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E. Conway  
File No: SP13-021526

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIROMENT COMMITTEE MEETING</b>
<b>FROM:</b>	<b>GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: HLH INVESTMENTS LTD. 1140 SOUTHDALE ROAD WEST PUBLIC SITE PLAN MEETING SEPTEMBER 10, 2013 after 4:15 PM</b>

<b>RECOMMENDATION</b>
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That on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the Site Plan approval application by HLH Investments Ltd. relating to the property located at 1140 Southdale Road West:

- a) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval;
- b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for a commercial building at 1140 Southdale Road West; and
- c) The Applicant **BE ADVISED** that the Director of Development Finance has summarized claims and revenue information in the attached Appendix "A."

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the recommendation is to seek public feedback for the proposed commercial development and have Council advise the Approval Authority of any issues raised at the Planning and Environment Committee that should be addressed prior to approval.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None

<b>RATIONALE</b>
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The proposed site plan conforms to the Zoning By-law and implements many elements of the urban design brief submitted. Staff are prepared to recommend to the Approval Authority that the Site Plan be approved subject to incorporating any matters to be considered arising from the public meeting. Any recommendation to approve would also be subject to the approval of the site servicing plans, site grading plans, building elevations & landscape plans by City staff.

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<b>APPLICATION DETAILS</b>	
<b>Date Application Accepted:</b> July 10, 2013	<b>Agent:</b> Michelle Doornbosh (Zelinka Priamo Ltd)

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"><li>• <b>Current Land Use</b> – Vacant</li><li>• <b>Frontage</b> – 38.5 m (126 ft)</li><li>• <b>Depth</b> – 70.8 m (232 ft)</li><li>• <b>Area</b> – 0.3108 hectares (0.77 acres)</li><li>• <b>Shape</b> – rectangular</li></ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"><li>• <b>North</b> – low density residential - single family dwellings</li><li>• <b>South</b> – rural – outside of urban growth boundary</li><li>• <b>East</b> – multi-family medium density residential – cluster single family dwellings</li><li>• <b>West</b> – open space - storm water management pond</li></ul>

<b>OFFICIAL PLAN DESIGNATION:</b> Low Density Residential
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**EXISTING ZONING:**

- h-5. NSA1, NSA2, NSA5

**Proposed Uses:** Clinic (x2) and Office

**Permitted Uses:** Bake Shops, Catalogue Stores, **Clinics**, Convenience service establishments, Day care centres, Duplicating shops, Financial institutions, Food stores, Libraries, Medical/dental offices, **Offices**, Personal service establishments, Restaurants, Retail stores, Service and repair establishments, Studios, Video rental establishments, Brewing on Premises Establishments

**Lot Frontage (Boler):** 25.0 m

**Lot Depth:** 40.0 m

**Front Yard Setback (East):** 0.0 m

**Exterior Side Yard (South):** 0.0 m

**Interior Side Yard (North):** 8.0 m

**Rear Yard (West):** 3.0 m

**Landscape Open Space (min):** 15%

**Height (max):** 8.0 m

**Gross Floor Area for specific individual uses (max):**

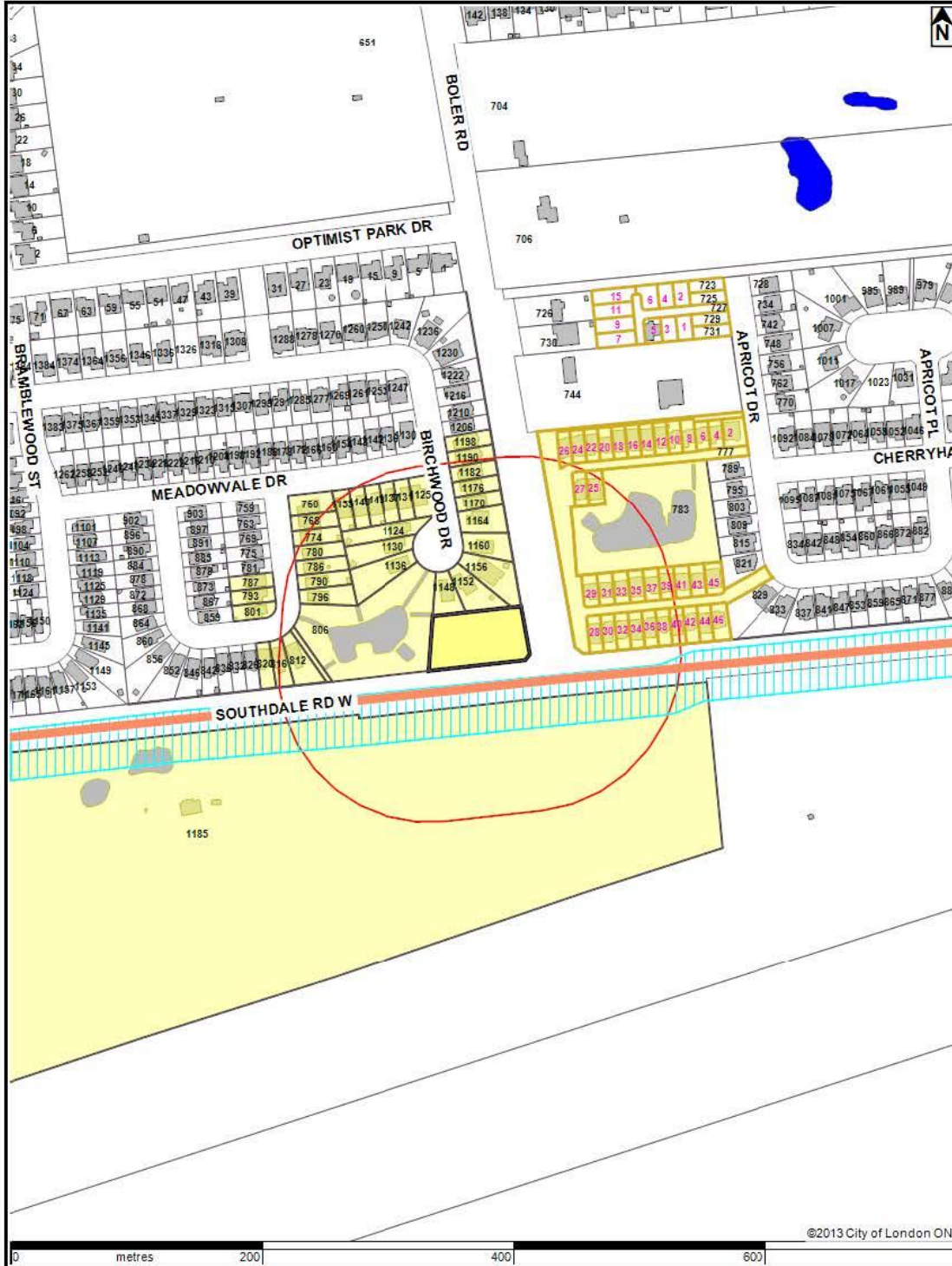
Food stores = 3200 m<sup>2</sup> Restaurants = 500.0 m<sup>2</sup> All Other Uses = 500.0 m<sup>2</sup>

**Gross Floor Area for Office Use as a Proportion of GFA maximum = 20%**

**Parking:** Clinic rate = 1/15 m<sup>2</sup> Office = 1/40 m<sup>2</sup> Total Required = 53

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**Location & Notification Map**



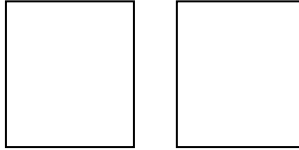
<p style="text-align: center;"><b>NOTIFICATION MAP</b> 120m Radius Buffer</p> <p>Subject Site: 1140 Southdale Road West (815 Boler Road) Applicant: HLH Investments Limited File Number: SP13-021526 Created By: Jeffrey Shaughnessy Date: 2013-08-07 Scale: 1:3700</p>	<p style="text-align: center;"><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Subject Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; margin-right: 5px;"></span> Parks</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px dashed black; margin-right: 5px;"></span> Assessment Parcels</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #D3D3D3; margin-right: 5px;"></span> Buildings</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> 123 Address Numbers</li> </ul>
<p>Corporation of the City of London Prepared By: Planning and Development</p>	





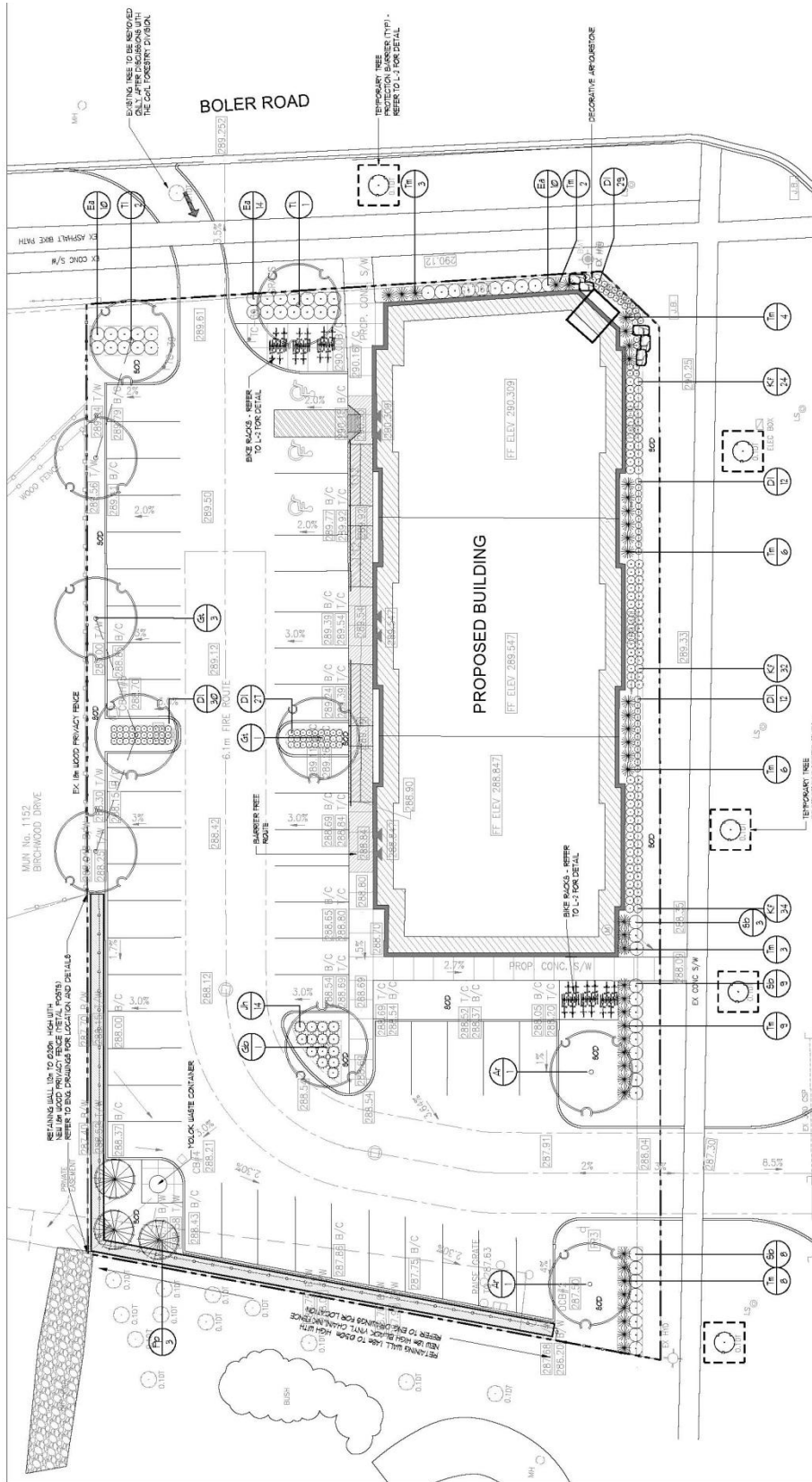






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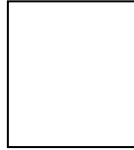
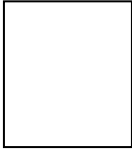
### Enlarged Landscape Plan











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**Conceptual Renderings**



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**BACKGROUND**

The subject site is located within Phase 3C of the Summercrest Subdivision (File:39T-98504) and is legally described as Block 65, Plan 33M-512. This plan was registered on March 4<sup>th</sup>, 2005. The current Holding Neighbourhood Shopping Area (h-5\*NSA1/NSA2/NSA5). Zoning has been in effect since the subdivision was draft approved in 1999.

**Holding Provisions**

The subject lands are zoned with one holding provision: h-5.

*Purpose:* 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.

A separate report will be filed in the future for the removal of the holding provision once all conditions have been satisfied and the development agreement has been entered into.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Transportation**

Site access from Boler Road is to be restricted to right-in only. Initially, staff were requesting that a centre median be constructed along Boler Road to prohibit left turns from northbound traffic from entering the site. The applicant's transportation consultant spoke with staff and it was agreed that a right-in only access without a centre median can be provided pending that a plan is reviewed and accepted showing the proper signage as per our access management guidelines

**Urban Design**

The applicant is commended for locating the building at the corner of Southdale Road West and Boler Road.

Improve pedestrian access to the buildings by providing a principal entrance on the east and west elevations. Ensure that there are sidewalk connections to these new entrances.

Ensure that the windows along Boler Road and Southdale Road West are clear glass to create an active frontage and allow views into and out of the development. Please indicate the window material on the elevations.

The applicant is commended for providing a corner feature at the street intersection. Consider further enhancement of this feature by providing transparent glass at the base to allow sight into and out of the building to create a more active street frontage.

Reduce the height and increase the width of the corner feature to better integrate the feature with the building form. Consider extending the stone from the corner element to the stone around the window to further enhance the building corner.

Provide landscaping on both sides of the vehicle entrance on Southdale Road West and on Boler Road to screen parking from the public realm.

A consensual removal must first be obtained from the Urban Forestry Department prior to any street tree removals.

**Urban Design Peer Review Panel**

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This application was reviewed by the Urban Design Peer Review Panel on August 21, 2013. In general, the panel supported the application, especially the location of the building.

<b>PUBLIC LIAISON:</b>	<p>On August 16, 2013, a notice of Site Plan Application &amp; Notice of Public Meeting was sent out to area residents.</p> <p>On August 22, 2013, Notice of Application and Notice of Public Meeting was placed in the Londoner.</p>	<p>No responses have been heard to date</p>
<b>Nature of Liaison:</b>		
<p>The purpose and effect of this proposal is to develop the subject lands, as shown on the attached map. The proposed Site Plan will shows one commercial plaza containing two clinics with a total gross floor area of 726.4 m<sup>2</sup> combined; and one professional office with a total gross floor area of 181.6 m<sup>2</sup> consistent with the Zoning Bylaw Z-1. (h-5. NSA1/ NSA2/ NSA5 Zone)</p>		
<b>Responses:</b>		
<p>Steve Davenport – 1156 Birchwood Drive – August 22, 2013 – in person – Mr. Davenport spoke with staff regarding the application. He had concerned over loss of privacy, light pollution &amp; noise from the proposed development. He advised that the applicant had arranged a meeting that evening to discuss privacy option and that he should follow up with City staff regarding any issues that were unable to be resolved. No follow up was received.</p>		

<b>ANALYSIS</b>
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**Description of the Site Plan**

The proposed site plan contains one commercial building located near the southeast corner of the property in close proximity to the intersection of Boler Road and Southdale Road West. The building is to be divided into three units and will contain two clinics with a total GFA of 726.4 m<sup>2</sup> and one professional office with a GFA of 181.6 m<sup>2</sup>.

Vehicular access to the site is restricted to right-in only from Boler Road and an unrestricted access located west of the building from Southdale Road West. The parking areas are located north and west of the proposed building. The proposed building location provides a visual screen for parking areas when viewed from Boler and Southdale and features two convenient pedestrian accesses from the sidewalks along Southdale Road W and Boler Road. The parking area west of the proposed building will require a revision to the proposed landscape plan to provide hard surface access to the parking area without the landscaped area between the building and parking lot. This is to improve snow storage capacity and ensures that an easily maintainable path of travel from the west parking area is provided to all units. The applicant is also encouraged to provide a barrier free access from the west parking area to the sidewalk along the north side of the building.

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The applicant is providing 50 parking spaces whereas 53 are required. They are providing an additional 20 bicycle parking for a total of 24 bicycle parking spaces, which and reduces the total vehicular parking required in accordance with section 4.19.16.7 to only 49. The applicant is also providing three barrier free spaces.

There is retaining wall proposed along the west side of the parking area and along the north side of the parking area near the west side. The tallest section of the retaining wall is 1.48 m along the west side and 1.12 m along the north side. The retaining wall provides the grades necessary to control storm water in the parking area. The applicant is proposing chain link fence along the west property line on top of the retaining wall to maintain views of the municipal storm water management facility.

Staff have raised concerns regarding the elevation changes between the parking area and residential properties to the north. Staff have requested that a minimum of 1.8 m visually permeable wood fence be proposed along the top of the retaining wall to limit the impact of vehicles headlights and control privacy into their back yard. Staff have also requested that the applicant meet with the three adjacent home owners to discuss alternatives for screening through landscaping or a taller fence be proposed as requested by the residents that is within reason. Staff have also required that the any existing privacy fences exceeding the minimum 1.8 m requirement will be retained or replaced if in poor condition as part of the discussion with the neighbours. Large canopy shade trees are proposed along the north property line where the retaining wall is not proposed to help aid in future screening for the properties to the north.

**Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?**

The subject lands are designated Low Density Residential. The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings but also includes neighbourhood shopping centres. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted. Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted.

The proposed use is compatible with existing development in the area, has access to available services, will have minimal impact on the existing road network, is of a scale and height that is in keeping with other existing and proposed development in the area, and has incorporated buffering measures to lessen impacts on abutting properties. The proposed development is consistent with the Low Density Residential policies in the Official Plan.

**Does the proposal meet the Zoning by-law Regulations?**

The proposal is in compliance with the regulations of the NSA1, NSA2, NSA5 zone, general provisions of the Zoning By-law, and the Site Plan Control Area By-Law, subject to the removal of the holding provision. The holding provision can be removed once a development agreement has been entered into following a public site plan meeting.

**Is the Site Plan Compatible with Adjacent Properties?**

Privacy, noise and lighting are usual concerns when commercial uses are proposed adjacent to residential areas. The applicant has agreed to screen the roof top mechanical equipment and provide a minimum 1.8 m permeable wood fence along the top of the retaining wall along the north boundary. The only lighting proposed on the property is located on the building and is to be oriented downward and the applicant must enter into an agreement with the following clause "Lighting Facilities: All lighting of the site shall be oriented and its intensity controlled so as to prevent glare on adjacent roadways and residential properties to the satisfaction of the CBO." Details of the proposed external lighting will be reviewed by staff when they make a building permit applicant to ensure no lighting is oriented onto adjacent properties. The additional large



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canopy shade trees along the north side of the property will provide a long term visual buffer between the existing residential uses and proposed commercial building.

<b>CONCLUSION</b>
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The proposed site plan conforms to the Zoning By-law and Site Plan Control Area By-law. Staff are prepared to recommend approval to the Approval Authority subject to incorporating any matters to be considered arising from the public meeting and City Council. The proposed plans and drawings can be recommended to the approval authority subject to the required revisions and the approval of the site servicing plans, site grading plans, building elevations & landscape plans by city staff.

<b>PREPARED BY:</b>	<b>REVIEWED BY:</b>
<b>ERIC CONWAY, LANDSCAPE PLANNER, DEVELOPMENT SERVICES</b>	<b>ALLISTER MACLEAN, MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES</b>
<b>RECOMMENDED BY:</b>	<b>SUBMITTED BY:</b>
<b>TERRY GRAWAY, MANAGER, DEVELOPMENT SERVICES &amp; PLANNING LIAISON</b>	<b>GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT &amp; COMPLIANCE SERVICES &amp; CHIEF BUILDING OFFICIAL</b>

August 29, 2013

EC/BH

c:

**HLH Investments Ltd.**  
c/o Michelle Doorbosh  
Zelinka Priamo Ltd.  
318 Wellington Rd,  
London ON N6C 4P4

Fax: 519 474 2284

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**Bibliography of Information and Materials**

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London, Notice of Application & Notice of Site Plan Public Meeting, August 16, 2013

City of London, Site Plan By-law C.P.-1455-451

Notice of Public Meeting, Londoner, Thursday August 29, 2012

Provincial Policy Statement, March 1, 2005

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**Appendix “A”**

**Related Estimated Costs and Revenues**

**1040 Southdale Road West**

<b>Estimated Costs – This Agreement</b>	
Claims from Urban Works Reserve Fund – General	<b>Nil</b>
Stormwater Management	<b>Nil</b>
Capital Expense	<b>Nil</b>
Other	<b>Nil</b>
<b>Total</b>	<b>Nil</b>
<b>Estimated Revenues - This Agreement (2013 rates)</b>	
CSRF	<b>\$102,640.32</b>
UWRF	<b>\$55,124.68</b>
<b>Total</b>	<b>\$157,765.00</b>

1. Estimated Revenues are calculated using 2013 DC rates. The revenue estimates includes DC cost recovery for “soft services” (fire, police, parks and recreation facilities, library, growth studies). There is no comparative cost allocation in the Estimated Cost section of the report, so the reader should use caution in comparing the Cost with the Revenue section.
2. The revenues and costs in the table above are not directly comparable. This subdivision, like others in the area, also relies on the recently constructed roadwork and SWM facilities, the cost of which is not reported above. Other growth related costs (like wastewater treatment plant and road capacity expansion) incurred to serve this subdivision and surrounding areas are not reported above, though the revenue for those service components is included in the “Estimated Revenues – This Agreement” section above. As a result, the revenues and costs reported above are not directly comparable. The City employs a “citywide” approach to recovery of costs of growth – any conclusions based on the summary of Estimated Costs and Revenues (above table) should be used cautiously.

Reviewed By:

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Peter Christiaans  
Director, Development Finance

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