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H-8823  
Nancy Pasato

<b>FROM:</b>	<b>G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: 2298342 ONTARIO INC. PORTION OF 2350 DUNDAS STREET  MEETING ON OCTOBER 23, 2017</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Senior Planner, Development Services, based on the application of 2298342 Ontario Inc. relating to the property located on a portion of at 2350 Dundas Street, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 30, 2017 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning **FROM** a Holding Highway Service Commercial/Restricted Service Commercial (h-11\*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone **TO** a Highway Service Commercial/Restricted Service Commercial (HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone to remove the "h-11" holding provision.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this zoning change is to remove the "h-11" holding provision on a portion of the property to permit the development of an automotive gas station/convenience store/restaurant.

<b>RATIONALE</b>
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1. The removal of the holding provision will allow for development in conformity with Zoning By-law Z.-1.
2. The Applicant has entered into a Development Agreement with the City which specifies access for a portion of the site, to the satisfaction of the City.

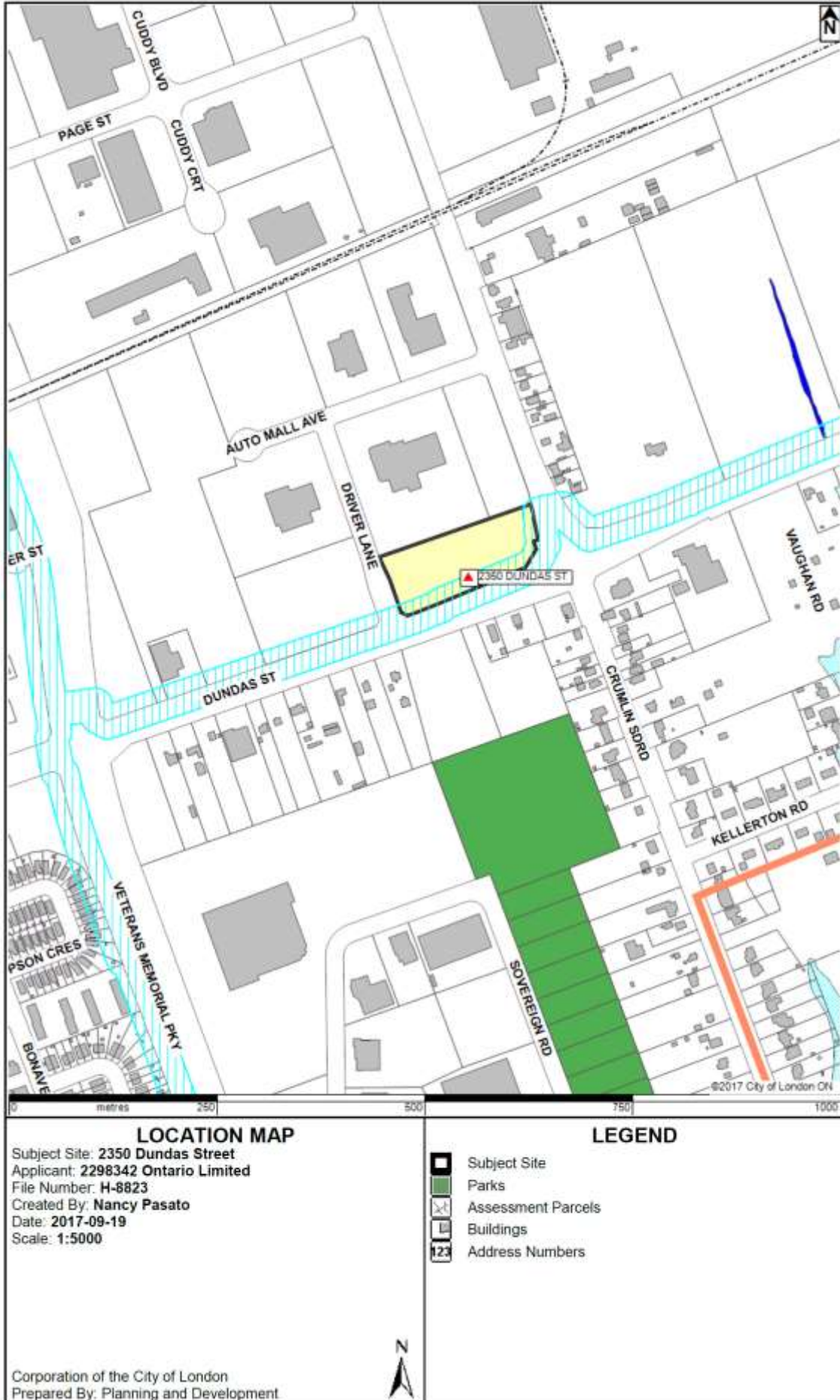
<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> September 20, 2017	<b>Owner:</b> 2298342 Ontario Inc.
<b>REQUESTED ACTION:</b> Removal of the "h-11" holding provision from the zoning for 2350 Dundas Street.	

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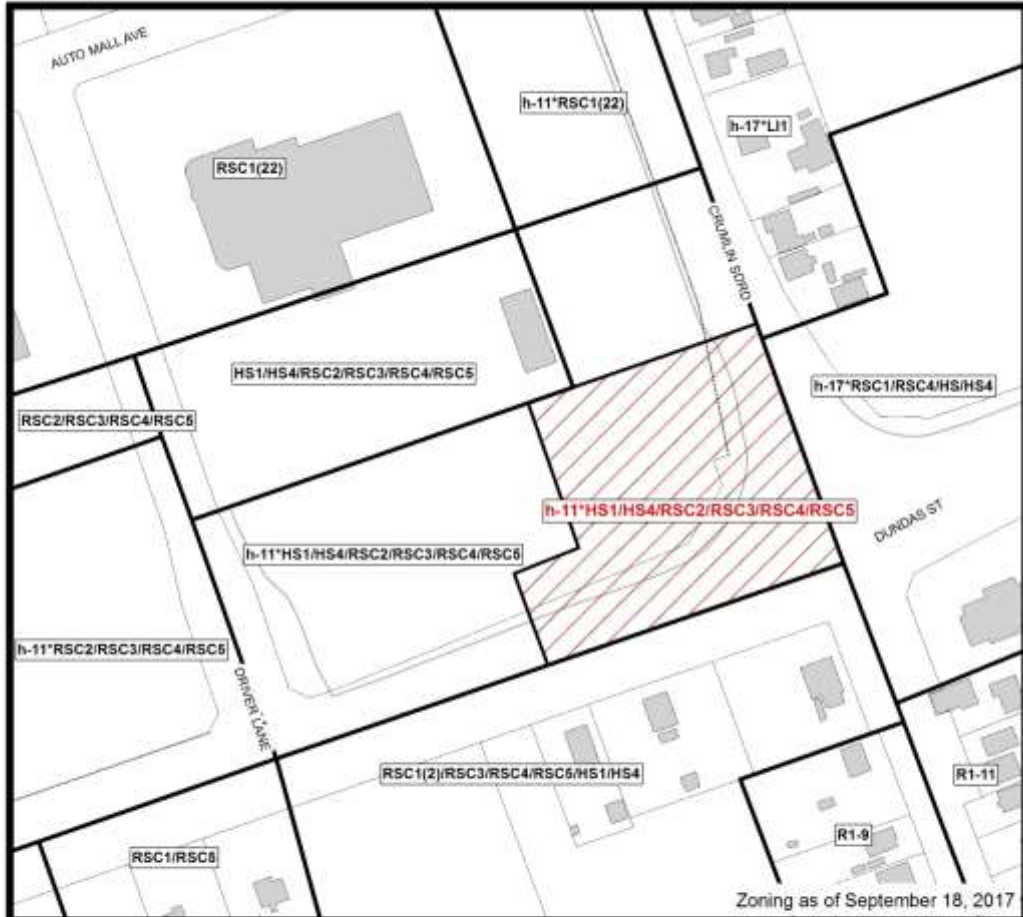
**Location Map**



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**Zoning Excerpt**



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

1) **LEGEND FOR ZONING BY-LAW Z-1**

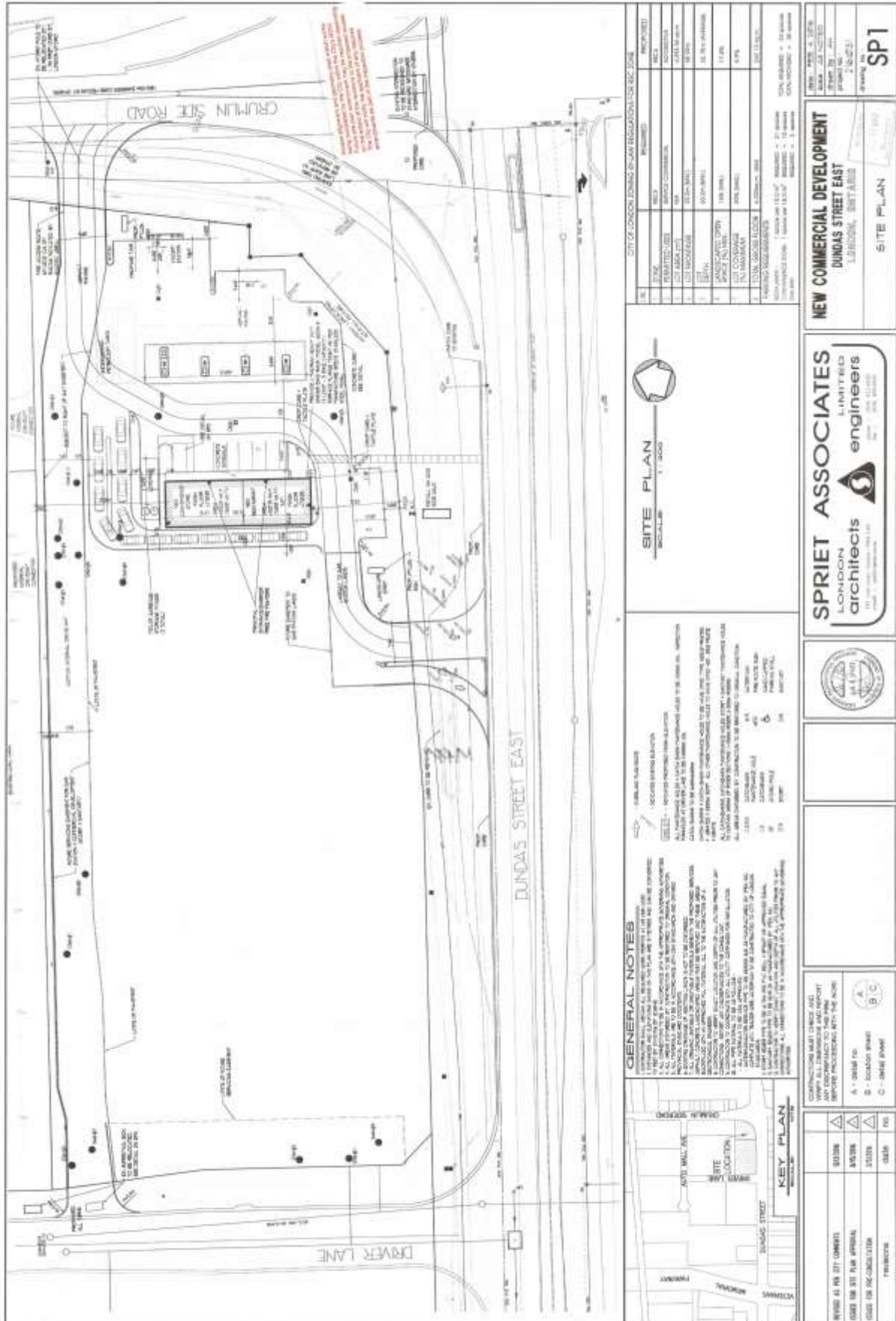
- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>*N* - HOLDING SYMBOL</li> <li>*D* - DENSITY SYMBOL</li> <li>*H* - HEIGHT SYMBOL</li> <li>*B* - BONUS SYMBOL</li> <li>*T* - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

<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 style="font-size: small;">THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>		<p>FILE NO: <b>H-8823</b>                      <b>NP</b></p> <hr/> <p>MAP PREPARED: <b>2017/10/12</b>                      <b>RC</b></p> <hr/> <p style="text-align: center;">1:2,000</p> <p style="text-align: center;">0 10 20 40 60 80 Meters</p>
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**Proposed Site Plan**





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<b>PUBLIC LIAISON:</b>	Notice of the application was published in the Londoner on September 28, 2017
<b>Nature of Liaison:</b> City Council intends to consider removing the "h-11" holding provision from the subject lands. The purpose of the "h-11" provision is to ensure the orderly development of lands and the adequate provision of municipal services. The "h-11" symbol shall not be deleted until the Applicant has entered into a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of the City of London. Council will consider removing the holding provision as it applies to these lands no earlier than October 10, 2017.	
<b>Responses:</b> None	

<b>ANALYSIS</b>
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**Why is it Appropriate to remove this Holding Provision?**

The Holding Provision h-11 is as follows:

*"To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London."*

The h-11 holding provision ensures access to future commercial lands is consistent with Official Plan policies and the Access Management Guidelines.

The Applicant has entered into a Development Agreement with the City for a portion of the site. The proposed site plan shows one access to Dundas Street, to be shared with any future access on lands to the west. The City will lift the 0.3m reserve for a portion of the property to allow for this access, but the reserve will remain for the balance of the site frontage along Dundas Street.

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.

<b>CONCLUSION</b>
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It is appropriate to remove the "h-11" holding provision from a portion of the subject lands at this time as the Applicant has entered into a Development Agreement with the City which permits access to Dundas Street as per the City's Access Management Guidelines. The h-11 holding provision will remain on the balance of the site until a future application for site plan is received in order to ensure access is controlled to the satisfaction of the City.

Agenda Item #    Page #

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H-8823  
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<b>PREPARED AND RECOMMENDED BY:</b>	<b>REVIEWED BY:</b>
<b>NANCY PASATO, MCIP, RPP SENIOR PLANNER, DEVELOPMENT SERVICES</b>	<b>LOU POMPILII, MCIP, RPP MANAGER, DEVELOPMENT PLANNING</b>
<b>CONCURRED IN BY:</b>	<b>SUBMITTED BY:</b>
<b>PAUL YEOMAN, RPP, PLE DIRECTOR, DEVELOPMENT SERVICES</b>	<b>G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

October 13, 2017  
NP/

"Attach."

\\CLFILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2017\H-8823 - 2350 Dundas Street (NP)\PEC report  
2350 Dundas.docx

Agenda Item # Page #

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H-8823  
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Bill No. (Number to be inserted by Clerk's Office)  
2017

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located on a portion of 2350 Dundas Street.

WHEREAS 2298342 Ontario Inc. have applied to remove the holding provisions from the zoning for the lands located on a portion of 2350 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 on a portion of 2350 Dundas Street, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Highway Service Commercial/Restricted Service Commercial (HS1/HS4/RSC2/RSC3/RSC4/RSC5) 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 30, 2017.

Matt Brown  
Mayor

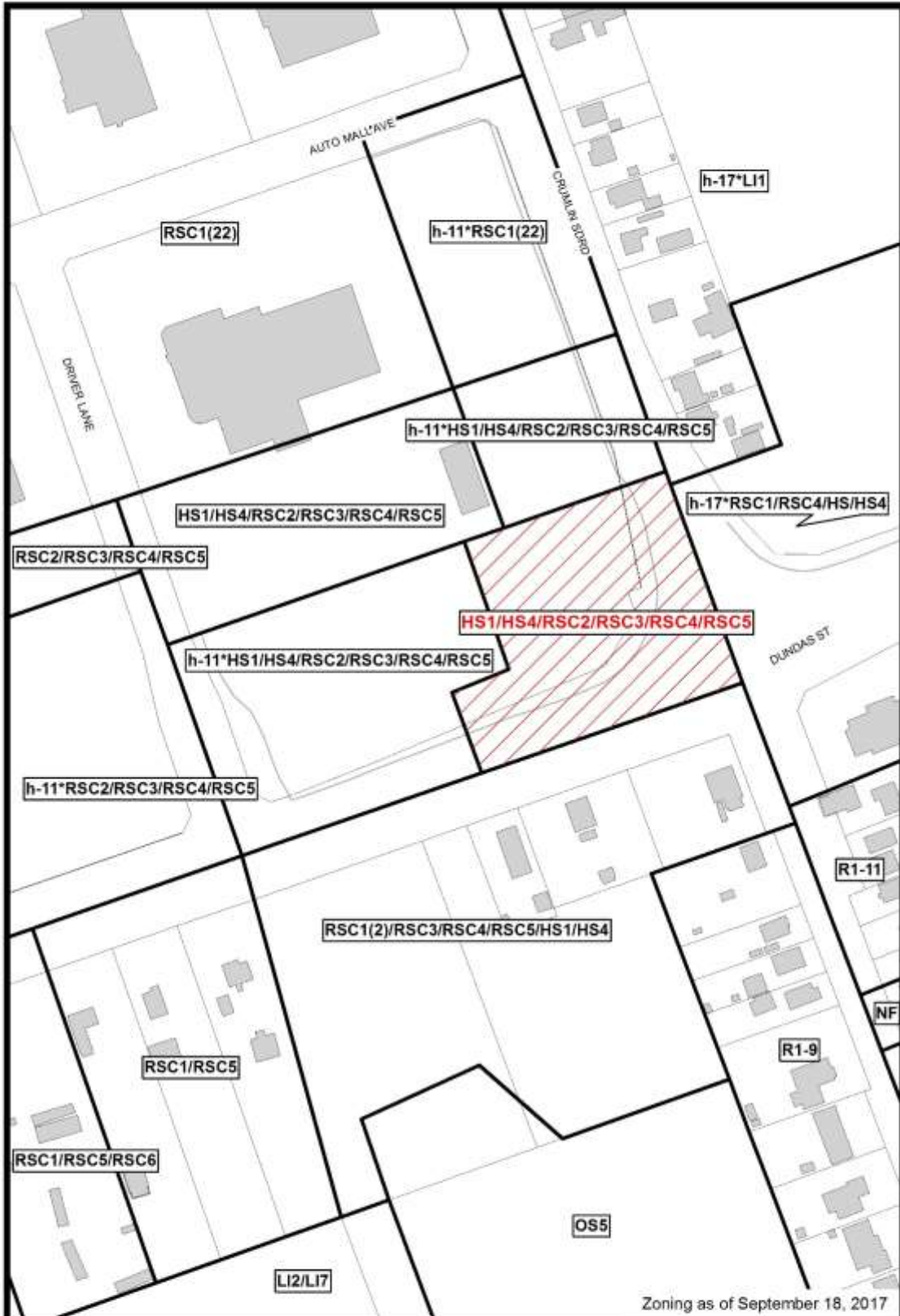
Catharine Saunders  
City Clerk

First Reading - October 30, 2017  
Second Reading – October 30, 2017  
Third Reading - October 30, 2017

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H-8823  
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**AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)**



Zoning as of September 18, 2017

File Number: H-8823  
 Planner: NP  
 Date Prepared: 2017/10/12  
 Technician: rc  
 By-Law No: Z.-1-

SUBJECT SITE

1:2,000

