

H-8499
A. MacLean

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: 1781991 ONTARIO INC. (ANTHONY CHOW) 2055 DUNDAS STREET MEETING ON OCTOBER 19, 2015

RECOMMENDATION

That, on the recommendation of the Manager, Development Planning based on the application of 1781991 Ontario Inc. relating to a portion of the property located at 2055 Dundas Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 27th, 2015 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning on a portion of the subject lands **FROM** a Holding Compound Restricted Office/Highway Service Commercial/Neighbourhood Facility(h-80.h-88.R02/HS(7)/NF1) Zone **TO** a Compound Restricted Office/Highway Service Commercial/Neighbourhood Facility (R02/HS7/NF1) Zone to remove the "h-80" and "h-88" holding provision.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

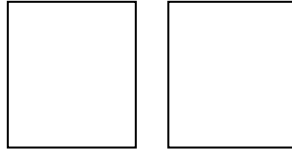
March 2009 - Report to Planning Committee on the Official Plan and Zoning By-law amendments (OZ-7593).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

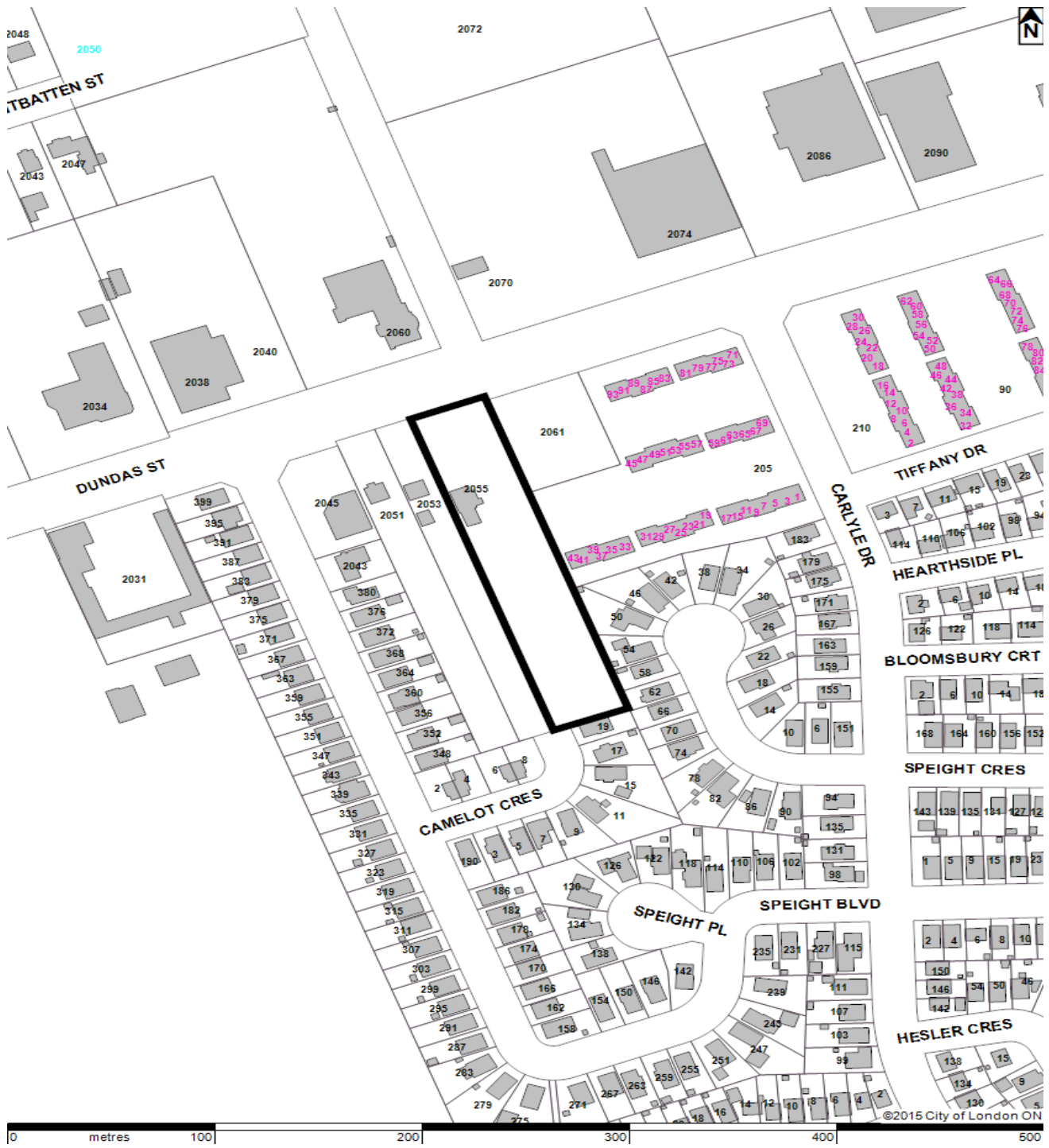
The purpose and effect of this zoning change is to remove the holding provisions so that development of this site can proceed in accordance with the approved zoning and site plan.

RATIONALE

1. The removal of the holding provisions will allow for development in conformity with the City of London Zoning By-law.
2. The Owner has provided sufficient security, in accordance with the criteria of the holding provision regulations, in order to consider lifting this holding provision.








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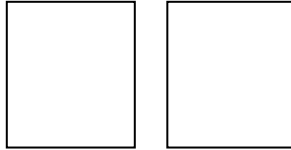
LOCATION MAP

Subject Site: **2055 Dundas Street**
 File Number: **SP15-005950 / H-8499**
 Created By: **TG**
 Date: **2015-08-11**
 Scale: **1:2500**

LEGEND

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





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BACKGROUND

Date Application Accepted: June 16, 2015	Owner: 1781991 Ontario Inc.
REQUESTED ACTION: The purpose and effect of this zoning change is to remove the holding symbol to permit the development of a commercial building.	

PUBLIC LIAISON:	Notice of Application was published in the Public Notices and Bidding Opportunities section of The Londoner on July 2, 2015.
Nature of Liaison: City Council intends to consider removing the "h-80" and "h-88" holding provisions from the Compound Restricted Office/Highway Service Commercial Special Provision/Neighbourhood Facility (R02/HS(7)/NF1) Zone. The "h-80" symbol shall not be deleted until full municipal services are available to the site. To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, the "h-88" symbol shall not be deleted until a development agreement is entered into which incorporates these concepts and addresses identified urban design issues. Council will consider removing the holding provision as it applies to the lands described above, no earlier than July 28, 2015.	
Responses: None	

The property located at 2055 Dundas Street was rezoned in 2009 to a Compound Restricted Office/Highway Service Commercial/Neighbourhood Facility (R02/HS7/NF1) Zone, subject to the "h-80" and "h-88" holding provisions.

A site plan application was submitted to the City earlier this year to develop a one-storey commercial (restaurant, medical-dental office) building on the front portion of the site. The holding provisions that were applied at the time of the rezoning must be removed before a building permit can be issued and development can proceed. The requirements associated with these holding provisions have been satisfied through the site plan approval process and conditions of the Development Agreement, as outlined below:

h-80 Holding Provision

The h-80 holding provision states that:

"To ensure the orderly development of lands and the adequate provision of municipal services, the "h-80" shall not be removed until full municipal services are available to the site."

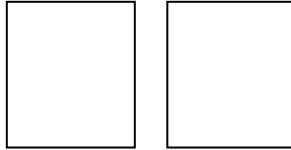
Through the site plan approval process the servicing of this site has been reviewed and determined to be acceptable by staff. This site will be serviced by full municipal services as confirmed on the accepted engineering drawings and conditions of the executed development agreement.

h-88 Holding Provision

The h-88 holding provision states that:

"To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified urban design issues."

The site plan and elevation drawings have been reviewed and revised to reflect input from



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Planning/Urban Design. Security has been received from the owner and the accepted plans will be implemented through the approved site plan drawings, which will comprise part of the executed development agreement.

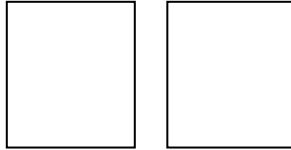
CONCLUSION

It is appropriate to remove the h-80 and h-88 holding provisions from the Compound Restricted Office/Highway Service Commercial Special Provision/Neighbourhood Facility (R02/HS(7)/NF1) zone at this time. Removal of the holding provisions will allow for the issuance of building permits to permit construction of the proposed commercial building.

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

AM/am
"Attach"

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2015\H-8499 - 2055 Dundas St\Report to Oct 19, 2015 PEC.doc



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Bill No. (Number to be inserted by Clerk's Office)
2015

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning on a portion of the lands located at 2055 Dundas Street.

WHEREAS 1781991 Ontario Inc. has applied to remove the holding provisions from the zoning on a portion of the lands located at 2055 Dundas Street, as shown on the map attached to this by-law, as set out below;

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

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

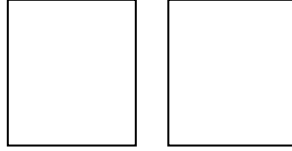
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2055 Dundas Street, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Compound Restricted Office/Highway Service Commercial Special Provision/Neighbourhood Facility (R02/HS(7)/NF1) 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 27, 2015.

Matt Brown
Mayor

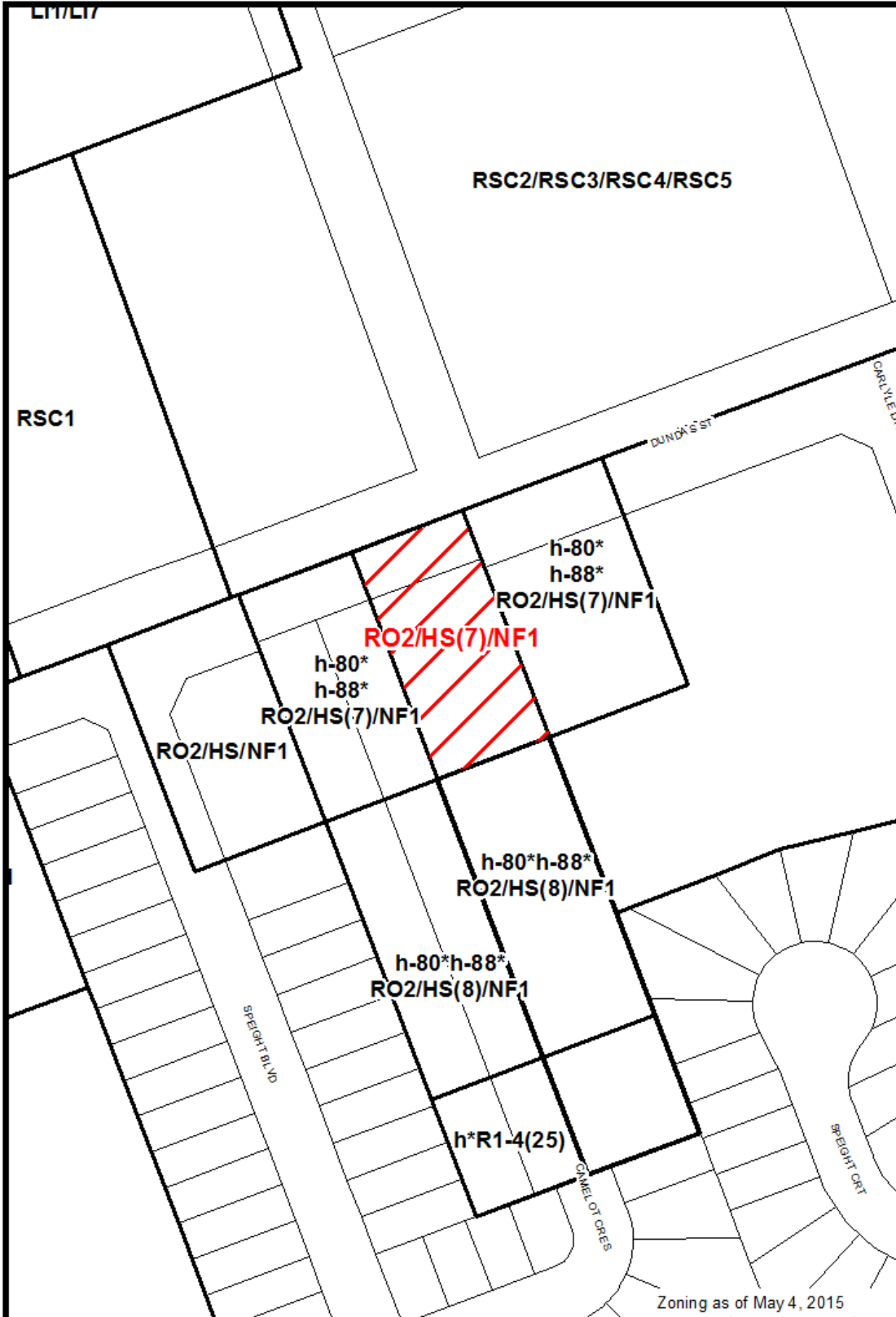
Catharine Saunders
City Clerk

First Reading - October 27, 2015
Second Reading - October 27, 2015
Third Reading - October 27, 2015




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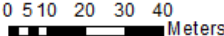
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: H-8499
 Planner: AM
 Date Prepared: August 10, 2015
 Technician: JTS
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40 Meters 



Geocube