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File: Z-8290
Planner: N. Musicco

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: THE Y GROUP INVESTMENTS AND MANANGEMENT 2090 HYDE PARK ROAD PUBLIC PARTICIPATION MEETING ON MARCH 4, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Y Group Investments and Management relating to the property located at 2090 Hyde Park Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Restricted Service Commercial (RSC2/RSC5/h-11*RSC4) Zone **TO** a Holding Restricted Service Commercial Special Provision (RSC2/RSC5/h-11*RSC4/RSC3(*)) Zone.

- (b) The Site Plan Approval Authority **BE REQUESTED** to implement, through the site plan approval process, the development of the subject site in a manner that is consistent with the Site Plan and Elevation Drawings attached hereto as Schedule "1" to this report as well as the design features recommended in part (b) below:
 - The provision of a minimum of 60% fenestration along the front elevation of Building 2 abutting Hyde Park Road to present a front face to the street.
 - The construction of an urban forecourt in the front yard of the subject site between building 2 and the public sidewalk to facilitate pedestrian access from the public side walk and rear parking areas to the commercial uses fronting Hyde Park Road.
 - The inclusion of a minimum of 2 man-doors fronting onto the urban forecourt to create a functional front face to the street.
 - The use of varied construction material to provide for visual interest.
 - The use of building articulation and canopies to break up the building mass.
 - The construction of a clearly delineated pedestrian connection from Hyde Park Road to the proposed medical building to provide for a safe, convenient access for pedestrian users arriving to the site.
 - Provide for continuous, direct and safe pedestrian connections through the site to facilitate pedestrian movement within the site between commercial uses.
 - Consider moving the access drive to the north and extending the proposed commercial building to increase the street presence.
 - Consider plantings in the medians in lieu of grass to provide year-round landscaping opportunities.
 - Consider permeable concrete and asphalt for storm water infiltration.
 - Ensure that any rooftop mechanical units are screened from view to enhance the building elevations.

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

(Z-6714) A Holding Provision (h-11) was recommended for the range of uses permitted under the RSC4 Zone to ensure that higher traffic generating uses will require a development agreement to provide appropriate access arrangements.

(OZ-7556) - This report recommended that the Official Plan be amended to change the designation on a portion of the subject lands from Restricted Service Commercial to Commercial Policy Area and that an Official Plan special policy be added to the abutting Restricted Service Commercial zoned lands which directs the secondary range of Restricted Service Commercial uses to the retail node at intersection of Hyde Park Road and Fanshawe Park Road West

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the amendment is to allow for the development of a medical/dental office, including a special provision to allow for an *'outpatient clinic with overnight accommodation'*.

RATIONALE

- i) The proposal is consistent with the policies of the Provincial Policy Statement, 2005, which promote healthy, liveable and safe communities by accommodating an appropriate range and mix of employment uses;
- ii) The proposal is consistent with the policies of the City of London Official Plan relating to New Format Regional Commercial Node uses and objectives;
- iii) The proposed zone provides a complementary use to the existing Restricted Service Commercial Zone and will have no negative effects on the surrounding area.

BACKGROUND

Date Application Accepted: November 20, 2013	Agent: Zelinka Priamo Ltd.
<p>REQUESTED ACTION: Possible amendment to Zoning By-law Z-1 to change the zoning FROM a Holding Restricted Service Commercial (h-11*RSC2/RSC4/RSC5) Zone which permits uses such as: Animal clinics, Automobile rental establishments, Automobile repair garages, Automobile sales and service establishments, Automobile supply stores, Automotive uses, restricted, Catalogue stores, Duplicating shops, Home and auto supply stores, Home improvement and furnishing stores, Kennels, Repair and rental establishments, Service and repair establishments, Studios, Taxi establishments, Self-storage Establishments, Bulk beverage stores; Dry cleaning and laundry depots, Liquor, beer and wine stores, Pharmacies, Bulk sales establishment TO a Holding Restricted Service Commercial Special Provision (h-11*RSC2/RSC3(*)RSC4/RSC5) Zone which permits such uses as Assembly halls, Clinics, Commercial recreation establishments, Emergency care establishments, Funeral homes, Laboratories, Medical/dental offices, Private clubs in addition to the above uses and including a Special Provision to allow for an <i>'outpatient clinic with overnight accommodation'</i>.</p>	

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<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use - Vacant • Frontage – 61 meters • Depth – 106 meters • Area - 6,507.5 m2 • Shape - Irregular
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<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Commercial • South - Vacant Commercial • East - Restaurant • West - Showroom / Contractors Yard

<p>OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)</p> <p>The current land use designation is New Format Regional Commercial Node. This commercial node is intended to provide for a wide range of commercial uses which meet specialized service and comparison shopping needs. New Format Regional Commercial Nodes are also regarded as major activity centres by reason of their size and range of uses, and may have trade areas that also extend beyond the municipal boundary. The permitted uses include: all types of large and small-scale retail outlets, supermarkets and food stores, department stores, retail warehouses, building supply, home improvement and furnishings stores, convenience commercial uses; personal services, restaurants, commercial recreation establishments, community facilities, such as libraries, and <u>professional and medical/dental offices</u>.</p> <p>EXISTING ZONING: (refer to Zoning Map)</p> <p>The current zoning is a Holding Restricted Service Commercial (RSC2/RSC5/h-11*RSC4) Permitted uses include: The "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.</p>

<p>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</p>
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<p>PUBLIC LIAISON:</p>	<p>On December 4, 2013, Notice of Application was sent to 21 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on December 5, 2013. A "Possible Land Use Change" sign was also posted on the site.</p>	<p>0 replies were received</p>
<p>Nature of Liaison: Possible amendment to Zoning By-law Z-1 to change the zoning FROM a Holding Restricted Service Commercial (h-11*RSC2/RSC4/RSC5) Zone which permits uses such as: Animal clinics, Automobile rental establishments, Automobile repair garages, Automobile sales and service establishments, Automobile supply stores, Automotive uses, restricted, Catalogue stores, Duplicating shops, Home and auto supply stores, Home improvement and furnishing stores, Kennels, Repair and rental establishments, Service and repair establishments, Studios, Taxi establishments, Self-storage Establishments, Bulk beverage stores; Dry cleaning and laundry depots, Liquor, beer and wine stores, Pharmacies, Bulk sales establishment TO a Holding Restricted Service Commercial Special Provision (h-11*RSC2/RSC3(*)RSC4/RSC5) Zone which permits such uses as Assembly halls, Clinics, Commercial recreation establishments, Emergency care establishments, Funeral homes, Laboratories, Medical/dental offices, Private clubs in addition to the above uses and including a Special Provision to allow for an 'outpatient clinic with overnight accommodation'.</p>		

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Aerial Photo Location Map

File No.: Z-8290

NM

Date Prepared: 2014/02/07

CK

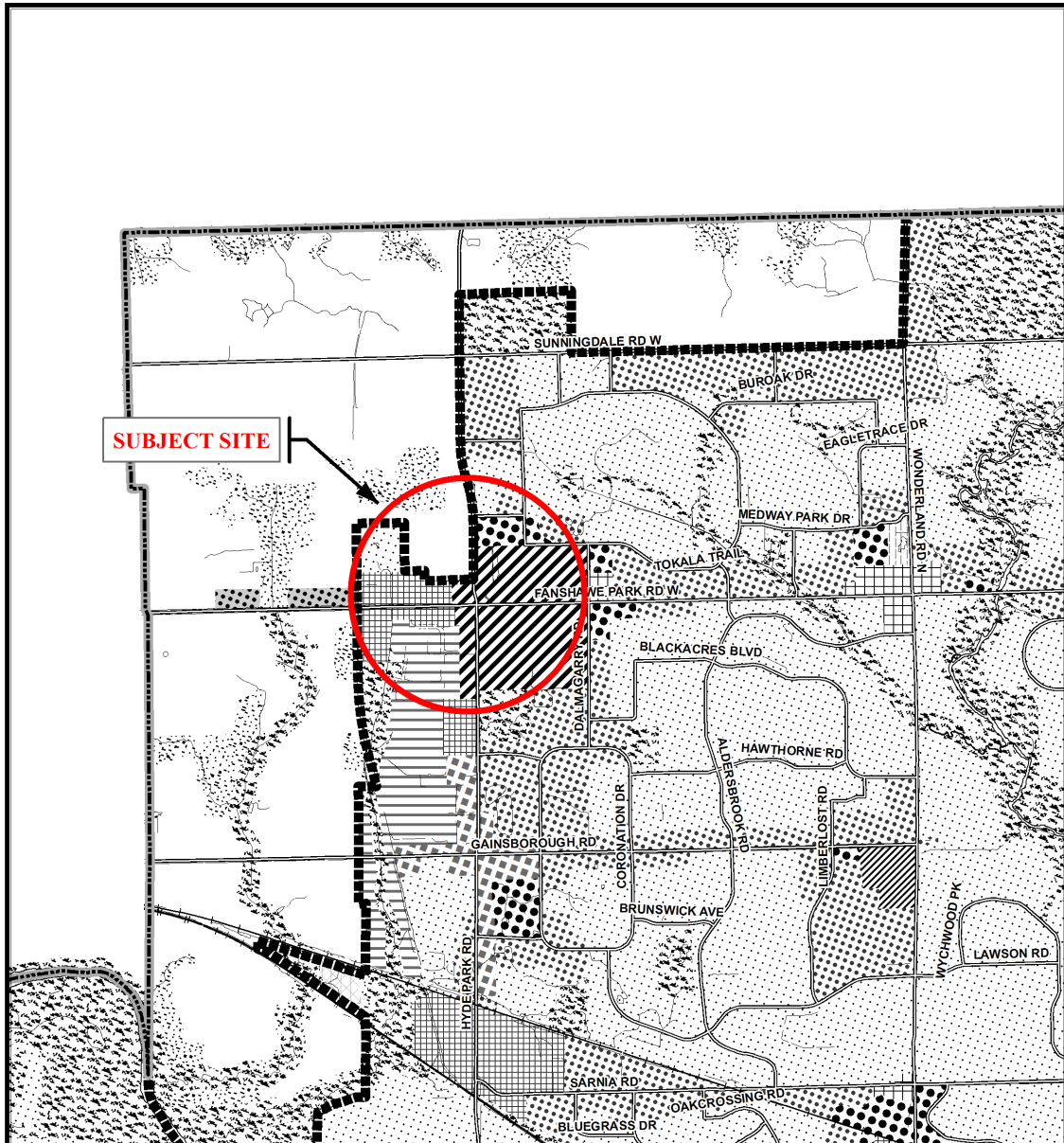
SCALE: 1:4,000



Prepared by : Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

Note: Parcel linework, when shown, is not for official or legal use.

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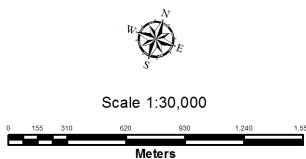


Legend

- | | |
|--|-----------------------------------|
| Downtown | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LAND USE -

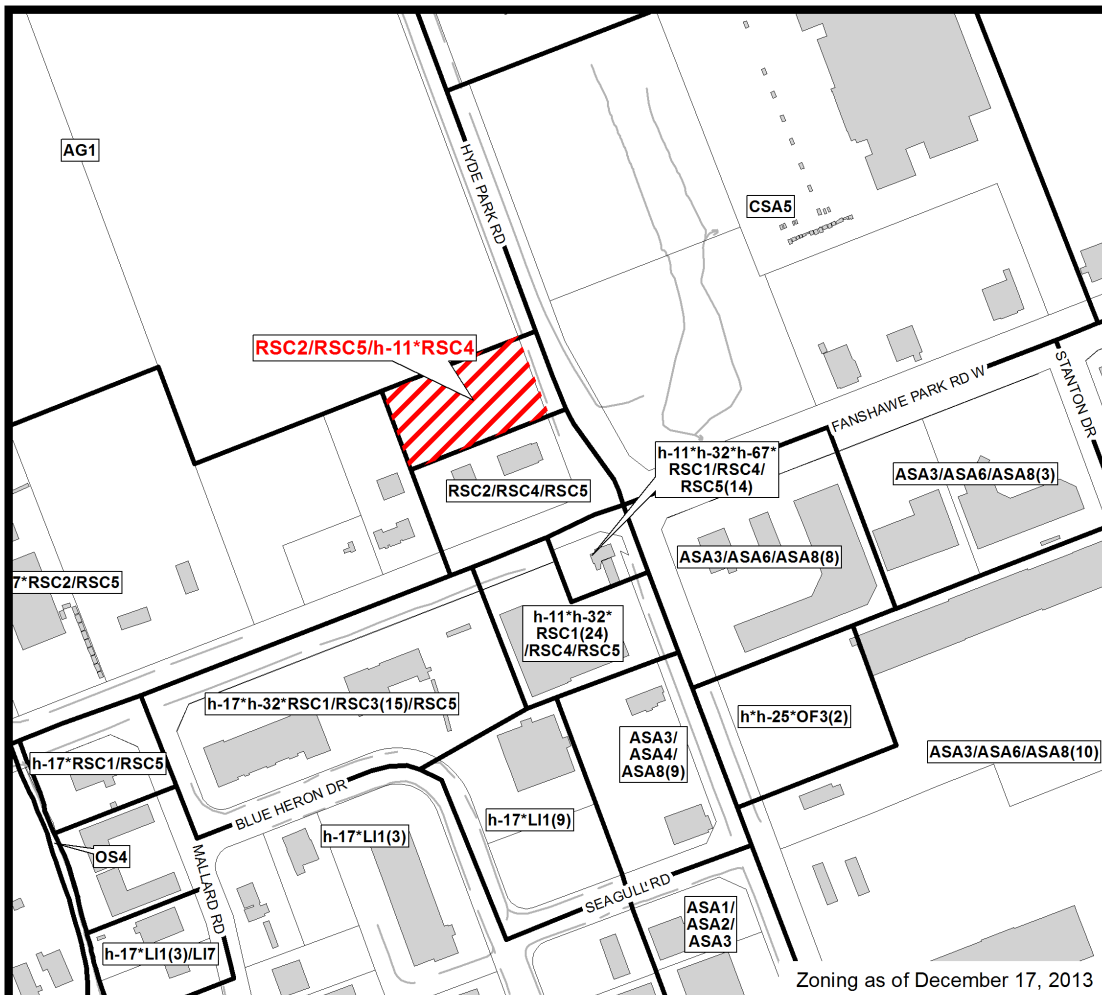
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8290
PLANNER: NM
TECHNICIAN: CK
DATE: 2014/02/07

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSC2/RSC5/h-11*RSC4

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

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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
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2) **ANNEXED AREA APEALED AREAS**

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p>ZONING BY-LAW NO. Z.-1</p> <p>SCHEDULE A</p> <p style="font-size: small;">THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>		<p>FILE NO: Z-8290 NM</p> <hr/> <p>MAP PREPARED: 2014/02/07 CK</p> <hr/> <p style="text-align: center;">1:4,200</p> <p style="text-align: center;">0 20 40 80 120 160 Meters</p>
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Comments

Environmental and Parks Planning – City of London

Environmental and Parks Planning does not have a concern with this application; however it is of note that parkland dedication has not been provided for this property. Parkland dedication, in the form of cash-in-lieu, will be required by the owner at the time of site plan control/building permit consistent with the requirements/rates listed within By-law CP-9.

Urban Forestry – City of London

Urban Forestry has no comments for this rezoning; there are no City trees involved

Transportation Planning and Design Division – City of London

Transportation has reviewed the proposed zoning by-law amendment and traffic impact assessment (TIA) included with the application. The TIA reviewed the impact of a 19,500 sq ft commercial retail site while the zoning amendment is for 13600 sqft medical office and 5300 sqft of commercial retail site. The medical/commercial proposal will generate more traffic than the commercial alone but the difference is not significant enough to change the results of the study.

Access to the site will be restricted to the northerly limit of the property and include the construction of a left turn lane on Hyde Park Rd. These and other transportation issues will be discussed in greater detail through the site plan review process.

Stormwater Management – City of London

The SWM Unit has no objections to the proposed 2090 Hyde Park Rd. Application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval. In addition to the Pre-application Consultation, the SWM Unit provides the following comments to be addressed at the site plan approval stage:

- *The City Subwatershed Planning Studies were approved by City Council on September 18, 1995. The Owner shall be required to comply with the SWM targets and criteria identified in the Stanton Drain Subwatershed Planning Study, which may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.*
- *The owner's Professional Engineer shall prepare a servicing report to address minor, major flows, SWM measures (quantity, quality and erosion control), and identify outlet systems (major and minor) in accordance with City of London Design Permanent Private Stormwater Systems and MOE's requirements, all to the satisfaction of the City Engineer.*
- *According to drawings 18213 the design C value for the subject lands is 0.9. If this value is exceeded, the owner shall provide alternative on-site SWM which is designed and certified by a Professional Engineer for review and approval by the Environmental Services Department.*
- *As there is no available storm sewer, the owner may be required to extend the municipal storm sewer across the fronting property or provide an alternative method of Stormwater Management which is certified by a Professional Engineer to the satisfaction of the City Engineer. A Certificate of Approval, design drawings, and a geotechnical report may be required to support the proposed alternative system.*
- *Due to the nature of the land use the owner may be required to have a consulting Professional Engineer design and install an Oil/Grit Separator to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.*
- *The Owner is required to provide a lot grading and drainage plan that includes, but it is not limited to, minor, major storm/drainage flows that are generally contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.*
- *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
- *The owner shall be required to comply with the City's Drainage By-Laws (WM- 4) and acts, to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, , all to the satisfaction of the City Engineer.*

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Wastewater and Drainage Engineering

The Wastewater and Drainage Engineering Division has no objection to this application.

Urban Design – City of London

The existing character of the area is mixed. Generally, the area is made up of older and newer standalone commercial single storey buildings to the south and west of the site while single storey new format retail big box and strip plazas can be found to the east. The site is located within the Hyde Park Area and must adhere to the Hyde Park Community and Urban Design Guidelines. Urban Design staff are generally supportive of the proposed design as the proposed placement and orientation of the built form generally meet the intent of the Hyde Park Community and Urban Design Guidelines. However, the following comments should be considered while evaluating the proposal:

- *Clarify the discrepancies between the elevations and site plan. The locations of entrance doors, on the one storey commercial building, on the site plan do not correspond with the locations of the doors on the corresponding elevations.*
- *Swap the locations of the two proposed buildings, the taller built form is more appropriate along the arterial road and will assist in framing the street. Alternatively, consider consolidating the two buildings into one three storey building and placing in the location of the one storey commercial building along Hyde Park Road.*
- *Provide for continuous, direct and safe pedestrian connections through the site. Ensure all buildings have a walkway to a public street as well as continuous walkways connecting to other buildings on the site.*

The following should be considered during the site plan process:

- *Ensure a pedestrian connection is extended from the internal pedestrian circulation route to the location of a future City sidewalk within the public Right-of-Way.*

Urban Design Peer Review Panel

The following comments from the Panel are based on the submitted Urban Design Brief, questions directed to and responses by the Applicant on December 18, 2013.

- *The Panel noted the lack of foresight to consider a loading dock and garbage storage for the medical building is problematic and should have been resolved by this stage of design development.*
- *A safe, clearly delineated pedestrian connection from Hyde Park Road to the proposed medical building is fundamental to the success of the proposed development whether the proposed commercial building is realized or not.*
- *Consider moving the access drive to the north and extending the proposed commercial building to increase the street presence.*
- *Consider plantings in the medians in lieu of grass that will not thrive.*
- *Consider permeable concrete and asphalt for storm water infiltration.*
- *Ensure that any rooftop mechanical units are screened from view.*

Upper Thames River Conservation Authority

No objection.

Bell Canada

A detailed review of the Zoning Amendment has been completed. No conditions/ objections to the application. If there are any conflicts with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for re-arrangements or relocations.

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Ministry of Health - Community Based Speciality Clinics

Ontario has committed to shifting low-risk procedures from acute hospital settings to non-profit community-based specialty clinics. Community-based specialty clinics are part of Ontario's Action Plan for Health Care to ensure patients receive the right care, at the right time and in the right place. The Ministry of Health and Long-Term Care (ministry), Local Health Integration Networks (LHINs) and Cancer Care Ontario (CCO) are working together to rollout specialty clinics, starting with routine cataract procedures in fall 2013.

Ontario's Action Care for Health Care

"There are routine procedures currently conducted in hospital that could be performed in the community at the same high quality standard (if not better) and at less cost. We will shift more procedures out of hospital and into non-profit community-based clinics if it will mean offering patients faster access to high-quality care at less cost. We will not compromise on quality, oversight or accountability."

The shift of procedures to a community-based specialty clinic will be gradual, based on the needs of the respective community, supported by the best clinical evidence and with endorsement from the local hospitals and Local Health Integration Networks.

College of Physicians and Surgeons (CPSO)

The College of Physicians and Surgeons of Ontario will have the primary responsibility for carrying out quality assessments in Independent Health Facilities, including the pre-licensing inspection and ongoing quality assessment. Care provided by physicians in specialty clinics will continue to reflect the current model and scope of medicine in Ontario and the regulatory framework for the practice of medicine under the Regulated Health Professions Act, 1991

All specialty clinics must be formally aligned with a public hospital. Formal agreements will be required, and may cover issues such as access to/sharing of electronic patient records, emergency procedures and physician privileges. Hospitals should work with LHINs and the ministry to ensure that the right services are provided in the right setting.

Certain community based specialty clinic procedures may be expanded through hospital-governed facilities such as hospital satellites or ambulatory care facilities

ANALYSIS

Subject Site

The subject property is located on the west side of Hyde Park Road, just north of Fanshawe Park Road West, at the northerly limit of the Urban Growth Boundary. The subject property contains no buildings and has a remnant paved parking area and driveways from a previous commercial use. The site is generally flat. The property is approximately 0.65 hectares (1.6 acres) and has approximately 61.0 metres of frontage along Hyde Park Road. The surrounding land uses include, commercial to the north, restaurant to the South, vacant commercial land at the northeast corner of Fanshawe and Hyde Park and a showroom and contractors yard to the west.

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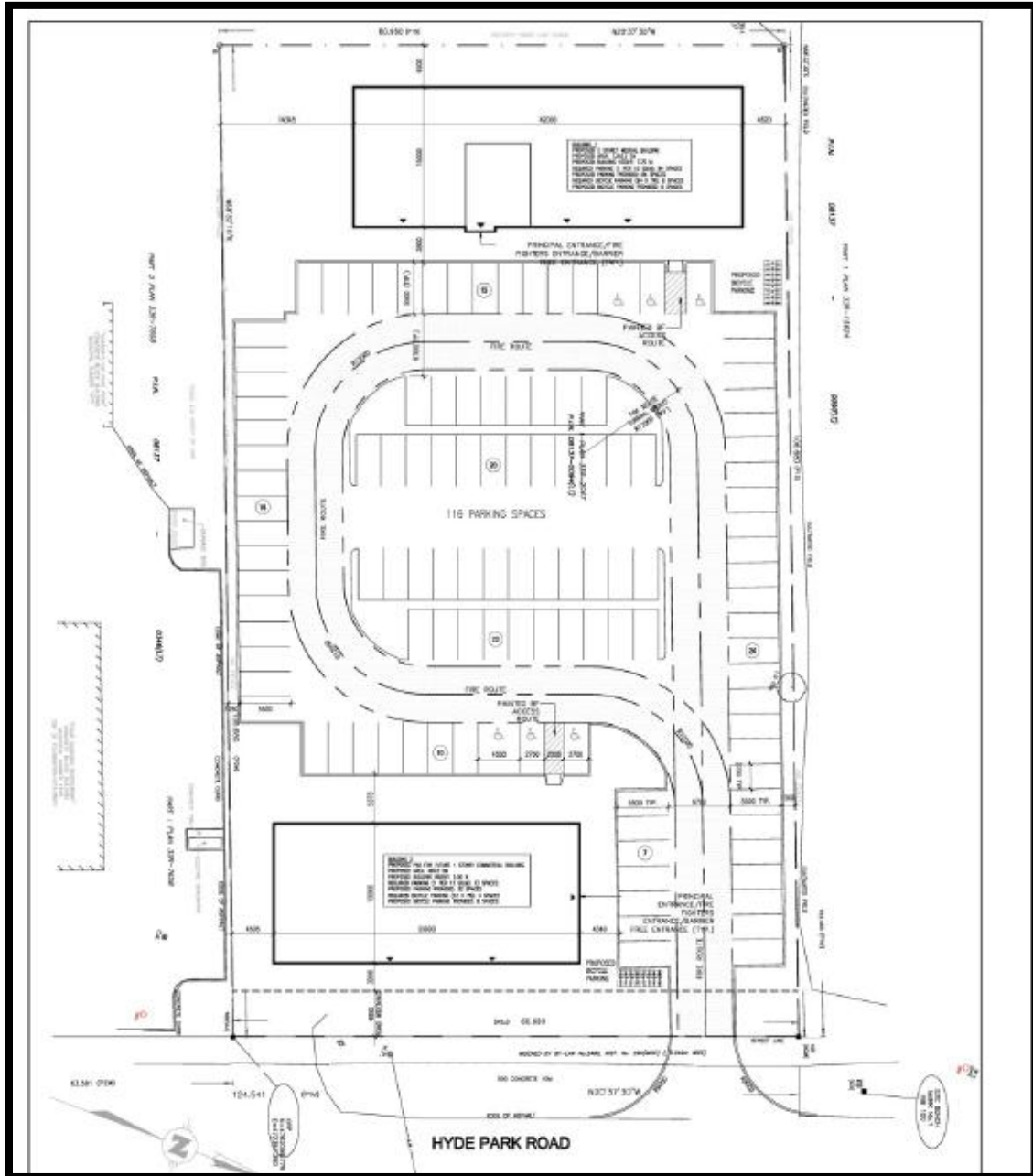
Use/Intensity/Form

The recommended amendment will allow for the development of a medical/dental office with a special provision to include an outpatient clinic with overnight accommodation. The proposal includes two buildings. Building '1' is the larger of the two buildings with a gross floor area of approximately 1,260 square metres (13,600 square feet). It is proposed to be located at the rear of the subject site and is intended to be used as a medical/dental building. Building '2' is the smaller of the two buildings with a gross floor area of approximately 495 square metres (5,300 square feet). It is proposed to be located at the front of the site adjacent to Hyde Park Road and is intended to be used as a multi-tenant retail facility. The proposed development includes the provision of a total of 116 parking spaces.

Access has been proposed from Hyde Park Road at the northerly limit of the property. Bicycle parking has been provided in appropriate locations proximate to the building entrances. The office building is intended to contain a variety of medical offices as well as a private surgical suite that can accommodate day surgery on an outpatient basis as well as an overnight-stay suite.

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Conceptual Site Plan



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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. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

Policy 1.1.1 of the PPS requires that healthy, liveable and safe communities be sustained by such methods as, 'promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term' and 'accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet the long-term needs'.

- The proposed use for the subject site is for a medical office building and multi-tenant retail building contributing to the range and mix of employment uses in the area.

Policy 1.1.3.1 of the PPS requires settlement areas to be the focus of growth and their vitality and regeneration shall be promoted.

- The subject lands are located within the city's Urban Growth Boundary which delineates the settlement area in which growth will be focused and vitality promoted.

Policy 1.3.1 of the PPS requires planning authorities to promote economic development and competitiveness by means as, "providing for an appropriate mix and range of employment to meet long-term needs" and "providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses".

- The proposed development results in a facility that provides health services near the north-westerly limit of the City, in an area experiencing significant growth with developing residential areas. The facility will reduce the need for the surrounding existing and future population to travel further within the City to receive the healthcare services offered within the proposed development. The proposal represents an efficient and appropriate use of land and resources, through the use of available infrastructure within the area.

Hyde Park Community Plan

The Hyde Park Community Plan recognizes the commercial uses along Fanshawe Park Road West that were annexed to the City of London in 1993 as "existing strip commercial areas" and promotes infilling in these areas. The Community Plan also proposed the creation of a new retail node at the intersection of Hyde Park Road and Fanshawe Park Road West which was planned to serve regional and local customers. Additionally, the background studies to the Hyde Park Community Plan support nodal forms of commercial development to provide for a concentration of activity, services, and the creation of synergy between uses.

In 2009, Municipal Council amended the Official Plan, in conformity with the Hyde Park Community Plan, to re-designate the lands fronting the west side of Hyde Park Road to facilitate the development of nodal commercial uses at the corner of Hyde Park Road and Fanshawe Park Road West contemplated in the Community Plan.

Urban Design Guidelines

The Hyde Park Design Guidelines promote a high quality building design to create attractive and functional spaces which, in turn, promote pedestrian use. The Design Guidelines encourage building to be oriented to the street to define the public space of the streets and achieve a more urban development character. In terms of building design, the Design Guidelines encourage highly detailed buildings which include architectural elements to provide visual interest and the façade design should clearly emphasize the main entrance to buildings including the use of canopies over doorways and porches.

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- The proposed buildings are street-oriented, with façades that are varied and articulated with masonry crowns, awnings, and projections that emphasize the main entrances. They also have rooftops with carefully terminated walls, screening for mechanical equipment and roofline elements that create variety and interest. The proposed development has regard for, and is consistent with, the Hyde Park Community and Urban Design Guidelines.

Official Plan Policies

4.2.1 - Planning Objectives for all Commercial Land Use Designations

It is intended that the development and use of areas designated Enclosed Regional Commercial Node, New Format Regional Commercial Node, Community Commercial Node, Neighbourhood Commercial Node, Main Street Commercial Corridor and Auto-oriented Commercial Corridor meet the following objectives:

- 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.*

- The subject site is located within a commercial designation. The proposed development will not impact existing or future surrounding land uses and is compatible with the surrounding existing commercial uses. The proposed uses for the site will not impact the traffic carrying capacity of Hyde Park Road of Hyde Park Road and will utilize the existing infrastructure.

4.2.2 - Urban Design Objectives for all Commercial Land Use Designations

- i) Promote an aesthetically pleasing form of commercial development that conforms to the City's Commercial Urban Design Guidelines and any area specific guidelines;*
- iii) Encourage commercial development located along arterial roads, which serve as major entryways into the City, to meet a higher design standard through the site plan approval process and through the application of the Commercial Urban Design Guidelines; and,*
- iv) Discourage large, front yard surface parking areas; encourage street-oriented development; introduce a higher standard of landscaping; incorporate accessible pedestrian connections to transit facilities, to adjacent neighbouring residential areas and within large commercial developments; require joint access and the co-ordination of internal and external traffic movements.*

- The subject site is located within the Hyde Park Community Planning Area which also consists of Urban Design Guidelines which promote a pleasing form of commercial development. The proposed development is located along an arterial road which serves as a major entryway into the City and presents a positive image along this gateway corridor. The proposed multi-tenant retail facility (Building '2') is located adjacent to the Hyde Park Road corridor thereby screening the surface parking area located in the interior of the subject site.

4.3.6.1 - Function

New Format Regional Commercial Nodes serve a similar function as Enclosed Regional Commercial Nodes but can have a different form and may be larger in size. They are intended to provide for a wide range of commercial uses which meet specialized service and comparison shopping needs. These nodes may have a higher concentration of retail uses than the Enclosed Regional Commercial Nodes. New Format Regional Commercial Nodes are also regarded as major activity centres by reason of their size and range of uses, and may have trade areas that also extend beyond the municipal boundary.

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4.3.6.3 - Permitted Uses

Permitted uses including all types of large and small-scale retail outlets; including supermarkets and food stores; department stores; retail warehouses, building supply, and home improvement and furnishings stores; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses; community facilities, such as libraries; and professional and medical/dental offices. Within New Format Regional Commercial Nodes, office uses and places of entertainment will be permitted in limited amounts. Transit facilities and commuter parking lots are also encouraged in this designation. Hotels may also be permitted through a zoning by-law amendment. Zoning on individual sites may be for less than the full range of permitted uses

- The proposed development consists of small-scale retail, service commercial, clinic and medical office uses, and is therefore in conformity with the New Format Regional Commercial Node permitted uses.

4.3.6.4 - Form

New Format Regional Commercial Nodes typically have a “big-box” or “new-format” form of development and fewer small-scale uses than the Enclosed Regional Commercial designation. There may or may not be public common areas. Free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops, encourage pedestrian connectivity with adjacent uses and reduce the visual impact of large open parking lots. While these areas generally serve the traveling public, they should be designed to incorporate public spaces and facilities at central locations.

- The proposed development includes a free-standing multi-tenant retail facility (Building ‘2’) situated adjacent to the Hyde Park Road corridor to improve the design of the street edge. This building’s location will reduce the visual impact of the large open parking lot which will also serve the proposed medical/dental building (Building ‘1’) located to the rear of the subject site. The front of the site also includes an urban forecourt thereby incorporating public spaces within the development in conformity with the policies of the Official Plan.

4.3.6.5 - Scale

Commercial development within a New Format Regional Commercial Node designation shall normally range in size from 35,000 square metres to 130,000 square metres gross floor area. Zoning of individual New Format Regional Commercial Nodes will normally be restricted to the existing zoned gross floor area and any expansions to these centres will be subject to a zoning by-law amendment application and to Section 4.3.10 and Section 4.5. of this Plan.

- The proposal consists of two buildings including a two-storey medical office with a gross floor area of approximately 1,260 square metres (13,600 square feet). The smaller building, located at the front of the site, is a multi-tenant retail facility with a gross floor area of approximately 495 square metres (5,300 square feet). The proposal does not exceed the size range for the Commercial Node.

4.3.6.6(2) – Special Policies (Fanshawe Park Road West/Hyde Park Boundaries)

Permitted Uses

Consistent with the intended function of the node, a broad range of retail, service, community facility and office uses will be permitted within the designation.

Scale and Form

Total gross floor area permitted in the node on the west side of Hyde Park Road will be subject to the regulations of the Zoning By-law.

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Design Guidelines

In addition to the guidance provided by the Urban Design Principles listed in Chapter 11 of the Official Plan, the Council approved Commercial Urban Design Guidelines, and the Hyde Park Urban Design Guidelines, Council is particularly concerned about the design quality of the street frontages along Hyde Park Road and Fanshawe Park Road West, both major entryways into the City. Issues include, but are not limited to, buildings orientated close to the street, windows on the street and amount of boundary landscaping.

Required Studies

It is anticipated that improvements to Hyde Park Road, including road widening, will occur during the life of this Plan. This will necessitate the requirement for access management measures for lands on the west side of Hyde Park Road and will include measures such as limited, reduced, and/or mutual access onto Hyde Park Road.

Prior to the approval of a Zoning By-law amendment to expand the range of uses on lands on the west side of Hyde Park Road, a Transportation Impact Study shall be required to the satisfaction of the City Engineer.

- The proposed uses are consistent with the Special Policies for this area. The scale and form are appropriate; however one special provisions will be required in order to accommodate the proposed location of the building fronting Hyde Park Road. The proposal was reviewed by City of London Urban Design Staff as well as the Urban Design Peer Review Panel. The Special Policy design criteria were taken into consideration when this proposal was reviewed. A Transportation Impact Study was submitted by the applicant as part of the complete Zoning By-law amendment application.

4.3.6.5 - Applications to Add, Expand, or Upgrade Commercial Nodes

Minor expansions to existing commercial nodes and/or intensification of existing development may be permitted without amendment to the Official Plan; provided that the intent of the policies are not compromised and the following conditions are met:

- i) the proposed expansion or enlargement does not significantly affect the scale, location, form or function or the expanded node;*
- ii) the implementing zoning by-law and site plan address the size and nature of specific uses and the impacts relating to noise, vibration, emissions, lighting, parking and traffic generation resulting from the expansion; and,*
- iii) the neighbouring uses are protected where necessary by provisions for landscaping, buffering or screening, as well as measures to reduce impacts which may be provided through site plan control and zoning provisions*

- The subject site is separated from the bulk of the New Format Regional Commercial Node, and contains smaller scaled buildings than the majority of the node. Considering the limited size of the subject property, the proposed structures are smaller than typical big-box developments. The intended effect of the policy is maintained, relative to the size of the subject lands, by positioning a building along the street frontage with attractive streetscape improvements and providing a larger two-storey building at the rear of the site. The site design makes use of public space elements such as the landscaped walkways and bicycle parking to ensure a positive relationship is maintained between the site, site users and the general public. There are no anticipated negative impacts resulting from the development of this site and site plan approval will be required to address matters related to landscaping and screening.

Zoning By-law

Current Zoning

The current zoning is a Holding Restricted Service Commercial (RSC2/RSC5/h-11*RSC4). The Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space and a location on major streets. The wide range of uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.

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The permitted uses include: Animal clinics, Automobile rental establishments, Automobile repair garages, Automobile sales and service establishments, Automobile supply stores, Automotive uses, restricted, Catalogue stores, Duplicating shops, Home and auto supply stores, Home improvement and furnishing stores, Kennels, Repair and rental establishments, Service and repair establishments, Studios, Taxi establishments, Self-storage Establishments, Bulk beverage stores; Dry cleaning and laundry depots, Liquor, beer and wine stores, Pharmacies, Bulk sales establishment

The "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

Requested Zoning

The recommended Zoning By-law amendment broadens the range of permitted uses on the lands by adding complementary uses, further implementing the Official Plan policies with respect to commercial uses within the Regional Commercial Node. The applicant has requested to add a Restricted Service Commercial Special Provision (RSC3(*)) Zone which will allow the proposed medical/dental office use as well as additional commercial uses including: Animal clinics, Automobile rental establishments, Automobile repair garages, Automobile sales and service establishments, Automobile supply stores, Automotive uses, restricted, Catalogue stores, Duplicating shops, Home and auto supply stores, Home improvement and furnishing stores, Kennels, Repair and rental establishments, Service and repair establishments, Studios, Taxi establishments, Self-storage Establishments, Bulk beverage stores; Dry cleaning and laundry depots, Liquor, beer and wine stores, Pharmacies, Bulk sales establishment.

The requested amendment also included the provision of a site-specific regulation to add outpatient clinic with overnight accommodation as an additional permitted use. However, the requested additional permitted use is not specifically defined in the current Z.-1 Zoning By-law. Currently the Zoning By-law defines Outpatient Clinic as:

a clinic where day surgery and medical treatment is performed; however, no overnight accommodation shall be provided

In order to implement the proposed use, the special provision to add the requested additional permitted use must also include a regulation which specifically permits overnight accommodation.

The "h-11" symbol will remain on the lands and will not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

Special Provisions

One special provision will be required:

- Front Yard Setback – Hyde Park Road (minimum) 3.0 meters

This Special Provisions is necessary in order to accommodate the proposed location of the buildings fronting Hyde Park and to implement the goals of the Hyde Park Urban Design Guidelines. The reduced setback will have minimal impact on the surrounding sites. The proposal utilizes the building orientation to reduce the visibility of the parking area from Hyde Park Road and enhances the built form near a major arterial road intersection.

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Planning Impact Analysis

Planning Impact Analysis is used to evaluate applications for an Official Plan amendment and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. Planning Impact Analysis is intended to document the criteria reviewed by municipal staff through the application review process to assess an application for change. Depending upon the situation, other criteria may also be considered. The criteria considered include the following:

i) the policies contained in the Section relating to the requested designation;

- The proposed uses are identified as permitted uses with the Residential designations of the Official Plan.

ii) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future /and uses in the area;

- The proposed uses are compatible with the surrounding land uses. The proposed development would establish medical offices at a compatible scale to the surrounding development and the facility would primarily serve the surrounding residential areas.

iii) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses.

- The applicant will be required to go through the Site Plan Approval process to ensure high quality site design, engineering efficiency, building architecture and landscape design. Site plan control is intended to improve efficiency of land use and servicing, and to encourage attractive and compatible forms of development.

iv) the potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties;

- According to the City of London Transportation Staff access to the site will be restricted to the northerly limit of the property and include the construction of a left turn lane on Hyde Park Rd. These and other transportation issues will be discussed in greater detail through the site plan review process.
- A traffic Impact Analysis was prepared by F.R. Berry & Associates which confirms that the proposed development will have no significant impacts on the operation of the Hyde Park Road/Fanshawe Park Road intersection or on through traffic movements along Hyde Park Road.

v) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses,

- The proposal consists of two buildings including a two-storey medical office with a gross floor area of approximately 1,260 square metres (13,600 square feet). The smaller building, located at the front of the site, is a multi-tenant retail facility with a gross floor area of approximately 495 square metres (5,300 square feet). One special provision will be required in order to accommodate the proposed location of the buildings.

vi) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;

- The City of London Transportation Division has no concerns with the proposed amendment. Access to the site will be restricted to the northerly limit of the property and include the construction of a left turn lane on Hyde Park Rd. These and other transportation issues will be discussed in greater detail through the site plan review process.

ix) the exterior design in terms of bulk, scale, and layout of buildings, and the integration of

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these uses with present and future /and uses in the area and its conformity with the City's commercial urban design guidelines;

- On December 18, 2013 proposed development was presented to the Urban Design Peer Review Panel. The matters addressed by the Panel will be addressed at the Site Plan Approvals Stage and are included in the Staff recommendation.

x) the potential impact of the proposed development on surrounding natural features and heritage resources;

- There are no natural features surrounding the subject lands.

xi) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development;

- There are no known environmental issues.

CONCLUSION

The subject site is currently vacant and the proposed use represents an efficient development and land use pattern. The proposed uses are compatible with the surrounding land uses and comply with the Provincial Policy Statement, the City of London Official Plan and the new Ministry of Health - Community Based Speciality Clinics policies. The proposal will establish a new medical office building as part of a small commercial plaza in a location that is convenient to a growing area of the City as well as rural populations north and west of the City. The recommended amendment is intended to expand the list of permitted uses under the current RSC zone, consistent with Official Plan policies for permitted uses within the New Format Regional Commercial Node designation. The proposed development meets the criteria listed in the Planning Impact Analysis and will function at a neighborhood scale while providing services to surrounding residential areas and the travelling public.

PREPARED BY:	SUBMITTED BY:
NICOLE MUSICCO – PLANNER II CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

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File: Z-8290
Planner: N. Musicco

Bibliography of Information and Materials (File: Z-8290)

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo, November 20, 2013

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.

City of London. *Hyde Park Community Plan and Urban Design Guidelines*, April 17, 2000, as amended

Studies Submitted as part of a complete application:

- Planning Justification Report – ZP – 2090 Hyde Park - November 7, 2013
- Urban Design Brief – ZP – 2090 Hyde Park - November 7, 2013
- Transportation Impact Study – F.R Berry and Associates – September 2012
- Functional Servicing Report for Commercial Development of 2090 Hyde Park Road – The Odan/Detech Group Inc. October 2013

Correspondence: (all located in City of London File: Z-8290)

City of London:

Clavet Y. (SWM) Email to N. Musicco – January 16, 2014

Couvillon. A (Transportation Planning and Design Division) – Email to N. Musicco – December 20, 2013

Moore R. (WADE) Email to N. Musicco – December 12, 2013

Postma R. (Forestry) Email to N. Musicco - December 12, 2013

Page B. (Parks Planning) Email to N. Musicco – December 10, 2013

Departments and Agencies:

Raffoul, Lina (Bell Canada). Memo to N. Musicco – December 19, 2014

Creighton C. (UTRCA) Memo to N. Musicco – December 19, 2014

Various emails between N. Musicco and M. Doornbosch (ZP) November 2013 – March 2014.

Email from N. Musicco to B. Curtis (MMAH) December 2013/ January 2014.

Email from N. Musicco to Councillor Brown – November 27, 2013.

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**File: Z-8290
Planner: N. Musicco**

Appendix "A"

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

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2090 Hyde Park Road.

WHEREAS The Y Group Investments and Management have applied to rezone an area of land located at 2090 Hyde Park Road, 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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2090 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101 from a Holding Restricted Service Commercial (RSC2/RSC5/h-11*RSC4) Zone TO a Holding Restricted Service Commercial Special Provision (RSC2/RSC5/h-11*RSC4/RSC3(*)) Zone.
- 2) Section Number 28.4 of the Restricted Service Commercial Zone (RSC3) Zone is amended by adding the following Special Provision:

28.4_) RSC3() 2090 Hyde Park Road

- a) Additional Permitted Use:
 - i) Clinic, outpatient
- b) Regulations
 - i) Front Yard Setback 3.0 meters (9.1 ft) (minimum)
 - ii) Notwithstanding the definition for *Clinic, outpatient* in Section 2 of this By-law to the contrary, overnight accommodation is permitted

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.

Agenda Item # Page #

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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.

PASSED in Open Council on March 18, 2014.

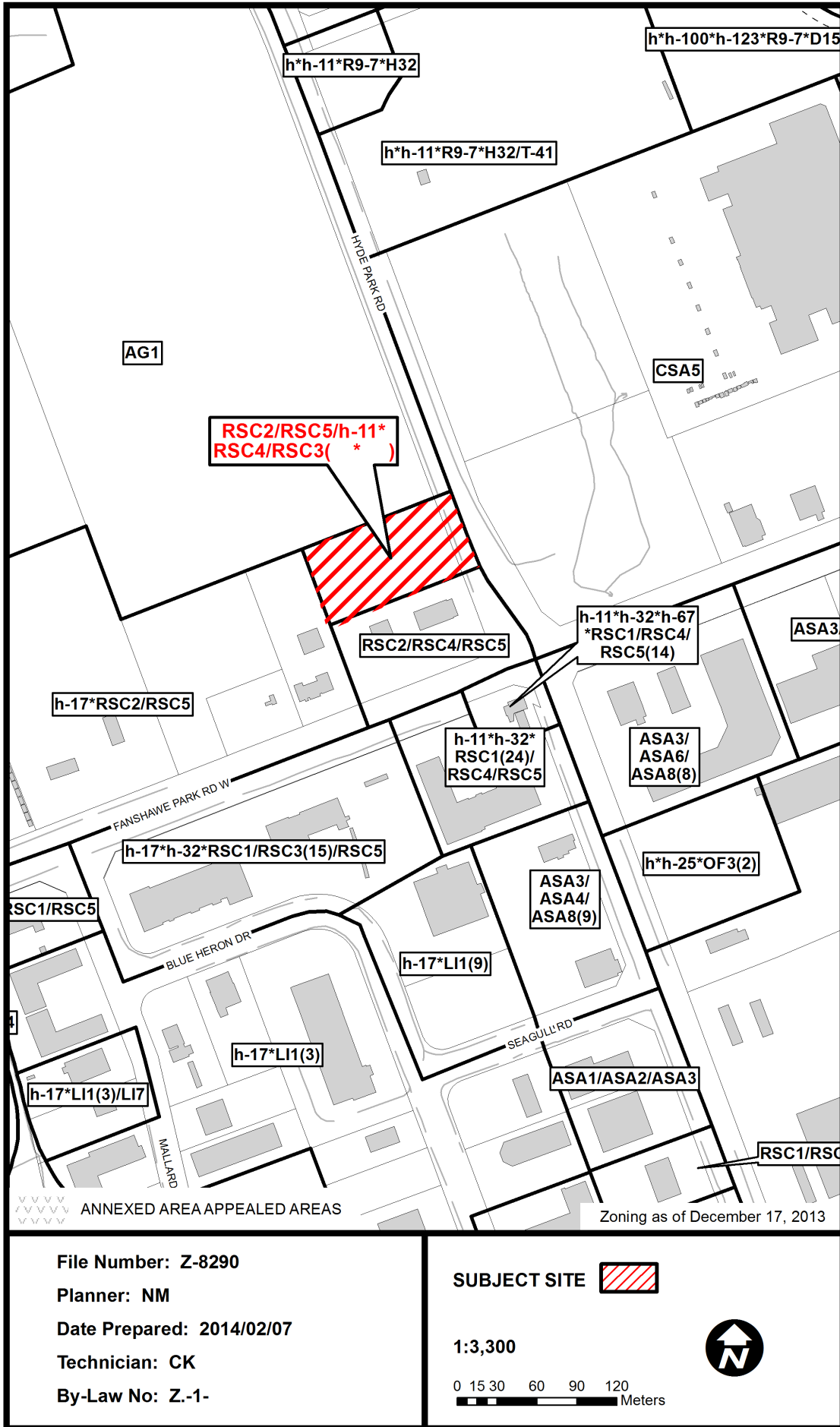
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - March 18, 2014
Second Reading - March 18, 2014
Third Reading - March 18, 2014


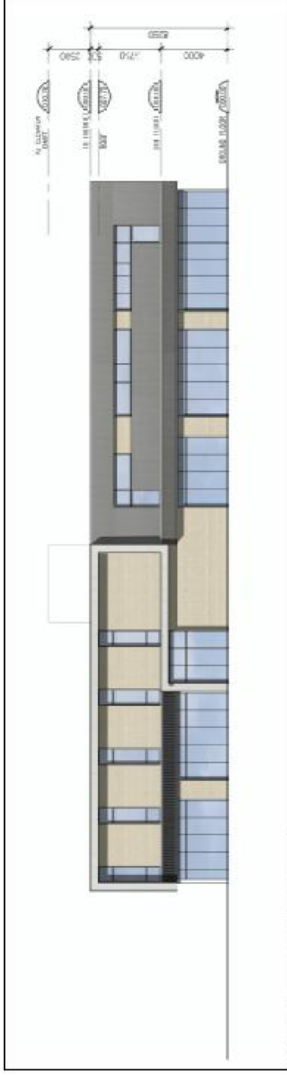


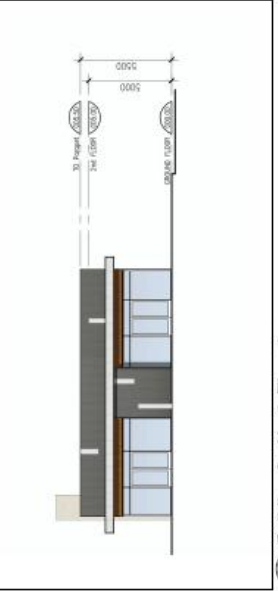
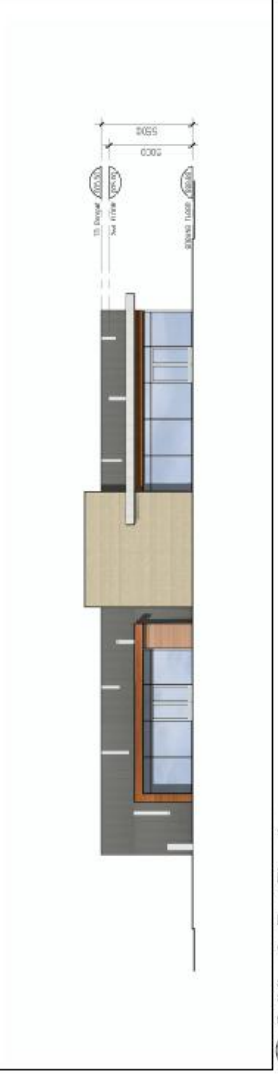
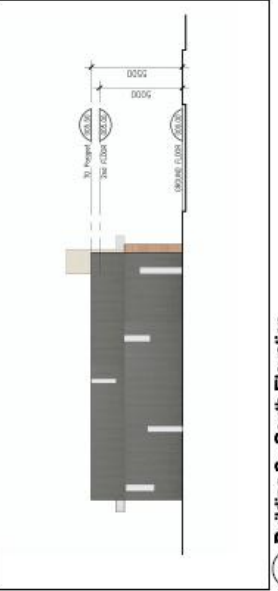

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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



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Schedule "1"

 <p>1 Building 1 - South Elevation A400 / SCALE 1:100</p>	 <p>2 Building 1 - East Elevation A400 / SCALE 1:100</p>
 <p>3 Building 1 - North Elevation A400 / SCALE 1:100</p>	 <p>4 Building 1 - West Elevation A400 / SCALE 1:100</p>
 <p>5 Building 2 - North Elevation A400 / SCALE 1:100</p>	 <p>6 Building 2 - East Elevation A400 / SCALE 1:100</p>
 <p>7 Building 2 - South Elevation A400 / SCALE 1:100</p>	 <p>8 Building 2 - West Elevation A400 / SCALE 1:100</p>

REVISIONS

2013-10-21 ISSUED FOR REVIEW
2013-09-25 REVISIONED FOR REVIEW
ISSUE NUMBER

Y ARCHITECTS
9 416 230 9130
(e) info@yarchitects.ca

2080 HYDE PARK DRIVE
LONDON, ON

12003 As Noted OY
POLARITY SHALL BE AS SHOWN

ELEVATIONS

A400

Note: This drawing is the property of Y Architects and shall not be used for any other project without the written consent of Y Architects. The user of this drawing shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

