

PC.29

Shell Type = use for removing a holding provision

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H-8242/Nancy Pasato

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: RIDOUT DEVELOPMENTS LIMITED 1570 Highbury Avenue North MEETING ON MARCH 4, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Ridout Developments Limited, relating to the property located at 1570 Highbury Avenue North, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** a Holding Highway Service Commercial/Restricted Service Commercial (h*HS/HS2/HS3/RSC1/RSC3/RSC4) Zone **TO** a Highway Service Commercial/Restricted Service Commercial (HS/HS2/HS3/RSC1/RSC3/RSC4) Zone, to remove the "h" holding provision.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the "h" holding provision to permit the expansion of an existing commercial building.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

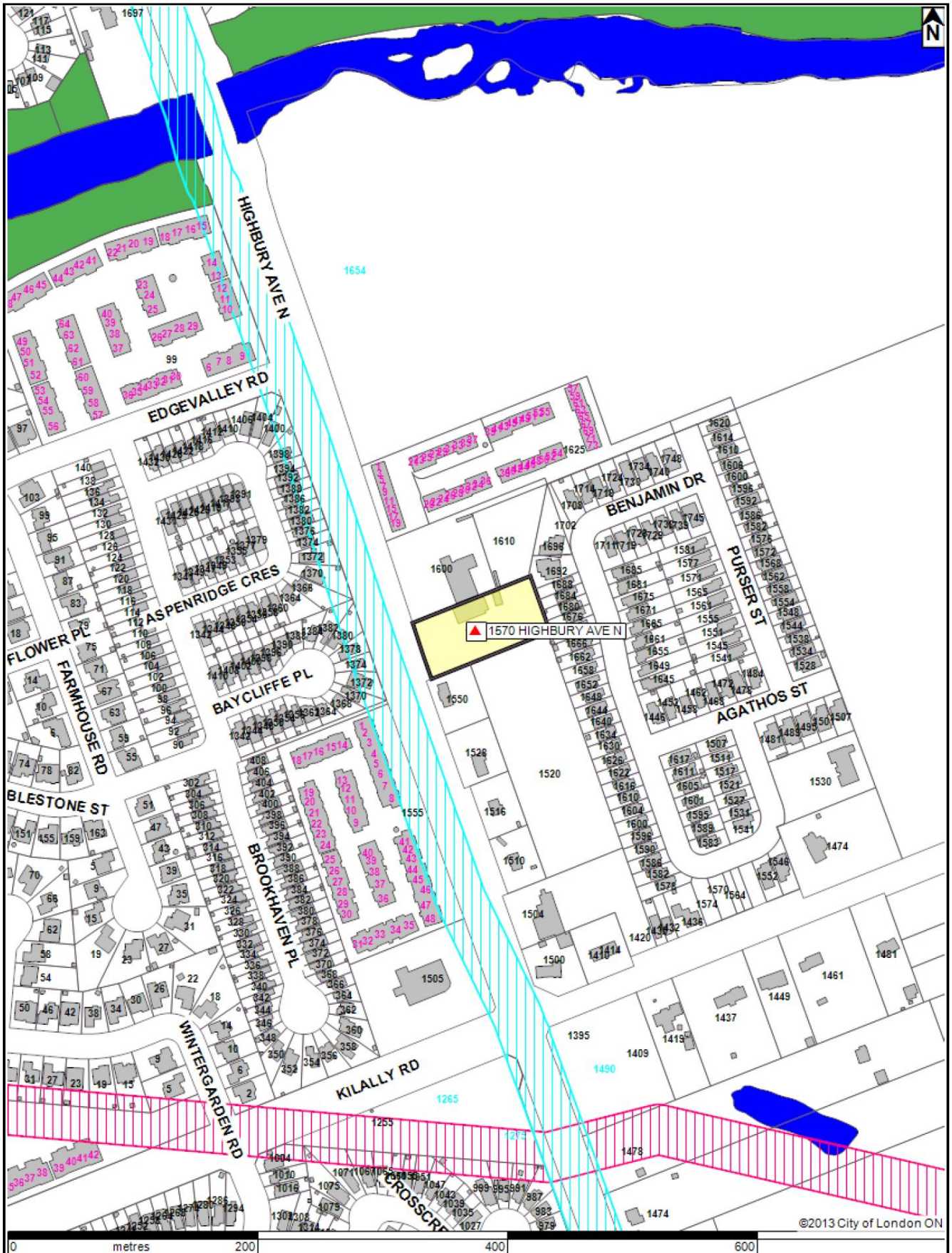
BACKGROUND

The subject land is located on the east side of Highbury Avenue, north of Kilally Road.

A request to sever a portion of 1570 Highbury Avenue North and convey to land to the east was approved in 2002. The severed portion was further subdivided into 6 single detached residential lots. The retained site currently contains a commercial retail building with several restricted service commercial uses, such as a dental office, a veterinary clinic, and a convenience store. The owner of the site has submitted a revised site plan application to add a 388.3 m² addition to the existing building (308.93 m²).

Date Application Accepted: September 23, 2013	Applicant: Ridout Developments Limited c/o Mauro Castrilli (Agent: AGM)
REQUESTED ACTION: Removal of the "h" holding provision on the site to permit the expansion of a commercial building.	

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LOCATION MAP

Subject Site: 1570 Highbury Avenue North
 Applicant: Ridout Development Limited
 File Number: H-8242
 Planner: Nancy McKee
 Created By: James Scott
 Date: 2013-09-25
 Scale: 1:3700

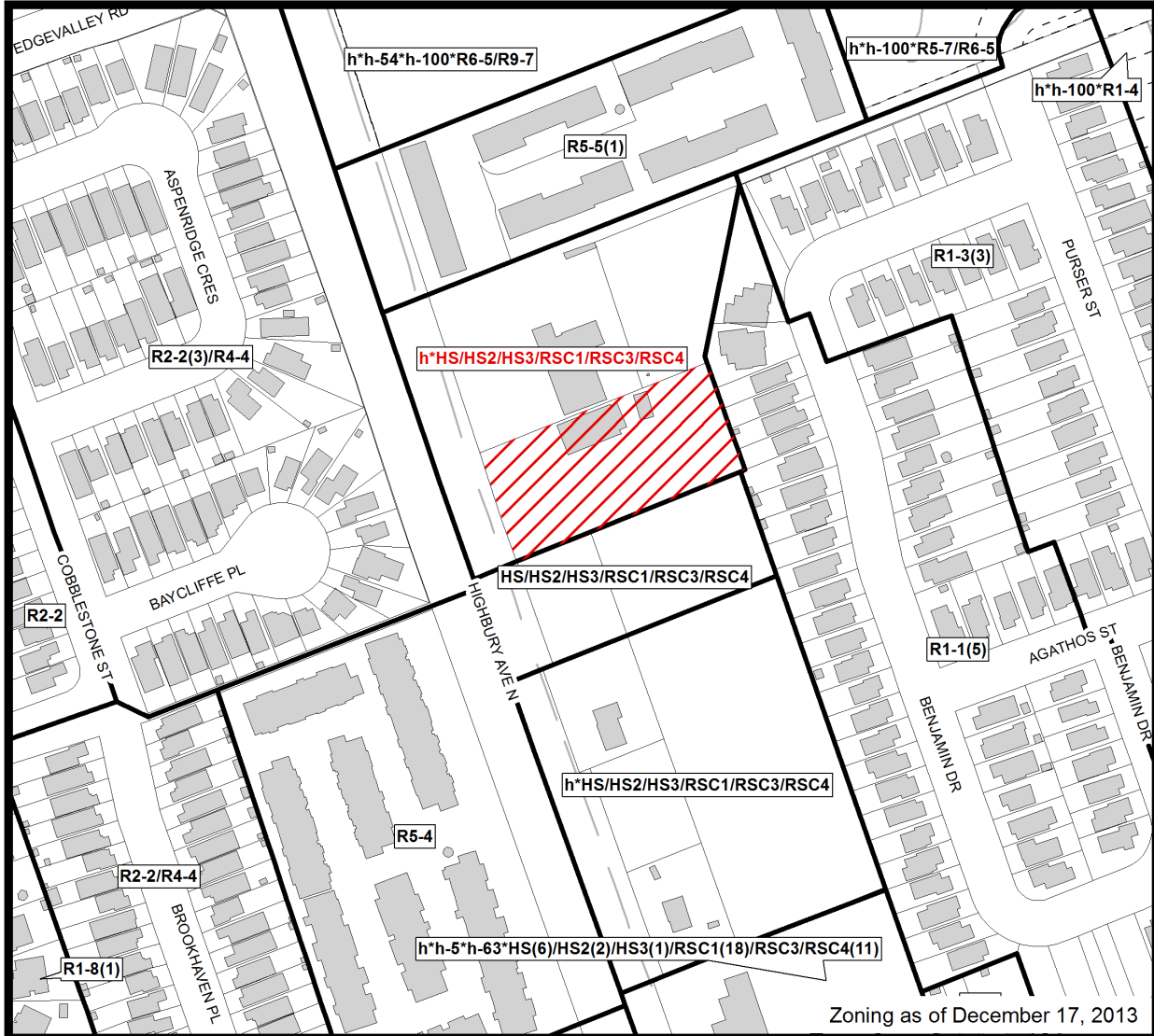
LEGEND

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



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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

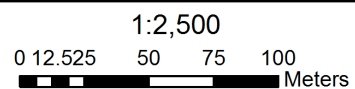
**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



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

FILE NO:
H-8242 NP

MAP PREPARED:
January 3, 2014 JTS



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PUBLIC LIAISON:	Notice was published in The Londoner on September 26, 2013.	No replies received.
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ANALYSIS

What is the purpose of the holding provision and why is it appropriate to remove it?

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 the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development."

The applicant has provided the full securities for the site as of February 14, 2014, and has entered into the development agreement. The applicant has now satisfied the conditions for removing the holding provision.

The proposed removal of the holding provision is consistent with the Provincial Policy Statement (PPS). The proposed development is located within a "Settlement Area", and makes efficient use of the site. The proposed development will take advantage of existing infrastructure.

CONCLUSION

The development agreement has been entered into and it is recommended that the holding provision be removed in order to expedite the development, in accordance with the Zoning By-law.

RECOMMENDED BY:	REVIEWED BY:
NANCY PASATO, MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING	BRUCE HENRY MANAGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

February 21, 2014

NP/...\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2013\H-8242 - 1570 Highbury Avenue North (NP)\Report to PEC H-8242.doc

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Bill No.
2014

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on lands located at 1570 Highbury Avenue North.

WHEREAS Ridout Developments Limited has applied to remove holding provision from the zoning on the lands located at 1570 Highbury Avenue North, 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1570 Highbury Avenue North, as shown on the attached map to remove the "h" holding provision so that the zoning of the lands as a Highway Service Commercial/Restricted Service Commercial (HS/HS2/HS3/RSC1/RSC3/RSC4) Zone comes into effect.

- 2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 18, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - March 18, 2014
Second Reading - March 18, 2014
Third Reading - March 18, 2014

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

