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H-8226/C. Smith

FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: HYDE PARK CROSSINGS LTD 1331 HYDE PARK ROAD  MEETING ON OCTOBER 8, 2013

RECOMMENDATION
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That, on the recommendation of the Senior Planner, Development Services and Planning Liaison, based on the application of Hyde Park Crossings Ltd. relating to the property located at 1331 Hyde Park Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 22, 2013 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 1331 Hyde Park Road **FROM** a Holding Business District Special Provision (h\*BDC2 (6)) Zone **TO** a Business District Commercial Special Provision (BDC2 (6)) Zone to remove the holding “h” provision.

PURPOSE AND EFFECT OF RECOMMENDED ACTION
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To remove the holding “h” provisions from 1331 Hyde Park Road to permit the development of a Food and Artisan Market

BACKGROUND
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2008	39T-08503- Draft Plan of subdivision
April 14, 2013	B.5/13-Consent granted to sever the front 0.5ha from the balance of the subdivision lands for a farm and Artisan Market.
June 20, 2013	Z-8157- Zoning amendment to zone lands Holding Business District Commercial Special Provision (h*BDC2 (6)).
August 26, 2013	SP13-020521- application for site plan approval to allow for the construction a Food and Artisan Market.

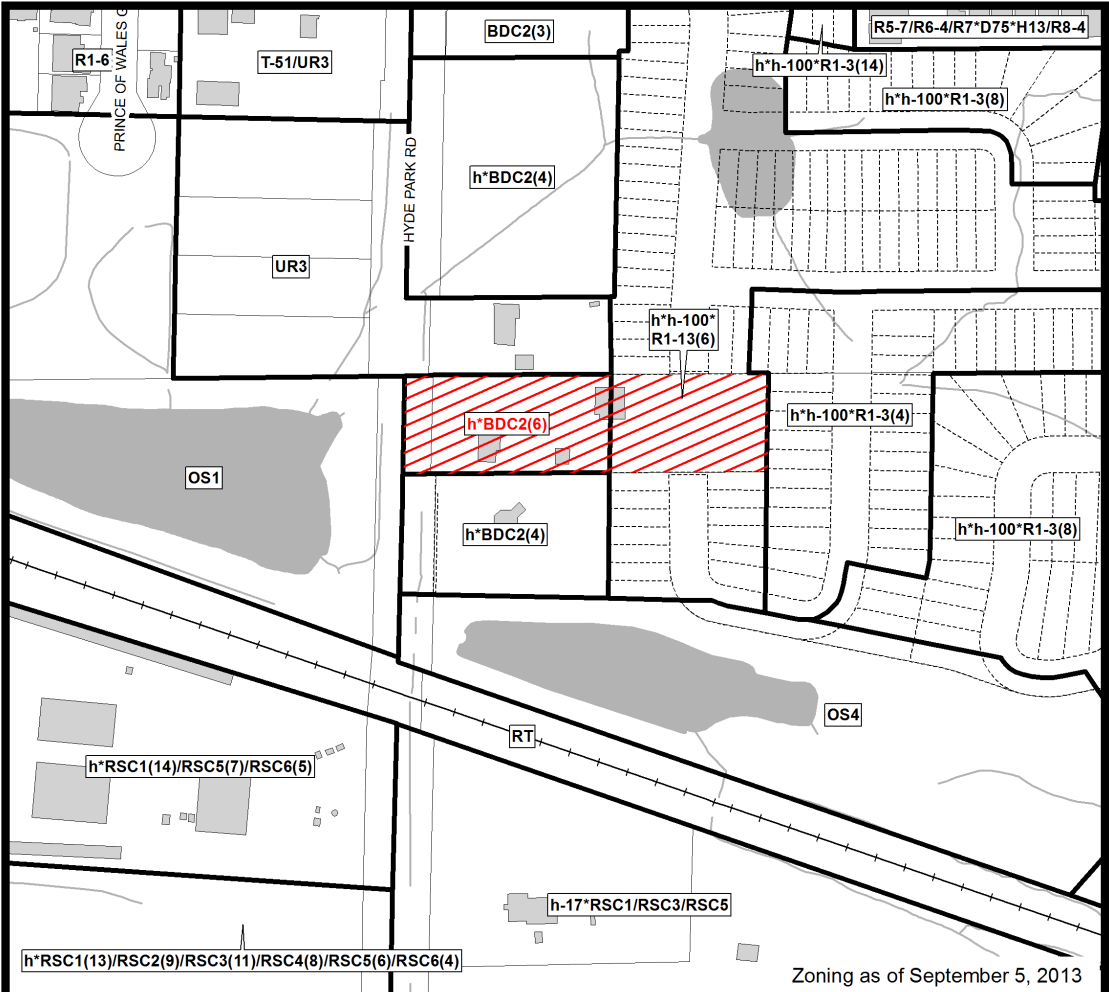
RATIONALE
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1. The removal of the holding provision will allow for development in conformity with the City of London Official Plan.
2. Through the site plan approval process a development agreement has been entered into by the owner and this holding provision is no longer required.

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS

R2 - SINGLE AND TWO UNIT DWELLINGS

R3 - SINGLE TO FOUR UNIT DWELLINGS

R4 - STREET TOWNHOUSE

R5 - CLUSTER TOWNHOUSE

R6 - CLUSTER HOUSING ALL FORMS

R7 - SENIOR'S HOUSING

R8 - MEDIUM DENSITY/LOW RISE APTS.

R9 - MEDIUM TO HIGH DENSITY APTS.

R10 - HIGH DENSITY APARTMENTS

R11 - LODGING HOUSE

DA - DOWNTOWN AREA

RSA - REGIONAL SHOPPING AREA

CSA - COMMUNITY SHOPPING AREA

NSA - NEIGHBOURHOOD SHOPPING AREA

BDC - BUSINESS DISTRICT COMMERCIAL

AC - ARTERIAL COMMERCIAL

HS - HIGHWAY SERVICE COMMERCIAL

RSC - RESTRICTED SERVICE COMMERCIAL

CC - CONVENIENCE COMMERCIAL

SS - AUTOMOBILE SERVICE STATION

ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APEALED AREAS



CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

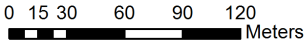
ZONING  
BY-LAW NO. Z.-1  
SCHEDULE A



FILE NO:  
H-8226                      CS

MAP PREPARED:  
September 24, 2013      JTS

1:3,000



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

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<b>Date Application Accepted:</b> August 27, 2013	<b>Owner:</b> Hyde Park Crossings Ltd.
<b>REQUESTED ACTION:</b> Removal of the holding “h” from the Holding Business District Special Provision (h*BDC2 (6)) Zone.	

<b>PUBLIC LIAISON:</b>	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on September 12, 2013.
<b>Nature of Liaison:</b> City Council intends to consider removing the h, holding provision from the land that ensures for the orderly development of land and the provision of adequate municipal services a development agreement shall be entered into to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than October 22, 2013.	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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The following analysis relates to the removal of the “h” holding provision from the Business District Commercial lands that front onto Hyde Park Road.

**h. Holding Provision**

The h. holding provision states that:

*“To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until a subdivision agreement or development agreement is entered into for the lands in question with the City of London.”*

The applicant has entered into a development agreement with the City for the food and artisan market which satisfies the requirements of this holding provision for lands zoned BDC2 (6).

<b>CONCLUSION</b>
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Through the Site Plan Approval process a development agreement has been completed to the satisfaction of the City of London. It is appropriate at this time to remove the holding provision “h” from these lands.

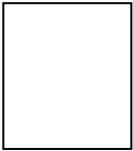
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PREPARED AND RECOMMENDED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

JCS/

"Attach."



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Bill No. (Number to be inserted by Clerk's Office)  
2013

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the lands located at 1331 Hyde Park Road.

WHEREAS Hyde Park Crossings Ltd. has applied to remove the holding provision from the zoning for the lands located at 1331 Hyde Park Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said land;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1331 Hyde Park Road, as shown on the attached map to remove the holding provision so that the zoning of the lands as a Business District Commercial Special Provision (BDC2 (6)) Zone comes into effect.
- 2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 22, 2013.

Joseph Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 22, 2013  
Second Reading – October 22, 2013  
Third Reading – October 22, 2013

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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

