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**File: OZ-8121
Nicole Musicco**

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: FARHI HOLDING INC. 754 and 764 WATERLOO STREET and 354 OXFORD STREET EAST PUBLIC PARTICIPATION MEETING ON JULY 23, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Farhi Holdings Inc. relating to the properties located at 754 and 764 Waterloo Street and 354 Oxford Street East:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2013 to amend Appendix "1" the Official Plan to change the identification of the subject property **FROM** a Service Station **TO** a Convenience Commercial and Service Station identification;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone which permits such uses as Convenience service establishments without a drive-through facility, Convenience stores without a drive-through facility, Financial institutions without a drive-through facility, Personal service establishments without a drive-through facility, Gas Bars, single-detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings, fourplex dwellings, dwelling units, medical dental offices and offices **TO** a Holding Convenience Commercial Special Provision/Service Station (h-*)h-5*h-103*CC6()/SS) Zone to allow for such uses as Bake shops without drive-through facilities; Commercial schools without drive-through facilities; Florist shops without drive-through facilities; Pharmacies without drive-through facilities; Eat-in Restaurants, without drive-through facilities, Brewing on Premises Establishment, including a maximum front yard setback of (1.0 m.), a maximum exterior side yard setback of (1.0 m.), a maximum lot coverage of (35%) a maximum gross floor area of 948 m² and a minimum of 28 parking spaces. The holding h-(*) provision is to ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location. The holding (h-5) provision is to ensure that development takes a form compatible with adjacent land uses, by requiring a public site plan review meeting. The holding (h-103) provision is to ensure that urban design is addressed at site plan;
- (c) Subject to Policy 19.1.1 of the Official Plan, the subject lands at 764 Waterloo Street **BE INTREPRETED** to be located within the "Multi-Family, Medium Density Residential" designation; and,
- (d) The Site Plan Approval Authority **BE REQUESTED** to consider the following design elements through the site plan approval process:
 - Rotate the building (general design, function and floor plate can remain the same), as illustrated in Appendices 'C' and 'D', clockwise by 90 degrees to engage the intersection and create active street frontages along Waterloo and Oxford Streets such that the proposed east elevation be situated on the south elevation (along Oxford Street) & the

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Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-13_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 754 and 764 Waterloo Street and 354 Oxford Street East.

WHEREAS Farhi Holding Inc. has applied to rezone an area of land located at 754 and 764 Waterloo Street and 354 Oxford Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

(a) Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 754 and 764 Waterloo Street and 354 Oxford Street East, as shown on the attached map comprising part of Key Map A 102, **FROM** a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone **TO** a Holding Convenience Commercial Special Provision/Service Station ((h-*)h-5*h-103*CC6()/SS) Zone.

1) Section Number 3.8 (2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:

h-*) Purpose: To ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances, the "h-*)" symbol shall not be deleted until a development agreement associated with a site plan which provides for the creation of an attractive street edge at this strategic gateway location is entered into with the City of London, to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location.

2) Section Number 29 of the Convenience Commercial (CC6) Zone is amended by adding the following Special Provision:

29.4_ CC6() 754 and 764 Waterloo Street and 354 Oxford Street East

a) Regulations

Lot Coverage (maximum)	35%
Maximum GFA for Pharmacy use	948 m2
Number of off-street parking spaces(minimum)	28
Maximum front yard setback	1.0 m
Maximum exterior side yard setback	1.0 m

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 Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

Agenda Item # Page #

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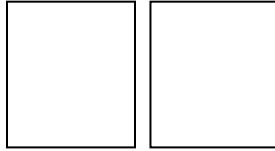
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PASSED in Open Council on July 30, 2013

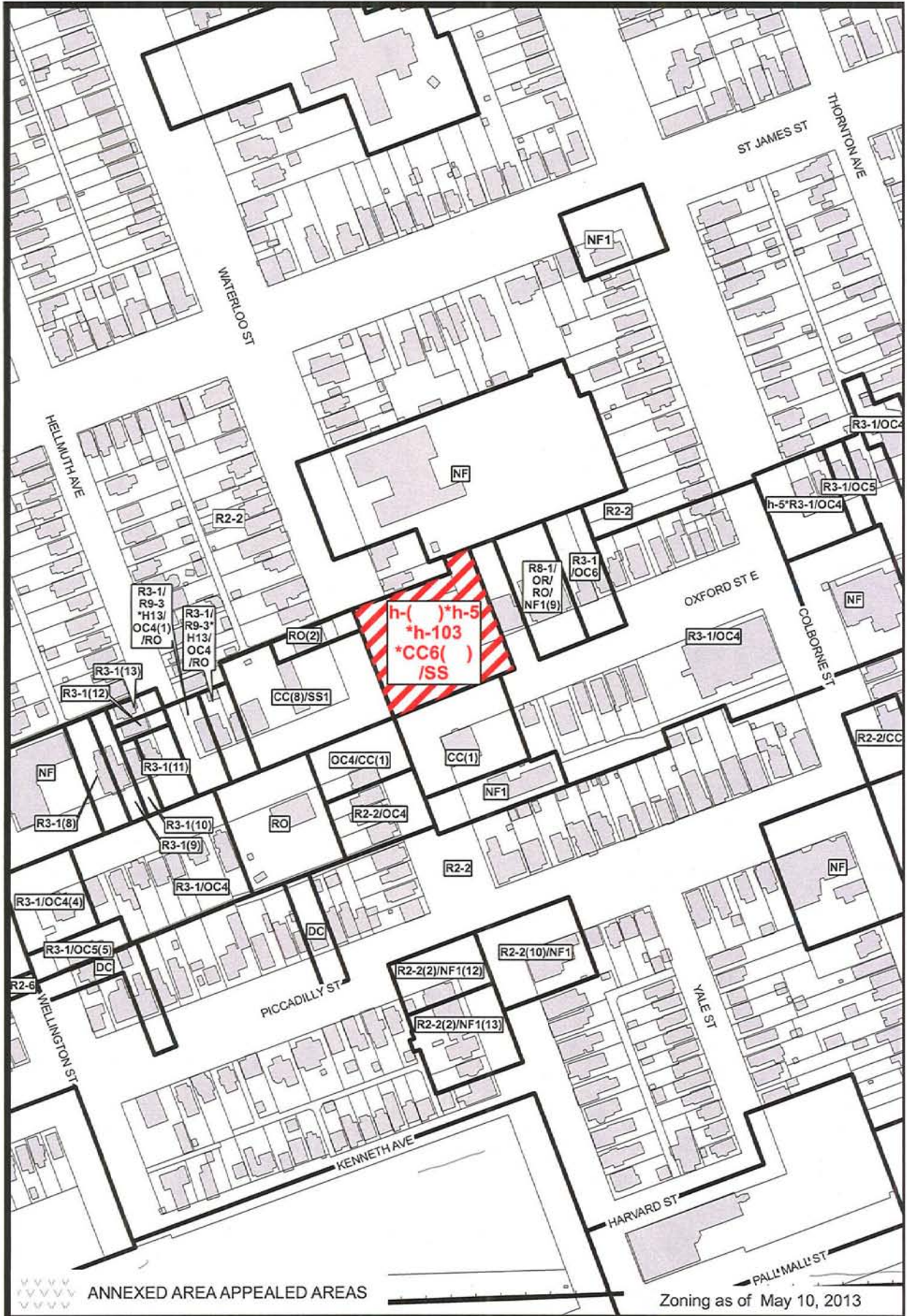
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - July 30, 2013
Second Reading - July 30, 2013
Third Reading – July 30, 2013



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



File Number: OZ-8121
 Planner: NM
 Date Prepared: 2013/07/24
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,710

0 12.525 50 75 100 Meters

