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OZ-7972
Nicole Musicco

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 2261531 ONTARIO LIMITED 1103 ADELAIDE STREET NORTH APRIL 23, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Land Use Planning and City Planner, the Ontario Municipal Board **BE ADVISED** that Municipal Council has reviewed a 4th and 5th concept plan and see no reason to change the Council Resolution of March 21, 2011.

PREVIOUS REPORTS

OZ-7972 – Report to Planning and Environment Committee – February 27/12.
OZ-7972 – Report to Planning and Environment Committee (OMB Report) – November 26/12.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect is to advise Municipal Council and the Ontario Municipal Board that a 4th concept plan, 5th concept plan and an updated Traffic Impact Study have been submitted by the applicant.

SUBJECT SITE

The subject site is located on the north-west corner of Adelaide street North and Huron Street. The site contains an existing vacant building, previously servicing automotive uses. Adjacent land uses include offices and residential to the north, offices and residential to the south, a synagogue to the west and commercial uses including a Shoppers Drug Mart, Wendy's and a neighbourhood plaza to the east. There is a large commercial plaza to the southeast. The subject site was formerly Quick Lube and Harry's Automotive which included three automobile repair bays and office area. The proposed Official Plan amendment and rezoning will change the nature of commercial use from automobile service use to restaurant, retail and office uses.

PLANNING HISTORY

The 1991 Official Plan designated the subject lands Multi-Family, High Density Residential. The site was zoned Service Station Commercial under Zoning By-law CP 952-41 prior to July 1, 1993. This zone permitted service stations and the sales of seasonal produce lawfully used for such purpose on the day of the passing of the by-law. Under Zoning By-law No. Z-1 the site is zoned Service Station (SS1).

On October 14, 2011, an application was received for an Official Plan amendment and Zoning By-law amendment on the subject site is to permit multi-tenant commercial activities including retail uses, financial institutions and restaurants within an existing building and a new proposed building with drive-throughs.

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On March 21, 2012, Municipal Council approved:

- a) OPA 520 which amended the designation of the subject lands from Multi-Family High Density Residential to Neighbourhood Commercial Node; and
- b) Zoning By-law amendment No. Z.-1-122089 which changed the zoning from an Automobile Service Station (SS1) Zone to a Holding Neighbourhood Shopping Area Special Provision (h-5*h-11*h-64*h-95.NSA1(8)).

Council also resolved on March 21, 2012 to:

*c) include a holding provision **BE INCLUDED** requiring a traffic impact study to be completed; and,*

*d) that the Approval Authority **BE REQUESTED** to consider prohibiting access to Huron Street*

On April 24, 2012, appellants Chris McDonnell, Rachel Joseph and Elizabeth Hickey, submitted an appeals from Council's decision to the Ontario Municipal Board.

At its meeting held on March 26, 2013, Municipal Council passed the following resolution:

*That, the Managing Director, Planning and City Planner **BE REQUESTED** to report back, prior to the commencement of the Ontario Municipal Board hearing, on the latest plan for the application of 2261531 Ontario Limited, relating to the property located at 1103 Adelaide Street North; it being noted that the Planning and Environment Committee (PEC) received an enquiry from Councillor N. Branscombe with respect to this matter.*

The following information responds to the March 26, 2013 Council resolution.

The Ontario Municipal Board hearing commenced on January 23, 2013. When Municipal Council considered the applications in March 2012, the applicant had provided 3 concept plans of the proposed development. When the hearing commenced in January 2013, the applicant delivered Concept Number 4 dated January 17, 2013 (see attached as Appendix "A"). The hearing was adjourned until May 6, 2013.

On March 13, 2013, the City of London Transportation Division received an update Transportation Impact Study which included a 5th concept plan. (see attached Appendix "B"). All five concept plans show access onto Huron, notwithstanding the Council Resolution of March 21, 2011 which requested the site plan Approval Authority to consider prohibit access to Huron Street.

Planning Staff have recommended a holding (h-5) on the requested zone which states:

To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.

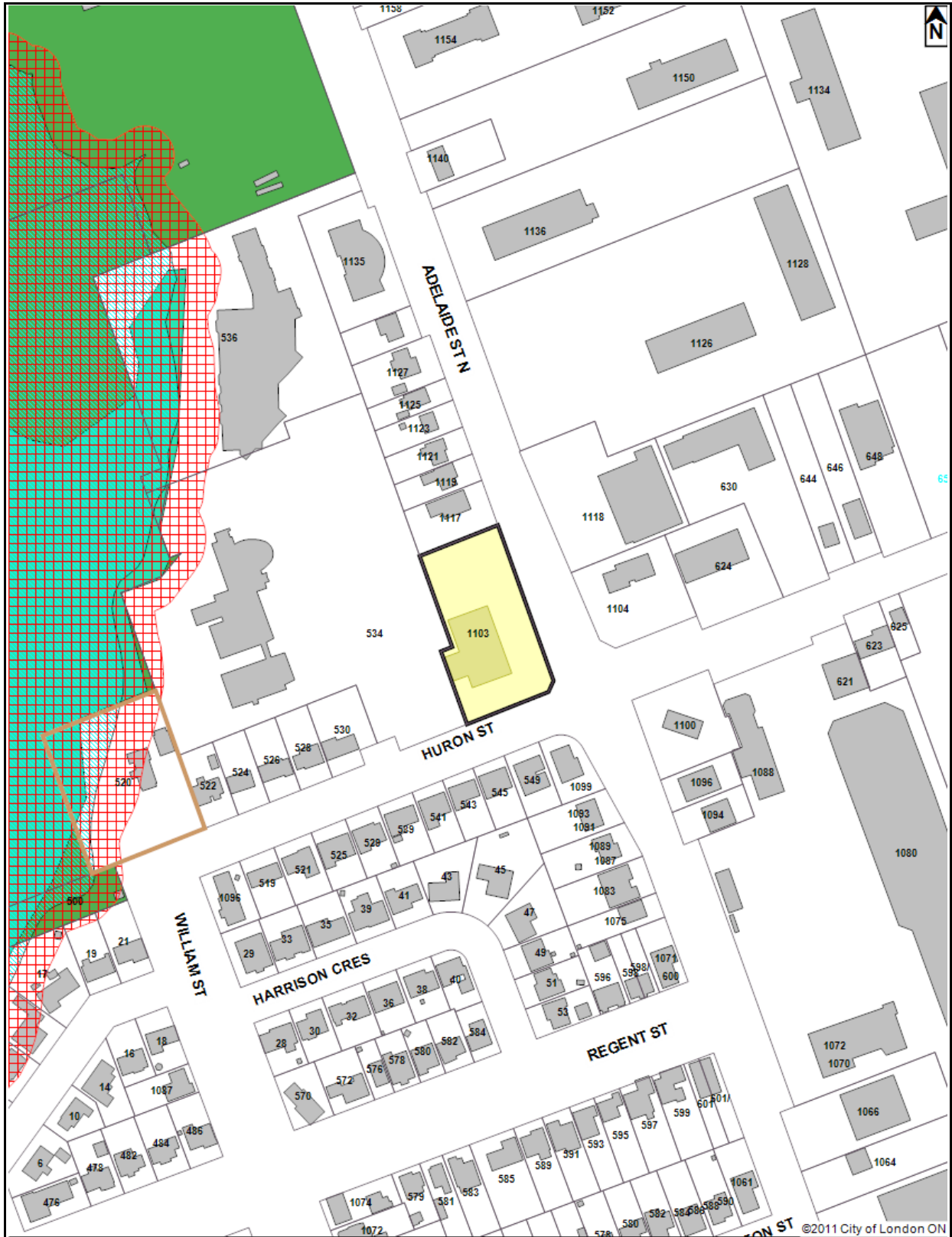
The addition of the holding (h-5) provision will ensure that access arrangements are addressed at the Site Plan Approval stage and that the community and Council will have an opportunity to comment on the proposed access arrangements.

City of London Planning Staff and Transportation Staff will be available at the Planning and Environmental Committee on April 23, 2013 to answer any questions. A copy of this report has been forwarded to the parties to the Ontario Municipal Board hearing. The parties have been advised that they may seek delegation status before the Planning and Environment Committee.

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LOCATION MAP



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PREPARED BY:	SUBMITTED BY:
NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING & DESIGN	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING & DESIGN
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING & CITY PLANNER	

/nm

ATTACH

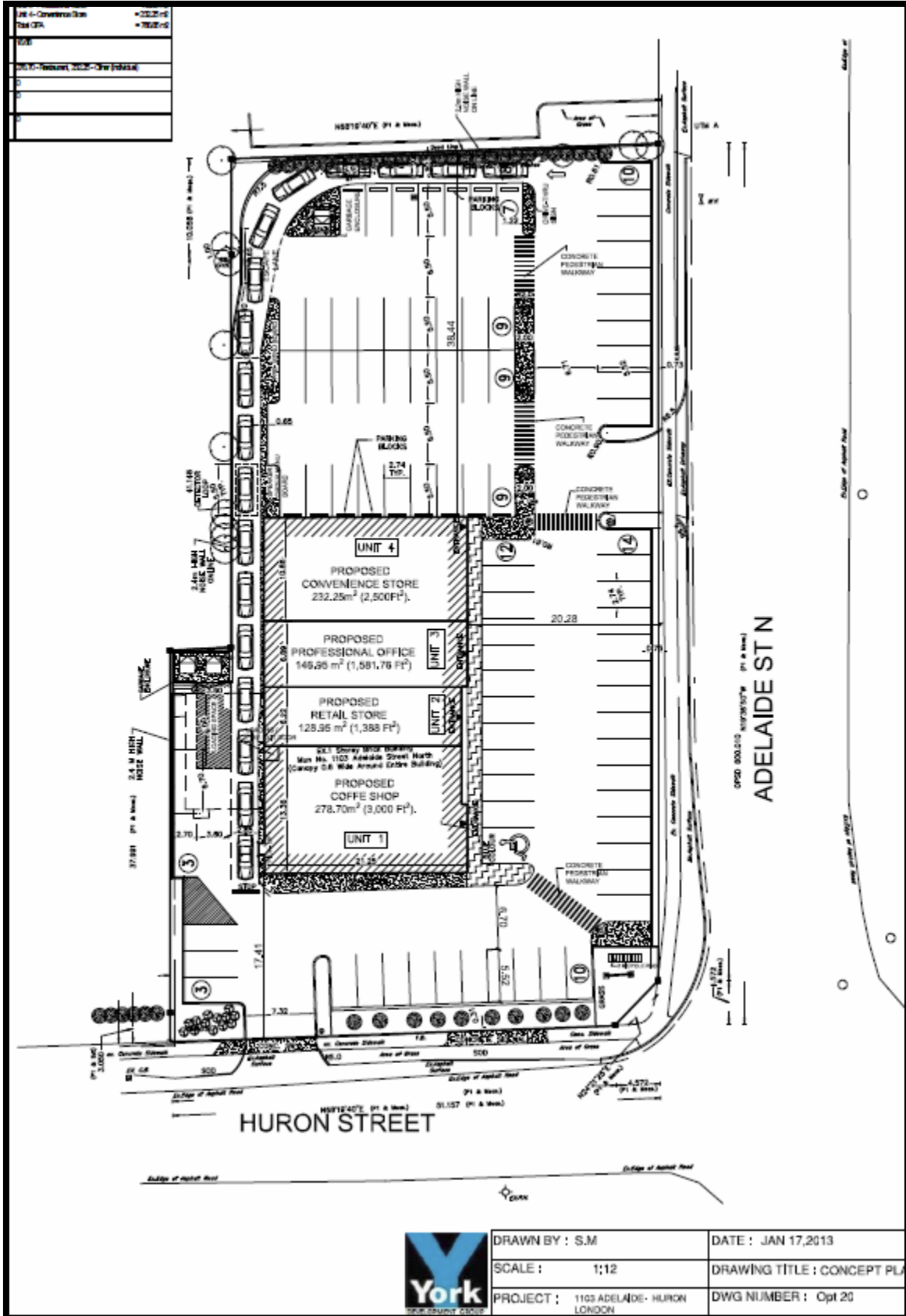
March 25, 2013

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Report_OZ-7972_April 23 2013.



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CONCEPT #4
(Received: January 2013)





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CONCEPT #5
(Received: March 2013)

