

Official Plan and Zoning By-law Amendments

1407-1427 Hyde Park Road (at South Carriage Road)



File: OZ-9438

Applicant: York Developments

What is Proposed?

Official Plan and Zoning amendments to allow:

- Mixed-use development
- Single-storey multiple-unit commercial structure
- Two, 3.5 storey stacked, back-to-back townhouse dwellings with a total of 72 dwelling units
- Special provisions regarding front yard depth, townhouse use, height, and density.



YOU ARE INVITED!

Further to the Notice of Application you received on December 21, 2021, and the subsequent Notice of Public Meeting on September 12, 2022, you are invited to a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Monday, March 27, 2023, no earlier than 5:00 p.m.

Meeting Location: The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

For more information contact:

Chuck Parker – Senior Planner
Long Range Planning and Research
cparker@london.ca 519-661-CITY (2489)
ext. 4648
Planning and Development, City of London
300 Dufferin Avenue, 6th Floor, London ON
PO Box 5035 N6A 4L9
File: OZ-9438

london.ca/planapps

To speak to your Ward Councillor:

Corrine Rahman
crahman@london.ca
519-661-CITY (2489) ext. 4007

Application Details

PLEASE NOTE- The development proposal has changed since the original submission. After the first submission the City had concerns, among others, with the proposed free standing restaurant and drive-through. The applicants have revised their proposal to remove that component of the design, have increased the proposed commercial gross floor area (GFA) from 1340m² to 1668m², have reduced certain yard requirements, have increased coverage from 26 to 28%, have increased landscaped open space from 32 to 35% and have reduced parking to 177 car spaces and 36 bicycle spaces, still in excess of the required 77 car and 9 bicycle spaces; respectively, as result of the City-wide reduction of parking requirements.

Requested Amendment to the 1989 Official Plan

To add a special policy to permit the form of development proposed. **PLEASE NOTE-** The London Plan came into force and effect on May 25, 2022 and replaced the 1989 Official Plan; however, this application was received while this Plan was in force so the policies of that previous Plan have to be considered through the review of this application.

Requested Amendment to The London Plan

To add a Specific Policy Area to permit a single-storey building within the Main Street Place Type whereas a minimum of two storeys are required and to add the site to Map 7 – Specific Policy Areas.

Requested Zoning By-law Amendment

To change the zoning from a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone, to a Business District Commercial Special Provision (BDC2(_)) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

The Zoning By-law is available at london.ca.

Current Zoning

Zone: Holding Business District Commercial Special Provision (h*BDC2(4)) and Business District Commercial Special Provision (BDC2(3)) Zone

Permitted Uses: apartment buildings with any or all of the other permitted uses on the first floor, dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion on the ground floor, and a broad range of retail, service, office, recreation, entertainment, institutional and community uses.

Special Provision: notwithstanding the regulations of Section 25.3 of the By-law, the maximum front yard depth requirement shall not apply within this zone

Residential Density: see Height below

Height: 12.0 metres. The height and density of each apartment building over the standard zone height and/or containing units outside existing structures, will be established through a zoning by-law amendment application.

Requested Zoning

Zone: Business District Commercial Special Provision (BDC2(_)) Zone

Permitted Uses: as listed above with a special provision to permit stacked townhouses

Special Provision(s): maintain the existing special provision exempting the site from the maximum 3.0 m front yard depth (South Carriage Road); and to permit stacked townhouses, a maximum mixed-use density of 65 units per hectare, a maximum building height of 14.5 metres in place of 12.0 metres and parking in the front yard whereas parking in the front yard is not permitted.

Mixed-use Density: 65 units per hectare Height: 14.5 metres

The City may also consider additional special provisions as required.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as Main Street Commercial Corridor in the 1989 Official Plan, which permits small-scale retail uses, service and repair establishments, food stores, convenience commercial uses, personal and business services, pharmacies, restaurants, financial institutions, small scale offices, small scale entertainment uses, galleries, studios, community facility, residential uses (including secondary

uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings as the main uses.

The subject lands are in the Main Street Place Type in The London Plan, permitting a broad range of residential, retail, service, office and institutional uses, similar to the Main Street Commercial Corridor designation described above.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the public meeting notice in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. If you previously provided written or verbal comments about this application, we have considered your comments as part of our review of the application and in the preparation of the planning report and recommendation to the Planning and Environment Committee. The additional ways you can participate in the City's planning review and decision-making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the Neighbourgood website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and/or zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Clerk of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may

not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at plandev@london.ca by March 20, 2023 to request any of these services.

Site Concept



Proposed Site Plan – Second Submission

The above image shows the applicant’s proposal as submitted and may change.

Building Renderings



Commercial Buildings along Hyde Park Road looking North- East



Stacked Townhouses in the Central Portion of the Site

The above images represent the applicant’s proposal as submitted and may change.