

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: London Plaza Inc.
1560 Dundas Street
File Number: Z-9715, Ward 2
Public Participation Meeting

Date: April 30, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application of London Plaza Inc. relating to the property located at 1560 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting May 14, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial (ASA1/ASA4) Zone, **TO** an Associated Shopping Area Commercial Special Provision (ASA1(_)/ASA3(_)/ASA4(_)) Zone;

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

1. The recommended amendment is consistent with the *PPS 2020*;
2. The recommended amendment conforms to The London Plan, including, but not limited to the Urban Corridor Place Type; and
3. The recommended amendment facilitates a broader range of uses within existing building stock in the Built Area Boundary.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Associated Shopping Area Commercial (ASA1/ASA4) Zone to an Associated Shopping Area Special Provision (ASA1(_)/ASA3(_)/ASA4(_)) Zone allowing for an expanded range of complementary employment and commercial uses.

Special provisions are requested to recognize existing site conditions for landscaped open space, lot coverage, interior side yard depth, rear yard depth, parking area setback, and parking.

Purpose and the Effect of Recommended Action

Staff are recommending approval of the requested Zoning By-law amendment. The recommended action will permit a broader range of uses within the existing building.

Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council's 2023-2027 Strategic Plan in the following ways:

- **Strategic Plan Area of Focus: Economic Growth, Culture, and Prosperity** by supporting small and growing businesses, entrepreneurs and non-profits to be successful.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

B.067/06 – Report to London Consent Authority – August 14, 2006

A.112/06 – Report to London Committee of Adjustment – August 13, 2007

B.049/11 – Report to London Consent Authority – October 10, 2011

A.057/12 – Report to London Committee of Adjustment – June 11, 2012

1.2 Planning History

The site was previously subject to a consent application (B.067/06) to sever the subject lands from the adjacent properties at 417 and 419 Spruce Street and to create an easement for a right-of-way. A concurrent minor variance application (A.112/06) recognized existing lot frontage, building coverage, and parking. The consent subsequently lapsed, and a second consent application was applied for in 2011 (B.049/11) with a concurrent minor variance application (A.057/12) to recognize interior side yard depth, rear yard depth, and landscaped open space.

1.3 Property Description and Location

The subject lands are located on the north side of Dundas Street, east of First Street, in the Argyle Planning District. The lands are currently developed with a one-storey, multi-unit commercial building and surface parking. Access to the site is provided from Dundas Street and from an easement over 417 and 419 Spruce Street. Surrounding land uses are largely commercial with low density residential east along Spruce Street.

Site Statistics:

- Current Land Use: Commercial
- Frontage: 60.9 metres (200 feet)
- Depth: 52.9 metres (174 feet)
- Area: 3,218.52 square metres (34,644 square feet)
- Shape: Regular (rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: Commercial
- East: Commercial and Low Density Residential
- South: Commercial
- West: Commercial

Existing Planning Information:

- The London Plan Place Type: Urban Corridor Place Type
- Existing Special Policies: Dundas Street Transitional Specific Segment
- Existing Zoning: Associated Shopping Area Commercial (ASA1/ASA4) Zone

Additional site information and context is provided in Appendix “B”.



Figure 1 – Aerial Photo of 1560 Dundas Street and surrounding lands



Figure 2 – Streetview of 1560 Dundas Street (view looking north)

2.0 Discussion and Considerations

2.1 Proposal

The proposal seeks to add the Associated Shopping Area (ASA3) Zone variation to the existing compound Associated Shopping Area Commercial (ASA1/ASA4) Zone that applies to the site, allowing for an expanded range of complementary employment and commercial uses. No new development or changes to the site are proposed.

The proposed development includes the following features:

- Land use: Commercial
- Form: Multi-unit plaza
- Height: 1 storey (9 metres)
- Gross floor area: 1,926 square metres
- Building coverage: 59.8%
- Parking spaces: 22 surface
- Landscape open space: 4%

Additional information on the development proposal is provided in Appendix “B”.

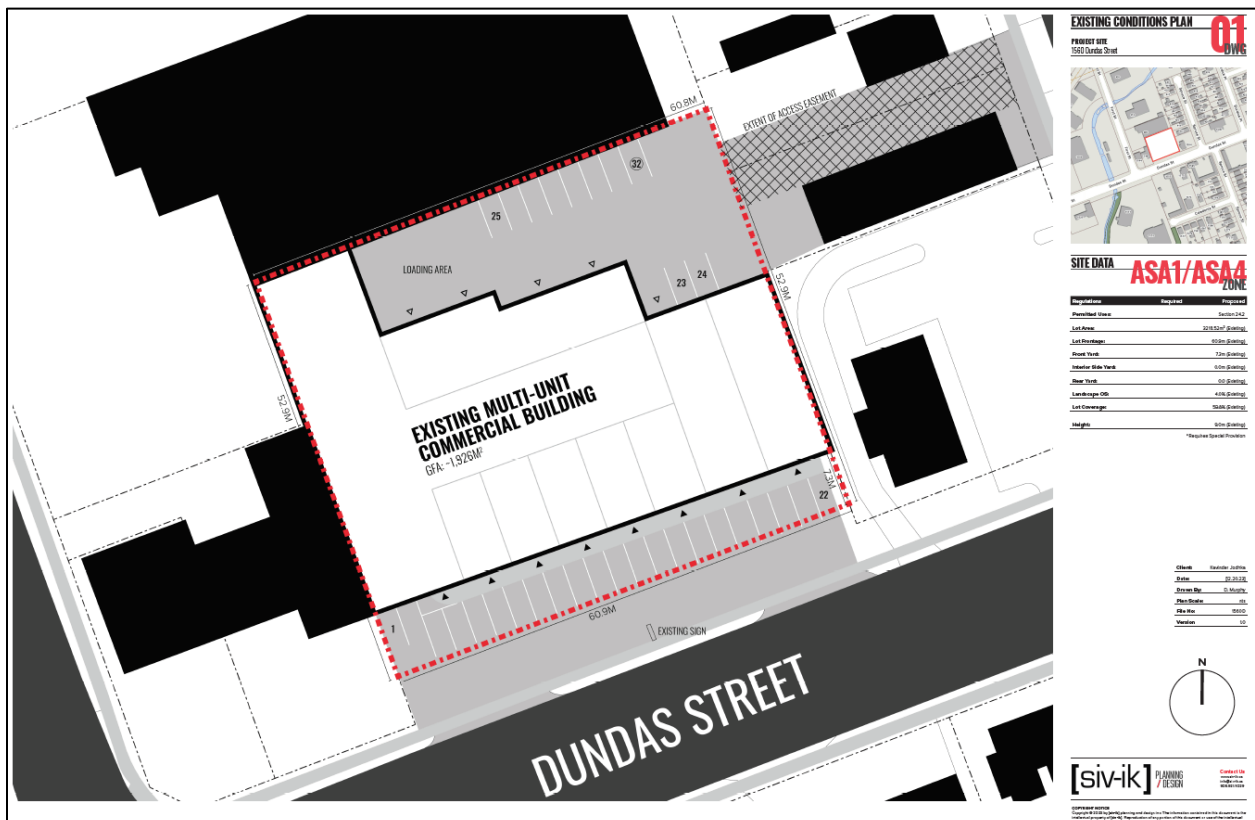


Figure 3 – Existing Conditions Plan (March 2024)

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from an Associated Shopping Area Commercial (ASA1/ASA4) Zone to an Associated Shopping Area Commercial Special Provision (ASA1(_)/ASA3(_)/ASA4(_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant to recognize the existing site conditions.

Regulation (AS1/ASA3/ASA4)	Required	Proposed
Landscaped Open Space (Minimum)	15%	4% (existing)
Lot Coverage (Maximum)	30%	59.8% (existing)
West Interior Side Yard Depth (Minimum)	3.0 metres	0.0 metres (existing)
Rear Yard Depth (Minimum)	3.0 metres	0.0 metres (existing)
Parking Area Setback	3.0 metres	0.0 metres (existing)
Parking	Tier 1: 1 per 20 m ² Tier 2: 1 per 30 m ² Tier 3: 1 per 50 m ² Tier 4: 1 per 100 m ²	No additional parking spaces are required for conversions and/or changes of use within the existing floor area provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition to, or expansion of, the existing building is proposed the parking requirements of Z.-1 shall only apply to the increased gross floor area.

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

No issues were identified by staff and agencies.

Detailed internal and agency comments are included in Appendix “C” of this report.

2.4 Public Engagement

On March 1, 2024, Notice of Application was sent to 74 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 14, 2024. A “Planning Application” sign was also placed on the site.

There were no responses received during the public consultation period.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in The London Plan analysis below.

As the application for a Zoning By-law amendment complies with The London Plan, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The subject lands are in the Urban Corridor Place Type of The London Plan, which contemplates a range of residential, retail, service, office, cultural, recreational, and institutional uses (TLP 837_1).

The site is also in the Dundas Street Transitional Specific Segment. The intent of the Transitional Segment is to recognize the current development pattern along certain segments of the Corridor Place Types and to maintain, at a minimum, the existing intensity, while supporting the movement toward more intense forms and uses of land as permitted under the Rapid Transit and Urban Corridor Place Types (TLP 854). The permitted uses of the Rapid Transit and Urban Corridors Place Type apply and in addition, large-scale retail and service uses may be permitted (TLP 856).

Staff are satisfied the uses permitted in the proposed Associated Shopping Area Commercial (ASA3) Zone variation are contemplated in the Urban Corridor Place Type in The London Plan (TLP 837_1 and 856).

4.2 Intensity

In the Urban Corridor Place Type, a minimum height of 2 storeys or 8 metres is contemplated (TLP Table 9). Further, policy 791 states that "*Zoning on individual sites may not allow for the full range of heights permitted within a Place Type. To provide flexibility, height limits have been described in building storeys rather than a precise metric measurement. For clarity, this is meant to convey the number of usable above-grade floors in a building. In some cases, minimum heights are to be measured by the lesser of storeys or metres. This alternative measure has been provided to allow for greater flexibility through implementation.*" Although the existing building is only one-storey, the metric measurement is 9.0 metres in keeping with the policies of The Plan.

In the Transitional Segment, office uses are limited to 2,000 square metres per building (TLP 857_2). The requested Associated Shopping Area Commercial (ASA3) Zone variation limits the maximum gross floor area for all office uses to 2,000 square metres.

As the existing building height is 9.0 metres and the requested ASA3 Zone limits office uses to 2,000 square metres, staff are satisfied the recommended amendment is in conformity with the Intensity policies of the Urban Corridor Place Type.

4.3 Form

No additional development or site alterations are contemplated as part of this application. Special provisions are recommended to recognize existing site conditions. As such, staff are satisfied the recommended amendment is in conformity with the Form policies of the Urban Corridor Place Type.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Associated Shopping Area Commercial (ASA1/ASA4) Zone to an Associated Shopping Area Special Provision (ASA1(_)/ASA3(_)/ASA4(_)) Zone. Special provisions are requested to recognize existing site conditions for landscaped open space, lot coverage, interior side yard depth, rear yard depth, parking area setback, and parking.

Staff are recommending approval of the requested Zoning By-law amendment. The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a broader range of uses within the existing building.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Copy:
Britt O'Hagan, Manager, Current Development
Mike Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2024

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1560
Dundas Street

WHEREAS this amendment to the Zoning By-law Z.-1 conforms to the Official Plan;

NOW 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 1560 Dundas Street, as shown on the attached map comprising part of Key Map No. A108, **FROM** an Associated Shopping Area Commercial (ASA1/ASA4) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(_)/ASA3(_)/ASA4(_)) Zone.
2. Section Number 24.4.a) of the Associated Shopping Area Commercial (ASA1) Zone is amended by adding the following Special Provisions:

ASA1(_) 1560 Dundas Street

a. Regulations

1. West Interior Side Yard Depth (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
2. Rear Yard Depth (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
3. Landscaped Open Space (Minimum) – As existing on the date of the passing of this by-law (4%)
4. Lot Coverage (Maximum) – As existing on the date of the passing of this by-law (59.8%)
5. Parking Area Setback (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
6. Notwithstanding section 4.19, no additional parking spaces are required for conversions and/or changes of use within the existing floor area, provided that the number of parking spaces which existed on the date of the passing of this by-law shall continue to be provided and maintained. Where an addition or expansion of the existing building is proposed, the parking requirements of Zoning By-law Z.-1 shall only apply to the increased gross floor area.

3. Section Number 24.4.c) of the Associated Shopping Area Commercial (ASA3) Zone is amended by adding the following Special Provisions:

ASA3(_) 1560 Dundas Street

a. Regulations

1. West Interior Side Yard Depth (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
2. Rear Yard Depth (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
3. Landscaped Open Space (Minimum) – As existing on the date of the passing of this by-law (4%)
4. Lot Coverage (Maximum) – As existing on the date of the passing of this by-law (59.8%)

5. Parking Area Setback (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
 6. Notwithstanding section 4.19, no additional parking spaces are required for conversions and/or changes of use within the existing floor area, provided that the number of parking spaces which existed on the date of the passing of this by-law shall continue to be provided and maintained. Where an addition or expansion of the existing building is proposed, the parking requirements of Zoning By-law Z.-1 shall only apply to the increased gross floor area.
4. Section Number 24.4.d) of the Associated Shopping Area Commercial (ASA4) Zone is amended by adding the following Special Provisions:

ASA4() 1560 Dundas Street

a. Regulations

1. West Interior Side Yard Depth (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
 2. Rear Yard Depth (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
 3. Landscaped Open Space (Minimum) – As existing on the date of the passing of this by-law (4%)
 4. Lot Coverage (Maximum) – As existing on the date of the passing of this by-law (59.8%)
 5. Parking Area Setback (Minimum) – As existing on the date of the passing of this by-law (0.0 metres)
 6. Notwithstanding section 4.19, no additional parking spaces are required for conversions and/or changes of use within the existing floor area, provided that the number of parking spaces which existed on the date of the passing of this by-law shall continue to be provided and maintained. Where an addition or expansion of the existing building is proposed, the parking requirements of Zoning By-law Z.-1 shall only apply to the increased gross floor area.
3. This Amendment shall come into effect 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.

PASSED in Open Council on May 14, 2024 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

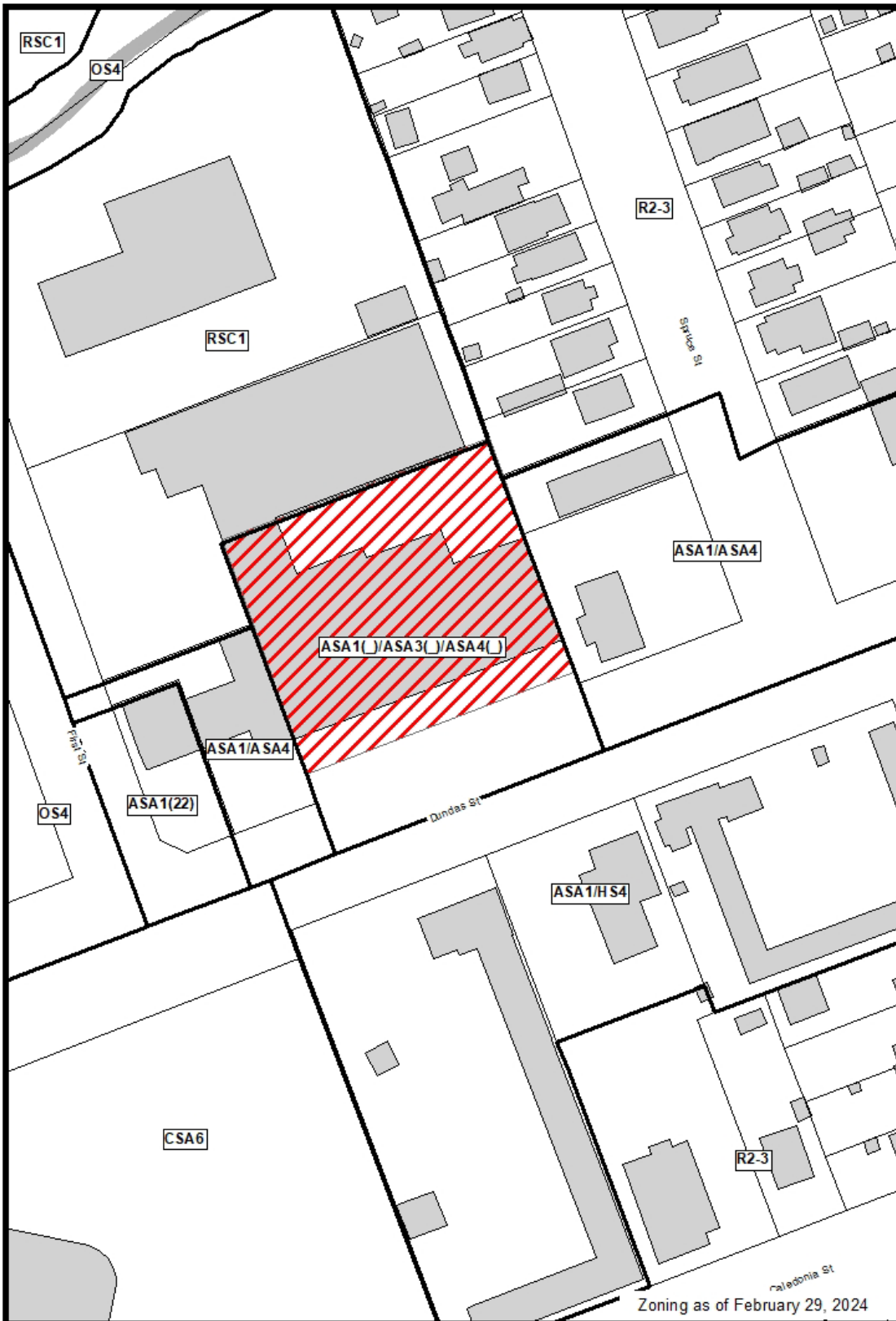
Josh Morgan
Mayor

Michael Schulthess


City Clerk

First Reading – May 14, 2024
Second Reading – May 14, 2024
Third Reading – May 14, 2024

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



File Number: Z-9715
Planner: CM
Date Prepared: 2024/03/21
Technician: JI
By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters



Appendix B – Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Commercial
Frontage	60.9 metres (200 feet)
Depth	52.9 metres (174 feet)
Area	3,218.52 square metres (34,644 square feet)
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Commercial
East	Commercial and Low Density Residential
South	Commercial
West	Commercial

Proximity to Nearest Amenities

Major Intersection	Dundas Street and First Street, 34.1 metres
Dedicated cycling infrastructure	Second Street, 295 metres
London Transit stop	Dundas Street, 25 metres
Public open space	Kiwanis Park, 800 metres

B. Planning Information and Request

Current Planning Information

Current Place Type	Urban Corridor Place Type
Current Special Policies	Dundas Street Transitional Specific Segment
Current Zoning	Associated Shopping Area Commercial (ASA1/ASA4) Zone

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Associated Shopping Area Commercial Special Provision (ASA1()/ASA3()/ASA4()) Zone

Requested Special Provisions

Regulation (AS1/ASA3/ASA4)	Required	Proposed
Landscaped Open Space (Minimum)	15%	4% (existing)
Lot Coverage (Maximum)	30%	59.8% (existing)
West Interior Side Yard Depth (Minimum)	3.0 metres	0.0 metres (existing)
Rear Yard Depth (Minimum)	3.0 metres	0.0 metres (existing)
Parking Area Setback	3.0 metres	0.0 metres (existing)
Parking	Tier 1: 1 per 20 m ² Tier 2: 1 per 30 m ² Tier 3: 1 per 50 m ² Tier 4: 1 per 100 m ²	No additional parking spaces are required for conversions and/or changes of use within the existing floor area provided that the number of parking spaces which existed on

Regulation (AS1/ASA3/ASA4)	Required	Proposed
		the effective date of this By-law shall continue to be provided and maintained. Where an addition to, or expansion of, the existing building is proposed the parking requirements of Z.-1 shall only apply to the increased gross floor area.

Appendix C – Internal and Agency Comments

Site Plan – March 4, 2024

No comments.

Heritage – March 6, 2024

This is to confirm that there are no archaeological concerns with this application, as the application is a change in use that will not result in soil disturbance.

Landscape Architecture – March 6, 2024

I do not have any comments to provide on the ZBA for 1560 Dundas St.

UTRCA – March 8, 2024

The UTRCA has no objections and/or Section 28 Permit Requirements for application Z-9715 - 1560 Dundas Street.

Urban Design – March 13, 2024

The subject site is located within the Transitional Segment of the Urban Corridors Place Type. Urban Design recognizes the transitional basis of this proposal, without precluding the future redevelopment of this property and is generally supportive of the proposed Zoning By-law Amendment for additional uses. Refer to The London Plan (TLP) 853_1, 855.

Parks Planning and Open Space Design – March 14, 2024

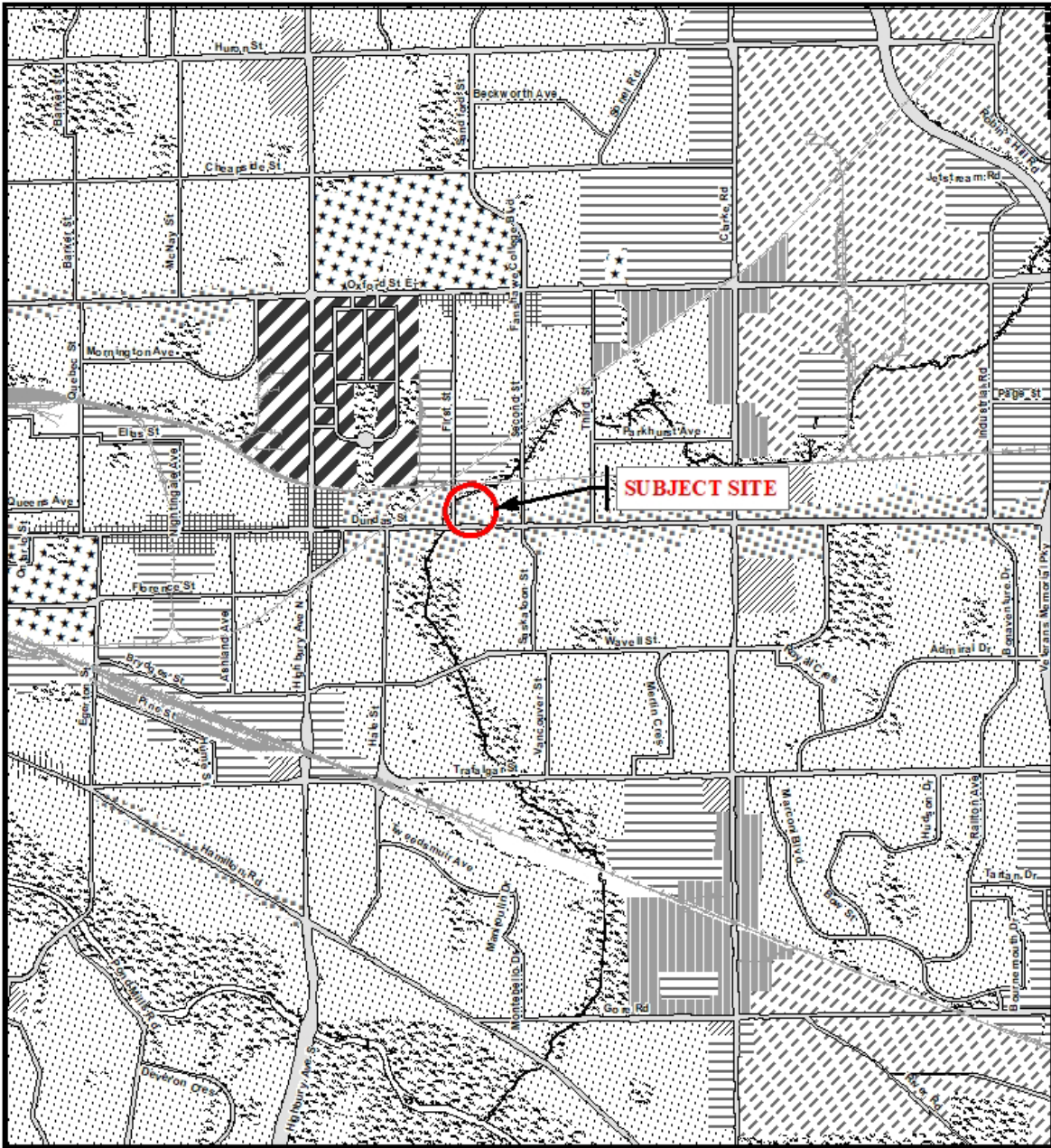
No comments.

Engineering – March 20, 2024

Engineering has **no further comments** to this application. There are no expansion, enlargement or significant exterior modifications are taking place on the subject lands.

The proposal is the addition of ASA3 zoning to the subject lands. Any future developments on these lands will need to be reviewed through a Pre-Application Consultation, OPA & ZBA prior to any rezoning being granted and subject to further review and comments through the appropriate process.

Appendix D – Relevant Background

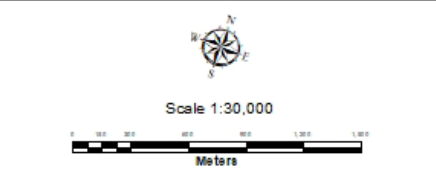


Legend

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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning & Development



File Number: OZ-9517
Planner: CM
Technician: JI
Date: 2024/03/21



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: A SA1/ASA4

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



FILE NO:

Z-9715

CM

MAP PREPARED:

2024/03/21

JJ

1:1,200

0 5 10 20 30 40 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS