

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: G. Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application by: Hyde Park Investments 2012 Inc.
1600-1622 Hyde Park Road & 1069 Gainsborough Road

Meeting on: November 2, 2020

Recommendation

That, on the recommendation of the Director, Development Services, the following action be taken with respect to the application of Hyde Park Investments 2012 Inc., relating to the property located at 1600-1622 Hyde Park Road & 1069 Gainsborough Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 10, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a holding Business District Special Provision (h-18*BDC(39)) Zone **TO** a Business District Special Provision (BDC(39)) Zone to remove the "h-18" holding provision.

Executive Summary

Summary of Request

The applicant has requested the removal of the "h-18" holding provision from 1600-1622 Hyde Park Road & 1069 Gainsborough Road, which is in place to ensure that an adequate archaeological assessment be undertaken to ensure there is no archaeological significance, to the satisfaction of the City.

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h-18 holding symbol from the zoning to permit the proposed development of the lands for residential and commercial purposes permitted under the Business District Commercial Special Provision (BDC(39)) Zone.

Rationale of Recommended Action

The requirement for removing the holding provision has been met, as the required stage 1-2 archaeological assessment has been completed, and the Approval Authority has confirmed that no further work is required. It is appropriate to remove the holding provision as it is no longer required.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located at the northwest corner of Hyde Park Road and Gainsborough Road. The lands are currently vacant, generally flat, have very little vegetation and being used to park school buses. Hyde Park Road and Gainsborough Road are both classified as Arterial Roads and carry a traffic volume of 27,500 and 10,500 vehicles per day respectively. Pedestrian sidewalks are provided along both sides of Hyde Park and Gainsborough Roads, and along the south side of North Routledge Park. Bike lanes are also provided on both sides of Hyde Park Road.

1.2 Location Map



- 1.3 Current Planning Information (see more detail in Appendix C)**
- Official Plan Designation – Main Street Commercial Corridor
 - The London Plan Place Type – Main Street
 - Existing Zoning – Holding Business District Special Provision (h-18*BDC(39))
- 1.4 Site Characteristics**
- Current Land Use – vacant, bus parking
 - Frontage – 83.8 metres along Gainsborough Road
 - Depth – variable
 - Area – 1.1ha
 - Shape – irregular
- 1.5 Surrounding Land Uses**
- North – commercial/light industrial
 - East – Hyde Park Village Green, Hyde Park North Stormwater Management Facility, medium and low density residential
 - South – commercial, low density residential
 - West – commercial/light industrial

2.0 Description of Proposal

2.1 Development Proposal

The applicant has applied for site plan approval (SPA20-043) in June 2020. The development for consideration is mixed-use development consisting of six (6) buildings comprised of two (2) new, 12-storey residential apartment buildings, and 4 new 1 – 2 storey commercial/office buildings. The buildings create a commercial retail complex along Hyde Park Road and Gainsborough Road (save and except for 1634 Hyde Park Road). The commercial buildings will contain a range of retail, restaurant, personal service and office uses.

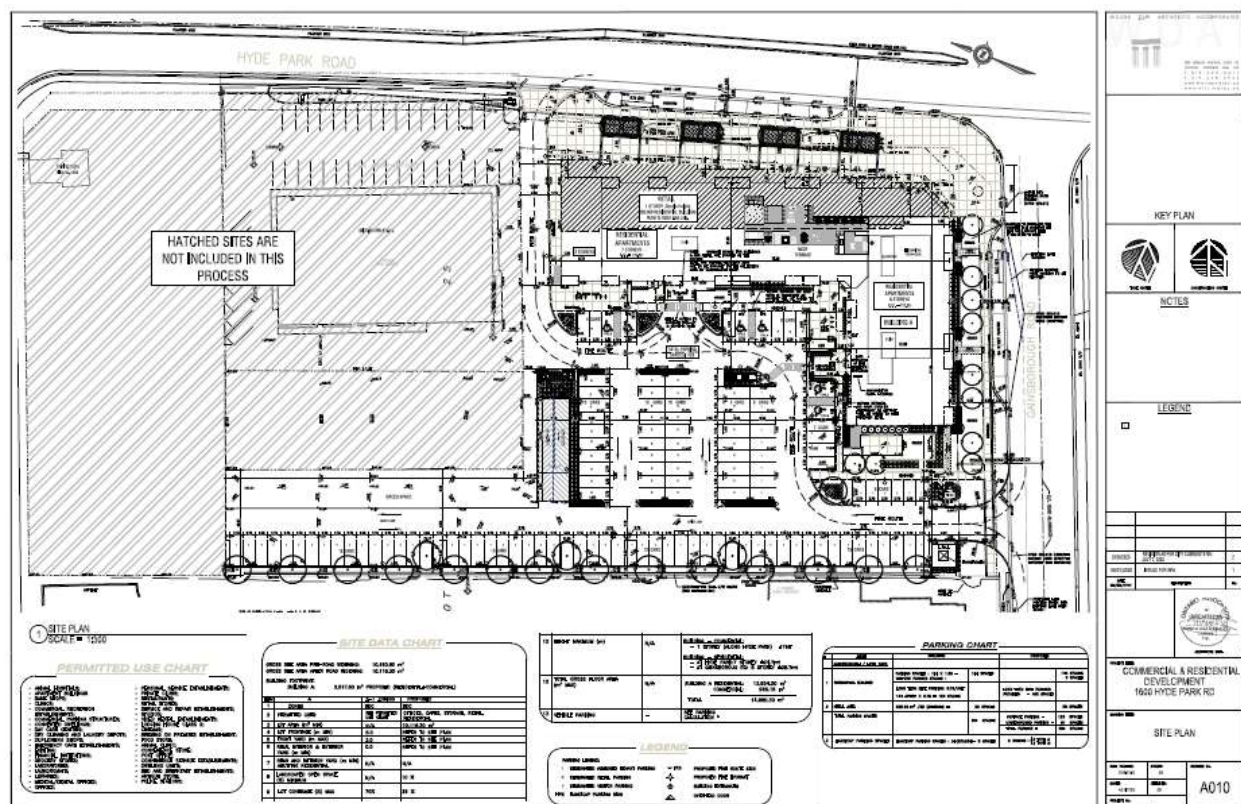


Figure 1: Conceptual Site Plan

The site plan submission, including servicing, grading, landscaping, and building elevation plans, are approaching acceptance by the City. Staff have worked with applicant to address matters raised through public engagement.

3.0 Relevant Background

3.1 Planning History

On March 2, 2020 Municipal Council approved a Zoning By-law amendment to rezone the subject lands to the Holding Business District Special Provision (h-18*BDC(39)) Zone which currently applies to the site. This decision was in response to a request from the applicant to rezone the lands from a Business District Commercial (BDC) Zone. The site is currently zoned to permit the proposed development.

In June of 2020, the subject application of this report, was received by the City of London for a Site Plan Control Application (file no. SPA20-043) comprising the proposed consisting of six (6) buildings comprised of two (2) new, 12-storey residential apartment buildings, and 4 new 1 – 2 storey commercial/office buildings. Throughout the planning review process, comments from staff included concerns around the quality of the private amenity spaces provided, the need for articulation of the building façade, request for improvements to perimeter landscaping, request for details on the functioning of the building separation. The h-18 holding provision relates only to archaeological potential on the subject lands and is required to be removed prior to any development of the lands.

3.2 Requested Amendment

The applicant is requesting the removal of the “h-18” holding provision from the site to allow for the development of the mixed-use apartment buildings.

3.3 Community Engagement

No comments were received in response to the Notice of Application.

3.4 Policy Context

The Planning Act permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use, a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 150 days to remove the holding provision(s). The London Plan and the 1989 Official Plan contain policies with respect to holding provisions including the process, and notification and removal procedures.

4.0 Key Issues and Considerations

4.1 What is the purpose of the holding provisions and is it appropriate to consider their removal?

The “h-18” holding provision states:

“The proponent shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.

All archaeological assessment reports, in both hard copy format and as a PDF, will be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development

through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted through exhibition development on site including, but not limited to, commemorative plaquing.

No demolition, construction, or grading or other soil disturbance shall take place on the subject property prior to the City's Planning Services receiving the Ministry of Tourism, Culture and Sport compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied."

A Stage 1 and 2 Archaeological Assessment was prepared by Lincoln Environmental Group Corporation in April of 2019. The assessment concluded that no archaeological resources were encountered and that the study area is not considered to retain further heritage value or interest and does not retain archaeological potential, and that no further archaeological assessment of the property is recommended. City Heritage Staff have reviewed the assessment, and confirmed no further work is required.

5.0 Conclusion

The Applicant has undertaken sufficient Archaeological Assessment with the completion of the stage 1-2 assessment that there is no archaeological significance of the site. The requirement of the h-18 holding provision has been satisfied and the removal of the holding provision is recommended to Council for approval.

Prepared by:	Sean Meksula, MCIP, RPP Planner, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

October 26, 2020

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Lou Pompili, Manager, Development Services (Subdivisions)
Ted Koza, Manager, Development Services (Subdivisions)
Michael Pease, Manager, (Subdivisions) (Site Plan)

SM/sm

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Appendix A

Bill No.(number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1600-1622 Hyde Park Road & 1069 Gainsborough Road

WHEREAS 2492222 Ontario Inc. has applied to remove the holding provision from the zoning for the lands located at 1600-1622 Hyde Park Road & 1069 Gainsborough Road, 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 lands;

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 lands located at 1600-1622 Hyde Park Road & 1069 Gainsborough Road, as shown on the the attached map comprising part of Key Map No. 101, to remove the holding provision so that the zoning of the lands as a Business District Special Provision (BDC(39)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

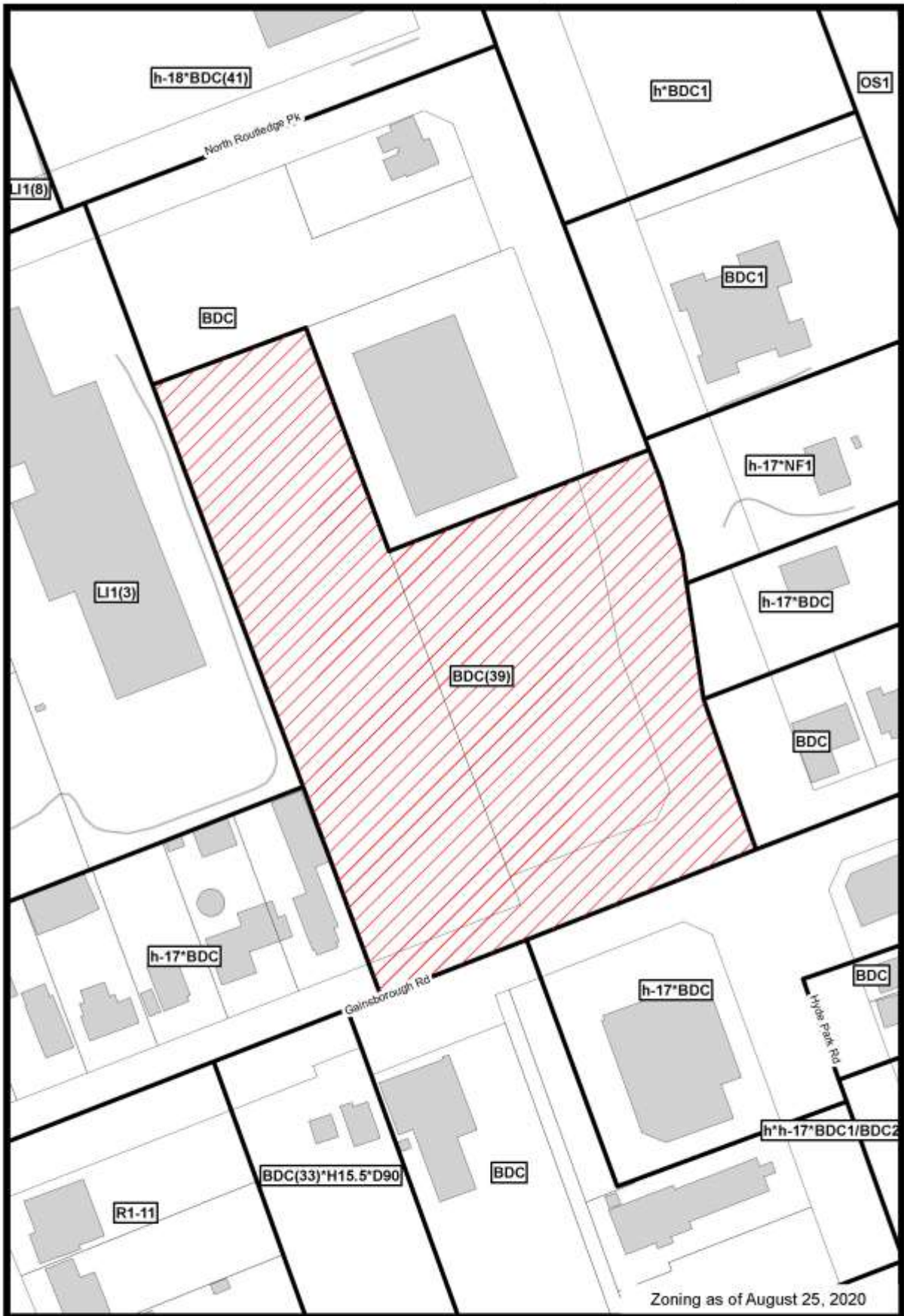
PASSED in Open Council on November 10, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 10, 2020
Second Reading – November 10, 2020
Third Reading – November 10, 2020

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



File Number: H-9256
Planner: SM
Date Prepared: 2020/09/21
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters



Appendix B – Public Engagement

Community Engagement

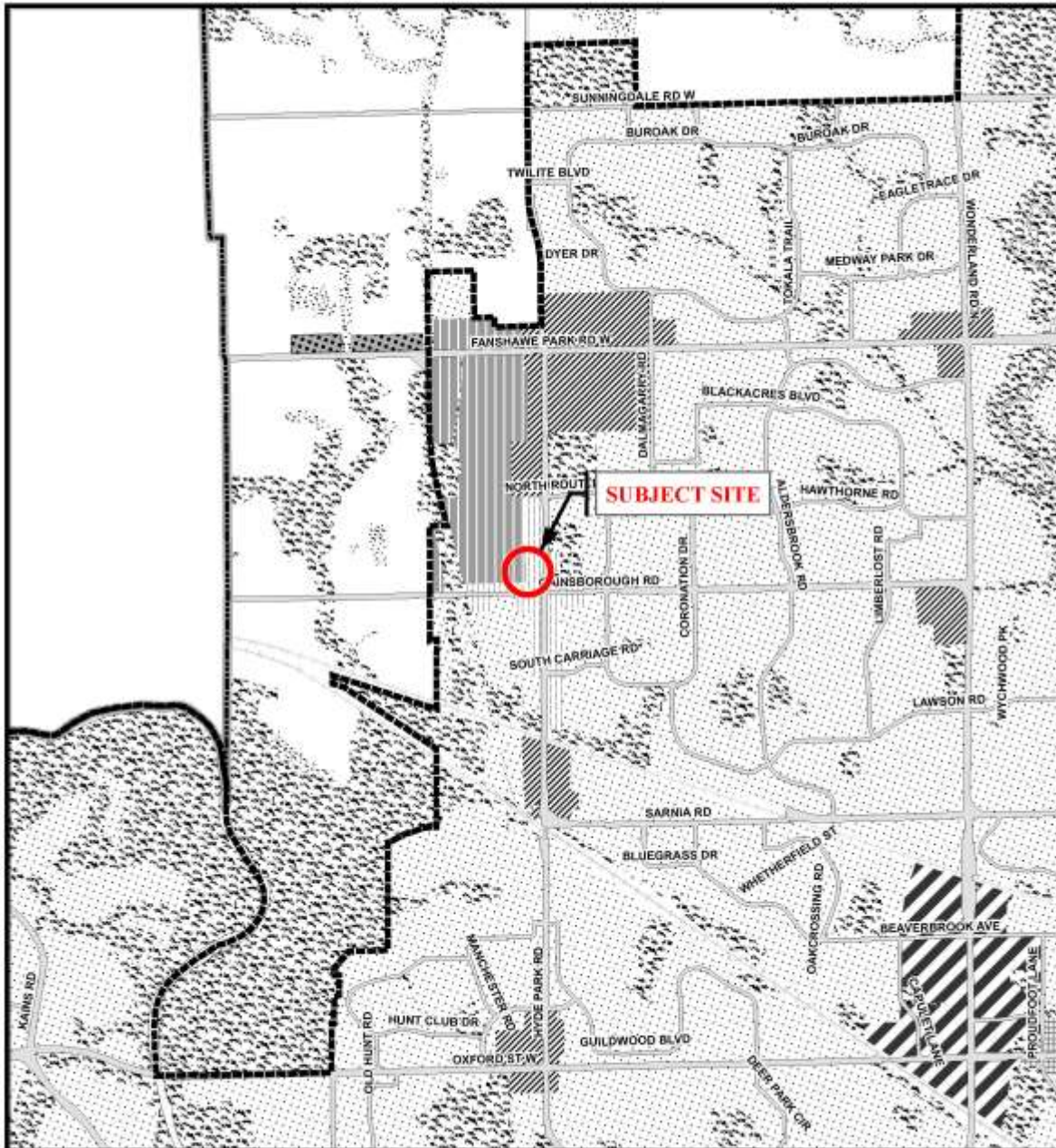
Public liaison: Notice of the application was published in the Londoner on September 24, 2020.

0 replies were received

Nature of Liaison: City Council intends to consider removing the Holding (h-18), Provision(s) from the zoning of the subject lands to allow a mixed use development permitted under the Business District Special Provision (BDC(39)) Zone. The holding h-18 symbol shall not be deleted until sufficient archaeological assessment has been completed to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than November 2, 2020.

Appendix C– Relevant Background

London Plan Excerpt



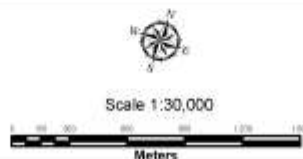
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

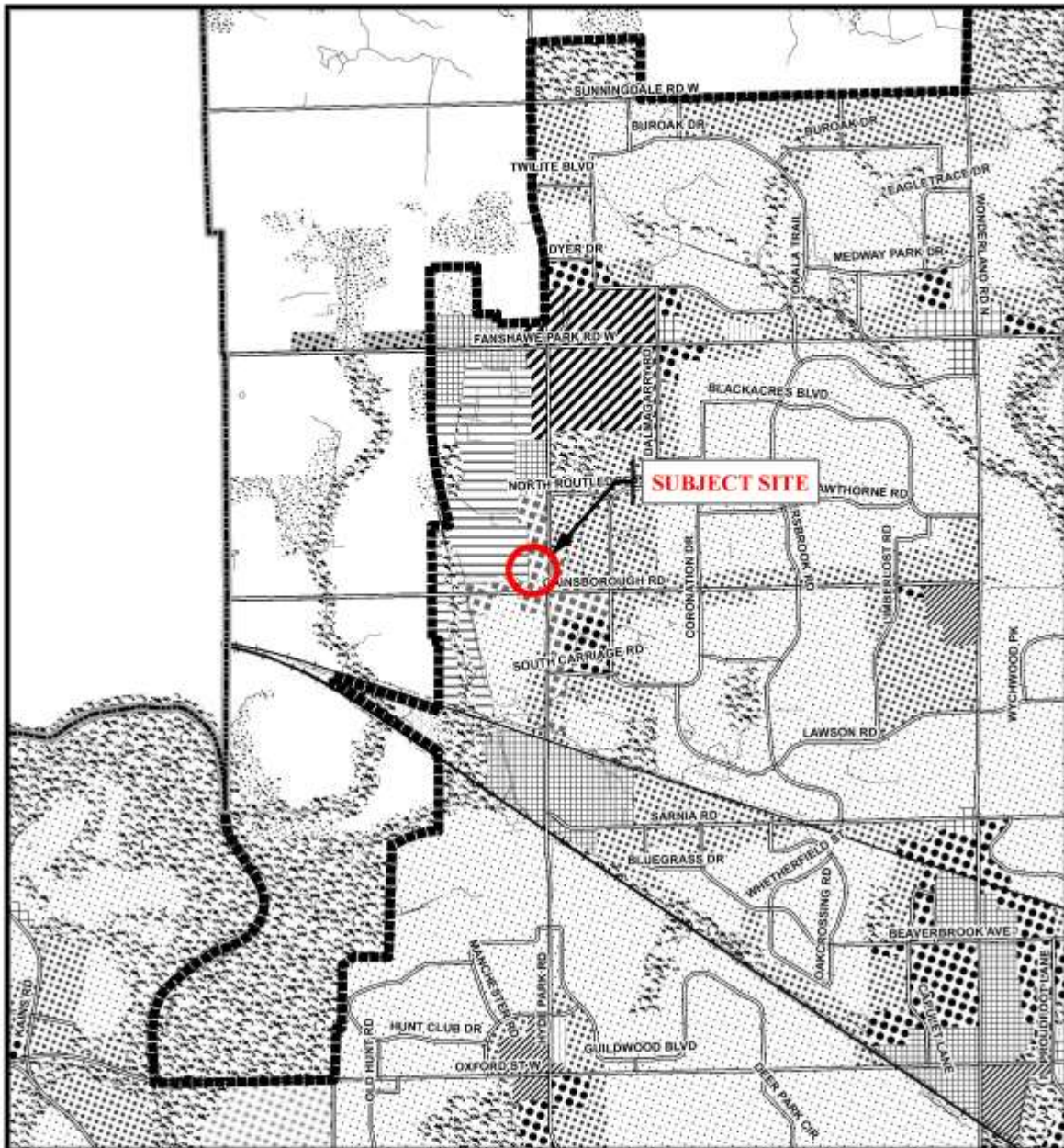
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
Planning Services /
Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
PREPARED BY: Planning Services



File Number: H-9256
Planner: SM
Technician: RC
Date: September 21, 2020

1989 Official Plan Excerpt

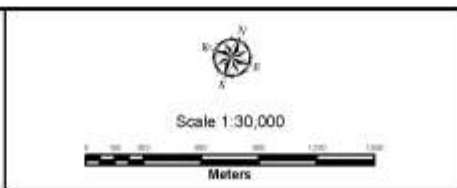


Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented 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

CITY OF LONDON
Department of
Planning and Development

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9256
PLANNER: SM
TECHNICIAN: RC
DATE: 2020/09/21

Zoning Excerpt

