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File: Z-8302 / O-8303
Nicole Musicco

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	OFFICAL PLAN AMENDMENT APPLICATION BY: THE CITY OF LONDON ZONING BY-LAW AMENDMENT APPLICATION BY: HLH INVESTMENTS LIMITED 1140 SOUTHDALE ROAD WEST PUBLIC PARTICIPATION MEETING ON MARCH 25, 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 City of London and HLH Investments Limited relating to the property located at 1140 Southdale Road West:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 1, 2014 to amend the Official Plan to change the designation of the subject lands **FROM** Low Density Residential **TO** Neighbourhood Commercial Node.
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on April 1, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area (NSA1/NSA2/NSA5) Zone **TO** a Neighbourhood Shopping Area Special Provision ((NSA1/NSA2/NSA5(*)) Zone.
- (c) 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 below:
 - The use of a material other than the chain link above the retaining wall along the west property line, such as board on board fence or wrought iron.
 - Ensure that cap materials and finishes are consistent around the building to provide for visual interest.
 - Move the parking spaces and sidewalk at the west side of the building such that parking spaces align with the edge of the drive aisle and provide landscaping in the resultant space at the building face to facilitate pedestrian movement within the site and commercial uses.
 - The use of transparent glazing on building facades that address the street is strongly encouraged to activate the street frontages.
 - Consider decreasing the height and reducing the massing of the stone elements at the piers and above the signage to create a better proportion between the corner signage element and building.
 - Site lighting appropriate to the scale of the proposed facilities and use should be utilized. Energy efficiency and white light is encouraged; the latter for security and aesthetic reasons. Ensure illumination is directed down and restrict light spill to adjacent properties.
 - The use of permeable concrete and asphalt for storm water infiltration.
 - Ensure that any rooftop mechanical units are screened from view to enhance the building elevations.

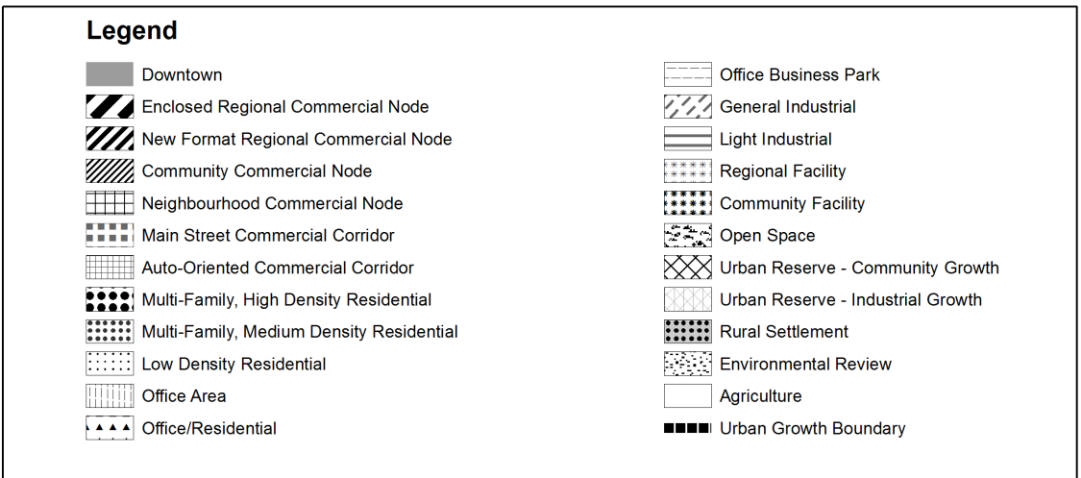
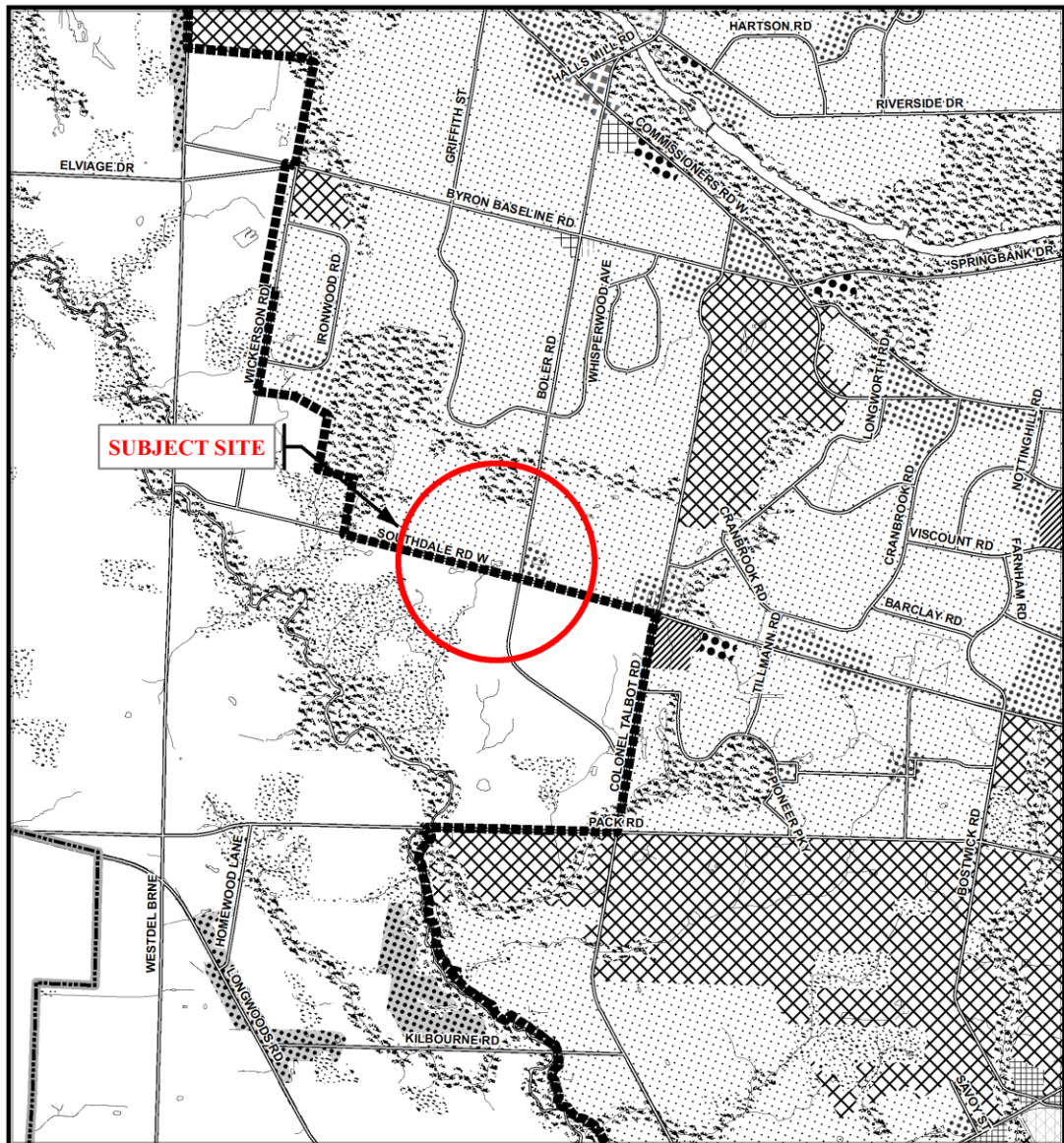
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- A door with transparent glazing to be included on the Boler Road façade to provide direct pedestrian access from the sidewalk into the easterly commercial unit.
- A door with transparent glazing be considered at the southwest corner of the commercial plaza to provide direct pedestrian access from Southdale Road West.



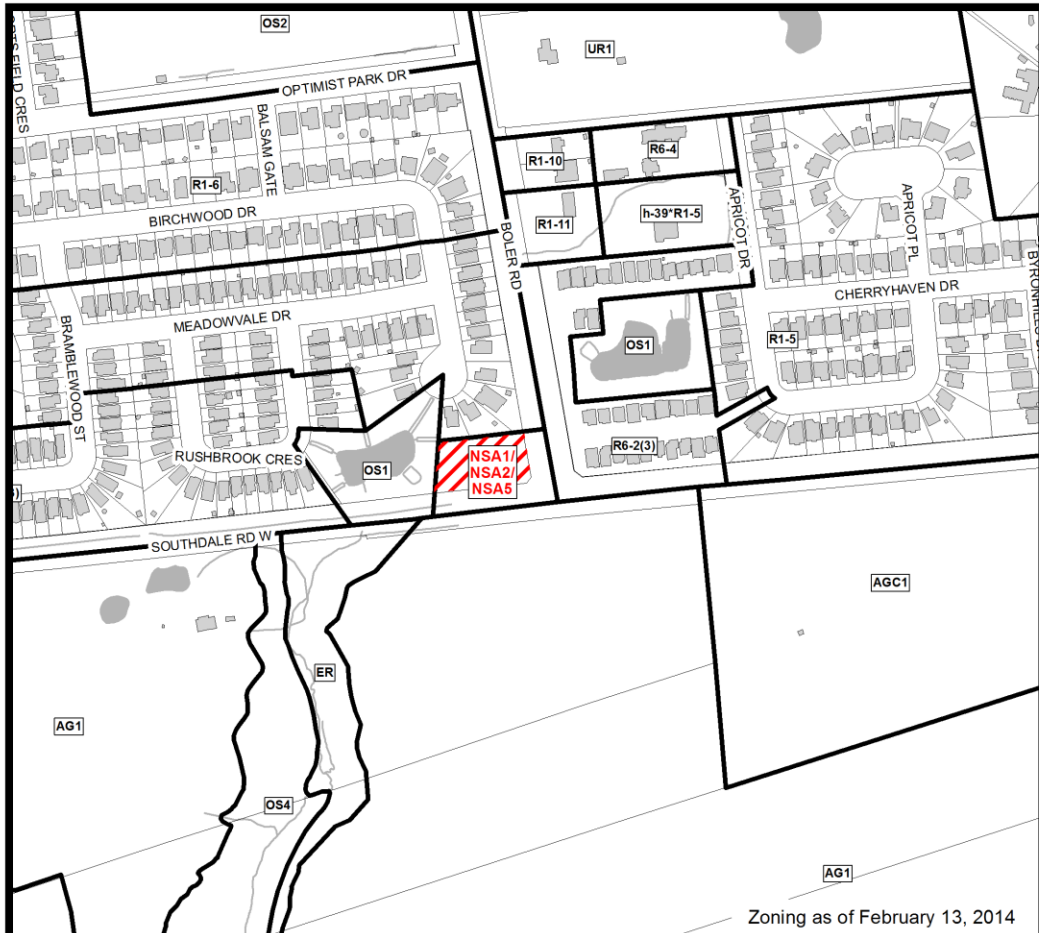
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<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8302/O-8303</p> <p>PLANNER: NM</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/02/24</p>
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Zoning as of February 13, 2014



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: NSA1/NSA2/NSA5

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**



FILE NO:
Z-8302/O-8303 NM

MAP PREPARED:
2014/02/26 CK

1:4,500
0 20 40 80 120 160
Meters

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

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

39T-98504 – Draft Plan of Subdivision

SP13-021526 – Site Plan Approval Application

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended amendments is to change the current Neighbourhood Shopping Area zone to allow for two additional uses including an *‘animal clinic’* and a *‘commercial recreation establishment’*.

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 Neighbourhood Commercial Node uses and objectives;
- iii) The proposed zone provides a complementary use to the existing Neighbourhood Shopping Area Zone and will have no negative effects on the surrounding area.

BACKGROUND

Date Application Accepted: December 4, 2013	Agent: Zelinka Priamo Limited
<p>REQUESTED ACTION: Possible amendment to Zoning By-law Z-1 to change the current Z.1 Zoning By-law FROM a Neighbourhood Shopping Area (NSA1/NSA2/NSA5) Zone TO a Neighbourhood Shopping Area Special Provision ((NSA1/NSA2/NSA5()) to allow for such uses as an ‘animal clinic’ and a ‘commercial recreation establishment’.</p> <p>Please note: this application is associated with City of London (File O-8303) to change the current Official Plan designation FROM a ‘Low Density Residential’ designation TO ‘Neighborhood Commercial Node’ designation which is more consistent with the current and proposed Zoning.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use - Vacant • Frontage – 38.52 meters • Depth – 77.12 meters • Area – 0.31 hectares • Shape - Irregular
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<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Single detached dwellings • South - Agricultural Land • East - Plan of Condominium • West - Stormwater Management Facility
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<p>OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)</p> <p>Low Density Residential <i>The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted. Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted. Convenience Commercial - Existing convenience commercial and service station uses which meet the criteria established in policy 3.6.5. are recognized as permitted uses within the Low Density residential designation and may be recognized as permitted uses in the Zoning By-law. Existing uses which do not meet the criteria in this Plan are legal non-conforming uses and may also be recognized as permitted uses in the Zoning By-law. New convenience commercial and service station uses are encouraged to locate in the Commercial designations. However, they are also permitted in the Low Density Residential designation by Official Plan amendment and zone change subject to the criteria in policy 3.6.5.</i></p>
<p>EXISTING ZONING: (refer to Zoning Map)</p> <p>Neighbourhood Shopping Area (NSA1/NSA2/NSA5) <i>The NSA zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. Zone variations of the zone are differentiated based on uses and maximum permitted gross leasable floor area for certain defined uses. Shopping centres are the permitted form of development; however, stand-alone buildings may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen parking lots. The NSA5 Zone variation is used for this purpose.</i></p>

<p>PLANNING HISTORY</p>

The subject site is part of the Auburn Developments subdivision which comprises a 30 hectare (74 acre) parcel of land located on the north-west corner of Boler Road and Southdale Road W. Two stages of the draft plan have been registered (33M-417 & 33M-452).

The application for the revision to the draft approved plan of subdivision was accepted on November 17, 2003. Given the nature of the proposed changes to add a SWM block and to reduce the size of the commercial block would impact conditions previously imposed by Engineering and Planning Departments, the application was only circulated to Engineering and Environmental Services Department on November 18, 2003 and reviewed by Planning Division.

The applicant has submitted an application for Site Plan Approval to construct a commercial plaza as depicted in Schedule '1' (attached to this report). The recommended amendments will add two more commercial uses to the range of permitted uses.

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

PUBLIC LIAISON:	On December 23, 2013, Notice of Application was sent to 97 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 23, 2013. A "Possible Land Use Change" sign was also posted on the site.	2 replies were received
<p>Nature of Liaison: REQUESTED ACTION: Possible amendment to Zoning By-law Z-1 to change the current Z.1 Zoning By-law FROM a Neighbourhood Shopping Area (NSA1/NSA2/NSA5) Zone TO a Neighbourhood Shopping Area Special Provision ((NSA1/NSA2/NSA5()) to allow for such uses as an 'animal hospital' and a 'commercial recreation establishment'.</p> <p>Please note: this application is associated with City of London (File O-8303) to change the current Official Plan designation FROM a 'Low Density Residential' designation TO 'Neighborhood Commercial Node' designation which is more consistent with the current and proposed Zoning.</p> <p>Responses: Two phone calls were received inquiring about further details on site design and nature of the application.</p>		

Sanitary Sewers – City of London
No Comment.

Stormwater Management – City of London
The SWM Unit has no objections to the proposed above noted application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval.

Let it be noted that the SWM Unit has provided comments on July 30, 2013 for the existing site Plan application currently under review with Development Services under file SP13-021526. Any design changes due to the changes proposed in this application to the current site plan proposal, may require additional review and comments by the SWM Unit.

Transportation Planning and Design Division – City of London
The Transportation Division advised that a roundabout was planned at the Southdale/Boler intersection. Planning was advised to ensure that appropriate land dedications are in place and that the building does not interfere with the operations of the roundabout.

London Hydro
No objection

Transportation Advisory Committee
At its meeting held on February 4, 2013, the Transportation Advisory Committee (TAC) reviewed and received Notices, dated December 23, 2013, from N. Musicco, Planner II, with respect to applications submitted by HLH Investments Limited and the City of London, relating to the property located at 1140 Southdale Road West. The TAC requested consideration of the following points:

- a) *the potential for future traffic access issues; and,*
- b) *the addition of a pedestrian access from Birchwood Drive to Southdale Road West, adjacent to the site. (4/2/TAC)*

Agenda Item # Page #

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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 August 21, 2013.

- 1. Consider fencing other than the chain link above the retaining wall along the west property line.*
- 2. Ensure that cap materials and finishes are consistent around the building.*
- 3. Move the parking spaces and sidewalk at the west side of the building such that parking spaces align with the edge of the drive aisle and provide landscaping in the resultant space at the building face.*
- 4. The use of transparent glazing on building facades that address the street is strongly encouraged.*
- 5. The mass and volume of the corner signage element is out of proportion with the remainder of the building. Consider decreasing the height and reducing the massing of the stone elements at the piers and above the signage.*
- 6. Site lighting appropriate to the scale of the proposed facilities and use should be utilized. Energy efficiency and white light is encouraged; the latter for security and aesthetic reasons. Ensure illumination is directed down and restrict light spill to adjacent properties.*
- 7. Consider permeable concrete and asphalt for storm water infiltration.*
- 8. Ensure that any rooftop mechanical units are screened from view.*

ANALYSIS

The subject property is located on the north-west corner of Boler Road and Southdale Road West. The site, which is currently vacant, has an area of approximately 0.031ha (0.77 acres), with a frontage of 38.52m (126 ft) along Boler Road and 77.12m (253 ft) along Southdale Road West and. Land use to the north, and west are low density residential in the form of single detached dwellings and a medium density condominium development across Boler Road to the east. Further to the north is the Byron Optimist Park with playing fields and open space. A stormwater management pond abuts the subject lands to the west. Land uses to the south, across Southdale Road are agricultural and located outside of the Urban Growth Boundary. A site plan application (SP-13021526) for the subject property is currently in the final stages of approval.

Nature of the Application

The proposed development consists of a new commercial building on the site, located as close to the intersection as the Zoning regulations permit, with 50 parking spaces. The facade of the building to the intersection is intended to be a focal point along Southdale Road and a gateway to the residential community to the north. The proposed gross floor area of the commercial building is 908m² (9,773.6ft²) with entrances facing north, towards the associated parking area, as well as an entrance on the east elevation off Boler Road. Three (3) separate units are proposed for a variety of neighbourhood commercial uses, including an animal clinic and a yoga studio. The subject lands will have two access points; a right-in only access along Boler Road, and a full turn access off of Southdale Road West.

Provincial Policy Statement (2005)

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".

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- The proposed use for the subject site is for 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 such 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 will provide commercial and retail uses to the surrounding residential neighbourhood. The recommended amendment to modestly expand the ranges of commercial uses reduces the need for the surrounding existing and future population to travel further within the City to receive the services offered within the proposed development. The proposal represents an efficient and appropriate landuse.

Current Official Plan

The current Official Plan designation is Low Density Residential.

The Low Density Residential designation is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings at densities similar to neighbouring detached units may be permitted.

Policies in this Plan promote development which shall enhance the character of the residential area. Certain secondary uses of a non-residential nature which are integral to, and compatible with, a neighbourhood environment, are also permitted.

3.2.1 Primary Permitted Uses

The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Residential Intensification may be permitted subject to the provisions of policy 3.2.3. Zoning on individual sites would not normally allow for the full range of permitted uses.

- This zoning predates the current Official Plan designation which was applied in the 2006 comprehensive review of the Official Plan.
- The current Low Density Residential designation is not consistent with the current zoning. Given that there is an application for Site Plan approval pending to permit the development of a commercial plaza, in conformity with the Zoning By-law it is inevitable that these lands will be utilized from commercial uses, notwithstanding the Official Plan designation.
- Sufficient land has been allocated for residential uses within this area. Amending the Official Plan to a Neighbourhood Commercial Node is consistent with the current Neighbourhood Shopping Area Zone and reestablished the commercial designation that was changed through the 2006 comprehensive Official Plan amendment. The Neighbourhood Shopping Area uses will serve the surrounding residential community.

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City-Initiated Official Plan Amendment

The City of London is initiating an Official Plan Amendment in association with the requested Zoning By-law amendment for the subject property from a Low Density Residential designation to a Neighborhood Commercial Node designation. The current zone of the subject property is a Neighbourhood Shopping Area Zone. The proposed change in Landuse designation is consistent with the current zone and proposed long term development of the property and restores the neighbourhood commercial designation that was applied to the property prior to the 2006 Official Plan review which redesignated these lands from Neighbourhood Commercial uses to Low Density Residential uses.

The proposed Land use Designation is Neighbourhood Commercial Node.

Function - 4.3.8.1

Neighbourhood Commercial Nodes are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. They should contain uses that are convenience-oriented and unlikely to draw customers from beyond the local area.

- The proposed commercial development reduces the need for the surrounding population to travel further within the City of London to receive the services offered within the proposed development.

Location – 4.3.8.2

Neighbourhood Commercial Nodes should be located;

- i) at the intersections of arterial roads, primary collector roads and secondary collector roads;*
- ii) on sites close to pedestrian and bicycle pathways and transit services;*
- iii) on a site(s) large enough to accommodate all buildings plus parking, loading facilities and measures to provide adequate buffering and setbacks from adjacent residential uses; and,*
- iv) on sites with good pedestrian access to the neighbourhood.*

- The subject site is located at northwest corner of two arterial roads. The site is within close proximity to the Byron Optimist Park with playing fields and open space. A stormwater management pond abuts the subject property to the west which provides a pedestrian and cycling link from the residential area to the subject site. The subject site is of sufficient size to accommodate the proposal and does not require any special provisions in terms of site regulations.
- The main building entrances are proposed along the building's north façade to accommodate internal function requirements as well as an entrance off Boler Road to provide an access convenient to pedestrian and transit facilities. Bicycle parking facilities are also planned in proximity to the main entrances.

Permitted Uses – 4.3.8.3

Permitted uses include small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area. Residential units above ground floor commercial uses may be allowed.

- Two additional uses have been requested by way special provisions, including a Commercial Recreation Establishment and an Animal Clinic. A Commercial Recreation Establishment is listed a permitted use in the Neighbourhood Commercial Node designation. The designation also permits *similar uses that draw customers from a neighbourhood-scale trade area*. An animal clinic is a similar use that will serve the surrounding neighbourhood.

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Form - 4.3.8.4

Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood. Free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops and reduce the visual impact of large open parking lots. The design, appearance and scale shall be in harmony with the surrounding residential area with adequate screening and buffering between uses. Parking areas should be carefully designed and shared parking areas should be accommodated where possible.

- The development proposal is in the form of a strip plaza, as contemplated by Official Plan policy, functionally integrated into the larger established community and will improve the quality of the existing pedestrian street environment. The proposal maintains the privacy of the adjacent residential land use to the north and uses landscaping and building location and orientation to reduce visibility of the parking area from Boler Road and Southdale Road.

Scale – 4.3.8.5

Commercial development within a Neighbourhood Commercial Node shall normally range in size from 1,000 square metres to 13,000 square metres gross floor area.

- The proposed commercial GFA is 908m² which is slightly less than that prescribed by the policy. However, this discrepancy is minor in nature and maintains the spirit and intent of the Neighbourhood Commercial Node land use designation.

Urban Design Objectives for Commercial Designations– 4.3.2

Commercial Nodes be developed in accordance with the general principles of urban design as noted in Chapter 11 and in the Commercial Urban Design Guidelines. In commercial nodal areas, attention should be provided to the following general design principles;

i) massing and architecture within the node should provide for articulated facades and rooflines, accented main entry points, generous use of glazing and other façade treatments along sidewalk areas and weather protection features. These elements should be encouraged to facilitate enhanced design and improve pedestrian access within the node;

ii) street setbacks should be minimized by placing smaller, single or multi-tenant buildings near the sidewalk and along arterial roads and by increasing, as much as possible, the street frontage of nodal developments. This will assist in framing prominent nodal corners;

iii) improve the design the design of the street edge by including enhanced landscaping, encouraging buildings at or close to the street line and discouraging the inclusion of blank walls along major roads;

iv) development within the commercial nodes is encouraged to meet the requirements for L.E.E.D. certification. Building design that can reinterpret and integrate corporate design standards into the node's existing urban conditions should be considered;

v) parking should be provided in rear or side yards and/or structured parking areas. Street edge parking should be provided where conditions are suitable. Parking courts and larger parking areas which are broken up with landscaped pedestrian walkways and crossings should be developed;

vi) the provision of signage supportive of the commercial node's character and consistent throughout the node should be encouraged;

vii) the use of landscaping to improve and enhance the pedestrian environment within the commercial node as well as to screen and buffer unsightly uses should be an integral part of the commercial node;

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viii) lighting should be provided that enhances the nodal area, ensures safety and reinforce the pedestrian environment;

ix) specific directives which improve access and linkages between nodes and the surrounding residential neighbourhoods should be provided in the Commercial Urban Design Guidelines;

x) improve pedestrian connections from transit stops, from adjacent residential neighbourhoods and within commercial nodes;

xi) linkages and access to public transit within each node should be established and maintained;

xii) encourage combined access points and joint access between neighbouring properties to minimize traffic impacts on adjacent road and maximize the traffic carrying capacity of those roads; and,

xiii) address urban design issues such as noise, landscaping, privacy fencing at the interface of the Commercial Node and adjacent sensitive land uses.

- The proposed site plan includes a significant landscape strip between the proposed building and the street lines, further enhancing the streetscape views. Internal plantings also contribute to reducing the visibility of the parking and service facilities from surrounding properties and the public realm. The site currently contains no trees or vegetation. A landscaped plan has been prepared incorporating significant plantings between the proposed building and the street lines, as well as trees and additional plantings throughout the parking area, to break-up the paved surface area. The building has been positioned to visually delineate the boundaries to the public streetscape, with the building facades at the corner of the site. Enhanced landscaping further defines the streetscape. The proposed parking facilities have been designed to facilitate maneuverability on the site. A full-turns access off of Southdale Road West, as well as a right-in entrance off Boler Road, will minimize traffic flow disruptions on the existing road networks and encourages maneuverability on site. As the subject lands are located at a main entrance to the Byron community from south London, the proposed development can serve as a gateway element. The proposed building is to be positioned in a prominent location close to the intersection, and together with the proposed landscaping and architectural details, provides a notable feature to mark the entrance to the community.

Current Zoning

The current zoning is a Neighbourhood Shopping Area (NSA1/NSA2/NSA5) Zone. *The NSA zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. Zone variations of the zone are differentiated based on uses and maximum permitted gross leasable floor area for certain defined uses. Shopping centres are the permitted form of development; however, stand-alone buildings may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen parking lots. The NSA5 Zone variation is used for this purpose.*

It should be noted that an application for Site Plan approval has been submitted to permit the development of a commercial plaza in conformity to the existing zoning.

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Requested Zoning

The requested zoning is a Neighbourhood Shopping Area Special Provision (NSA1/NSA2/NSA5(*)) Zone, which would include the addition of two new uses, a Commercial Recreation Establishment and an Animal Clinic.

"COMMERCIAL RECREATION ESTABLISHMENT" means a building, or part thereof, used for the purposes of an arena, assembly hall, billiard or pool room, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, indoor racquet courts, indoor swimming pool, or sports simulation, but not including a place of entertainment, an amusement games establishment, cinema, theatre, drive-in theatre, amusement park or any other place of entertainment or amusement otherwise defined or classified herein.

"ANIMAL CLINIC" shall mean a building or part thereof, designed, used or intended for use by a veterinarian and his assistants for the purpose of providing for the care and treatment of pets raised or housed for recreational or hobby purposes, without overnight accommodation, and without limiting the generality of the foregoing, includes dogs, cats and birds but does not include livestock.

- The 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 Neighbourhood Commercial Node.

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 recommended amendments are consistent with the Neighbourhood Commercial Node policies in terms of location criteria, GFA and form of development.

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 a commercial plaza at a compatible scale to the surrounding neighborhood and would primarily serve the surrounding residential areas. Commercial uses are already permitted and site plan approval is pending. The recommended amendment will add two additional uses to the proposed commercial plaza and the recommended Official Plan Amendment will facilitate the rezoning for these uses.

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. No special provisions are required demonstrating that the proposed use can be accommodated in conforming with the Zoning By-law.

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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;

- The Site Plan was finalized prior to the proposal of the roundabout at the intersection of Southdale and Boler. Transportation Staff has confirmed that they have been able to continue to implement the development of the roundabout notwithstanding the approval of the location of the proposed commercial building.

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

- The proposed GFA of the commercial building is 908m² (9,773.6ft²) with entrances facing north, towards the associated parking area, as well as an entrance on the east elevation off Boler Road. Three (3) separate units are proposed for a variety of neighbourhood commercial uses, including an animal clinic and a yoga studio. The subject lands will have two access points; a right-in only access along Boler Road, and a full turn entrance off of Southdale Road. The proposal does not require any special provision in terms of yard regulations. There will be no impacts on surrounding land uses.

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. Other transportation issues will be discussed in greater detail through the site plan review process. Although initially concerned about the building's proposed location and its potential impact on the construction of a future roundabout at the intersection of Boler and Southdale, Transportation Staff have indicated that they are able to accommodate the future roundabout in conjunction with the building location proposed through Site Plan approval under the current zoning.

ix) the exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future /and uses in the area and its conformity with the City's commercial urban design guidelines;

- On August 21, 2013 proposed development was presented to the Urban Design Peer Review Panel. The proposal was generally well received and 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.

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CONCLUSION

The amendment proposes to re-establish the Neighbourhood Commercial Node designation that had been changed to Low Density Residential through the 2006 comprehensive review of the Official Plan. The recommended Zoning By-law proposes to expand the list of permitted uses under the current Neighbourhood Shopping Area (NSA) zones in a manner consistent with Official Plan policies for development within the Neighbourhood Commercial Node designation. The proposal will permit commercial recreation establishment (yoga studio) uses and an animal clinic as part of a small commercial plaza already permitted on the lands in a location convenient to the surrounding residential areas. The proposed development will make good use of existing infrastructure and will establish a strong street frontage and a positive design precedent for future development in the area. The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and is in conformity with the City of London Official Plan.

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	

/NM

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Agenda Item # Page #

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**File: Z-8302 / O-8303
Nicole Musicco**

Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	
Scott Allen - MHBC	
Nick Wood – RG Richards	

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File: Z-8302 / O-8303
Nicole Musicco

**Bibliography of Information and Materials
Z-8302 / O-8303**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by HLH Investments Limited / Zelinka Priamo Limited, December 12, 2013.

City of London Official Plan Amendment Application Form, completed by City of London, December 12, 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.

Correspondence: (all located in City of London File No. Z-8303/O-8303)

City of London -

Email from Yan Clavet to N. Musicco, January 16, 2014.

Email from A. Couvillon to N, Musicco, January 7, 2014.

Email from J. Fleming to N. Musicco, January 8, 2014.

Departments and Agencies -

Memo from D. Dalrymple, London Hydro – to N. Musicco, December 30, 2013.

Memo from UDPRP, August 21, 2013 to Zelinka Priamo Limited

Various emails between N. Musicco and M. Doornbosch – December 2013 to March 2014.

Various emails between M. Tomazincic and M. Doornbosch – December 2013 to March 2014.

Various emails between N. Musicco and E. Conway - December 2013 to March 2014.

Email from N. Musicco to D. Henderson – December 17, 2014.

Email from Scott Allen (MHBC) to N. Musicco - January 7, 2014.

Email from N. Musicco to C. and D. Walker – January 16, 2014.

Studies:

- Planning Justification Report (ZP) – December 2, 2013.
- Urban Design Brief (ZP) – July 16, 2013.

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**File: Z-8302 / O-8303
Nicole Musicco**

Appendix "A"

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

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 1140 Southdale Road West.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on April 1, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Low Density Residential to Neighbourhood Commercial Node on Schedule "A", Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1140 Southdale Road West in the City of London.

C. BASIS OF THE AMENDMENT

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. The proposal is consistent with the policies of the City of London Official Plan relating to Neighbourhood Commercial Node uses and objectives. The proposed zone provides a complementary use to the existing Neighbourhood Shopping Area Zone and will have no negative effects on the surrounding area.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

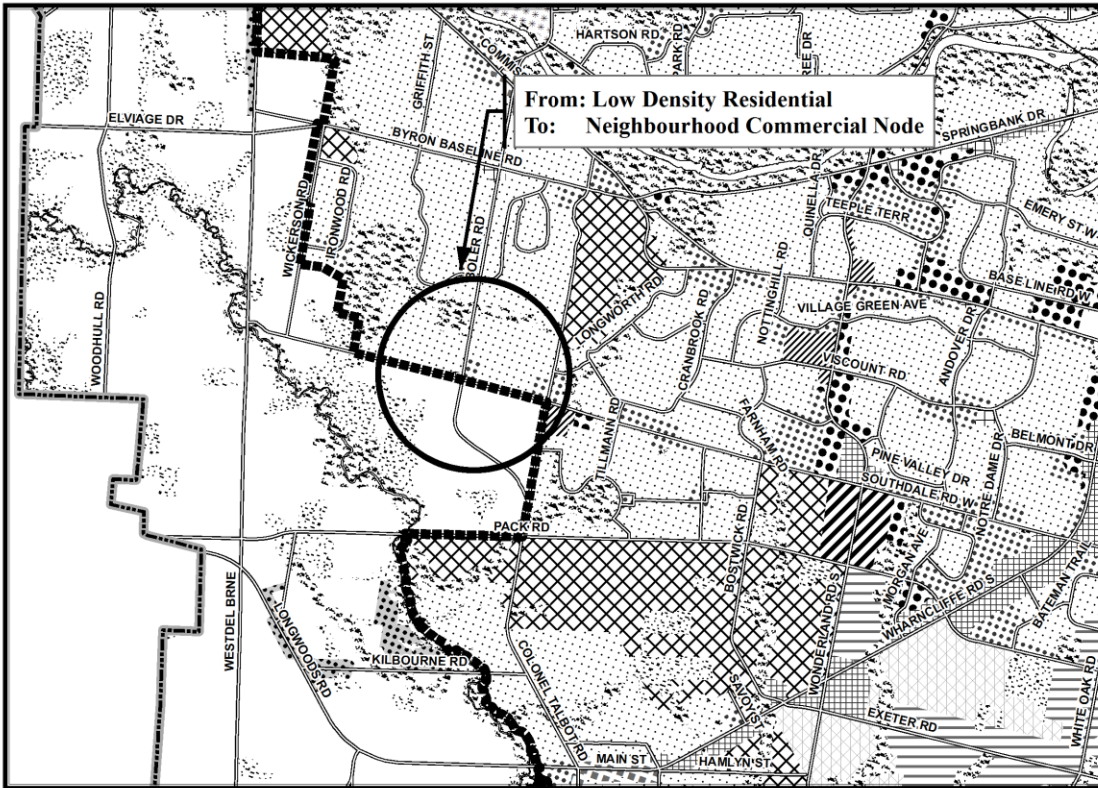
1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by changing the designation of those lands located at 1140 Southdale Road West in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential to Neighbourhood Commercial Node.

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AMENDMENT NO: _____



Legend

- | | |
|--|--|
| <ul style="list-style-type: none"> Downtown Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area Office/Residential | <ul style="list-style-type: none"> Office Business Park General Industrial Light Industrial Regional Facility Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture Urban Growth Boundary |
|--|--|

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: Z-8302/O-8303

PLANNER: NM

TECHNICIAN: CK

DATE: 2014/02/27

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File: Z-8302 / O-8303
Nicole Musicco

Appendix "B"

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 1140 Southdale Road West.

WHEREAS HLH Investments Limited have applied to rezone an area of land located at 1140 Southdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform 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 1140 Southdale Road West, as shown on the attached map comprising part of Key Map No. A106, **FROM** a Neighbourhood Shopping Area (NSA1/NSA2/NSA5) Zone **TO** a Neighbourhood Shopping Area Special Provision ((NSA1/NSA2/NSA5(*)) Zone.
- 2) Section Number 23 of the Neighbourhood Shopping Area (NSA5) Zone is amended by adding the following Special Provision:

23.4_)	NSA5(*)	1140 Southdale Road West
	a)	Additional Permitted Use[s]
		i) Commercial Recreation Establishment
		ii) Animal Clinic

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. 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 April 1, 2014.

Joe Fontana
Mayor

Agenda Item # Page #

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**File: Z-8302 / O-8303
Nicole Musicco**

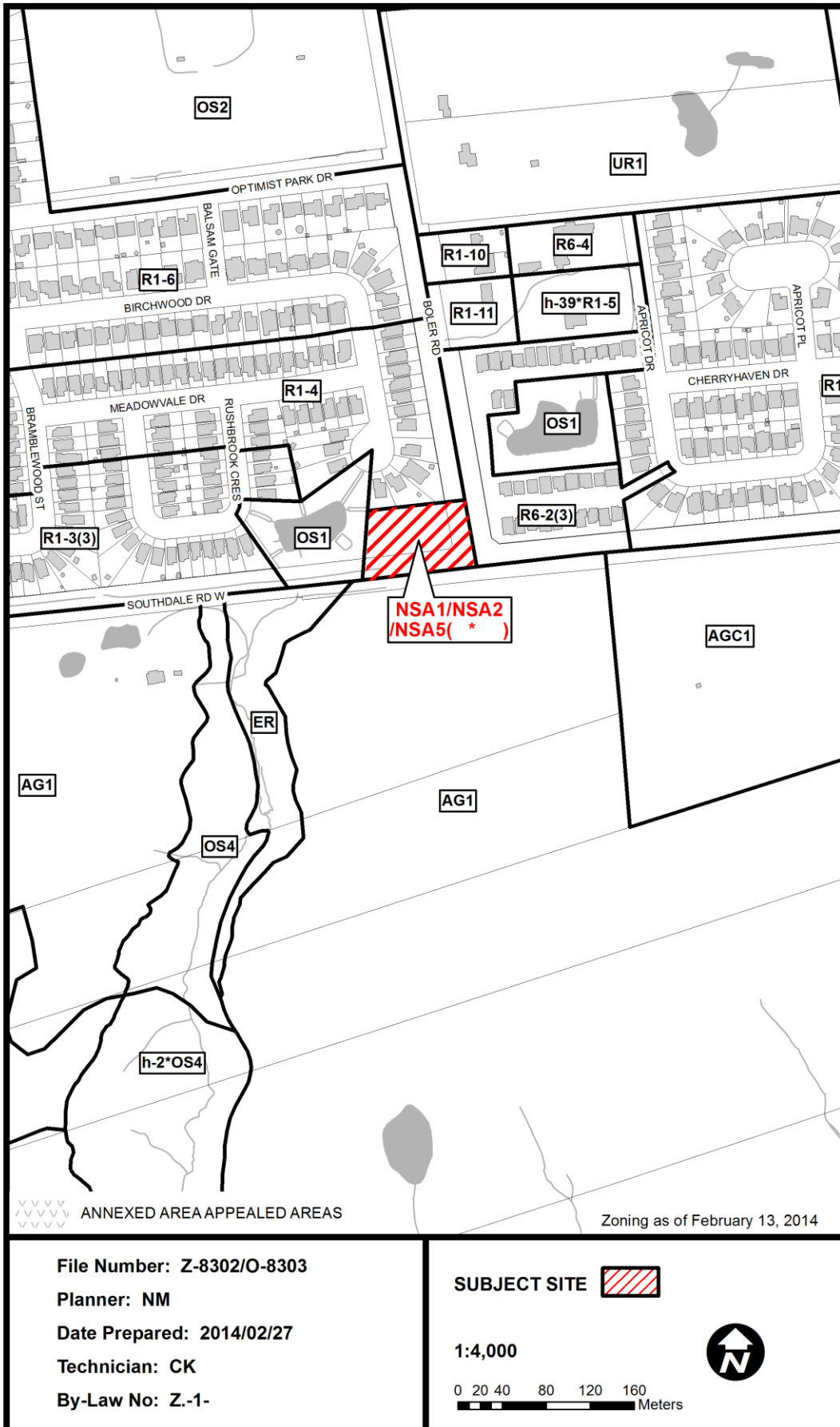
Catharine Saunders
City Clerk

First Reading - April 1, 2014
Second Reading - April 1, 2014
Third Reading - April 1, 2014

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File: Z-8302 / O-8303
Nicole Musicco

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



File Number: Z-8302/O-8303
 Planner: NM
 Date Prepared: 2014/02/27
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE

1:4,000
 0 20 40 80 120 160
 Meters

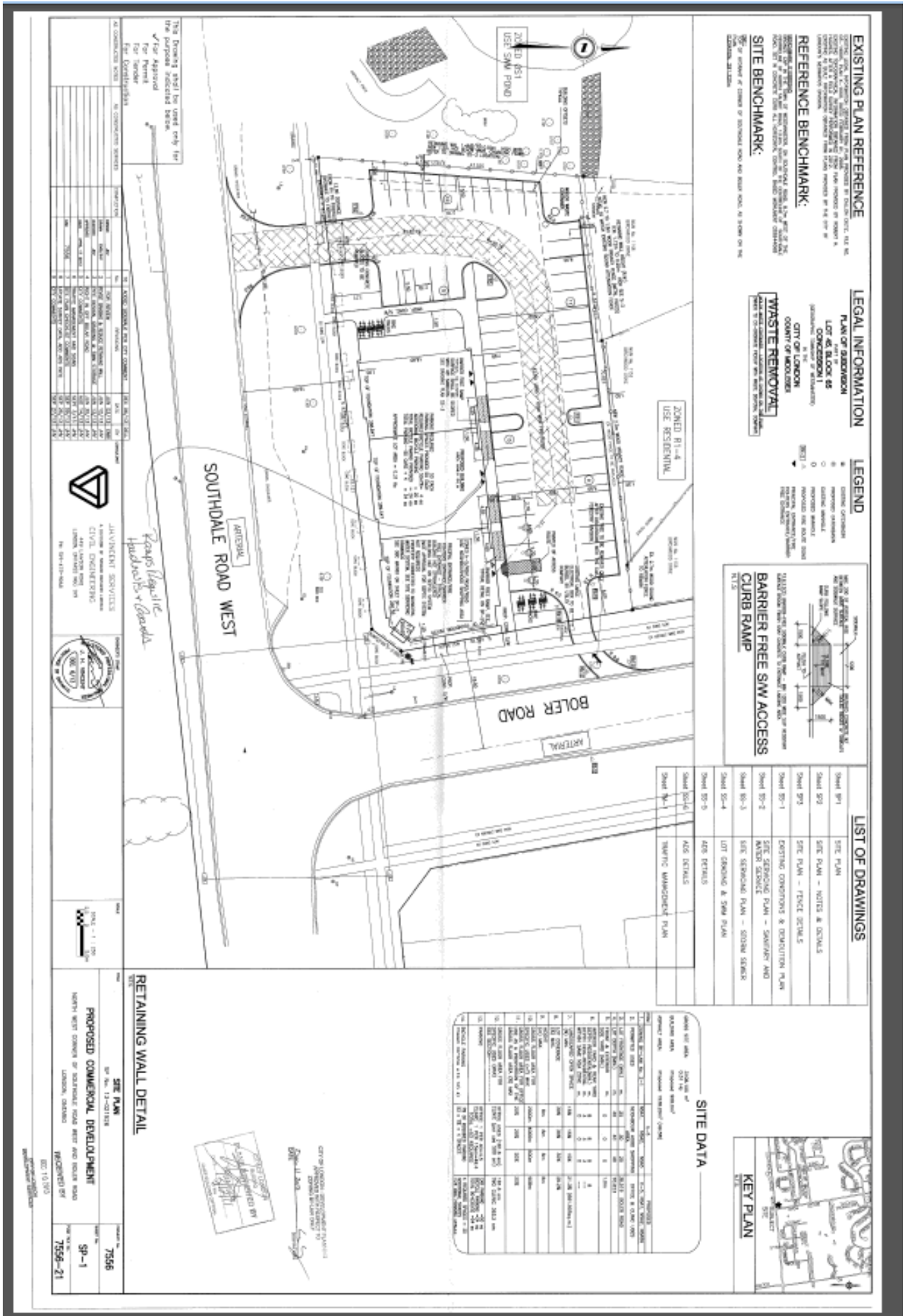


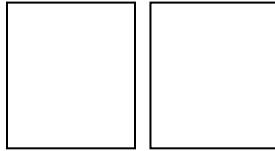
Geodatabase

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File: Z-8302 / O-8303
Nicole Musicco

Schedule "1"





Schedule '1'

NORTH ELEVATION
1:100

EAST ELEVATION
1:100

SOUTH ELEVATION
1:100

WEST ELEVATION
1:100

TYPICAL GUARD DETAIL

TYPICAL BASE DETAIL

REVISIONS

NO.	DATE	DESCRIPTION
1	02-11-10	ISSUED FOR PERMIT
2	02-11-10	ISSUED FOR PERMIT
3	02-11-10	ISSUED FOR PERMIT

LEGEND

- 1. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.
- 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.
- 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.
- 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.
- 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AUTHORITIES.

PROJECT INFORMATION

PROJECT NO. 103
DATE: 02-11-10
SCALE: 1/8" = 1'-0"

ARCHITECT

GAIL E. LAMB
INCORPORATED ARCHITECT

103
2012-08
02-11-10