ELEVATION (RIGHT)



SCALE 1:250

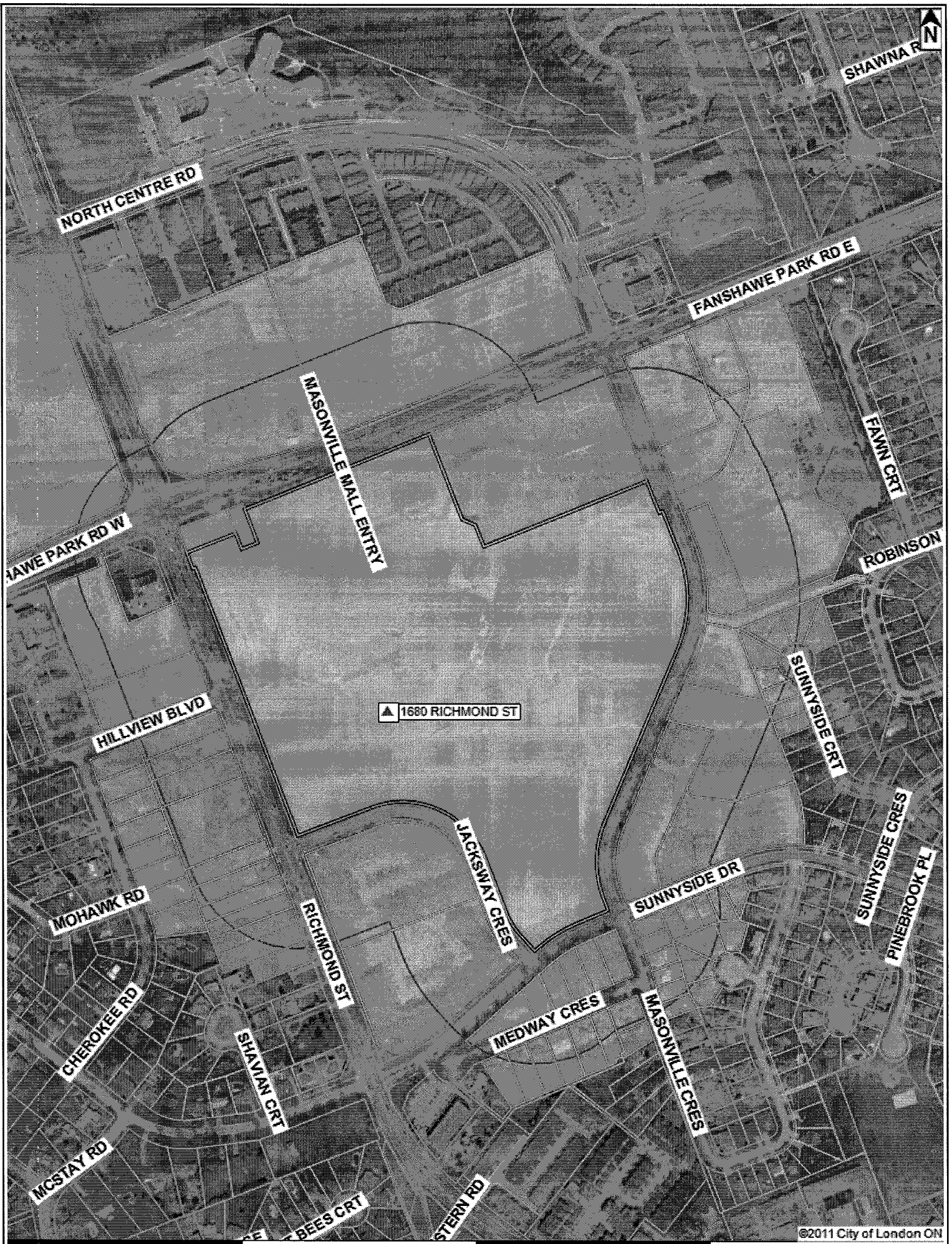
T-3706 London Masonville, London, ON Canada

September 14, 2011

EXTERIOR ELEVATIONS

1680 RICHMOND ST. E. LONDON, ONT. N6C 1R7










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### NOTIFICATION MAP

120m Radius Buffer

Subject Site: 1680 Richmond Street  
 Applicant: MacNaughton Hermsen Britton Clarkson  
 File Number: SP11-033137  
 Planner: Site Plan Amendment  
 Created By: Jeffrey Shaughnessy  
 Date: 2011-10-19  
 Scale: 1:5000

### LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

