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TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	OFFICIAL PLAN REVIEW 1351-1369 Hyde Park Road PUBLIC PARTICIPATION MEETING ON Monday, November 5, 2012

RECOMMENDATION

Further to the direction of Council on June 12, 2012, the Managing Director, Planning and City Planner, **SUBMITTING** the attached Official Plan Amendment relating to the properties located at 1351-1369 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 20, 2012 to amend the Official Plan to change the designation of the subject lands **FROM** a Multi-Family, Medium Density Residential designation, which permits residential uses up to a maximum density of 75 units per hectare **TO** a Main Street Commercial Corridor designation, to permit a wide range of pedestrian-orientated retail, office and personal service commercial uses;

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- | | |
|----------------|--|
| April 17, 2000 | Hyde Park Community Plan and Hyde Park Urban Design Guidelines approved by Council |
| March 26, 2012 | Report to Planning and Environment Committee on Possible Official Plan and Zoning By-law Amendments for 1331-1369 and 1364-1420 Hyde Park Road |
| May 28, 2012 | Subsequent Report to Planning and Environment Committee on above amendments |

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The attached Official Plan Amendment would allow, following approval of a zoning by-law amendment, street/pedestrian-orientated commercial uses with rear yard parking on the two subject properties, consistent with the Official Plan and zoning to the north and south on the east side of Hyde Park Road.

RATIONALE

1. Council has directed that the Official Plan designation on the properties be changed.

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Aerial Photo Location Map

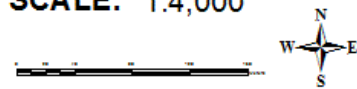
File No.: O-8077

CP

Date Prepared: 2012/07/26

CK

SCALE: 1:4,000



Prepared by : Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

Note: Parcel line work, when shown, is not for official or legal use.

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BACKGROUND

Official Plan Review Started: Council direction given June 12, 2012

REQUESTED ACTION:
 25. That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the Civic Administration **BE DIRECTED** to initiate an Official Plan Amendment to apply a commercial land use designation on the lands located at 1351, 1357 and 1369 Hyde Park Road;.....

SITE CHARACTERISTICS:

Hyde Park Address	Owner	Existing Use	Size LA – Lot Area F- Frontage D - Depth	Current OP/Zoning MDR – Medium Density Residential UR – Urban Reserve T - Temporary	Previous OP/Zoning (London Twp.) In force until 1996 (OP)/2005 (Zoning)
1369 (East side)	McLoed Since 2001	Single family semi-detached residential- built 1964/1990 Home occupation –McLoed Custom Homes- electrical contracting	LA - .39 ha F – 40m D – 97.5m	MDR/UR3	Agricultural RR – Rural Residential
1351-1357 (East side)	Plante	Auto sales/repair – since 1992 Single family residential – built 1959/Industrial building- built 1966	LA - .89 ha F – 51 m D – 175 m	MDR (front) LDR (rear) /UR3	Agricultural – changed to Highway Commercial (OPA #17) AC-1 – Special Auto Commercial – only permitted motor vehicle service

- SURROUNDING LAND USES:**
- **North** - Vacant lands designated and zoned since 2000 for similar uses
 - **South** - Vacant lands (formerly Hyde Park Garden Centre) designated and zoned since August 2012 for similar uses
 - **East** - Recently approved single family residential subdivision
 - **West** - Stormwater management pond, vacant lands designated Multi-family, Medium Density Residential

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OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> MULTI-FAMILY, MEDIUM DENSITY RESIDENTIAL designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings up to a maximum density of 75 units per hectare and height of 4 storeys; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings. Zoning on individual sites would not normally allow for the full range of permitted uses.
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> URBAN RESERVE (UR3) ZONE permits existing dwellings; Agricultural uses except for mushroom farms, commercial greenhouses livestock facilities and manure storage facilities; Conservation lands; Managed woodlot; Wayside pit; Passive recreation use Kennels; Private outdoor recreation clubs; and, Riding stables. The UR1, UR2 and UR3 Zone variations are intended to be applied to undeveloped areas within the former City boundaries and to areas which have been reviewed through the Community Plan Process but no rezoning has been applied.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The Upper Thames River Conservation Authority (UTRCA) has reviewed this Official Plan review with regard for the policies in the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006). These policies include regulations made pursuant to Section 28 of the Conservation Authorities Act, and are consistent with the natural hazard and natural heritage policies contained in the Provincial Policy Statement (2005). The Upper Thames River Source Protection Area Assessment Report has also been reviewed in order to confirm whether the subject property is located within a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the property which is known municipally as 1369 Hyde Park Road is regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the Conservation Authorities Act. The regulation limit is comprised of a riverine flooding hazard associated with the Van Horik Drain. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

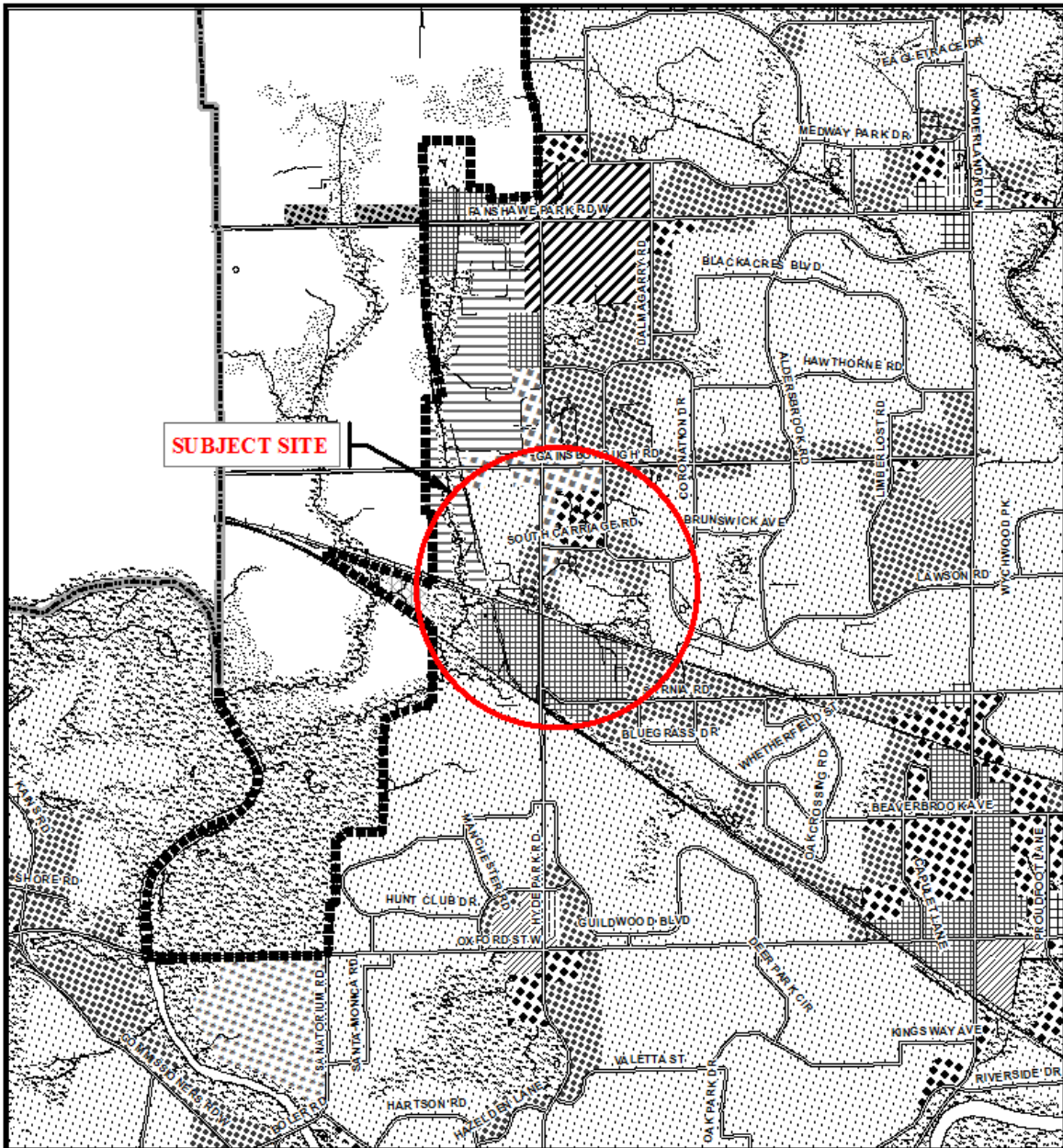
UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL

Policy which is applicable to the subject property includes:

3.2.2 General Natural Hazard Policies

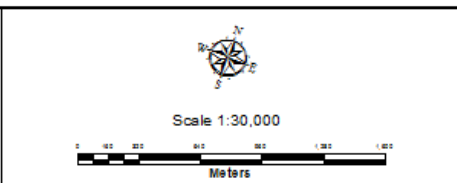
These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. UTRCA Comments

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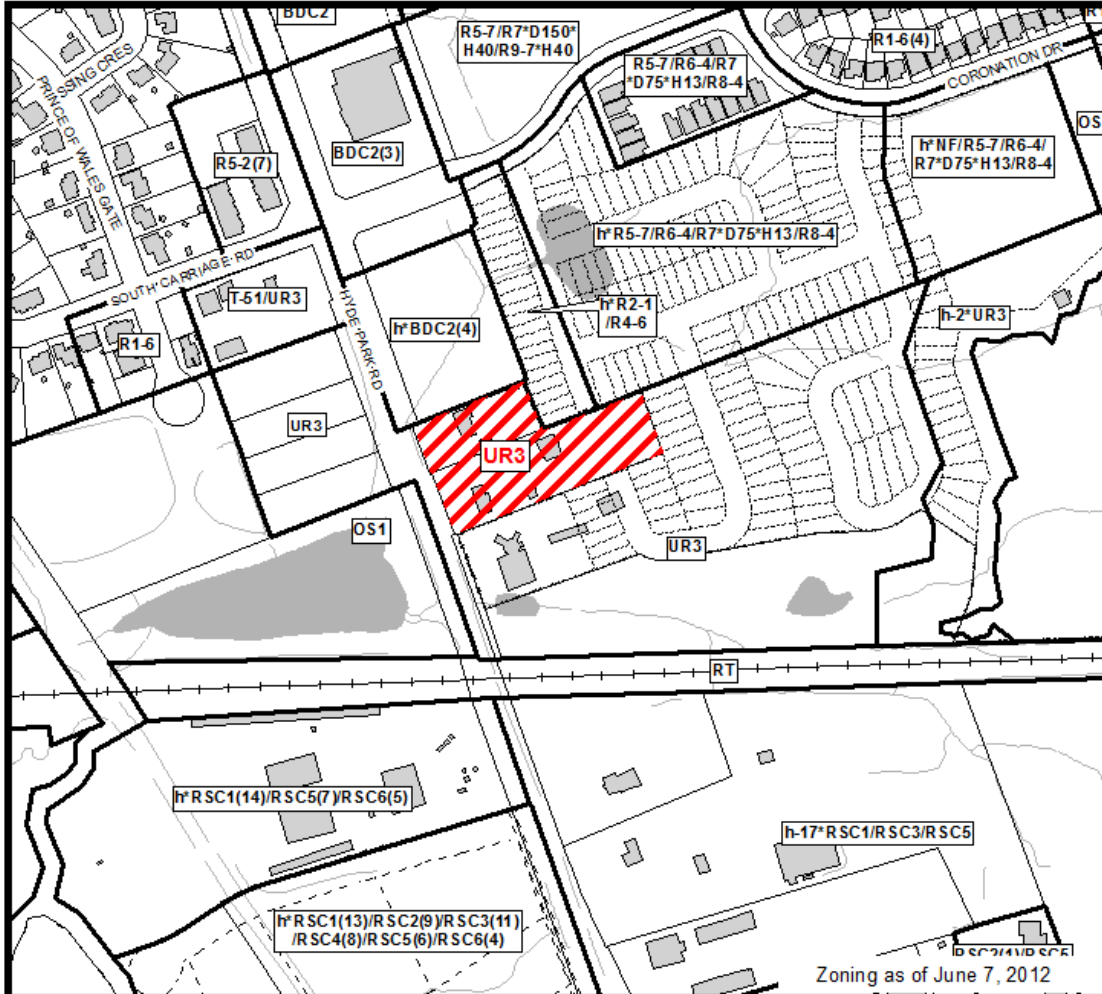
Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: O-8077
 PLANNER: CP
 TECHNICIAN: CK
 DATE: 2012/07/25

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: LI2

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:

O-8077

CP

MAP PREPARED:

2012/07/25

CK

1:4,500

0 20 40 80 120 160

Meters

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3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed floodplain mapping, floodplain planning approach (one zone vs. two zones), and uses that may be allowed in the floodplain subject to satisfying UTRCA permit requirements.

DRINKING WATER SOURCE PROTECTION

The Clean Water Act (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry and protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region. Drinking Water Source Protection represents the first barrier for protecting drinking water including surface and ground water from becoming contaminated or overused thereby ensuring a sufficient, clean, safe supply now and for the future.

Assessment Reports:

The Thames-Sydenham Source Protection Region has prepared Assessment Reports which contain detailed scientific information that: identifies vulnerable areas associated with drinking water systems; assesses the level of vulnerability in these areas; and identifies activities within those vulnerable areas which pose threats to the drinking water systems, and assess the risk due to those threats. We wish to advise that there are no vulnerable areas associated with the subject property.

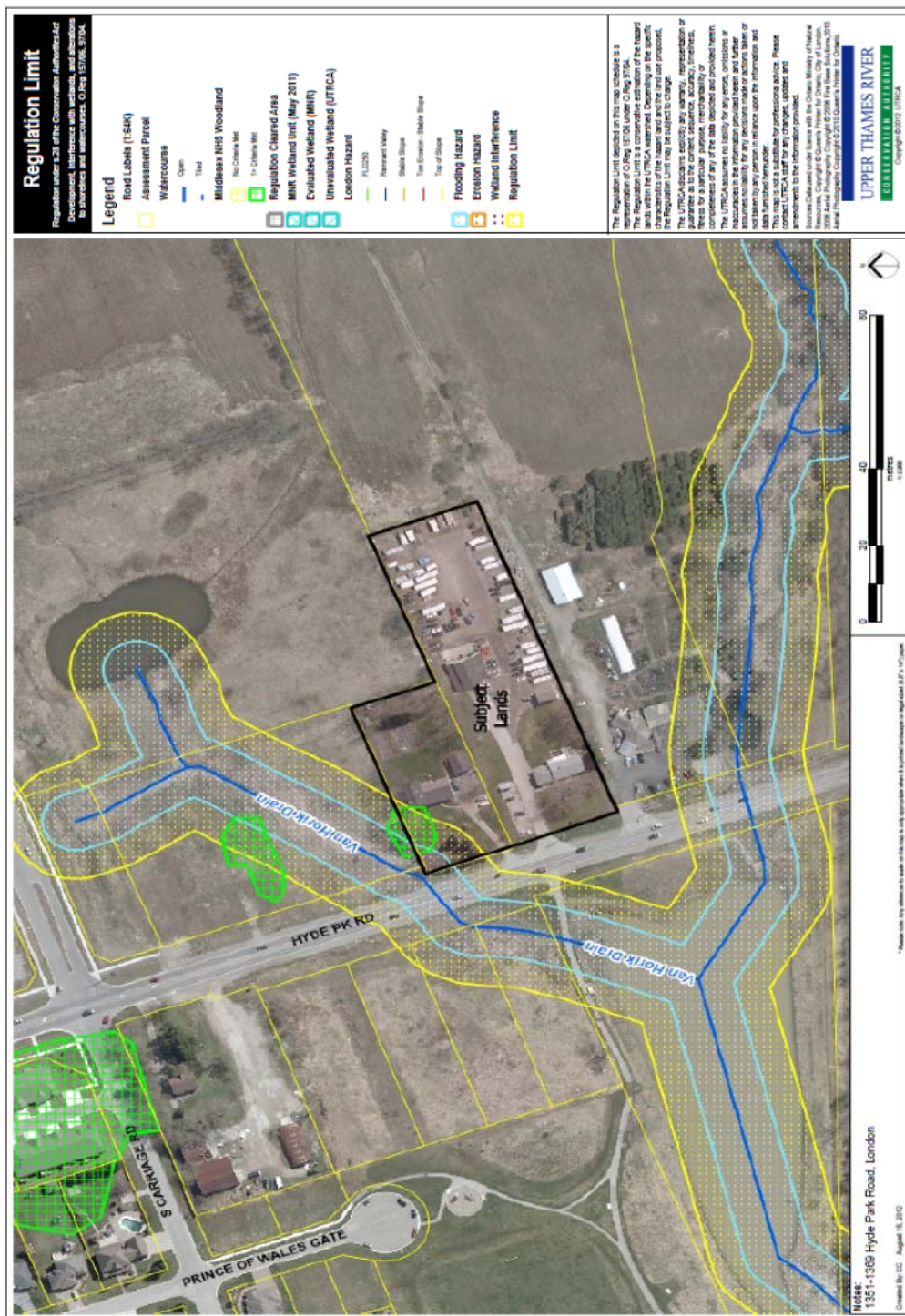
RECOMMENDATION

The UTRCA has no objections to this application. Prior to any development or site alteration occurring within the regulated area, the necessary approvals must be obtained from the Authority. We recommend that Mr. Mark Snowsell Land Use Regulations Officer be contacted regarding the UTRCA's Section 28 permit requirements.

City of London SWM Unit has the following comments :

- *Should be in compliance with the City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.*
- *The City Subwatershed Planning Studies were approved by City Council on September 18, 1995. The Owner shall be required to comply with the SWM targets and criteria identified in the Stanton Drain Subwatershed Planning Study, which may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.*
- *Consistent with the Hyde Park SWMF 1B1 Functional Design Report (March 2010, AECOM);*
- *Consistent with the Hyde Park Community Storm Drainage and SWM Servicing Municipal Class EA Report (2002, AECOM)*
- *The owner and its Engineer to prepare a servicing report for minor, major flows, SWM measure (which are to address water quality), and identify outlet system in accordance with City of London standards and MOE standards/guidelines.*
- *The owner shall be required to comply with all City's By-Laws and acts;*
- *The subject lands or adjacent lands are to ensure that stormwater run-off from these lands will not cause any adverse effects to these lands and/or adjacent lands; and*

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File: O-8077

- *The owner must allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.*

PUBLIC LIAISON:	On July 27, 2012, Notice of Application was sent to 8 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 July 30, 2012.	No replies were received
Nature of Liaison: Change the Official Plan land use designation from "Multi-Family, Medium Density Residential" which permits medium density/ scale residential dwellings up to a maximum density of 75 units per hectare to "Main Street Commercial Corridor" or other commercial designation which permits a broad range of street-orientated, pedestrian-oriented retail, personal service and office commercial uses.		
Responses: None		

ANALYSIS

The original Hyde Park Commercial Review was initiated in response to a Council resolution of September 19, 2011 :

2. *That the Civic Administration be directed to undertake the following actions with respect to the application submitted by Kenmore Homes (London) Inc., as amended by staff for an Official Plan Amendment, Zoning By-law Amendment and draft plan of subdivision for the lands located at 255 South Carriage Road and 1331 Hyde Park Road:*
 - (a) *the Director of Land Use Planning and City Planner **BE ASKED** to undertake a review of the land use designations on the east and west corridors of Hyde Park Road, south of Carriage Road to the Canadian Pacific Railway Line with the potential for commercial zones; and, ,.....*

In response, planning staff prepared a report which was considered, along with letters from the Hyde Park Business Association and Mr. Knutson on behalf of the landowners, by Planning and Environment Committee on March 26, 2012 and May 28, 2012 and Council subsequently resolved;

25. *That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the Civic Administration **BE DIRECTED** to initiate an Official Plan Amendment to apply a commercial land use designation on the lands located at 1351, 1357 and 1369 Hyde Park Road;.....*

Planning staff opened an Official Plan amendment file, liaised it to agencies, other City Departments and the public and prepared a report as directed. Comments were received from UTRCA and the City's SWM Unit but no further comments were received from the public.

The attached Official Plan amendment would implement Council's direction.

Agenda Item # Page #

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File: O-8077

PREPARED BY:
GREGG BARRETT, AICP MANAGER – CITY PLANNING AND RESEARCH SECTION
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

October 1, 2012
cp

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File: O-8077

Appendix "A"

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

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to properties at 1351-1369 Hyde Park Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on November 20, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

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

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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Multi-Family, Medium Density Residential to Main Street Commercial on Schedule "A", Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1351-1369 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

The original Hyde Park Commercial Review was initiated in response to a Council resolution of September 19, 2011 :

3. *That the Civic Administration be directed to undertake the following actions with respect to the application submitted by Kenmore Homes (London) Inc., as amended by staff for an Official Plan Amendment, Zoning By-law Amendment and draft plan of subdivision for the lands located at 255 South Carriage Road and 1331 Hyde Park Road:*

- (b) *the Director of Land Use Planning and City Planner **BE ASKED** to undertake a review of the land use designations on the east and west corridors of Hyde Park Road, south of Carriage Road to the Canadian Pacific Railway Line with the potential for commercial zones; and, ,.....*

In response, planning staff prepared a report which was considered, along with letters from the Hyde Park Business Association and Mr. Knutson on behalf of the landowners, by Planning and Environment Committee on March 26, 2012. Council felt that a commercial designation was appropriate.

Planning staff opened an Official Plan amendment file, liaised it to agencies, other City Departments and the public and prepared a report as directed. Comments were received from UTRCA and the City's SWM Unit but no further comments were received from the public.

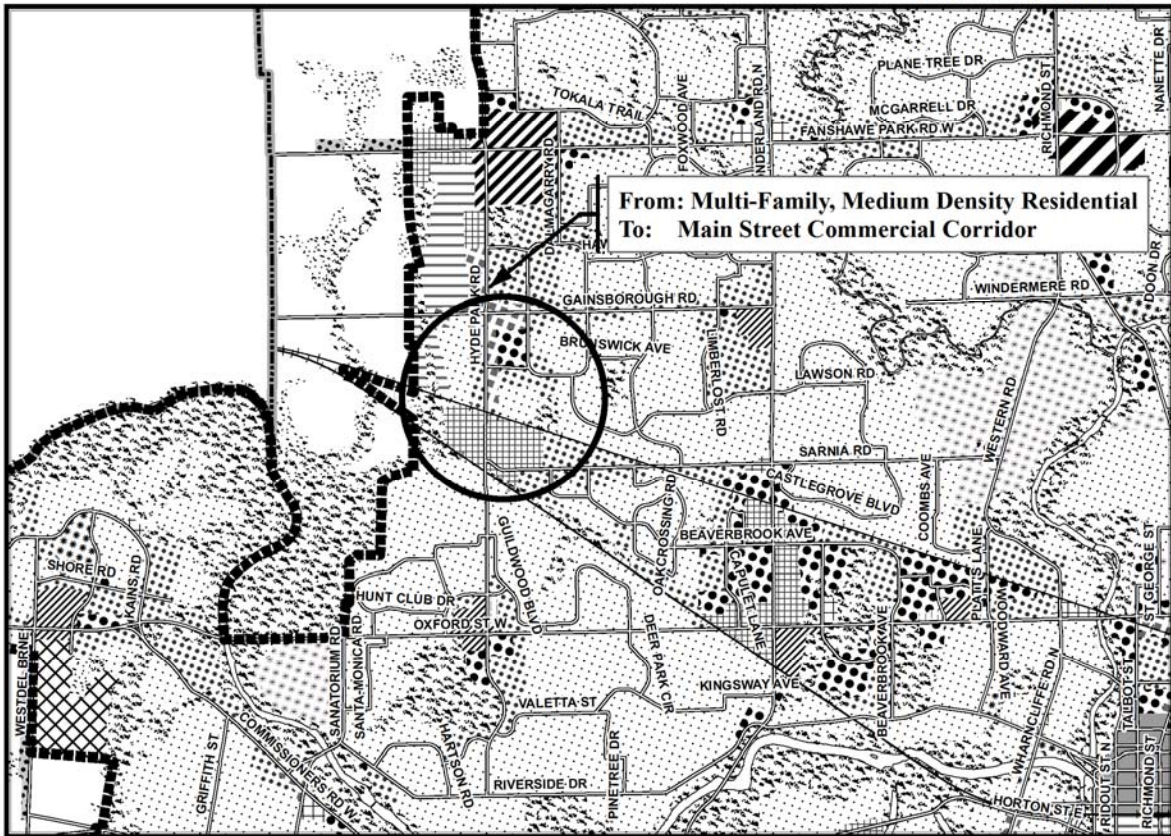
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 1351-1369 Hyde Park Road in the City of London, as indicated on "Schedule 1" attached hereto from Multi-Family, Medium Density Residential to Main Street Commercial Corridor.

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AMENDMENT NO:



Legend

- | | |
|--|-----------------------------------|
| Downtown | 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 |

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: O-8077

PLANNER: CP

TECHNICIAN: CK

DATE: 2012/10/9