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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 NOVEMBER 26, 2013

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning, 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 December 3, 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 (4)) Zone **TO** a Business District Commercial Special Provision (BDC2 (4)) Zone to remove the holding "h" provision.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

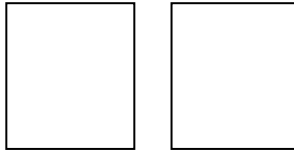
To remove the holding "h" provisions from 1331 Hyde Park Road to permit the development of a Food and Artisan Market.

BACKGROUND

October 8, 2013- Report to PEC to remove the h- holding provision from 1331 Hyde Park Road.

RATIONALE

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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Date Application Accepted: August 27, 2013	Owner: Hyde Park Crossings Ltd.
REQUESTED ACTION: Removal of the holding “h” from the Holding Business District Special Provision (h*BDC2 (4)) Zone.	

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on September 19, 2013 and on November 14, 2013.
Nature of Liaison: 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 November 26, 2013.	
Responses: None	

ANALYSIS

On October 8, 2013 attached to Staff’s Planning Report was a zoning amendment map that amended the lands to the north of the property, 1351 Hyde Park Road by removing the h- Holding Provision from the Business District Special Provision (BDC 2 (6)) Zone. On October 15, 2013 Council amended the zoning on 1351 Hyde Park Road as the incorrect zoning amendment map was attached to Staff report (Zoning By-law amendment Z.-1-132240). The amendment occurred on the lands zoned Business District Commercial (BDC 2 (6)). Amendments to Zoning By-law Z-1 are done by way of a zoning map, not a municipal address therefore no amendment to Zoning By-law Z.-1 occurred on the lands zoned Business District Commercial (BDC2 (4)) (1331 Hyde Park Road). The attached By-law and zoning amendment removes the holding provision from 1331 Hyde Park Road. Development Services intends to initiate an application to repeal the incorrect Zoning By-law amendment at 1351 Hyde Park Road (Z.-1-132240) at a future date.

The Act does not require public participation for the removal of a holding provision. Notice was circulated on September 19, 2013 and a second notice was circulated on November 14, 2013 for the removal of the holding provision. No public comments were received.

As previously noted, the applicant has entered into a development agreement thus satisfying the criteria for removal of the h-holding provision.

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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."

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2013\H-8226 - 1331 Hyde Park Road\PECreportedcorrectedOct26.doc

Agenda Item # Page #

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H-8226/C. Smith

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 (4)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on December 3, 2013.

Joseph Fontana
Mayor

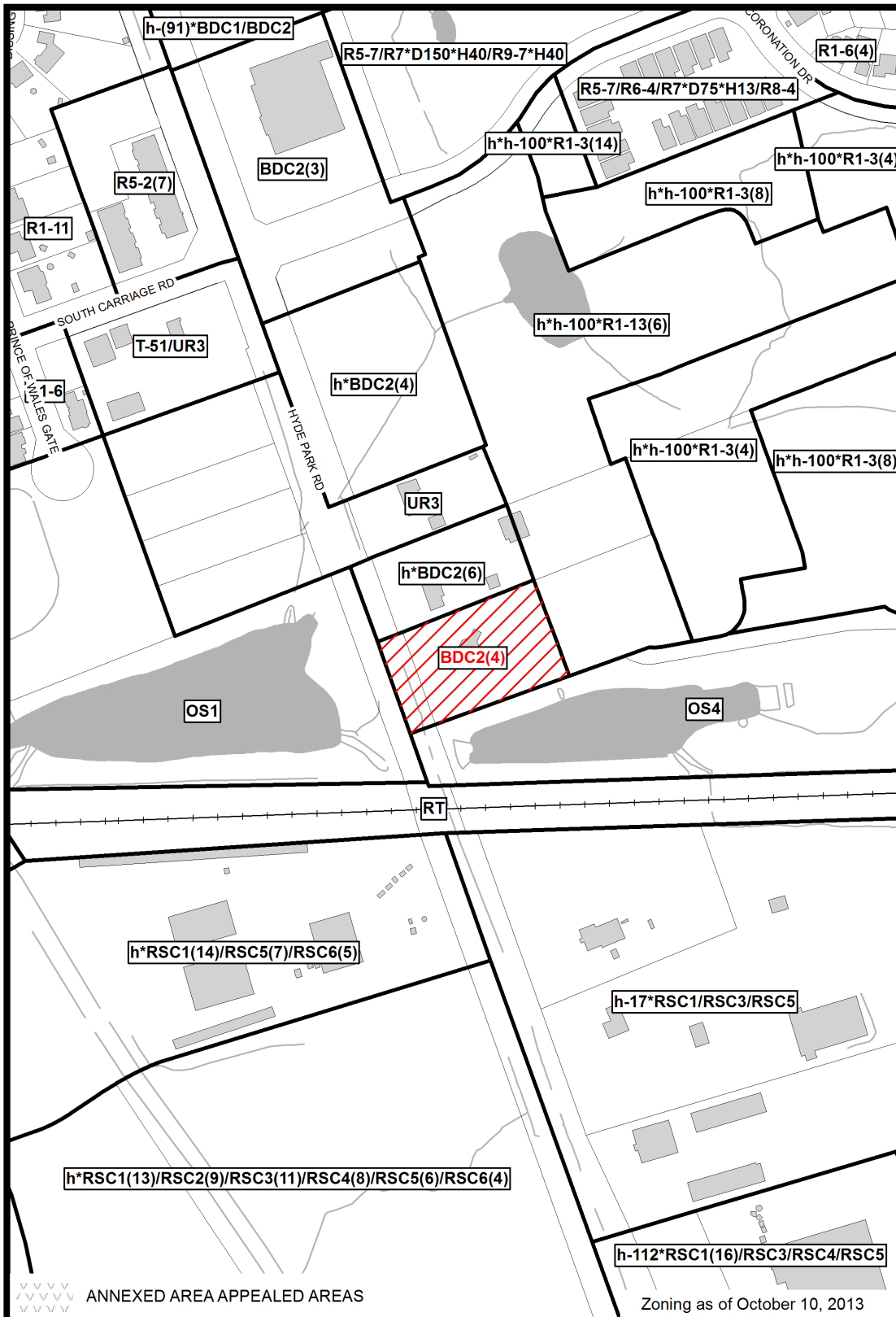
Catharine Saunders
City Clerk


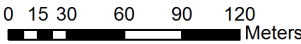

First Reading – December 3, 2013
Second Reading – December 3, 2013
Third Reading – December 3, 2013

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



<p>File Number: H-8226 Planner: CS Date Prepared: October 28, 2013 Technician: JTS By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p> Meters</p> <p></p>
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