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H-8296  
Sean Meksula

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: FARHI HOLDINGS CORPORATION C/O ZELINKA PRIAMO LTD. 350 OXFORD STREET EAST MARCH 4, 2104</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Planner II, Development Planning, based on the application of Zelinka Priamo Limited relating to the property located at 350 Oxford Street East 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 350 Oxford Street East **FROM** a Holding Convenience Commercial Special Provision (h-5\*h-103\*h-156\*CC6(5)) Zone and an Automobile Service Station (SS) Zone **TO** Convenience Commercial Special Provision/Service Station CC6(5)/(SS) Zone, to remove the h-5\*h-103 and h-156 holding provisions.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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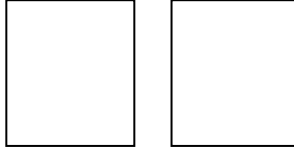
July 20, 2013 – Report to Planning and Environment Committee to amend the Zoning By-law.

February 18, 2014 – Public Site Plan meeting before the Planning and Environment Committee.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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To remove the h-5, h-103 and h-156 holding symbols to permit the development of a pharmacy.

<b>BACKGROUND</b>	
<b>Date Application Accepted:</b> December 2, 2013	<b>Applicant:</b> Zelinka Priamo Limited
<b>REQUESTED ACTION:</b> Removal the h-5, h-103 and h-156 holding symbols to permit the development of a pharmacy.	
<b>PUBLIC LIAISON:</b>	Notice of Application was published in the Public Notices and Bidding Opportunities section of The Londoner on December 12, 2013.
<b>Nature of Liaison:</b> City Council intends to consider removing the h-5, h-103, and h-156 holding provisions from the lands that ensures a public site plan meeting be held, and that the urban design concepts established through the Zoning amendment review process are implemented as well as intensive landscaping on the boulevard. A development agreement will be entered into before any action is taken with respect to the removal of the holding provisions.	
<b>Responses:</b> None	

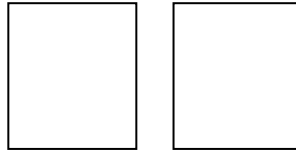


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LOCATION MAP	LEGEND
Subject Site: 350 Oxford St E	Subject Site
Applicant: Zelinka Priamo Ltd	Parks
File Number: H-8296	Assessment Parcels
Planner: Sean Meksula	Buildings
Created By: Sean Meksula	Address Numbers
Date: 2013-12-03	
Scale: 1:2500	

Corporation of the City of London  
Prepared By: Planning and Development



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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

2)  ANNEXED AREA APPEALED AREAS

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

<p><b>CITY OF LONDON</b> PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p><b>ZONING BY-LAW NO. Z-1</b></p> <p><b>SCHEDULE A</b></p> 	<p>FILE NO: <b>H-8296</b>                      <b>SM</b></p> <hr/> <p>MAP PREPARED: <b>February 6, 2014</b>              <b>JTS</b></p> <hr/> <p style="text-align: center;">1:1,000</p> <p style="text-align: center;">0 5 10 20 30 40 Meters</p>
<p>THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>	

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<b>ANALYSIS</b>
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**h-5 Holding Provision**

*Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.*

A public meeting was held before the Planning and Environment Committee on February 18, 2014. The applicant has entered into a development agreement with the City which will ensure that the project develops in an orderly fashion.

**h-103 Holding Provision**

*Purpose: To ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manger of Planning and Development, incorporates the design objectives as identified in the Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved.*

The applicant submitted an urban design brief for review by the Urban Design Peer Review Panel during the rezoning process. Comments were made and incorporated into the final site plan which was brought to the Planning and Environment Committee on February 18, 2014. The Urban Design team and the City Planner have approved the revised building elevations. The development agreement has incorporated the building elevations approved by the City Planner and his staff. A development agreement acceptable to the City has been drafted and entered into that will ensure the proposed development complies with the with the design objectives as identified in the Council resolution.

**h-156 Holding Provision**

*Purpose: To ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances, the "h-156" symbol shall not be deleted until a development agreement associated with a site plan which provides for the creation of an attractive street edge at this strategic gateway location is entered into with the City of London, to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location.*

The applicant provided a landscape plan with enhanced landscaping along Oxford Street and Waterloo Street boulevards to the satisfaction of Development Planning Staff to fulfil the requirements of the h-156 holding provision. The high quality landscaping creates an attractive street edge for this strategic gateway into the community. This plan has been incorporated into the development agreement. Based on the above, it is appropriate to consider removal of the holding provisions to facilitate the development of the pharmacy.

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<b>CONCLUSION</b>
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The proposed amendments are in conformity with the Provincial Policy Statement and the Official Plan. The proposed plans are consistent with the surrounding development and implement the preferred urban design principles as recommended by Council. A public meeting was held. The plans and drawings included in the development agreement implement the design objectives established at the time of the rezoning, the City Planner has approved the building elevations. The landscape plan provides enhanced landscaping on both streets.

The development is in keeping with the character of the neighbourhood and approved zoning for the site. The development agreement has been signed. Therefore, the removal of the holding provisions represents sound land use planning and is appropriate.

<b>PREPARED and RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>SEAN MEKSULA PLANNER II DEVELOPMENT PLANNING</b>	<b>BRUCE HENRY MANAGER DEVELOPMENT PLANNING</b>
<b>CONCURRED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

February 21, 2014  
SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2013\H-8296 - 350 Oxford Street (SM)\Report to PEC H-8296.doc

CC. Zelinka Priamo Ltd. (318 Wellington Road, London ON N6C 4P4)  
Farhi Holdings Corporation (484 Richmond Street, Suite 200, London ON N6A 3E6)

Agenda Item # Page #

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Bill No. (Number to be inserted by Clerk's Office)  
2014

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

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for the lands located at 350 Oxford Street East.

WHEREAS Zelinka Priamo Limited has applied to remove the holding provision from the zoning for the lands located at 350 Oxford Street East, 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 350 Oxford Street East, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Convenience Commercial Special Provision/Service Station CC6(5)/(SS) 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.

Joseph Fontana  
Mayor

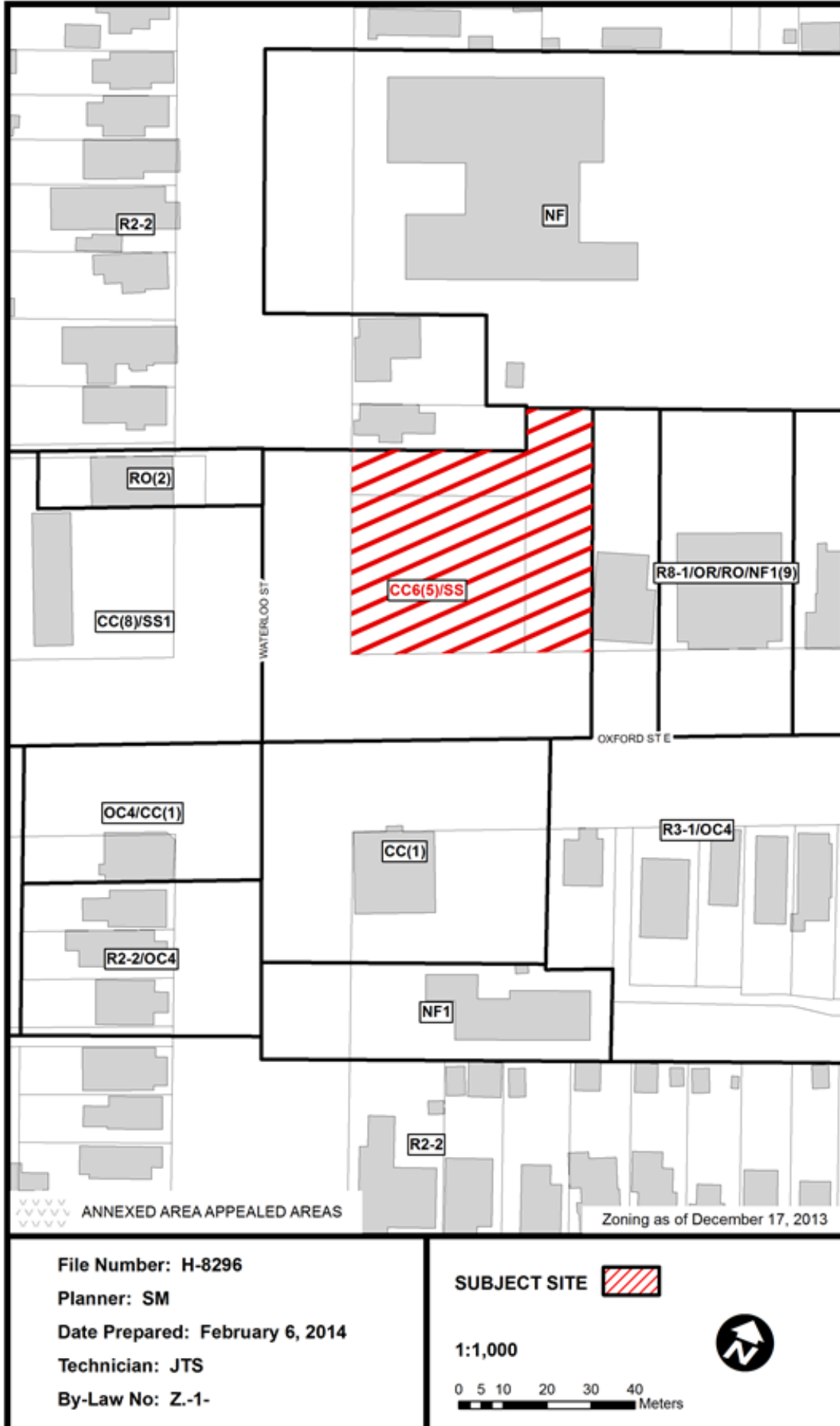
Catharine Saunders  
City Clerk

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)**



Georobotics