

Planning Concerns Report
File OZ-8300
Proposed Re-Zoning
313 Clarke Rd.

Prepared by:
Area Residents' Committee
March 30, 2014

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Land Use Change

Concerns Report for 313 Clarke Rd.

INTRODUCTION

The intent of this report is to provide background information to assist in the processing of the proposed amendment to the Official Plan and the Zoning of the above to deny the use of the current building as a type 2 Group Home.

The report will outline appropriate Provincial Policy Statement, Official Plan policies as well as providing a Neighbourhood Character Statement, and an analysis of the site in context of a Special policy (Chapter 10) to deny the site specific addition of the CF-5 Zone.

Images have been included for the Area Zoning Map, Rear entrance and parking of proposed site, Ariel view of site, North side view of site.

THE SITE

The lands are described as all of Lot 56 registered Plan No. 685. The site fronts onto Clarke Road, with parking access from Churchill Avenue. On the lands is a house, renovated to double the size of other residential homes in the area, and currently used as a Type 1 group home for three disabled individuals. A table identifying the various zoning standards for the area and setback is also contained in this report.

DEVELOPMENT PROPOSAL CONCERNS

The current St. Leonard's facility is located at 658 Little Grey Street. This is an eight bed Community Residential Facility for adult females over the age of 18, that are involved or at risk of involvement in the Criminal Justice system. The program is available to females who have been sentenced to a term of federal incarceration, involvement with probation system, forensic program at Regional Mental Health Program or in mental health support. This current facility is 5,110 square feet on a 24, 000 square foot lot located on a side street with parking for up to 8 vehicles in a designated parking lot. The property also features ample amenity space behind the property surrounded by a privacy fences.

The St. Leonard's proposal for the 313 Clarke Road property is to renovate the bedroom spaces and other interior areas. This property is a much smaller, only 4,000 square foot building on a 5,000 square foot lot. This property has parking for 3 vehicles or 4 subcompacts in a double

driveway, meaning one car must park behind the other requiring people to shift positions when leaving. The amenity space is almost non-existent with no privacy from Clarke Road and Churchill Avenue.

REGULATORY DOCUMENTS

The following subsections detail the various regulations that apply to the proposal concern.

Provincial Policy Statements (PPS)

The proposal is in contravention of the following Provincial Policy Statements:

1.1.1 c)

The proposal does not avoid public health and safety concerns in relationship to the lack of appropriate amenity space and parking.

1.1 3.3

The proposal does not represents a protection of public health and safety in relationship to the lack of appropriate amenity space and parking.

1.4.3. e)

The proposed development does not maintain the appropriate levels of public health and safety in relationship to the lack of appropriate amenity space and parking.

Coordination

The City of London Official Plan is the type of document anticipated by this policy.

In conclusion the OZ-8300 proposal does not meet the tests of and is inconsistent with the Provincial Policy Statements. <http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

City of London Official Plan <https://www.london.ca/business/Planning-Development/Official-Plan/Pages/OP-disclaimer-text.aspx>

The lands are currently designated as Low Density Residential

3.2 .I. General Objectives for all Residential Designations

iv) Support the development of residential facilities that meet the housing needs of persons requiring special care.

3.2.1 Low Density Residential Permitted Uses

Secondary
Permitted Uses

The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Zoning on individual sites would not normally allow for the full range of permitted uses.

Rooming and
Boarding House

iii) Existing rooming and boarding houses which are compatible with adjacent low density residential uses may be recognized as permitted uses in the Zoning By-law. **New rooming and boarding houses are encouraged to locate in the Multi-Family, Medium Density and Multi-Family, High Density Residential designations.**

3.3.1.
Correctional
and Supervised
Residences

iii) **Correctional and supervised residences may be permitted along some arterial roads in the Multi-Family, Medium Density Residential designation** by zone change subject to criteria in policy 3.6.2 of this Plan.

3.6.2.
Correctional and
Supervised
Residences

Correctional and supervised residences may be permitted by zone change in the Multi-Family, Medium Density Residential designation and Multi-Family, High Density Residential designation subject to the following criteria:

Location

i) The site is located on an arterial road and is in **close proximity to other non-residential land uses.**

Compatibility

ii) The proposed use shall take into account surrounding land uses in terms of height, scale and setbacks and **shall not adversely impact the amenities and character of the surrounding area.**

Other Residential Uses

iii) The proposed use **will not substantially reduce the suitability of the designated area to accommodate residential uses.**

3.7.

PLANNING IMPACT ANALYSIS

3.7.1. Purpose

Planning Impact Analysis will be used to evaluate applications for an Official Plan amendment and/or zone change, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding 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. (Amended by OPA 438

Dec. 17/09)

3.7.2.

Scope of Planning Impact Analysis

Planning Impact Analysis **will be undertaken by municipal staff** and will provide for participation by the public in accordance with the provisions for Official Plan amendment and/ or zone change applications as specified in Section 19.1 2.

6.2.1 0 Correctional and Supervised Residences

Correction and Supervised Residences are, for the purposes of this Plan, regarded as an institutional type of use. The preferred location for these residences are in the Regional Facilities and Community Facilities designations; however, subject to site and location criteria, they **may also be permitted as a secondary use in the Arterial Mixed-Use District; along arterial roads in the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations;** in the Downtown Area; in the Business Districts; and, in the Office/ Residential designation adjacent to the Downtown Area.

Neighbourhood Character Statement

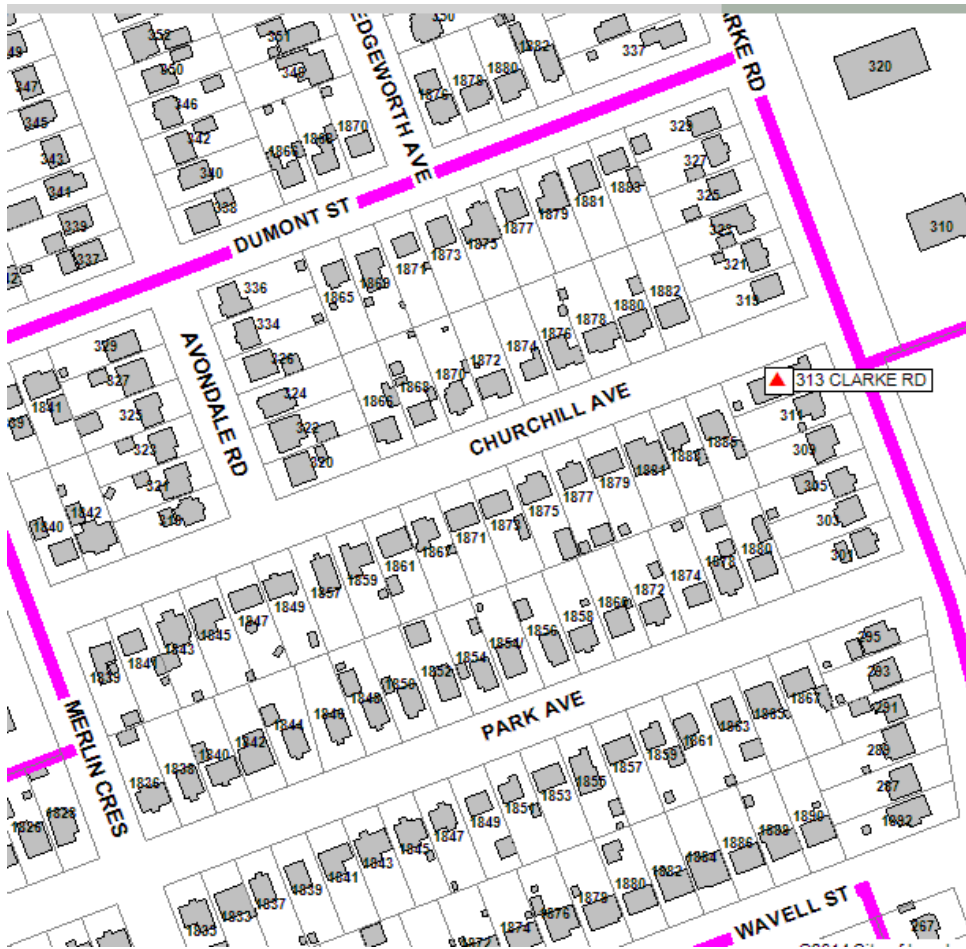
The neighbourhood description, in the immediate vicinity of 313 Clarke Road, is provided to assist city staff in their preparation of a Planning Impact Analysis, as well as introduce the Planning Committee to our neighbourhood.

The following aerial photograph shows the subject site in context of the neighbourhood it is part of. This neighbourhood is located west of Clarke Road and is completely low density, single family homes that are mostly owner occupied. Additional features to the East of Clarke Road and outside of our neighbourhood is, and has been form many years, a shopping plaza as well as Clarke Road Secondary School and the Argyle Arena.

Clarke Road is designated as an arterial road and based on the City of London traffic information; it carries an AADT volume of 22,000 vehicles per day just slightly less than Dundas St. to the north, which carries a volume of 26,500 Vehicles per day. This main artery road separates our neighbourhood from the community properties located east of Clarke Road.

The uses along the Clarke Road frontage in a one block radius from the subject site, is single family, low density residences.

The neighbourhood to the west of the subject site is a single family, low density, stable residential area with well-maintained homes. More than 100 school aged children pass the subject site each weekday going to and from school.



Note the proposed site and the surrounding, low density, single family residential area.



Note the limited area for residents to use for a smoke area.
The parking issues associated with this property are notable.
The lack of private amenity space is apparent.

Official Plan Discussion

The Official Plan recommends that Type 2 group homes, which are supervised or correctional in nature, be located in medium to high density residential areas.

The proposal to use the existing Type 1 Group Home at 313 Clarke Road, which currently accommodates 3 residents, as a Type 2 facility for 8 women parolees and women in conflict with the law, is not appropriate. The current St. Leonard's facility at Little Grey St. cannot be compared to the Clarke Rd. building, with no reduction in occupancy, due to the smaller size of the building as well as the lack of amenity space and parking. The two buildings are vastly different and having had no problems in the former location does not ensure the same results will be exhibited when the space is drastically reduced.

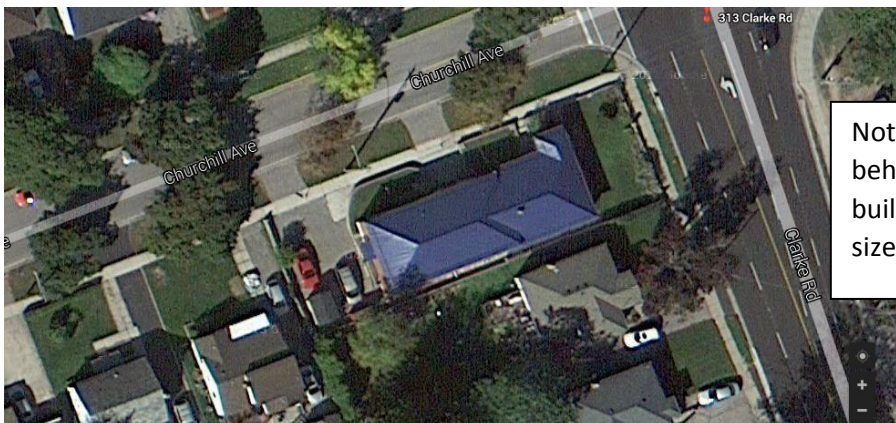
The site fronts onto Clarke Road a busy arterial road which affords residents no privacy when using the front yard space. In this building there is no back yard space so as a result, no privacy is afforded to residents of this property when they are outside. In addition, due to the frontage located on a busy street, the driving/parking access to the site is from the Churchill Ave. Staff and visitors of the current facility park on the street in spite of a 2 hour limit on Churchill. This is inappropriate and has burdened the neighbouring houses with a parking limitation however, cars continue to park illegal adversely affecting the neighbours in the immediate area.

The Regional Shopping Area, High School and Community Centre serve the residents well and this area continues to thrive as a low-density, single family neighbourhood.

The Official Plan contains a number of tests related to changes to the Official Plan and or Zoning By-law. Each of the appropriate tests will be discussed separately:

(a) Compatibility

The building proposed to be used currently exists as a low occupancy group home with an adverse impact in the neighbourhood due to illegal parking practices. The existing building is substantially larger than homes in the vicinity and as such has almost no amenity space for outdoor activities of the residents. The following image demonstrates the roof characteristics compared to other adjacent buildings



(b) Size and Shape of Parcel

The current structure has been built on a lot of similar size and dimensions as adjacent lots. The notable difference is the unavailable rear yard area of the site compared to adjacent lots. This rear yard has been paved for use as a double driveway. This repurposing of the backyard has resulted in no private amenity space for residents. The driveway parking has also contributed to illegal street parking, since staff and visitors of the current home choose to park on the street instead of using the driveway, as they may be required to move their car to let the earlier car exit the driveway.

(c) Supply of Vacant Land

The proposed use of the existing group home is totally inappropriate for this lot and building. There are many other better suited locations in the area and may require renovations or even demolition and building a purpose-designed structure but the end result would be an adequate facility where residents could live with dignity, adequate parking and a neighbourhood that supports them in every way. The current 313 Clarke Road property is not appropriate as it does not offer privacy or adequate parking and therefore is not supported by the neighbourhood.

(d) Proximity to Open Space Transit etc.

The City of London Transit system is extensive and serves residents in all areas of the city. There is no need to locate near a transit hub to expect good service. Arenas, Schools and Recreational facilities are located in all areas of the city.

(f) Height, location and Spacing of Buildings

The building is a single story building that maintains its appearance of looking like a house from the front. The existing building is approximately double the size of adjacent single detached houses or converted uses within houses. The oversized building on this lot has rendered the amenity space unusable due to lack of privacy. Any one section of lawn is too small to accommodate a privacy fence.

(g) Retention of Vegetation

The front of the building and lawn area is similar to those adjacent. There is no vegetation or amenity space that is of any significance.

(h) Location of Vehicular Access Points

The parking area at the rear of the building is a double driveway and sufficient to accommodate 4 small vehicles without impeding the sidewalk. There is also what appears to be a delivery access to the middle of the building. All vehicular access is from Churchill Ave. and not directly onto the arterial road.

(i) Exterior Building Design

The following image depicts the front and north side of the building.



(k) Environmental Constraints

The property had a swimming pool in the basement at one time and was filled in however, no permit was obtained and the City has no record of the material or process used for this work.

(l) Compliance with Official Plan and Zoning By-law

The proposed use requires both an Official Plan amendment and Zoning amendment. This property is located in the middle of a low density residential area. Any proposal to re-zone this property using a Chapter 10 site specific Official Plan amendment, will erode the integrity of the Official Plan and negatively impact the surrounding area. Additionally this property does not meet the CF5 Zone criteria for a Type 2 Group Home use as prescribed by the Zoning By-Laws.

(m) Mitigation Measures

The lot has a concrete retaining wall which is below grade and is not used for privacy.

By-law Z-1

The site is currently Zoned RI-7 Residential. The Zoning request is to add the CF5 zone. The following chart identifies the existing setbacks lot size coverage etc. and compares these to the typical CF5 Zone requirements.

Zone Standard	Site	R1-7	CF5
Frontage	15.24 M	15 M	30 M
Area	693.77Sq. M	550 Sq. M	1200 Sq. M
Coverage	38.43 %	35 %	30 %
Rear Yard	10.03 M (parking)	10 M	10 M
Front Yard	9.06 M	8 M	8 M
Interior Side Yard	2.18 M	1.2 M	10 M
Exterior Side Yard	2.05 M	6 M	6 M
Height	6 M	10.5 M	15 M
Landscaped OS	32.11 %	40 %	25%
Parking Coverage	21.55 %	25 %	n/a
Parking Setback	0 M	0 (driveway)	3 M
Required Parking	4 spaces	2 spaces	2 spaces

The site conditions as noted above and in contravention of the zone specifications for a CF5 and on this basis the application for re-zoning should be rejected. We request that any request Special provision CF5 (*) Zone be denied.

CONCLUSIONS

In this situation a former single detached home has been enlarged and converted to a Type 1 Group Home housing 3 resident with disabilities. Other than an ongoing parking issue, this group home is well supported by the neighbourhood. The St. Leonard's Society wishes to change this to a Type 2 Group Home that would house 8 female adult residents. To facilitate this application St. Leonard's has asked the City to amend the Official Plan which currently requires Type 2 Group Homes to locate in medium to high density residential areas, where this proposed site is in a low density residential area. In addition they have requested special provisions to the Zoning By-Laws as the property does not meet required specifications for a CF5 property. They cite that because the property is on an arterial road frontage, it should be considered for a Type 2 Group Home. However, many residential neighbourhoods are bordered by arterial roads without a loss of the integrity of the zoning or the Official Plan. This reason is not sufficient to consider re-zoning this property and we respectfully ask that you deny this application.

In addition, the St. Leonard's Society had confirmed that the proposed use of this Type 2 Group Home would afford the women residents the opportunity to have their children stay overnight. This intensifies the issue with this property as far as a lack of outdoor amenity space. Located directly on an arterial road carrying AADT volume of 22,000 vehicles per day, combined with the lack of amenity space, the risk to the health and safety of young visitors is alarming.