

Agenda Item #

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File No: Z-8009  
Planner: Alanna Riley

**BNEC.03**

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File No: Z-8009  
Planner: Alanna Riley

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: BFM (LONDON) ENTERPRISE SOCIETY 2020 HYDE PARK ROAD PUBLIC PARTICIPATION MEETING ON FEBRUARY 27, 2012</b>

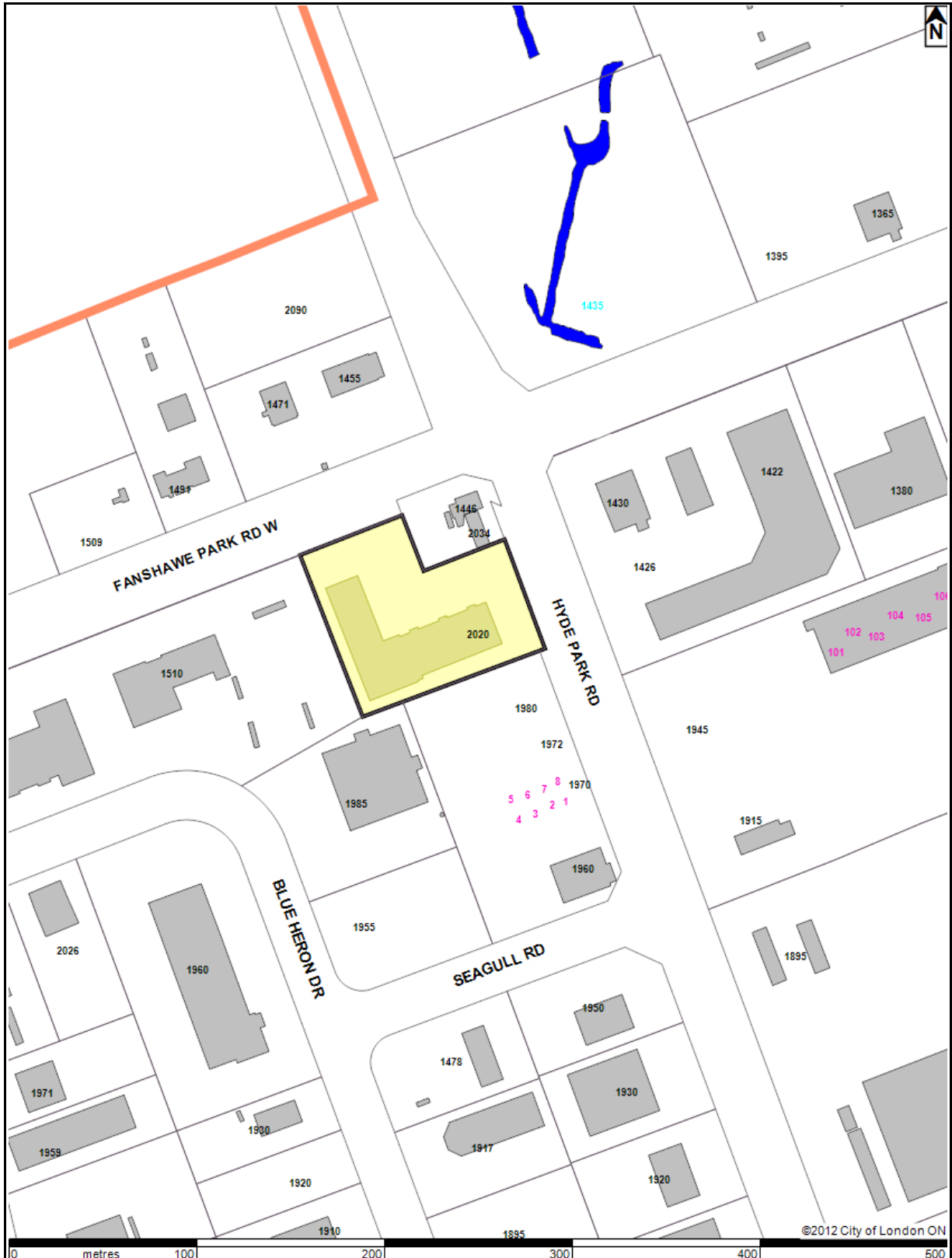
<b>RECOMMENDATION</b>
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That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of BFM (London) Enterprise Society relating to the property located at 2020 Hyde Park Road , the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 20, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Restricted Service Commercial (RSC1/RSC4/RSC5) Zone which permits animal clinics; automobile rental establishments; automobile repair garages; automobile sales and service establishments; automobile supply stores; automotive uses, restricted; catalogue stores; duplicating shops; home and auto supply stores; home improvement and furnishing stores; kennels; repair and rental establishments; service and repair establishments; studios; taxi establishments; bake shops; convenience service establishments; convenience stores; day care centres; financial institutions; florist shops; personal service establishments; restaurants; video rental establishments; brewing on premises establishments; auction establishments; bakeries; building or contracting establishments; building supply outlets; bulk sales establishments; dry cleaning and laundry plants; manufacturing and assembly industries with related sales; garden stores; printing establishments; service trades; support offices; warehouse establishments; wholesale establishments; commercial schools; truck sales and service establishments; and industrial malls **TO** a Holding Restricted Service Commercial Special Provision (h-11•h-32•RSC1( )/RSC4/RSC5) Zone to permit a retail store(thrift store) with a maximum gross floor area of 1500m2, within a portion of the existing building, and to maintain existing parking, subject to holding provisions to ensure that upon future redevelopment a development agreement is entered into with the City of London to provide appropriate access arrangements and that any new development is consistent with the Hyde Park Community Plan and Urban Design Guidelines.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Hyde Park Community Plan - This report introduced amendments to the Official Plan to allow for the implementation of the Hyde Park Community Plan and recommended that the Hyde Park Community Plan be adopted as a guideline document.






January 12, 2009 - This report introduced amendments to the Official Plan to expand the range of commercial uses on the lands at 1890-2090 Hyde Park Road and 1446-1471 Fanshawe Park Road West to include retail stores, grocery stores, supermarkets, and professional and service offices and to add special policies for the lands at 1491,1509,1510, 1540, 1640 Fanshawe Park Road West, 2034 Mallard Road, parts of 1525, 1557, 1579, 1635 Fanshawe Park Road West, and part of 1615 North Routledge Park which clarify that these lands will not accommodate retail activities that are intended for the Commercial Policy Area designation at the intersection of Hyde Park Road and Fanshawe Park Road West.



**LOCATION MAP**

Subject Site: 2020 Hyde Park Rd  
 Applicant: **BFM (London) Enterprise Society**  
 File Number: **Z-8009**  
 Planner: **Alanna Riley**  
 Created By: **Alanna Riley**  
 Date: **2012-01-25**  
 Scale: **1:2500**

**LEGEND**

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



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<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose of the proposed amendment is to permit a retail store(thrift store) with a maximum gross floor area of 1500m2, within a portion of the existing building, and to maintain existing parking.

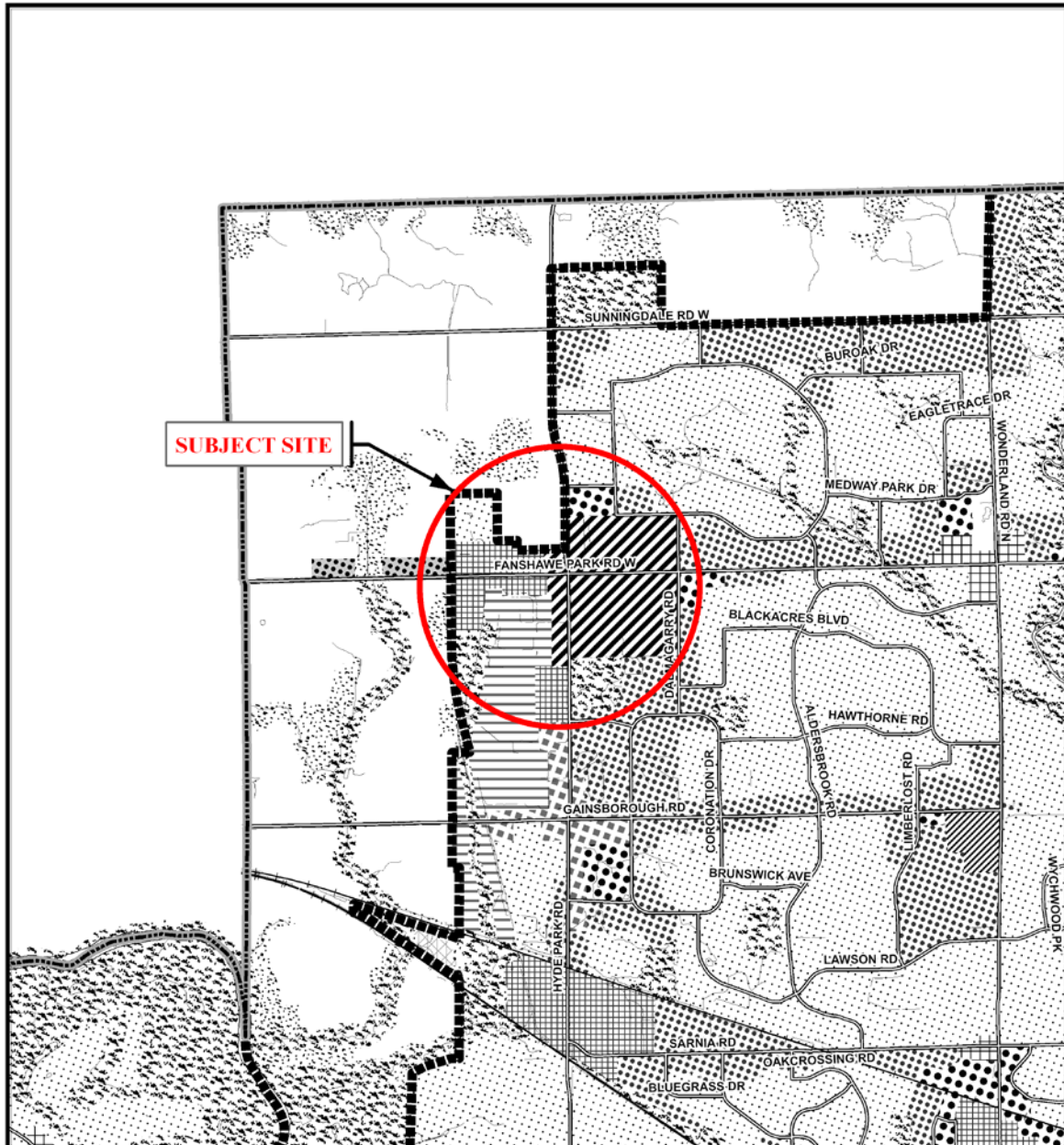
<b>RATIONALE</b>
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1. The recommended amendment is consistent with the Provincial Policy Statement to promote economic development and promote a compact structure of nodes and corridors.
2. The recommended amendment is consistent with the policies of the Official Plan which permits retail within this commercial node.
3. The recommended amendment is consistent with the Hyde Park Community Plan which supports nodal forms of commercial development to provide for a concentration of activity, services, and increased interaction between uses.
4. The interface between the subject site and the surrounding area has evolved over the many years, and there have been no apparent indicators of adverse impacts on the surrounding area.
5. A portion of the existing building is conducive to conversion for the recommended thrift store.
6. The recommended holding provisions will ensure that future redevelopment of this site will address issues related to urban design and access.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> January 25, 2012	<b>Agent:</b> Wil Pol
<p><b>REQUESTED ACTION:</b> Change the Zoning By-law Z.-1 from a Restricted Service Commercial (RSC1/RSC4/RSC5) Zone which permits Animal clinics; Automobile rental establishments; Automobile repair garages; Automobile sales and service establishments; Automobile supply stores; Automotive uses, restricted; Catalogue stores; Duplicating shops; Home and auto supply stores; Home improvement and furnishing stores; Kennels; Repair and rental establishments; Service and repair establishments; Studios; Taxi establishments; Bake shops; Convenience service establishments; Convenience stores; Day care centres; Financial institutions; Florist shops; Personal service establishments; Restaurants; Video rental establishments; Brewing on premises establishments; Auction establishments; Bakeries; Building or contracting establishments; Building supply outlets; Bulk sales establishments; Dry cleaning and laundry plants; Manufacturing and assembly industries with related sales; Garden stores; Printing establishments; Service trades; Support offices; Warehouse establishments; Wholesale establishments; Commercial schools; Truck sales and service establishments; and Industrial malls to a Restricted Service Commercial Special Provision (RSC1( )) Zone to permit a retail store as an additional permitted use within a portion of the existing building with the existing number of parking spaces.</p>	

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**Legend**

- |  |                                   |
|--|-----------------------------------|
| Downtown Area                            | Office Business Park              |
| Enclosed Regional Commercial Node        | General Industrial                |
| New Format Regional Commercial Node      | Light Industrial                  |
| Community Commercial Node                | Regional Facility                 |
| Neighbourhood Commercial Node            | Community Facility                |
| Main Street Commercial Corridor          | Open Space                        |
| Auto-Oriented Commercial Corridor        | Urban Reserve - Community Growth  |
| Multi-Family, High Density Residential   | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement                  |
| Low Density Residential                  | Environmental Review              |
| Office Area                              | Agriculture                       |
| Office/Residential                       | Urban Growth Boundary             |

**CITY OF LONDON**  
Department of  
Planning and Development  
  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: Z-8009

PLANNER: AR

TECHNICIAN: CK

DATE: 2012/01/27

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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RO1/CC**

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 APPEALED 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:  
Z-8009 AR

MAP PREPARED:  
2012/01/27 CK

1:5,926  
0 30 60 120 180 240  
Meters

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<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Small Industrial Mall</li> <li>• <b>Frontage</b> – 58.3m</li> <li>• <b>Depth</b> – 91.1m</li> <li>• <b>Area</b> – 0.82 ha</li> <li>• <b>Shape</b> - Irregular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> – Commercial</li> <li>• <b>South</b> - Commercial</li> <li>• <b>East</b> - Commercial</li> <li>• <b>West</b> - Industrial</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to map on page 4)
<ul style="list-style-type: none"> <li>• New Format Regional Commercial Node-New Format Regional Commercial Nodes are intended to provide for a wide range of commercial uses which meet specialized service and comparison shopping needs. New Format Regional Commercial Nodes are also regarded as major activity centres by reason of their size and range of uses, and may have trade areas that also extend beyond the municipal boundary.</li> </ul>
<b>EXISTING ZONING:</b> (refer to map on page 5 )
<ul style="list-style-type: none"> <li>• Restricted Service Commercial (RSC1/RSC4/RSC5)- This Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or building space and a location on major streets. The wide range of uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.</li> </ul>

<b>PLANNING HISTORY</b>
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On January 5 2012, an application was received for a Zoning By-law amendment on the subject site to add a special provision to permit a thrift store to occupy a 1500m<sup>2</sup> vacant area within the existing building.

The subject site consists of an industrial mall occupied by home furnishing and improvement stores, and vacancy. The Bibles for Missions Thrift Store has expressed an interest in occupying the vacant area. As a result, they have requested an amendment to the Zoning By-law to permit this as an additional permitted use.

In 2009, the Official Plan designation was amended on the lands on the west side of Hyde Park Road (including the subject lands) from Restricted Service Commercial to Commercial Policy Area which had the effect of expanding the range of commercial uses on these lands by adding retail stores, grocery stores, supermarkets, and professional and service offices. The intent of this amendment was to strengthen this commercial node by creating interaction between the lands on the east and west sides of Hyde Park Road, and preventing its further extension along the Fanshawe Park Road West corridor.

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<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**London Hydro**

*No objection.*

**Upper Thames River Conservation Authority (UTRCA)**

*No objection.*

**Environmental and Engineering Services Department (EESD)**

*No objection.*

<b>PUBLIC LIAISON:</b>	On January 26, 2012, Notice of Application was sent to 14 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on Saturday, January 28, 2012. Notice of Public Meeting was sent to 14 property owners in the surrounding area. Notice of Public Meeting was published in the "Living in the City" section of the London Free Press on Saturday, February 4, 2012.	1 Reply
<p><b>Nature of Liaison:</b> Change the Zoning By-law Z.-1 from a Restricted Service Commercial (RSC1/RSC4/RSC5) Zone which permits Animal clinics; Automobile rental establishments; Automobile repair garages; Automobile sales and service establishments; Automobile supply stores; Automotive uses, restricted; Catalogue stores; Duplicating shops; Home and auto supply stores; Home improvement and furnishing stores; Kennels; Repair and rental establishments; Service and repair establishments; Studios; Taxi establishments; Bake shops; Convenience service establishments; Convenience stores; Day care centres; Financial institutions; Florist shops; Personal service establishments; Restaurants; Video rental establishments; Brewing on premises establishments; Auction establishments; Bakeries; Building or contracting establishments; Building supply outlets; Bulk sales establishments; Dry cleaning and laundry plants; Manufacturing and assembly industries with related sales; Garden stores; Printing establishments; Service trades; Support offices; Warehouse establishments; Wholesale establishments; Commercial schools; Truck sales and service establishments; and Industrial malls to a Restricted Service Commercial Special Provision (RSC1( )) Zone to permit a retail store as an additional permitted use with the existing number of parking spaces.</p>		
<p><b>Responses:</b> Please see attached letter.</p>		

<b>ANALYSIS</b>
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**Subject Site**

The subject site is located at the corner of Hyde Park Road and Fanshawe Park Road and is approximately 0.82 hectares (2.0 acres) in size. Currently there is a small industrial mall on the site. Green Galore and Carpet One occupy a portion of the building and the remainder is vacant. Bibles for Missions wish to occupy the remaining vacant area with a thrift store. The subject site has access to Fanshawe Park Road West and Hyde Park Road, both of which are classified as arterial roads.



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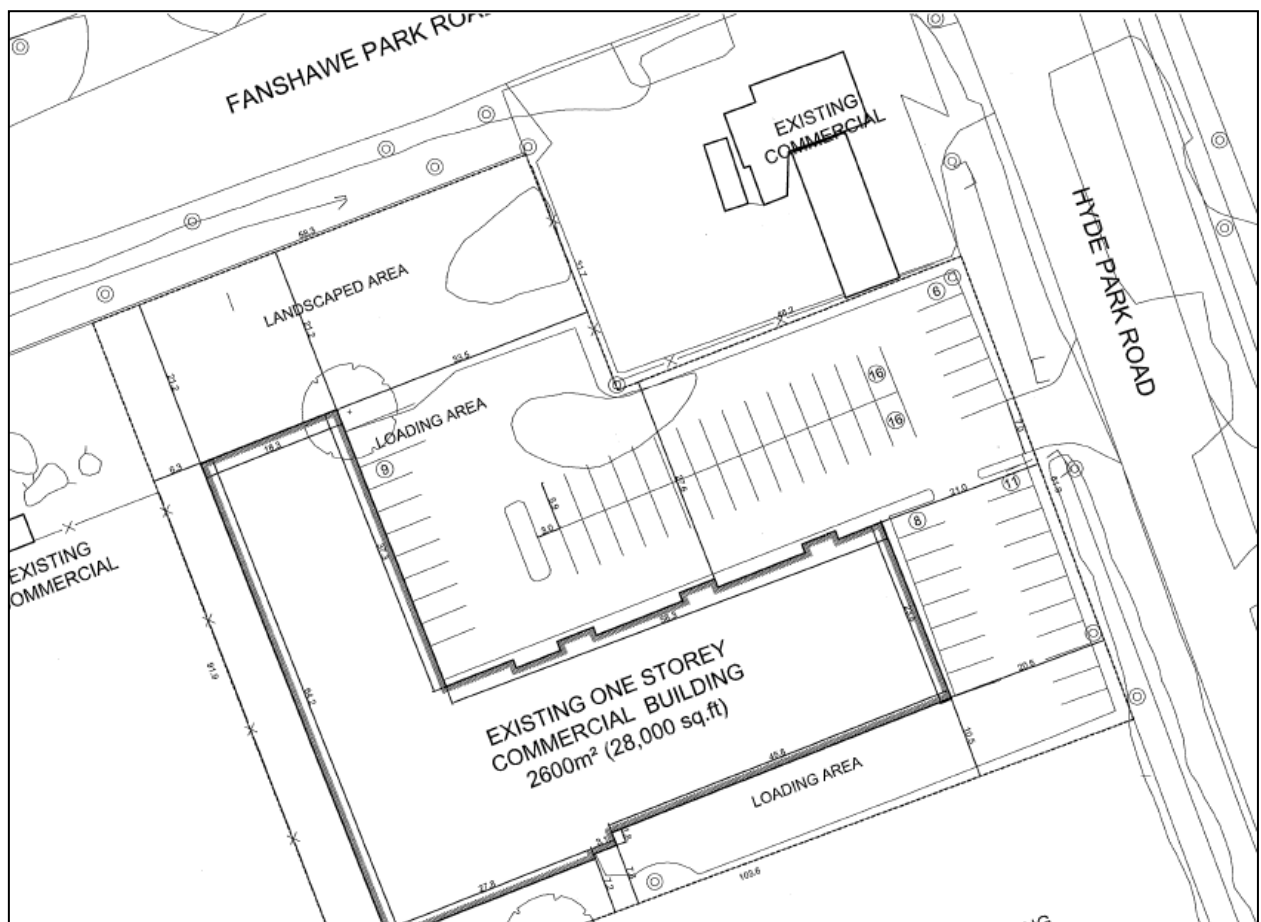
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File No: Z-8009  
Planner: Alanna Riley



### Nature of Application

The applicant has requested a zoning by-law amendment to permit a retail store(thrift store) within 1500m2 portion of the existing building on the site, with existing parking. There is no change proposed to the building's exterior nor to the existing site configuration as the thrift store can be accommodated within the existing building.



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### **Provincial Policy Statement**

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

Policy 1.3.1 - Employment Areas of the PPS requires planning authorities to promote economic development and competitiveness by providing for a mix and range of employment opportunities, and by providing opportunities for a range and choice of suitable sites for employment uses. The requested Zoning amendment seeks to add retail as an additional permitted use to the existing range of service commercial uses in conformity with the PPS. In addition, the rezoning of the subject site will expand the opportunity on a suitable site to accommodate a use that may not be available within the adjacent commercial developments. The subject site contains an industrial mall which is divided into smaller units than may be available within the abutting commercial centre thereby providing an opportunity for an operator of retail employment to locate in this area.

Policy 1.8.1 - Energy and Air Quality of the PPS requires planning authorities to promote a compact structure of nodes and corridors, promote the use of public transit, focus commercial uses on sites that are serviced by transit, and improve the mix of employment uses to shorten commute journeys. The subject site currently contains a limited range of commercial uses that cater to an auto-oriented trade and single purpose shopping trips. Permitting retail as an additional permitted use provides opportunity for these lands to accommodate this use and create an interaction with the existing commercial centre on the east side of Hyde Park Road to encourage multiple purpose shopping trips and create opportunities to support the proposed transit hub identified for the Hyde Park Power Centre in conformity with the policies of the PPS.

### **Hyde Park Community Plan**

The Hyde Park Community Plan recognizes the commercial uses that were annexed to the City of London in 1993, including the subject site, as existing strip commercial areas and promotes infilling in these areas. Additionally, the background studies to the Hyde Park Community Plan support nodal forms of commercial development to provide for a concentration of activity, services, and the creation of interaction between uses.

Planning Staff recommend that the subject site be rezoned to add a special provision to permit retail as an additional permitted use within the existing building. Permitting a thrift store (retail) contributes to the variety of nodal activity.

Planning Staff also recommend that the h-32 holding provision be applied to the subject site to ensure that any new development on the site is consistent with the adopted Hyde Park Community Plan and Urban Design Guidelines.

### **Official Plan Policies**

The subject site is designated New Format Regional Commercial Node in the Official Plan. The intent of the New Format Regional Commercial Node designation is to develop primarily for retail and service commercial uses, and, to a lesser extent, small scale offices that are suited to a location with an integrated form of development that encourages multi-purpose shopping trips.

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Permitted uses in this designation include all types of large and small-scale retail outlets including supermarkets and food stores; department stores; retail warehouses, building supply, and home improvement and furnishings stores; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions; a limited range of automotive services; service-oriented office uses; community facilities; and professional and medical/dental offices.

The recommended amendment to permit retail on the subject site conforms to the intent of the Official Plan and is consistent with the listed range of permitted uses.

The Official Plan also contains special policies for this commercial node (Fanshawe Park Road West/Hyde Park). The policies recognize this commercial node functions as a gateway to the City of London and that a broad range of retail, service, community facility and office uses will be permitted within this designation. The special policy also lists Urban Design Criteria to be implemented as part of all new development proposals. While the current application does not contemplate any changes to the existing built form, it is recommended that a holding provision be applied to the subject site to address urban design should the site be redeveloped at some point in the future (see Urban Design Considerations below).

### Planning Impact Analysis

Policy 4.5.1 of the Official Plan requires that a Planning Impact Analysis be used to evaluate applications for Zoning By-law amendments to determine the appropriateness of a proposed change in land use and to identify ways of reducing any adverse impacts on surrounding land uses.

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria which are relevant to the proposed change. The criteria relevant to this application listed in the Planning Impact Analysis include:

- *the Official Plan policies relating to the requested change in use;*
- *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;*
- *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;*
- *the supply of vacant land or vacant buildings in the area which are designated and/or zoned for the proposed uses;*
- *the potential traffic generated by the proposed change and the likely impact of this additional traffic;*
- *the location of vehicular access points and the likely impact of traffic generated by the proposal;*
- *where adjacent to sites under separate ownership, access and traffic circulation should be co-ordinated; and,*
- *impacts of the proposed change on the planned transportation system, including transit.*

As described in the preceding paragraph, the requested thrift store (retail use) is consistent with the general policies of the Official Plan, as well as the specific policies for the Fanshawe Park Road West/Hyde Park commercial node. The surrounding land uses are a mix of retail, service commercial and light industrial. Given that the abutting sites contain similar permitted uses as the subject site; there is no development proposed as part of this application; and, the

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requested retail use is not regarded as noxious uses; the recommended amendment is not anticipated to create an impact on present and future land uses in the area.

The site has sufficient lot area to allow the proposed use and maintain the existing building, parking and landscaping. There is no change proposed to the existing site configuration as the use has similar characteristics to a home furnishing store and can be accommodated within the existing building. The subject site exceeds the regulations of the Zoning By-law for the requested use, with the exception of parking. A special provision is recommended to maintain the existing parking.

The potential traffic generated by the proposed change in use is not anticipated to be significant given that the existing zoning on the subject lands currently permits a range of uses that are relatively as intensive as the requested range of uses including: restaurants; financial institutions; and, convenience stores. Therefore, the recommended Zoning By-law amendment is not anticipated to create any additional traffic than that which may be generated from the uses currently permitted by the Zoning By-law. The location of vehicular access points is proposed to remain unchanged from the existing situation. However, it is recommended that a holding provision be applied as part of this rezoning to address access issues should the subject site redevelop in the future to assist with alleviating some of the traffic issues on Hyde Park Road.

The recommended rezoning will provide opportunity to create interaction with the abutting commercial lands along Hyde Park Road, and create opportunities to support the proposed transit hub identified for the Hyde Park Power Centre.

### **Zoning By-law**

Section 28.1 – General Purpose of the RSC Zone – describes the rationale behind the RSC zone variations. This section states that the RSC Zone “provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or building space and a location on major streets. The wide range of uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.”

Staff are supportive of a Zoning By-law amendment to permit a special provision to permit 1500m<sup>2</sup> of retail and create an opportunity for interaction between the lands within the Hyde Park/Fanshawe Park Road commercial node.

The Zoning By-law permits the use of holding provisions to restrict development or for such other uses identified in the specific holding provision. The h-11 holding provision is recommended as part of this rezoning ensure that a development agreement is entered into with the City of London to provide appropriate access arrangements and the h-32 holding provision is recommended to ensure that any new development is consistent with the Hyde Park Community and Urban Design Guidelines. Both of these holding provisions will be implemented as part of any future redevelopment of the site.

### **Urban Design Considerations**

The City has the ability to require various site improvements though the use of site plan control which the City may exercise for all types of development or redevelopment projects. However, the Official Plan defines development or redevelopment as:

*the construction, erection, or placing of one or more buildings or structures on land, or the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability....*

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File No: Z-8009  
 Planner: Alanna Riley

The current application does not propose to expand the usability of the site or buildings and, as such, no development is occurring which would trigger the use of site plan control.

The recommended amendments are intended to allow for an additional permitted use. It will be at that time when urban design policies and guidelines may be implemented through the use of site plan control.

The subject site is located within the Hyde Park Community planning area and is subject to the Hyde Park Design Guidelines. However, at present the applicant is requesting to fill vacancy with a retail use within the existing buildings and as such has not provided concept plans for future development.

To ensure that any new development is consistent with the adopted Hyde Park Community and Urban Design Guidelines, it is recommended that the h-32 holding provision be applied to the subject site which requires that the owner enter into development agreement with the City of London to ensure compatibility with these guidelines.

**Neighbour Concern(See attached letter)**

The requested zone variation is not one that is commonly found in this area. The building at 1510 Fanshawe Park Road West is an industrial mall which is zoned to permit a similar range of uses as the subject site. However, this building is located outside of the commercial node and retail is not a permitted use for this site in the Official Plan.

<b>CONCLUSION</b>
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The request to amend the Zoning By-law is intended to add retail as an additional permitted use to the existing range of permitted service commercial uses in the existing building. The recommended amendment is consistent with the policies of the PPS and the Official Plan, and introduces holding provisions to ensure that future redevelopment of this site addresses concerns related to access onto Hyde Park Road and implements the Hyde Park Design Guidelines.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>ALANNA RILEY, MCIP, RPP – PLANNER II, COMMUNITY PLANNING AND URBAN DESIGN</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP DIRECTOR OF LAND USE PLANNING AND CITY PLANNER</b>	

AR/ar

February 16, 2012

Agenda Item #

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File No: Z-8009  
Planner: Alanna Riley

**Responses to Public Liaison Letter and Publication in “Living in the City”**

<u>Telephone</u>	<u>Written</u>
Peter Stavros	Peter Stavros

Agenda Item #

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File No: Z-8009  
Planner: Alanna Riley

Dear Ms. Riley,

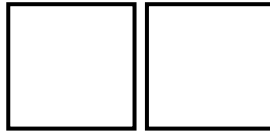
Further to NOTICE OF APPLICATION TO AMEND THE ZONING BY-LAW received February 2, 2012 and our telephone conversation of today for 2020 Hyde Park Road.

I confirm our telephone conversation whereby I indicated to you that this method *piece meal* of Amending The Zoning By-Law is unacceptable and we object to the Amending of the Zoning By-Law as it pertains to this property or any other property in this area. Time will fail me if I try to recall the number of times that the City of London has Amended the Zoning By-Law in this area. *We vigorously object* to this piece meal Amendment to the Zoning By-Law unless it is expanded to the west of the subject property to include 1510 and 1540 Fanshawe Park Rd. West which is abutting the subject property. The Planning Department of the City of London should expand the breadth of the application to include 1510-1540 Fanshawe Park Rd. West because it meets all traffic criteria, sight location, frontage, parking etc.. The Municipality should do a comprehensive study of that entire area and Amend the Zoning By-Law accordingly.

That entire area is booming with expansion. We have the Smart Center, Box Store, School to the east of the Smart Center, two plazas to the west of the Smart Center, two more plazas in front of the Smart Center, another multitude of commercial to the north of the Smart Center, a fire station to the north of Fanshawe Park Rd., another commercial development coming on both the north and south corners of Fanshawe Park Rd. and Hyde Park Rd. Copps Lumber to the west of us, Kubota to the west of us, A&B Rental to the west of us and the list goes on. The natural boundary line would be the CP or CN Railroad tracks. Is the Planning Department going to Amend the Zoning By-Law to conform to the needs and requirements of the area or are we going to piece meal.

I trust you will reconsider the application for 2020 Hyde Park Rd. to include 1510-1540 Fanshawe Park Rd. West.

Regards,  
Peter Stavrou



File No: Z-8009  
Planner: Alanna Riley

Bill No. (number to be inserted by Clerk's Office)  
2012

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2020 Hyde Park Road.

WHEREAS BFM (London Enterprise Society) has applied to rezone an area of land located at 2020 Hyde Park Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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 2020 Hyde Park Road, as shown on the attached map comprising part of Key Map No. 12, from a Restricted Service Commercial (RSC1/RSC4/RSC5) Zone to a Holding Restricted Service Commercial Special Provision (h-11•h-32•RSC1( )/RSC4/RSC5) Zone.

1) Section 28.4 of the Restricted Service Commercial (RSC1) Zone to By-law No. Z.-1 is amended by adding the following Special Provision:

- 28.4 c) \_\_\_) RSC1 ( )
  - a) Additional Use:
    - i) Retail within the existing building
  - b) Regulations:
    - i) Existing Number of Parking Spaces
    - ii) Gross Floor Area Retail 1,500 square metres (maximum)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on March 20, 2012.

Joe Fontana  
Mayor



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File No: Z-8009  
Planner: Alanna Riley

Catharine Saunders  
City Clerk

First Reading – March 20, 2012  
Second Reading – March 20, 2012  
Third Reading – March 20, 2012

Agenda Item #

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File No: Z-8009  
Planner: Alanna Riley

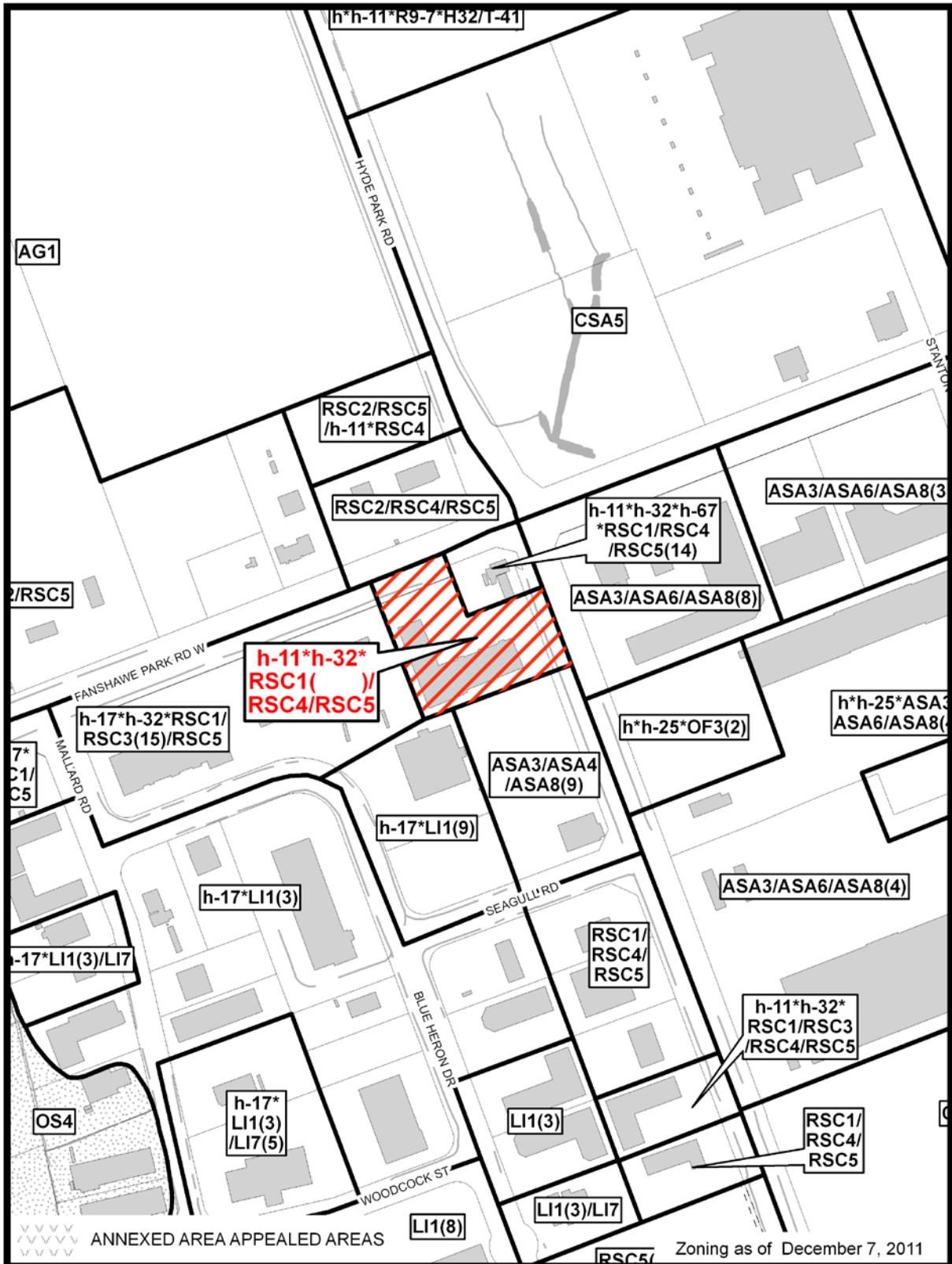
Agenda Item #

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



File Number: Z-8009  
 Planner: AR  
 Date Prepared: 2012/02/08  
 Technician: CK  
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,700

0 15 30 60 90 120 Meters



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File No: Z-8009  
Planner: Alanna Riley

## **Bibliography of Information and Material – Z-8009**

### **Request for Approval**

City of London Zoning By-law Application Form, completed by Wil Pol (Applicant)

### **Reference Documents**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005

City of London. *Official Plan*, June 19, 1989, as amended

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City of London. Hyde Park Community Plan, April 17, 2000, as amended

City of London. Hyde Park Community Plan – Background Studies, December 1999

### **Previous Reports/Resolutions Pertinent to this Matter**

O-5873 – Application by: City of London. Hyde Park Community Plan. Public Participation Meeting on March 27, 2000.

Application by: City of London. Hyde Park Community Plan; Official Plan Amendments to Implement Community Plan (File: O-5873); and, First London North Development Site Specific Official Plan/Zoning By-law Amendment Application (File: OZ-5836). Meeting on April 10, 2000.

OZ-7556 – Application by: City of London. 1890-2090 Hyde Park Road, 1446, 1455, 1471, 1491, 1509, 1510, 1540, 1640 Fanshawe Park Road West, 2034 Mallard Road, Parts of 1525, 1557, 1579, 1635 Fanshawe Park Road West, and Part of 1615 North Routledge Park. Public Participation Meeting on January 12, 2009.

### **Written Correspondence: (located in City of London File No. Z-8009 unless otherwise stated)**

#### **City of London**

Roobroeck, Richard. Environment and Engineering Services Department. E-mail February 9, 2012

### **Agency Review and Public Responses: (located in City of London File No. Z-8009 unless otherwise stated)**

#### **London Hydro**

Dalrymple D., London Hydro. Reply Sheet for City of London Applications.

#### **Upper Thames River Conservation Authority (UTRCA)**

Creighton C., Land Use Planner. .

#### **Environmental and Engineering Services (EESD)**

Burgess L., Division Manager. Memo to Alanna Riley. February 9, 2012

#### **Middlesex-London Health Unit**

Ng M., Public Health Inspector.

#### **Public Responses**

##### **Telephone and Email**

Peter Stavros