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File No: Z-8277  
Planner: Nicole Musicco

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: FARSON HOLDINGS INC. 1221 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON JANUARY 21, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Farson Holdings Inc. relating to the property located at 1221 Dundas Street, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting on January 28, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to change the zoning **FROM** an Arterial Commercial (AC2/AC5) Zone **TO** an Arterial Commercial Special Provision (AC2/AC5( )) Zone to permit 'retail store' subject to a special provision to permit a minimum of 22 parking spaces whereas 26 are required by-law.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the amendment is to permit 'retail store' on the subject site.

<b>RATIONALE</b>
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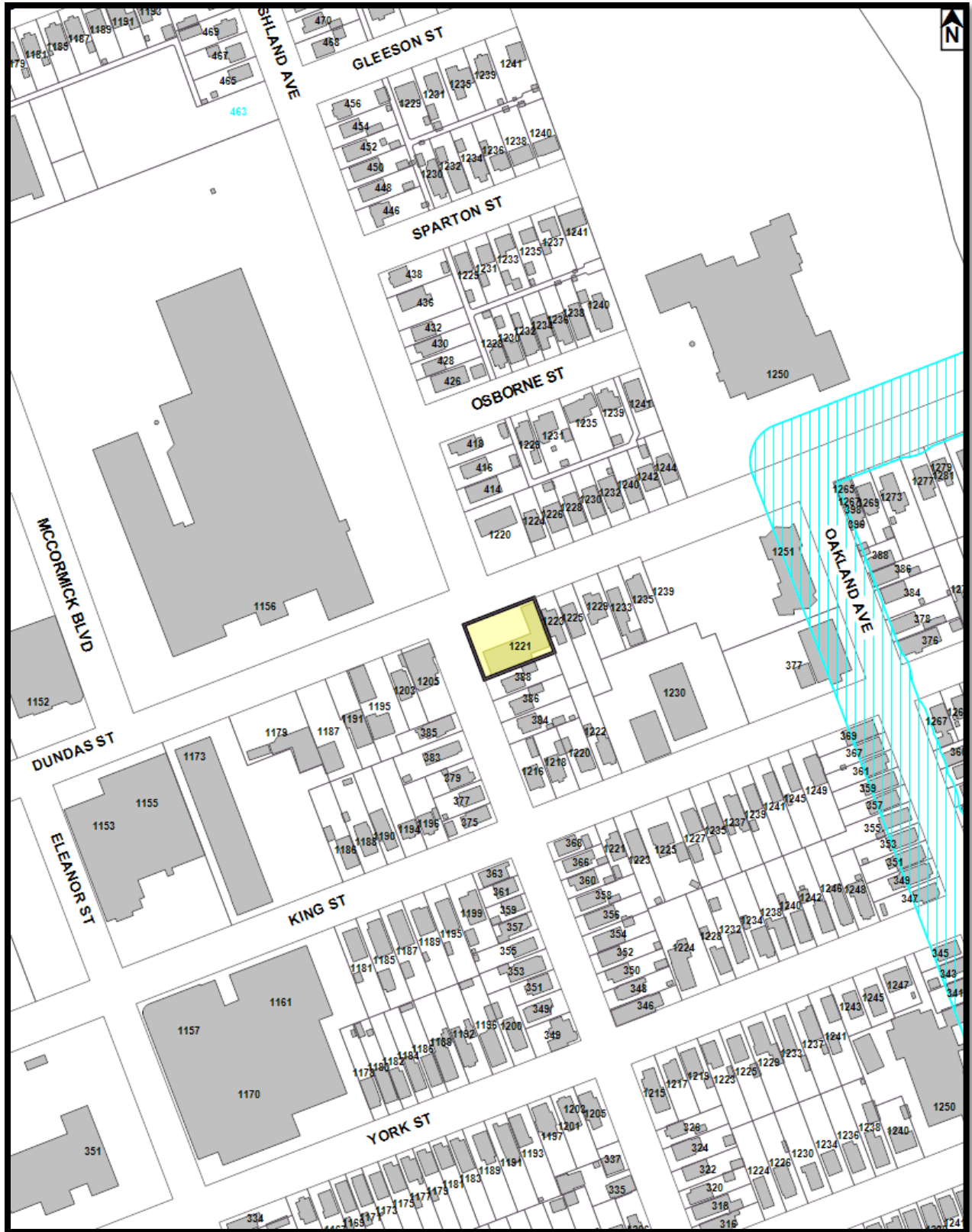
1. The recommended amendment is consistent with the policies of the Provincial Policy Statement (2005).
2. The recommended amendment is consistent with the City of London Official Plan.
3. The recommended amendment is compatible with the existing Arterial Commercial zoning.
4. The recommended amendment allows for an expanded use of an existing building.

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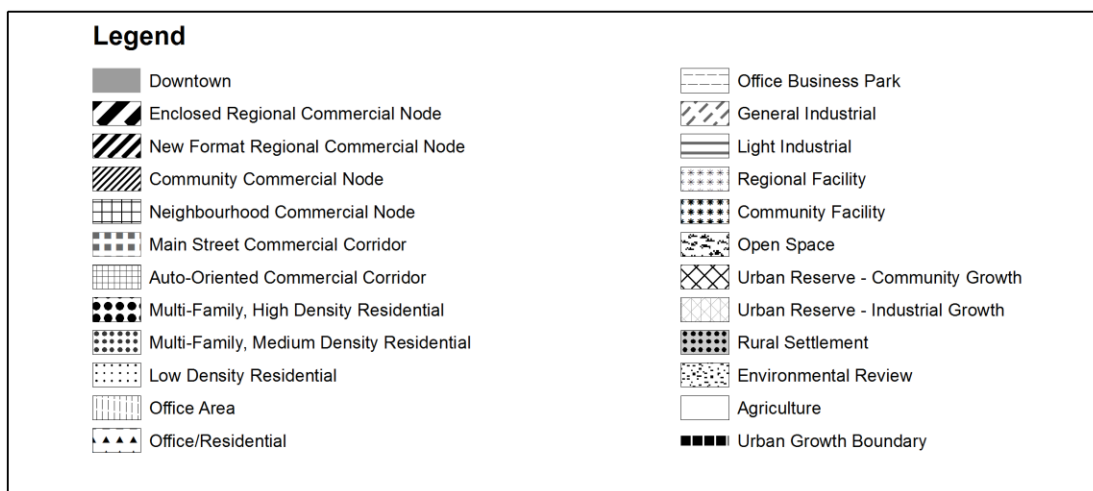
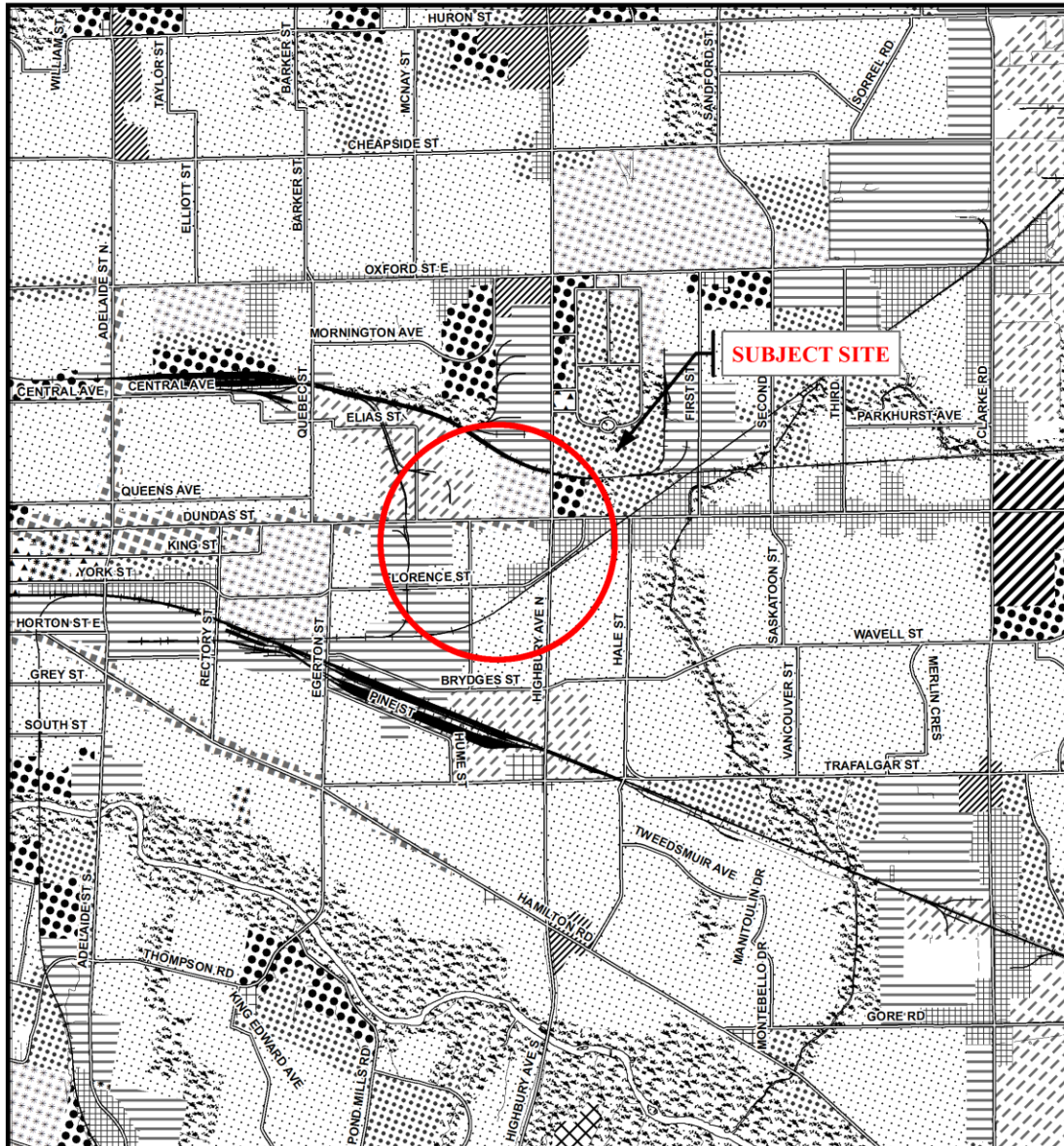
LOCATION MAP



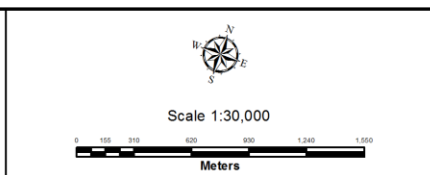
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<b>BACKGROUND</b>	
<b>Date Application Accepted:</b> October 24, 2013	<b>Agent:</b> Farson Holding Inc.
Possible amendment to the Zoning By-law Z.-1 to change the zoning <b>FROM</b> an Arterial Commercial AC2/AC5 Zone which permits: Accessory dwelling units, Converted dwellings Day care centres; Emergency care establishments, Existing dwellings, Group Home Type 2, Lodging House Class 2, Animal hospitals, Dwelling units, above the first floor, Clinics, Convenience stores, Convenience service establishments, Duplicating shops, Florist shops, Medical/dental laboratories, Medical/dental offices, Offices, Personal service establishments, , Automobile repair garages, Automotive uses, restricted, Restaurants, Taverns <b>TO</b> an Arterial Commercial Special Provision (AC2/AC5( )) Zone to add 'retail store' to the list of permitted uses in addition to a special provision for a 22 parking spaces whereas 26 are required by-law.	
<b>SITE CHARACTERISTICS:</b>	
<ul style="list-style-type: none"> <li>• <b>Current Land Use:</b> Commercial Plaza</li> <li>• <b>Frontage:</b> 39 meters (120 ft)</li> <li>• <b>Depth:</b> 30 meters (100 ft).</li> <li>• <b>Area:</b> 1070 m2</li> <li>• <b>Shape:</b> Irregular</li> </ul>	
<b>SURROUNDING LAND USES:</b>	
<ul style="list-style-type: none"> <li>• <b>North</b> – Industrial (former McCormick Factory) and McCormick Area Study</li> <li>• <b>South</b> – Single Family Residential</li> <li>• <b>East</b> – Residential / Commercial</li> <li>• <b>West</b> - Kellogg's / Single Family Dwellings / Commercial</li> </ul>	
<b>OFFICIAL PLAN DESIGNATION:</b> Main Street Commercial Corridor	
<i>Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. They have a street-oriented form with buildings close to the street. The street frontages of individual uses are generally of a scale that provides for easier pedestrian movement. They include a broad range of uses that cater to the adjacent residential neighbourhoods within easy walking distance. These areas also lend themselves to the formation of a Business Improvement Area.</i>	
<b>CURRENT ZONING:</b> Arterial Commercial (AC2/AC5)	
Permitted uses include: Accessory dwelling units, Converted dwellings Day care centres; Emergency care establishments, Existing dwellings, Group Home Type 2, Lodging House Class 2, Animal hospitals, Dwelling units, above the first floor, Clinics, Convenience stores, Convenience service establishments, Duplicating shops, Florist shops, Medical/dental laboratories, Medical/dental offices, Offices, Personal service establishments, , Automobile repair garages, Automotive uses, restricted, Restaurants, Taverns	

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**CITY OF LONDON**  
Department of  
Planning and Development  
  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -  
  
PREPARED BY: Graphics and Information Services

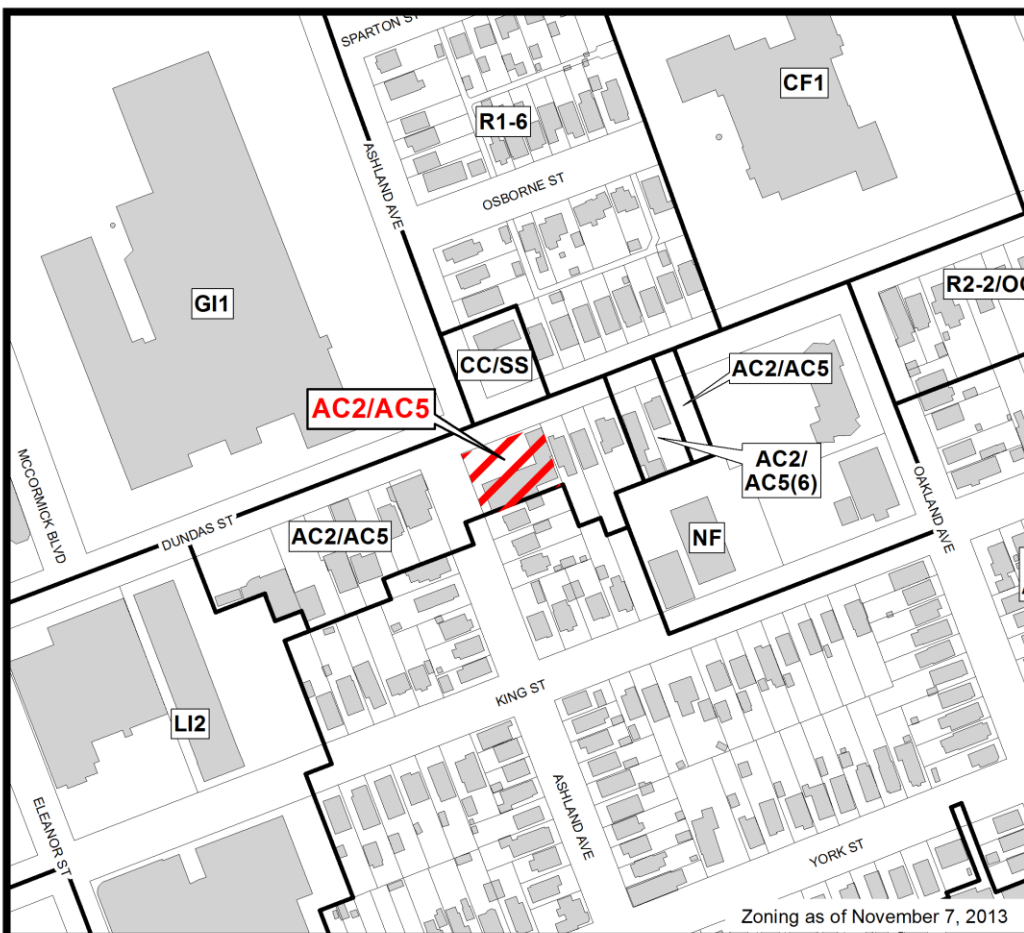


FILE NUMBER: Z-8277  
PLANNER: NM  
TECHNICIAN: CK  
DATE: 2013/12/10



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File No: Z-8277  
 Planner: Nicole Musicco



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
  
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "d" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

**CITY OF LONDON**  
 PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



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

FILE NO:  
**Z-8277** NM

MAP PREPARED:  
 2013/12/10 CK

1:2,500  
 0 12.525 50 75 100 Meters

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<b>PLANNING HISTORY</b>
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Dr. Scrubs & More provides service to the healthcare community by providing scrubs and medical equipment to doctors, nurses and other health care providers. Recently, Dr. Scrubs & More acquired a lease for a vacant unit at 1221 Dundas Street and were unaware that the zoning did not permit retail sales. The nature of the requested amendment would add 'retail store' to the list of permitted uses.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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<b>PUBLIC LIAISON:</b>	On November 5, 2013, Notice of Application / Notice of Public Meeting was sent to 77 property owners in the surrounding area. Notice of Public Meeting was published in the "Living in the City" section of the London Free Press.	<b>RESPONSES:</b> 0
<b>Nature of Liaison:</b> The purpose and effect of the amendment is to add 'retail store' to the list of permitted uses. Possible amendment to Zoning By-law Z-1 to change the zoning <b>FROM</b> an Arterial Commercial AC2/AC5 Zone which permits: Accessory dwelling units, Converted dwellings Day care centres; Emergency care establishments, Existing dwellings, Group Home Type 2, Lodging House Class 2, Animal hospitals, Dwelling units, above the first floor, Clinics, Convenience stores, Convenience service establishments, Duplicating shops, Florist shops, Medical/dental laboratories, Medical/dental offices, Offices, Personal service establishments, Automobile repair garages, Automotive uses, restricted, Restaurants, Taverns <b>TO</b> an Arterial Commercial Special Provision (AC2/AC5( )) Zone to add 'retail store' to the list of permitted uses in addition to a special provision for a 22 parking spaces whereas 26 are required by-law		
<b>Responses:</b> None.		

Urban Forestry  
No comment.

Wastewater and Drainage Engineering  
No comment.

Upper Thames River Conservation Authority  
No objection.

London Hydro  
No objection.

<b>ANALYSIS</b>
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**Subject Site and Surrounding Area**

The subject site is located on the southeast corner of Dundas Street and Ashland Street in East London. The total area is 1170 m<sup>2</sup> with a frontage is 39 m. on Dundas Street and 30 m. on Ashland Avenue. The surrounding landuses include a mix of retail, service commercial and light industrial uses.

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**Provincial Policy Statement**

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In exercising its authority respecting planning matters, Council shall be consistent with policy statements issued under the Planning Act.

Policy 1.1 – Building Strong Communities of the PPS requires planning authorities to manage and direct land use to achieve efficient development and land use patterns, and expanding the range of employment opportunities in an area that is already serviced with municipal services and multi-nodal transportation opportunities.

Policy 1.7.1 b) requires planning authorities to support long-term economic prosperity by maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets.

1.8.1 b) Planning authorities shall support energy efficiency and improved air quality through land use and development patterns which promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas where these exist or are to be developed.

The requested amendment seeks to efficiently reuse lands and proposes redevelopment and intensification of an existing site within an established mixed use area. The proposed redevelopment will also utilize existing municipal services and available capacities. The property subject of this proposal is located on an existing arterial road, severed by transit routes and benefits from shared efficient and safe vehicular access/egress points. The addition of “retail store” will help to enhance the long-term economic prosperity of the Mainstreet Commercial Corridor as well as promote the use of public transit by adding a new retail use to the existing commercial plaza along a future rapid transit corridor.

**Official Plan**

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters. The commercial land use designations provide the primary location for retail and service commercial land uses.

**Planning Objectives for all Commercial Land Use Designations**

- i) *Promote the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers;*
- ii) *Minimize the impact of commercial development on adjacent land uses and on the traffic-carrying capacity of adjacent roads;*
- iii) *Provide sufficient land at appropriate locations to meet the need for new commercial development; and,*
- iv) *Encourage intensification and redevelopment in existing commercial areas within the built-up area of the City to meet commercial needs, to make better use of existing City infrastructure and to strengthen the vitality of these areas.*

**Introduction – Main Street Commercial Corridor**

*Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. They have a street-oriented form with buildings close to the street. The street frontages of individual uses are generally of a scale that provides for easier pedestrian movement. They include a broad range of uses that cater to the adjacent residential neighbourhoods within easy walking distance. These areas also lend themselves to the formation of a Business Improvement Area.*

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*One of the key goals of the Plan is to strengthen these areas by encouraging infilling and redevelopment which conforms to the existing form of development and improves the aesthetics of the business area. Issues addressed through the Zoning By-law, site plan approval process and urban design guidelines include building texture, setback, accessibility and inclusion of common parking facilities. Many of the Main Street Commercial Corridors shall also be recognized as gateway areas to the Downtown and will provide unique attributes and functions that support the Downtown.*

**4.4.1.4 – Permitted Uses**

*Permitted uses in Main Street Commercial Corridors include **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 facilities such as libraries and day care centres; correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings. Zoning on individual sites may not allow the full range of permitted uses.*

The subject site is located in an area surrounded by a mix of retail, service commercial and light industrial uses. Permitted uses in Main Street Commercial Corridors include small-scale retail uses. The requested amendment to add “retail” is consistent with the Main Street Commercial Corridor Official Plan designation.

**4.4.1.5 - Location**

*The Main Street Commercial Corridor designation is applied to long established commercial areas, primarily along arterial roads, in older parts of the City that mostly consist of small, separately-owned and often pedestrian-oriented commercial uses, but may also include a mix of residential, light industrial uses, and community facilities. It is the intent of these policies to strengthen and enhance the existing Main Street Commercial Corridors. Areas designated Main Street Commercial Corridor may be appropriate for the establishment of a Business Improvement Area.*

Dr. Scrubs & More is an appropriate fit for this building as it serves the medical/dental community and the rest of the building is primarily medical/dental uses. No structural changes are being proposed. The subject land is a suitable size and location for the requested amendment. The existing building includes Longo Dentistry (Unit 1) and McCallum Denture Clinic (Unit 2). The subject site can adequately support the existing and proposed “retail store” use.

**18.2.11. - Public Transit Policies**

*The City of London shall be served by a public transit system that provides a convenient and less costly alternative to the private automobile as a means of travel within the City and thereby relieves some of the demand for road improvements and parking facilities. The public transit system must be integrated as a key component of community design.*

**18.2.11.1. Transit Nodes and Corridors**

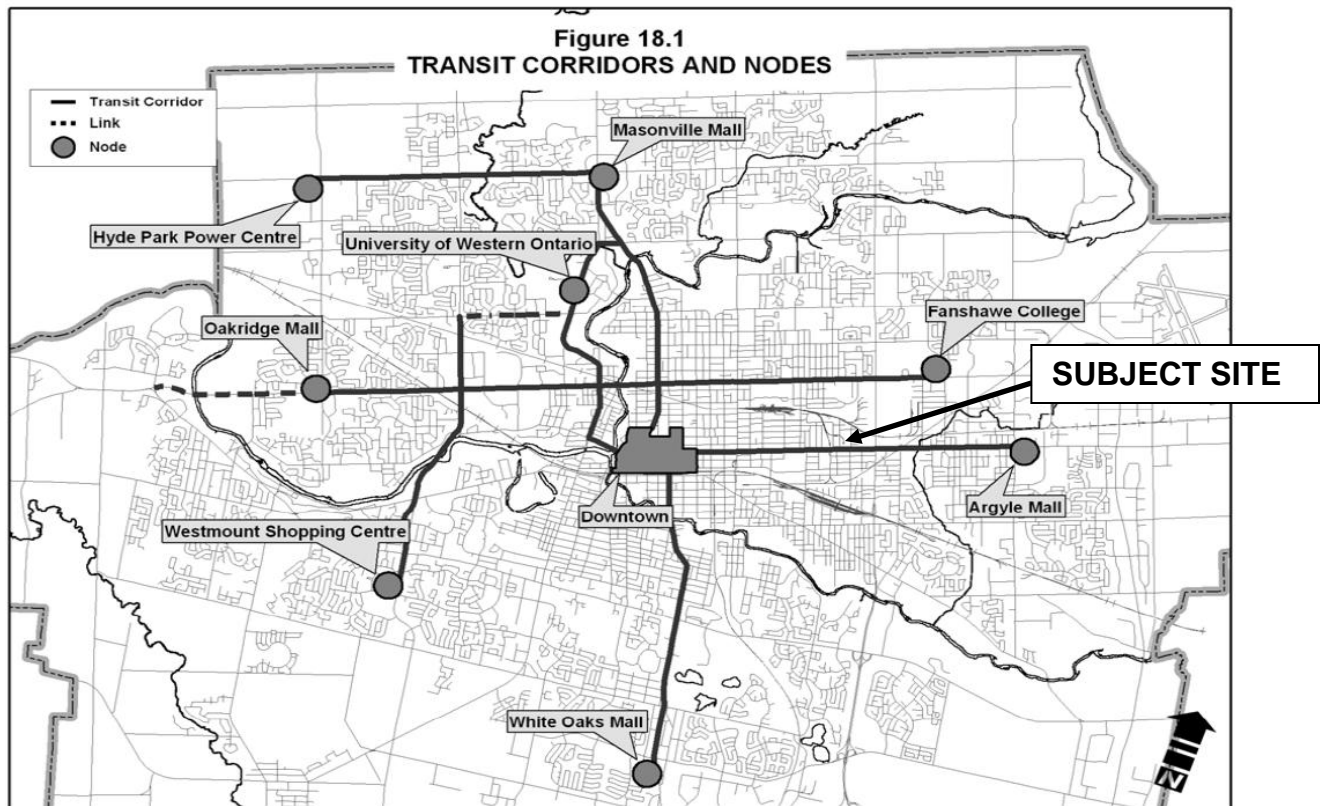
*Council shall support the long term development of compact, transit oriented and pedestrian friendly activity centres at identified nodes and corridors. The Downtown and the Transit Nodes and Transit Corridors as shown on Figure 18.1 are target areas for growth, redevelopment and revitalization. Policies that support growth, redevelopment and revitalization in these areas are provided below and throughout the Plan.*

*i) In the review and evaluation of development proposals located along identified transit nodes and corridors Council will discourage site-specific Official Plan Amendments and site-specific Zoning By-law Amendments which propose a lower intensity of use where a higher intensity of use has been planned to support compact urban form, discourage sprawl, and provide for efficient infrastructure and transportation.*



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The subject site is located on a Transit Corridor (Figure 'A') where Council encourages higher intensity uses. The Transit Corridor promotes the use of public transit and other alternative transportation modes in and between residential, commercial, industrial and institutional uses. This zone provides for and regulates a mix of small scale retail, office, personal service and automotive uses located along arterial roads which serve both vehicular and pedestrian trade. This zone tends to be applied in older areas of the City where auto-orientated uses have existed for some time and in areas along arterial roads that serve both a local and broad market area.



**Figure 'A' – Transit Corridors and Nodes (Figure 18.1 of the Official Plan)**

**Zoning By-law**

The uses of this zone, which reflect the nature of existing development in an area, have been differentiated on the basis of their function, intensity and potential impacts. The main AC Zone variation accommodates a compatible range of existing residential and accessory uses. In addition to the uses provided for under the AC zone variation an expanded range of uses may be permitted at appropriate locations through the use of other zone variations. The AC1 (offices), AC2 (small retail/personal service), AC3 (institutional/facility uses), AC4 (broader range of uses) and AC5 (automotive) Zone variations can all be used where circumstances warrant an expanding range of uses.

The current zoning is an Arterial Commercial (AC2/AC5) zone. Permitted uses include: Accessory dwelling units, Converted dwellings Day care centres; Emergency care establishments, Existing dwellings, Group Home Type 2, Lodging House Class 2, Animal hospitals, Dwelling units, above the first floor, Clinics, Convenience stores, Convenience service establishments, Duplicating shops, Florist shops, Medical/dental laboratories, Medical/dental offices, Offices, Personal service establishments, Automobile repair garages, Automotive uses, restricted, Restaurants, Taverns

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**File No: Z-8277**  
**Planner: Nicole Musicco**

The requested amendment includes a special provision to add “retail store” to the list of permitted uses. *"RETAIL STORE" means a building or structure, or part thereof, in which goods, wares, merchandise, substances, foodstuffs, farm produce, articles or things are stored, offered or kept for retail sale to the public, and includes the business premises of an auctioneer, where such premises are used for the sale of merchandise by auction, but does not include supermarkets, or automobile or vehicle sales.*

A second special provision for parking will be required as the required number of parking spaces is 26 whereas the site can accommodate 22 parking spaces. The site has been functioning well with 22 parking spaces and has been able to accommodate previous uses such as: restaurants, convenience store, beauty salon and a computer store. The location of the subject site along a transit corridor is also anticipated to supplement the need for a modest reduction in the number of parking spaces. The addition of the ‘retail store’ use is compatible with the existing uses (dental office and denture clinic) and will not have any negative impacts on the site or surrounding landuses.

McCormick Area Study

To the north is the McCormick Study Area including the vacant McCormick factory. The study area includes approximately 35.2 hectares (87 acres) of area located within the urban growth boundary of the City of London. The lands are bounded by the Canadian Pacific Railway to the north, Quebec Street and Burbrook Place to the west, Dundas Street to the south and Ashland Avenue and McCormick Boulevard along the east.

The McCormick Area Study offers a unique opportunity for City Council, citizens, stakeholders and interested parties to set the framework and guidelines which facilitate redevelopment and adaptive reuse of a large parcel of land within the Urban Growth Boundary and near the core of the City. The lands are all held in private ownership, with a substantial amount of vacant or underutilized land in the area. Council directed staff to conduct the McCormick Area Study to establish a long term vision for the area and to determine whether policy changes are necessary to pursue this vision, recognizing that the character of this industrial area is in transition and a new policy framework may be required. A new policy framework may result in changes to the land use designations, as well as possible area specific policies. The proposed uses for the properties fronting Dundas Street (across from the subject site) include a mixed-use form of development which is consistent with the proposed zoning amendment to add ‘retail store’ to the list of permitted uses to the subject site

<b>CONCLUSION</b>
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The establishment of the proposed “retail store” use will make good use of existing infrastructure and will fully integrate with the surrounding land uses and built form. The subject site is on an existing arterial road, transit routes and shared efficient and safe vehicular access/egress points. The recommended amendment allows for an expanded range of uses within an existing building and is compatible with the uses currently existing within the commercial building. The recommended amendment is consistent with the policies of the PPS and Official Plan.

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**File No: Z-8277**  
**Planner: Nicole Musicco**

<b>PREPARED BY:</b>	<b>REVIEWED BY:</b>
<b>NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING AND DESIGN</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN</b>
<b>SUBMITTED BY:</b>	<b>RECOMMENDED BY:</b>
<b>JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN</b>	<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>

Y:\Shared\implemen\DEVELOPMENT APPS\2013 Applications 8135 to\8277Z - 1221 Dundas St (NM)

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**File No: Z-8277  
Planner: Nicole Musicco**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1221  
Dundas Street.

WHEREAS Farson Holdings Inc. has applied to rezone an area of land located at  
1221 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands  
located at 1221 Dundas Street, as shown on the attached map comprising part of Key Map No.  
A108, **FROM** an Arterial Commercial (AC2/AC5) Zone **TO** an Arterial Commercial Special  
Provision (AC2/AC5( )) Zone.

- 1) Section Number 26 of the Arterial Commercial (AC5) Zone is amended by adding the  
following Special Provision:

26.4\_ AC2/AC5( ) 1221 Dundas Street

a) Additional Permitted Uses:

i) Retail Store

b) Regulations

i) Number of off-street parking spaces 22  
(minimum)

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. P.13*, either upon the date of the passage of this by-law  
or as otherwise provided by the said Section.

PASSED in Open Council on January 28, 2014

Joe Fontana  
Mayor

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**File No: Z-8277**  
**Planner: Nicole Musicco**

Catharine Saunders  
City Clerk

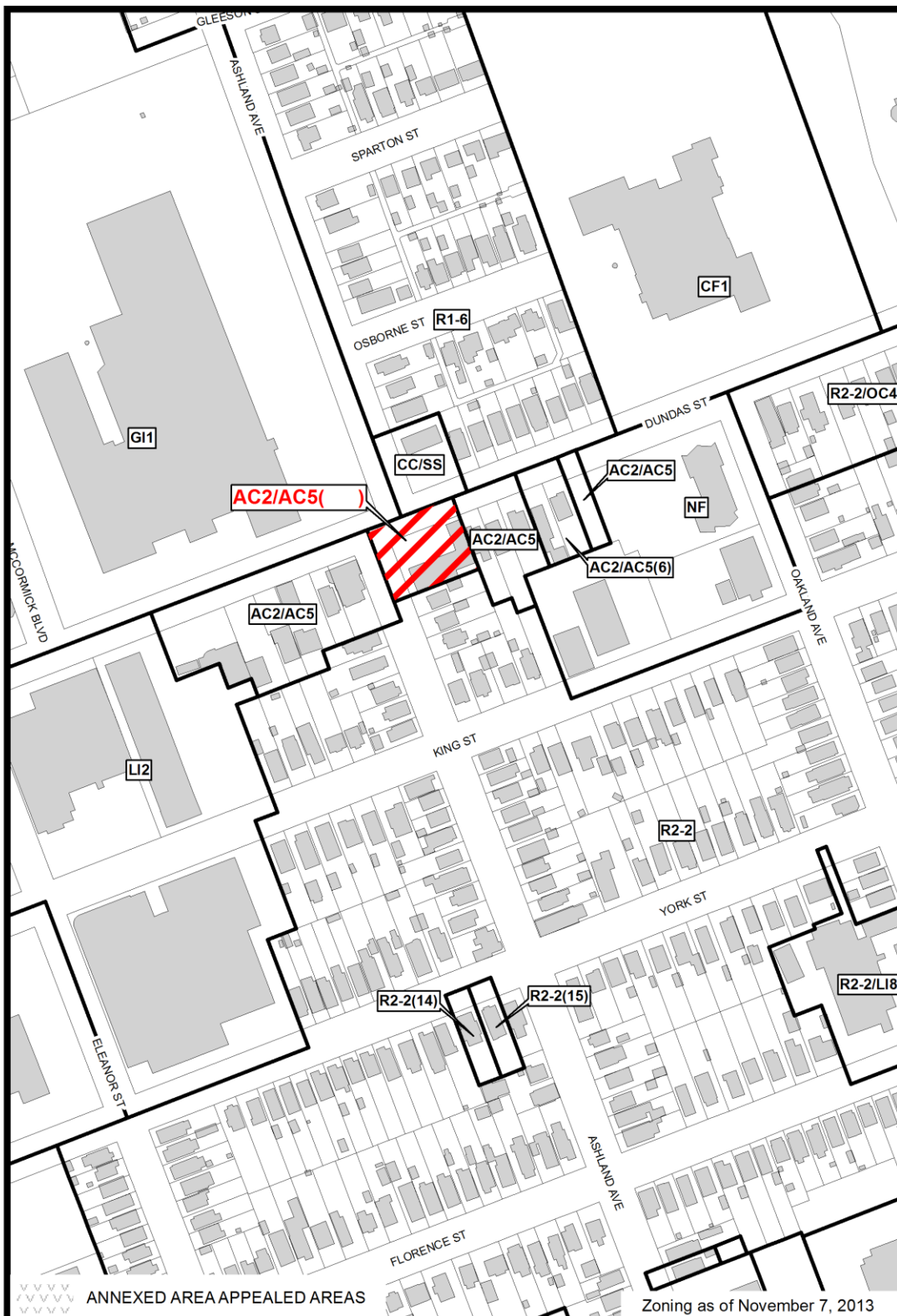
First Reading – January 28, 2014  
Second Reading – January 28, 2014  
Third Reading – January 28, 2014



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File No: Z-8277  
 Planner: Nicole Musicco

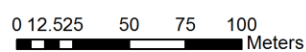
**AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)**



File Number: Z-8255  
 Planner: NM  
 Date Prepared: 2013/12/12  
 Technician: CK  
 By-Law No: Z.-1-

SUBJECT SITE

1:2,500



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## **Bibliography of Information and Material – Z-8277**

### **Request for Approval**

City of London Official Plan and Zoning By-law Application Form, completed by Frank Longo

### **Reference Documents**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005

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

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

### **Written Correspondence: (located in City of London File No. Z-8277 unless otherwise stated)** **City of London**

Postma, R. Email to N Musicco. E-mail November 13, 2013.

Moore, R. Email to N. Musicco – November 25, 2013

### **Agency Review and Public Responses: (located in City of London File No. Z-8277 unless otherwise stated)**

Upper Thames River Conservation Authority- Memo from Creighton. C, to N. Musicco – November 25, 2013.

London Hydro – Memo from Dalrymple, D. to N. Musicco – November 7, 2013.