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File: OZ-8300
Planner: Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: ST. LEONARD'S COMMUNITY SERVICES 313 CLARKE ROAD PUBLIC PARTICIPATION MEETING ON APRIL 8, 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 St. Leonard's Community Services relating to the property located at 313 Clarke Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 15, 2014 to amend the Official Plan by adding a "Special Policy" to Section 10 – Policies for Specific Areas – of the Official Plan to allow for a Group Home Type 2 in the Low Density Residential designation at 313 Clarke Road; and
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on April 15, 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 Residential R1 (R1-7) Zone, **TO** a Residential R1/Community Facility Special Provision (R1-7/CF5(_)) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to permit the establishment of a Group Home (Type 2) within an existing single detached dwelling on the subject property. The recommended amendment will also permit single detached residential dwellings.

RATIONALE

- i) The recommended amendments are consistent with the policies of the *Provincial Policy Statement (PPS), 2005*, which promote redevelopment in order to minimize land consumption and servicing costs, encourage facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents including special needs requirements, and seek to ensure that necessary public service facilities are available to meet current and projected needs;
- ii) The recommended amendment is supported by the objectives of the City of London Official Plan which encourage the development, at appropriate locations, of residential facilities that meet the housing needs of persons requiring specialized care;

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- iii) The subject property is located along an arterial road, on a corner lot at the periphery of a low density residential neighbourhood, directly adjacent to a major shopping centre with access to public transit services, and within 600 metres of significant public open space and recreational facilities; and
- iv) The proposed Group Home Type 2 does not contemplate any exterior alterations to the existing single-storey detached dwelling, contains the same restrictions on the intensity of the proposed use (8 residents + Staff) as the existing Group Home Type 1 operation which is permitted as-of-right on the subject lands, can accommodate on-site parking in excess of the requirements of the Zoning By-law Z.-1, can accommodate approximately 100m² of outdoor amenity space in the rear yard, is not located in proximity to other Group Home facilities and, given the foregoing, is not anticipated to present any adverse impacts to the surrounding neighbourhood.

BACKGROUND

Origins of Group Homes in Ontario:

The origins of Group Homes in Ontario stem from the work of Ontario’s Cabinet Committee on Social Development for the Inter-ministerial Working Groups on group homes in 1978. The working group was formed in the late 1970’s to explore opportunities for deinstitutionalized care for special needs populations, wherever possible, to provide care in a community setting. The creation of group homes as a means to facilitate deinstitutionalization was adopted as a desirable approach by a variety of provincial ministries including: the Ministry of Children and Youth Services, the Ministry of Health and Long-Term Care, the Ministry of Community and Social Services and the Ministry of Community Safety and Correctional Services. From the outset, the siting and acceptance of Group Homes was generally at the discretion of municipalities while licensing and regulation of service is administered by provincial ministries. As a result of conflicting provincial and local interests in the provision of Group Homes, agencies responsible with the care, supervision and treatment of special needs populations petitioned the Province to ensure that municipalities accept group homes.

By the early 80’s, continuing discussions regarding the siting and acceptance of group homes resulted in provincial legislation and policies requiring that municipalities provide opportunities for group homes in community-based residential settings. Municipal Official Plans have traditionally included a mechanism to prevent the undue concentration of group homes in specific areas by requiring separation distances between these facilities.

Current Provincial Regulation:

The concept of providing accommodation and care for special needs populations in a “community setting” established through the efforts of inter-ministerial working groups in the late 70’s generally remains at the core of current regulations around Group Homes. Group Homes are often operated by a service agency which is a corporation responsible for providing supervision and support services to residents, based specifically on the nature of the residents’ needs. Such facilities are regulated, licensed and funded by the specific ministry to which the nature of service applies. Municipalities are charged with regulating the siting of Group Homes through the provisions of the Planning Act and can require the registration of such facilities through a licensing process established by the Municipal Act.

Group Homes – Municipal Regulation:

The City’s Official Plan and Zoning By-law contain the applicable policies and regulations for facilitating the establishment of Group Homes in the City of London. Policies of the Official Plan regarding the siting of these facilities and necessary separation distances vary depending on the exact nature of the facility. The Zoning By-law provides for two variations of Group Homes

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which are defined as follows:

"GROUP HOME TYPE 1" means a residence licensed, supervised, approved, or funded under federal or provincial statute for the accommodation of three to eight persons, excluding staff, living under responsible supervision in a single housekeeping unit and who, by reason of their intellectual, mental health, social, or physical condition or legal status, require a group living arrangement for their well-being. A Group Home Type 1 may include youth on probation under provincial or federal statute, but does not include an Emergency Care Establishment or a Group Home Type 2, as defined by this By-law.

"GROUP HOME TYPE 2" means a residence for the accommodation of up to eight persons, excluding staff, that is maintained and operated primarily for: persons who have been placed on probation or released on parole under provincial or federal statute; or youth who have been charged under provincial or federal statute and who have been placed in detention or custody. A Group Home Type 2 may include a Group Home Type 1, a Supervised Residence, and an Emergency Care Establishment for children or youth.

Date Application Accepted: December 5, 2013	Agent: Knutson Development Consultants Inc.
REQUESTED ACTION: Amend the Official Plan to add a special policy to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit a Group Home (Type 2) in the “Low Density Residential” designation on the subject lands.	
Change Zoning By-law Z.-1 FROM a Residential R1 (R1-7) Zone which permits single detached dwellings TO a Residential R1/Community Facility CF5 Special Provision (R1-7/CF5(_)) Zone which would permit single detached dwellings and a Group Home (Type 2) within an existing single detached dwelling.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Group Home (Type 1) • Frontage – 15.2 metres • Depth – 45.7 metres • Area – 695 m² • Shape – Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Churchill Avenue and Single Detached Dwellings • South - Single Detached Dwellings • East - Clarke Road and Argyle Mall • West - Single Detached Dwellings

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Low Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Residential R1 (R1-7) Zone

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File: OZ-8300
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Aerial Photo Location Map

File No.: OZ-8300

MD

Date Prepared: 2014/03/05

CK

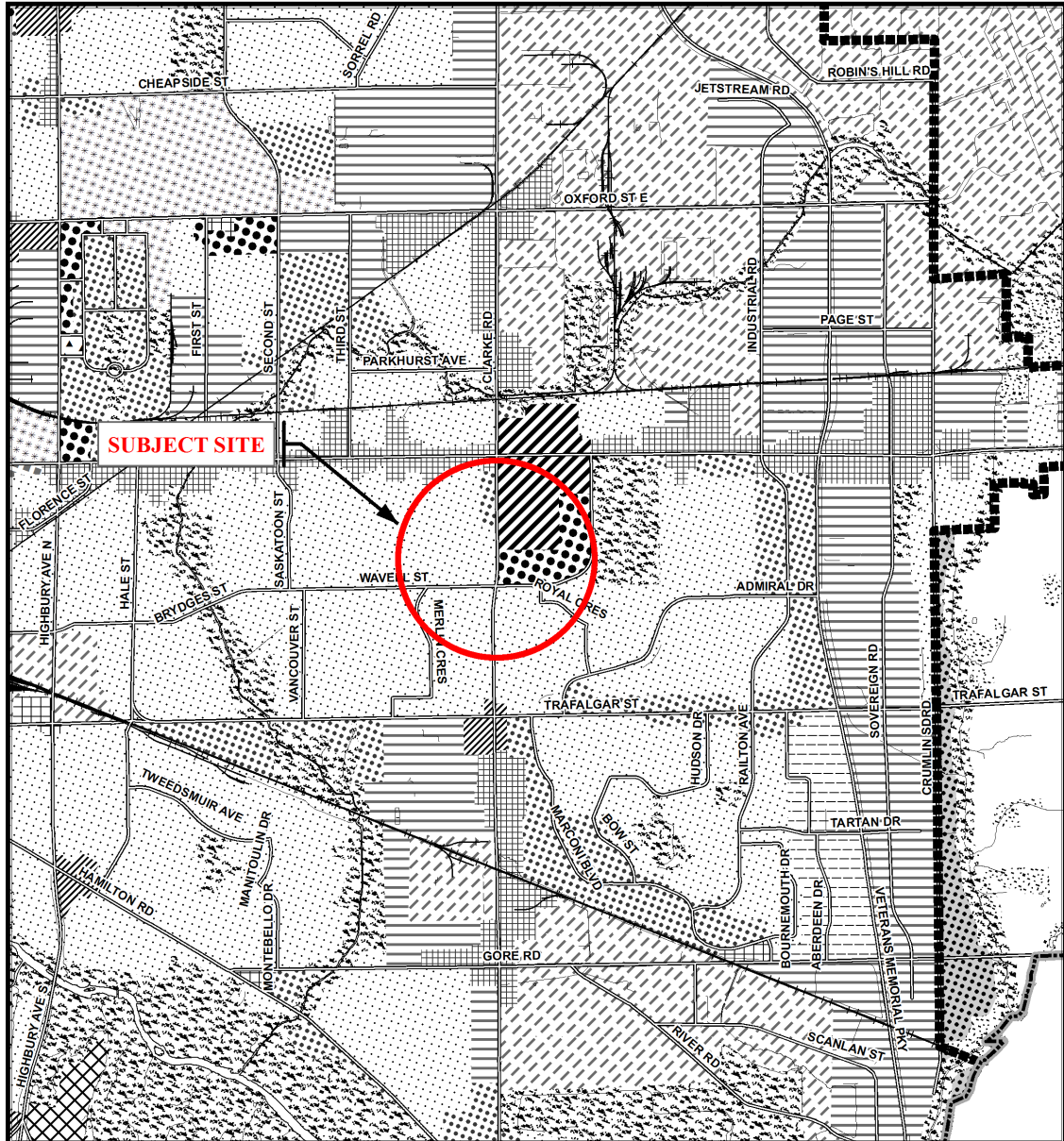
SCALE: 1:2,000



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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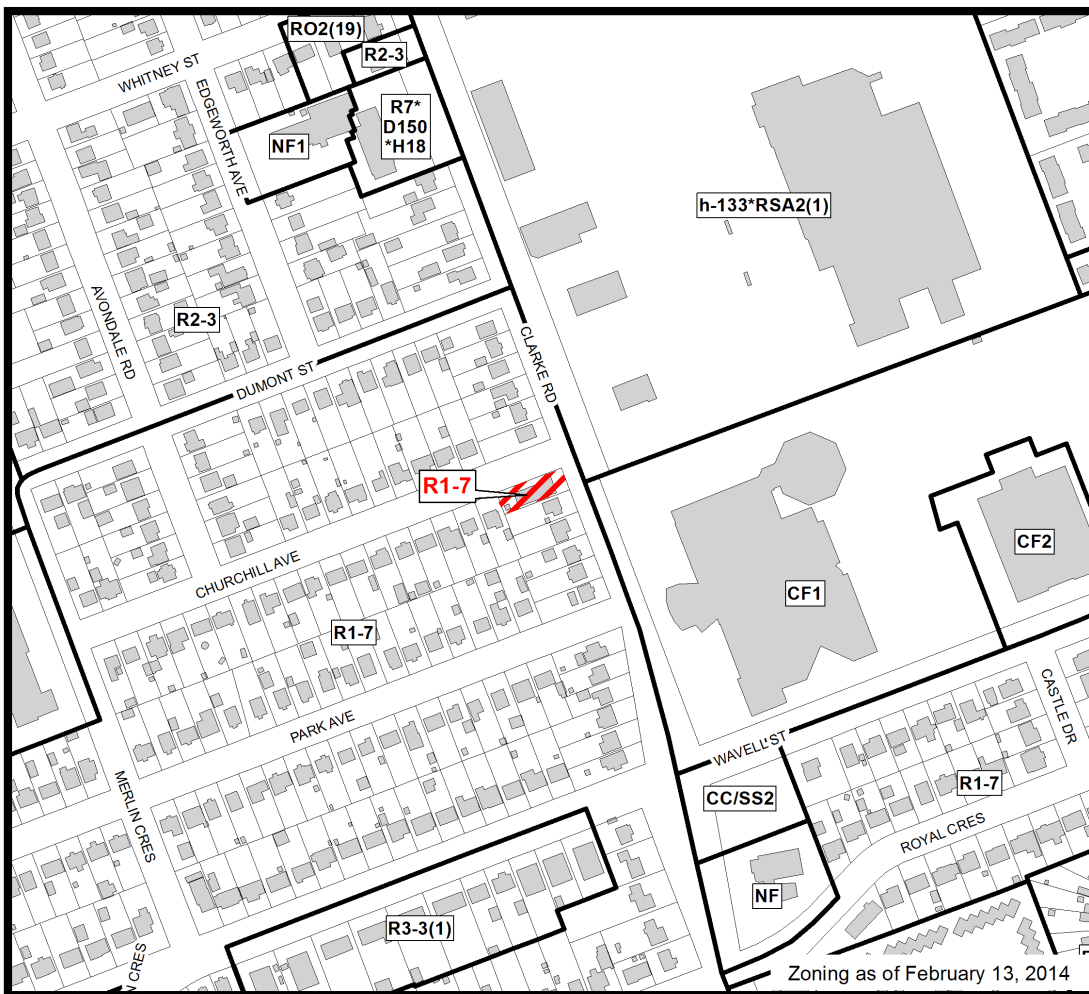


Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	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

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 150 310 620 930 1240 1550 Meters	<p>FILE NUMBER: Z-8300</p> <p>PLANNER: MD</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/03/05</p>
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File: OZ-8300
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-7

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

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

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

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

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

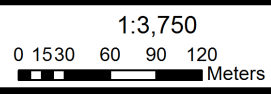
ZONING BY-LAW NO. Z-1
SCHEDULE A



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

FILE NO:
OZ-8300 MD

MAP PREPARED:
2014/03/05 CK



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File: OZ-8300
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PLANNING HISTORY

As noted previously in this report, the subject property currently contains a single-storey detached dwelling. In 2006, a building permit was issued for an interior renovation to this dwelling to allow for its conversion to a Group Home (Type 1) to accommodate up to eight residents, excluding staff, living under responsible supervision in a single housekeeping unit and who, by reason of their intellectual, mental health, social, or physical condition or legal status, require a group living arrangement for their well being. The subject dwelling has existed and operated as a Group Home for special needs youth since its conversion in 2006. The establishment of the Group Home (Type 1) operation in 2006 did not require any Planning Act approvals or public notification as Type 1 Group Homes are permitted within single detached, semi-detached, duplex and triplex dwellings in all residential zones as-of-right, subject to compliance with minimum separation distances and floor space requirements outlined in the general provisions of Zoning By-law Z.-1.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London

Stormwater Management Unit:

No objection to the above noted rezoning application.

Urban Forestry:

Urban Forestry has no comments for this rezoning.

Wastewater and Drainage Engineering:

No Comment

Transportation Planning and Design:

No comment.

Urban Design:

No comment

London Hydro

No objection

Bell Canada

No objection

Upper Thames River Conservation Authority

No objection

PUBLIC LIAISON:	<p>On December 23, 2013 Notice of Application was sent to 57 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 26, 2013. A "Possible Land Use Change" sign was also posted on the site.</p>	<p>Ten (10) replies were received: Seven (7) written Three (3) telephone</p>
<p>Nature of Liaison: Possible amendment to the Official Plan to add a special policy to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit a Group Home (Type 2) in the "Low Density Residential" designation on the subject lands.</p> <p>Change Zoning By-law Z.-1 FROM a Residential R1 (R1-7) Zone which permits single</p>		

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File: OZ-8300
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<p>detached dwellings TO a Residential R1/Community Facility CF5 Special Provision (R1-7/CF5(_)) Zone which would permit single detached dwellings and a Group Home (Type 2) within an existing single detached dwelling.</p>	
<p>RESPONSES:</p>	
<p>Support</p>	<p>Concern</p>
<ul style="list-style-type: none"> • Group Home a good idea in this location 	<ul style="list-style-type: none"> • Concern about nature of future residents and their involvement in criminal justice system • This is a family-oriented neighbourhood with children and schools – not appropriate for correctional residence • Undue stress on families by locating this facility in neighbourhood • Lack of outdoor amenity space on property • Lack of on-site parking • Concerns about historical property maintenance problems at this address • Nuisance associated with increased police visits to property

ANALYSIS

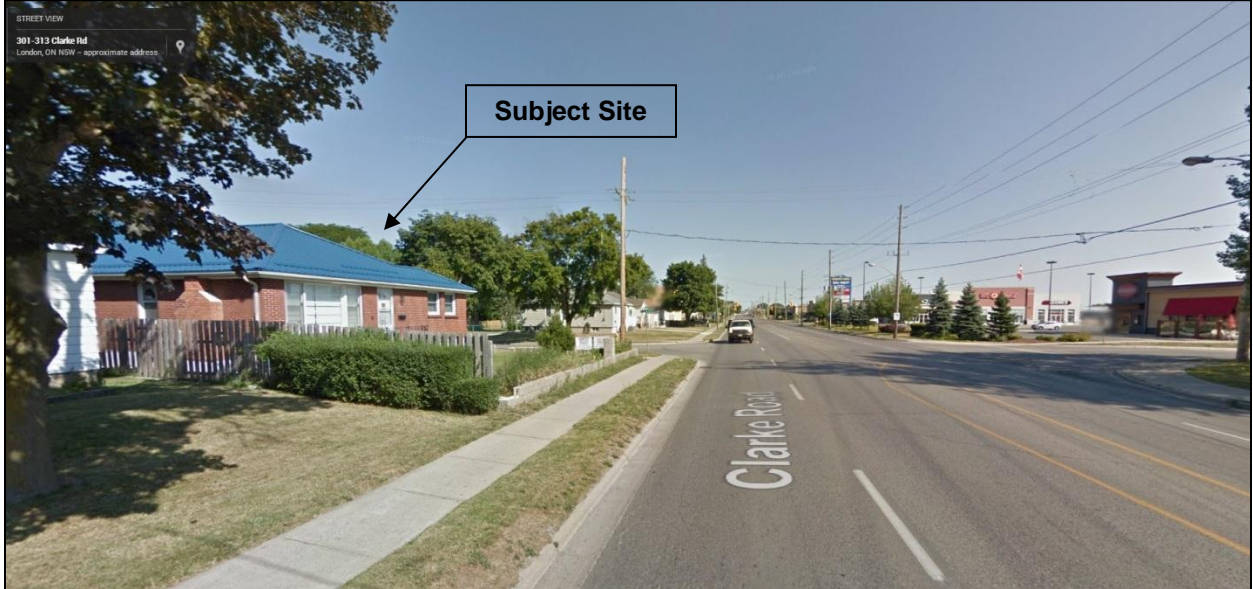
Subject Property:

The subject property is municipally known as 313 Clarke Road and is situated at the southwest corner of Clarke Road and Churchill Avenue, approximately 500 metres south of the intersection of Clarke Road and Dundas Street (see location map on pg. 5). The subject property fronts onto the west side of Clarke Road, directly across from the Argyle Mall shopping centre. The subject property is rectangular in shape and includes roughly 15 metres of frontage along Clarke Road, and a depth of approximately 45 metres along Churchill Avenue. The property currently contains a single detached dwelling which was renovated in 2006 to accommodate a Group Home (Type 1) for special needs youth. Four (4) parking spaces are currently provided in the rear yard.

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File: OZ-8300
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Subject Property – Looking North on Clarke Road



Subject Property – Looking South on Clarke Road



Subject Property – Looking east on Churchill Avenue



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File: OZ-8300
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Nature of Application:

The intent of this application is to permit the establishment of a Group Home (Type 2) within an existing single detached dwelling on the subject property. The proposed Group Home (Type 2) is intended for the accommodation of up to eight persons, excluding staff, that is maintained and operated primarily for: persons who have been placed on probation or released on parole under provincial or federal statute. It would also allow for the accommodation of youth who have been charged under provincial or federal statute and who have been placed in detention or custody. Based on the information provided by St. Leonard’s Community Services through the Official Plan and Zoning By-law amendment application process, it is intended that the proposed facility at 313 Clarke Road would be used exclusively for the accommodation of adult females who have been involved in the criminal justice system. Within the proposed residential facility, social services and supportive counselling including: life skills, healthy lifestyles, and healthy boundaries are provided to assist residents with transition and integration back into their communities. The St. Leonard’s Community Services is funded by the Ministry of Health and Long Term Care, Correctional Services Canada and the Ministry of Community Safety and Correctional Services. The operation of the proposed facility is further subject to licensing and regulation by these parent ministries.

In order to facilitate this request, the application proposes to amend the Official Plan by adding a “Special Policy” to allow for a Group Home Type 2 within the Low Density Residential designation at 313 Clarke Road and to change the zoning of the subject property from a Residential R1 (R1-7) Zone which permits single detached dwellings, to a Residential R1/Community Facility Special Provision (R1-7/CF5(□)) Zone to permit single detached dwellings and a Group Home Type 2 within the existing building.

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. The objectives of the PPS pertain to three major policy areas including 1.0 – Building Strong Communities, 2.0 – Wise Use and Management of Resources, and 3.0 – Protecting Public Health and Safety. The PPS is intended to be read in its entirety and the relevant policies are to be applied in each situation. Section 3 of the *Planning Act* requires that decisions of any authority affecting planning matters “shall be consistent” with the PPS. As it relates to this application by St. Leonard’s Community Services, the PPS provides the following direction to consider:

With respect to Section 1.0 – Building Strong Communities, the general policies of subsection 1.1.1 provide that *Healthy, Liveable and Safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and its municipalities, promoting cost-effective development standards to minimize land consumption and servicing costs and ensuring that necessary public service facilities are available to meet current and projected needs.* In this regard, the recommended amendments will facilitate the conversion of an existing detached dwelling from a Group Home Type 1 to a Group Home Type 2 to provide for a community based residential care facility which can be serviced by existing municipal services and infrastructure.

Further, Subsection 1.4 provides direction on matters of provincial interest related to housing. The policies of Section 1.4 require planning authorities to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area, in part, by *permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements.* In this regard, the recommended amendments will facilitate the conversion of an existing detached dwelling to a Group Home (Type 2). The proposed Group Home (Type 2) will allow for the accommodation of up to eight (8) persons involved in the criminal justice system in supervised group living environment with on-site access to social services and supportive counselling to assist residents with transition and integration back into

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**File: OZ-8300
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their communities. The proposed operation will be funded, licensed and regulated by ministries of the provincial and federal government. This type of housing caters to a special needs segment of the population.

Finally, Section 1.6 of the PPS directs that public service facilities shall be provided in an efficient and cost-effective manner to accommodate projected needs. The recommended amendments will facilitate the establishment of a Group Home (Type 2) within an existing detached dwelling which can be effectively serviced by existing municipal services and infrastructure. The redevelopment of an existing dwelling to accommodate the proposed use is cost-effective from the public perspective.

City of London Official Plan:

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

As noted previously in this report, the subject lands are designated “Low Density Residential” in the City of London Official Plan. Section 3.2 of the Official Plan contains policies specifically intended to guide land use and development on lands designated “Low Density Residential”. The St. Leonard’s Community Services application proposes to add a “Special Policy” to Chapter 10 – Policies for Specific Areas, of the Official Plan to permit a Group Home (Type 2) on the subject lands while maintaining the Low Density Residential designation. The City’s Official Plan provides a myriad of policy direction to evaluate the requested amendments. Specifically, policy direction is contained in Section 3.6 – General Provisions for all Residential Land Use Designations, Section 3.7 – Planning Impact Analysis and Section 6.2.10 – Correctional and Supervised Residences. An evaluation of the proposed amendments’ conformity with the relevant policies is provided as follows:

3.1.1 General Objectives for all Residential Designations:

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

Section 3.1.1 of the Official Plan outlines a variety of objectives for all residential land use designations in the City. With regard to subsection iv) noted above, the recommended amendments will facilitate the conversion of an existing dwelling to a Group Home (Type 2) for the accommodation of up to eight persons, excluding staff, that is maintained and operated primarily for persons who have been placed on probation or released on parole under provincial or federal statute; thereby providing a residential facility to meet the needs of a specific segment of the population which will benefit from a supervised group living environment and additional special support services provided on-site.

3.2.1 Low Density Residential – Permitted Uses

Secondary Permitted Uses

- vi) *Uses that are considered to be integral to, or compatible with, residential neighbourhoods including group homes, home occupations, community facilities, funeral homes and office conversions, may be permitted according to the provisions of Section 3.6.*

The proposed group home is a residential land use, in nature. The tenants of the Group Home live and function as a single housekeeping unit with direct access to services and programs to support the needs of this special segment of the population. The PPS acknowledges that special needs housing is an important component of strong, healthy and safe communities. Such uses, at appropriate scales, are considered to be integral to and compatible with

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**File: OZ-8300
Planner: Mike Davis**

residential neighbourhoods. Section 3.6 of the Official Plan provides further locational and compatibility criteria for considering the establishment of group homes within residential neighbourhoods. These more specific criteria have been detailed and considered below.

3.6 General Provisions for all Residential Land Use Designations

Definition

- i) *For the purposes of this Plan, group homes are defined as a single housekeeping unit in which three to eight residents, excluding staff or receiving family, live as a family, for a period exceeding one week for the majority of residents, and under responsible supervision consistent with the requirements of its residents. Group homes shall be licensed or approved under provincial statute and shall not include correctional residences.*

The proposed St. Leonard's Community Services group home will provide accommodation for up to eight persons, excluding staff, that is maintained and operated primarily for: persons who have been placed on probation or released on parole under provincial or federal statute. The operation of this facility is funded, regulated and licensed jointly by the Ministry of Health and Long Term Care, Correctional Services Canada and the Ministry of Community safety and Correctional Services. The St. Leonard's facility will be required to operate in accordance with the definition of Group Home Type 2's provided in the City's Zoning By-law Z.-1. The Group Home Type 2 definition is intended to implement the "Correctional Residences" policies of the Official Plan. The Official Plan provides more restrictive policies when considering the establishment of Correctional Residences or Type 2 Group Homes than Type 1 Group Homes.

Separation Distances

- ii) *In order to prevent concentration of group home, zoning regulations will require a minimum separation distance between group homes.*

Section 4.8 of Zoning By-law Z.-1 requires a minimum separation of 450 metres between a Group Home (Type 2) and another group home facility. In this regard, Staff's zoning review indicates that there are no such facilities within 450 metres of the subject site. As such, the recommended amendments comply with the group home minimum separation distances prescribed by the Official Plan and specified in Zoning By-law Z.-1.

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.

As noted previously throughout this report, the subject lands are located within the Low Density Residential designation of the Official Plan. As such, the applicants have applied to add a Special Policy to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit a Group Home (Type 2) in the Low Density Residential designation on a site-specific basis. The locational criteria below provide appropriate direction for contemplating Group Homes in the Low Density Residential designation by way of the proposed special Official Plan policy. These criteria are similarly applicable in considering zone changes in the Multi-Family, Medium Density Residential and the Multi-Family, High Density Residential designations to permit Group Home Type 2's. It is important to note that other Group Home Type 2's currently exist within Low Density Residential neighbourhoods across the City.

Location

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

The subject property fronts onto Clarke Road. Clarke Road is designated as an "Arterial" on Schedule C – Transportation Corridors of the City of London Official Plan. The property is

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**File: OZ-8300
Planner: Mike Davis**

situated directly west of the Argyle Mall Shopping Centre which contains a wide range of retail, commercial and personal service uses. The Argyle Mall and Regional Commercial Node at Clarke Road and Dundas Street also functions as a Transit Node with direct LTC bus links to the Downtown via Dundas Street. Additionally, a Secondary School and the Argyle Arena are located directly east of the property, south of the Argyle Mall.

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.*

The recommended amendments will allow for a Group Home (Type 2) within an existing single-storey detached dwelling on the subject property. The existing dwelling currently functions as a Group Home (Type 1) with the same limitations on intensity (8 residents + staff) as the proposed Group Home (Type 2). The recommended amendments will not result in any alterations to the exterior built form or the intensity of the use of the existing dwelling. As such, approval of the recommended amendments will not detract from the residential amenity or character of the area.

Other Residential Uses

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

As noted previously throughout this report, the existing dwelling on the subject lands was renovated in 2006 to accommodate a Group Home (Type 1) which houses up to eight (8) special needs youth and includes support staff for supervision and program delivery. The existing Group Home Type 1 is, and was, permitted as-of-right by the R1-7 zoning on the subject lands. The recommended amendments will allow for the establishment of a Group Home Type 2 in which the applicant intends to accommodate women who who have been placed on probation or released on parole under provincial or federal statute. The proposed group home will include the same limitations on intensity (8 residents + staff) and will utilize the existing building with no exterior alterations. Further, St. Leonard's has committed to landscaping and buffering improvements to be carried out in accordance with a landscape plan which was submitted voluntarily through the Zoning By-law amendment application process and is attached as Appendix "C" to this report. The proposed landscaping and buffering will enhance the aesthetic value of the property and allow for greater privacy. Given that no changes to the built form or intensity of the land use are proposed through this application, the proposed use is not anticipated to reduce the suitability of the designated area to accommodate residential uses. It should be noted that since there is no proposed increase in intensity from the existing use to the proposed use it is not deemed to be "development" under Section 41 of the Planning Act and is therefore not subject to site plan approval. Therefore, any landscaping improvements are voluntary and at the discretion of the applicant.

Planning Impact Analysis

- iv) *The proposed use can satisfy the requirements of policy 6.2.10 of this Plan and the Planning Impact Analysis according to the Provisions of Section 3.7.*

The applicable policies of Section 3.7 – Planning Impact Analysis and 6.2.10 – Correctional and Supervised Residences have been considered and evaluated below.

3.7 Planning Impact Analysis

Proposals for changes in the use of land which require the application of Planning Impact Analysis are to be evaluated on the basis of criteria relevant to the proposed change.

Where an Official Plan amendment and/or zone change application is being considered the following criteria may be considered:

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**File: OZ-8300
Planner: Mike Davis**

- (a) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;*

The recommended amendments will allow for the conversion of an existing single detached dwelling to a Group Home Type 2 (correctional residence). The existing dwelling was renovated in 2006 to accommodate a Group Home Type 1 which has operated since that time and can accommodate the same number of residents as the proposed Group Home Type 2. As such, no alterations to the existing built form will result from approval of this application. Additionally, the scale and intensity of the proposed use will remain consistent with the existing Group Home Type 1 as the same limitations on residents (8) and Staff applies. The applicants have proposed landscaping, fencing and buffering measures to enhance the aesthetic value of the property and provide for additional privacy. Such landscaping and buffering is proposed to be carried out in accordance with the landscape plan submitted voluntarily through the application process and attached as Appendix “C” to this report. Given there will be no alterations to the existing built form or the intensity of the proposed use and details have been provided regarding planned landscaping and buffering improvements, it is not anticipated the approval of the recommended amendments would pose any impact on present and future land uses in the area.

- (b) *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 use;*

The proposed group home will be accommodated within an existing detached dwelling which will not require any exterior alterations. The applicants have demonstrated, through the preparation of a conceptual site plan and landscaping plan that sufficient space is available in the rear yard to accommodate suitable outdoor private amenity space, parking which exceeds the requirements of the Zoning By-law and additional landscaping and buffers to improve the aesthetic value of the property. Since 2006, the existing dwelling has accommodated a Group Home Type 1 with the same restrictions on intensity (8 residents + staff) as the proposed St. Leonard’s facility.

- (c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use;*

There are limited areas in the City of London which are designated and pre-zoned for the proposed Group Home (Type 2) use as-of-right. Additionally, the proposed location will utilize an existing dwelling which is serviced by existing municipal services and infrastructure. The utilization of an existing facility is cost-effective from the public perspective.

- (d) *the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;*

Given the nature of the proposed Group Home Type 2 use, the criteria provided in subsection (d) are relevant in considering the appropriateness of Group Home siting. In this regard, the proposed group home is located directly adjacent to shopping facilities and transit services at the adjacent Argyle Mall. The site is located within a 10 minute walk to East Lion’s Park which includes significant public open space as well as a range of community recreational facilities including a playground, public pool and tennis courts.

- (f) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

As noted previously throughout this report, the proposed Group Home will be accommodated within an existing single-storey detached dwelling which has previously been renovated to accommodate a Group Home (Type 1). As such, no alterations to the existing built form will result from approval of the subject applications. The existing dwelling includes side yard setbacks similar to surrounding residential development. Regulations have been incorporated

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File: OZ-8300
Planner: Mike Davis

into the recommended Zoning By-law amendment to recognize the dwelling “as existing” which will preclude any building expansions without a public process.

- (g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

Limited vegetation is currently provided through landscaping features on the subject site. The applicants have proposed landscaping improvements to provide for additional vegetated landscaping and buffering on site in accordance with the landscape plan provided voluntarily through the application process and attached as Appendix “C” to this report. The proposed landscape improvements will enhance the visual character of the site and contribute positively to the overall aesthetics of this portion of the residential neighbourhood.

- (h) *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 proposed Group Home will utilize an existing vehicular access provided at the rear of the property off of Churchill Avenue. The proposed Group Home (Type 2) is not anticipated to result in additional traffic beyond what occurs through the operation of the existing Group Home facility on the subject lands.

- (i) *the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

As noted previously, the proposed group home will utilize an existing single-storey detached dwelling .

- (l) *compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

Zoning By-law Z.-1 requires the provision of two parking spaces for Group Homes outside of Central London. The subject property will accommodate three parking spaces in the rear yard. Further, the proposed site maintains compliance with the Group Home separation requirements (450m) outlined in Zoning By-law Z.-1. Due to the nature of the proposed use, no exterior signage is anticipated. The proposed Group Home is being facilitated through site specific Official Plan and Zoning By-law amendments to allow for a Group Home Type 2 in in the Low Density Residential Designation. The locational criteria for the appropriate siting of Group Homes outlined in the City’s Official Plan can be satisfied.

- (m) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis; and*

Given the requirement to utilize the existing dwelling and the limitations on the intensity of the proposed use (8 residents + Staff) no potential adverse impacts have been identified through Staff’s Planning Impact Analysis. It should be noted that the applicants have engaged in proactive community outreach and consultation during the application process. A range of comments and concerns were received from neighbours. In particular, much concern was raised about the apparent lack of outdoor amenity space for future residents and the apparent lack of parking on the site. These concerns were said by residents to impact privacy and lead to overuse of on street parking by the group home.

In response to these concerns, the applicants have voluntarily prepared a detailed landscape plan which shows planned landscaping and buffering improvements and a detailed overview of how the site will function. The landscape plan demonstrates the availability of approximately 100m² (1,075ft²) of outdoor amenity space in the rear yard, with increased buffering to adjacent

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**File: OZ-8300
Planner: Mike Davis**

properties through plantings and fencing. The landscape plan also proposes additional plantings and landscape improvements in the front and exterior side yards which will improve the aesthetic value of the site from a range of vantage points in the public realm.

The subject property, will accommodate three parking spaces in the rear yard. The City's Zoning By-law Z.-1 outlines the parking requirements for the full range of uses contemplated by the Zoning By-law. The parking requirement for Type 2 Group Homes located outside of Central London is two spaces. As such, the subject lands can accommodate parking as required by the Zoning By-law. Additionally, St. Leonard's Community Services has negotiated an agreement with the Board of Education to utilize surplus parking at the adjacent Clarke Road Secondary School for Staff overflow parking if necessary.

(n) impacts of the proposed change on the transportation system, including transit.

The proposed Group Home (Type 2) is not anticipated to generate any additional traffic beyond what is experienced by way of the existing Group Home (Type 1) on the subject property. Given the characteristics of the future occupants, close access to public transit services at Dundas Street and Clarke Road is desirable in the siting of this facility.

10. Policies for Specific Areas

The purpose of Chapter 10 (Policies for Specific Area) of the Official Plan is to permit specific uses that would otherwise not be permitted by the more general land use policies of the Official Plan. The policy states that:

Notwithstanding the other land use policies contained in...this Plan, policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land. [Emphasis added]

The Policies for Specific Areas provide criteria which are to be used to evaluate the appropriateness of the request for a special policy. The adoption of Policies for Specific Areas may be considered where one or more of four specified conditions apply. As it relates to the application from St. Leonard's Community Services, the following condition(s) applies:

- *The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.*

In this regard, the proposed change in land use is site-specific. Given the low-rise, low density nature of surrounding development and the limited lot sizes in the area it is recognized that the existing Low Density Residential designation is appropriate to guide the future development of these lands. The policy evaluation outlined above including Staff's planning impact analysis demonstrates the suitability of the site to accommodate the Group Home Type 2 use. In this instance, it is appropriate to permit the Group Home Type 2 on a site specific basis while maintaining the existing land use designation.

- *The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.*

By considering the proposed use through the application of a special policy area as opposed to a re-designation, it limits the potential for additional land uses which have not been evaluated and could result in negative impacts to the surrounding low density residential neighbourhood.

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File: OZ-8300
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Zoning By-law No. Z.-1:

The subject property is currently zoned Residential R1 (R1-7) Zone which permits single detached dwellings. Given the size of the existing dwelling and the site's ability to comply with the separation distances for Group Homes, the existing Zoning on the subject property allows for Type 1 Group Homes.

Type 2 Group Homes and Supervised Residences are permitted only within the zones where specified as a permitted use. In order to prevent concentrations of Group Home Type 2 uses within specific areas, and notwithstanding their being listed as a permitted use, a minimum separation between such facilities shall be 450.0 metres (1,476 ft.) measured in any one direction.

The current application proposes to rezone the subject lands to a Compound Residential R1/Community Facility Special Provision (R1-7/CF5(_)) Zone in order to facilitate the development of a Group Home Type 2 within the existing single detached dwelling. Section 32.1 of Zoning By-law No. Z.-1 – General Purpose of the CF Zone – described the rationale behind the CF Zone variations. This section states that the CF Zone “provides for and regulates institutional type uses which provide a city-wide or community service function.” Specifically, the CF5 Zone variation is intended to provide for and regulate Type 2 Group Homes. The CF5 Zone does not allow for any additional land uses. The recommended compound zone will allow for the property to be redeveloped back to single family residential uses in accordance with the development standards of the R1-7 Zone.

The proposed zoning by-law amendment will facilitate the establishment of a Group Home Type 2 within an existing single-storey detached dwelling. As the proposed facility will make use of an existing dwelling, special provisions will be required to provide relief from various development standards of the CF5 Zone. The development standards of the CF5 Zone are intended to provide a framework for the development of Group Homes in a “greenfield” setting. Given that the proposal plans to utilize existing building stock to allow for redevelopment in a manner which is compatible with the built character of the neighbourhood, the proposed special provisions are reasonable and appropriate. The special zone provisions will also prohibit the establishment of a “Supervised Residence” within the proposed Group Home Type 2. A Supervised Residence, as defined by Zoning By-law Z.-1, means a Group Home Type 1 with more than eight residents, excluding staff. Supervised Residences are typically permitted as-of-right within structures where Type 2 Group Homes are permitted. Given the limited size of the subject property, it is recommended that “Supervised Residences” be prohibited to ensure that the level of intensity currently permitted on the subject site within the existing Group Home Type 1 is maintained (8 residents + staff). Given the foregoing, the additional Group Home Type 2 use, which will result from the approval of this application, is consistent in terms of its permitted form and intensity as the existing Group Home Type 1 facility operating on the subject property and, as such, is not anticipated to present any new adverse impacts to the surrounding residential neighbourhood.

The recommended addition of the CF5(_) variation with special provisions to limit the operation to the existing detached dwelling will be facilitated through a Special Official Plan Policy to allow for a Group Home Type 2 in the Low Density Residential designation. The recommended Special Official Plan policy has been demonstrated to maintain the intent of the Official Plan with regard to the proper siting of Correctional Residences and Group Home facilities.

CONCLUSION

The recommendation for approval of the proposed Official Plan and Zoning By-law amendment has been supported by the foregoing planning analysis. The applications have been evaluated in the context of the applicable land use policy and are supported by the objectives of the Provincial Policy Statement, 2005 and the City of London Official Plan which promote redevelopment in order to minimize land consumption and servicing costs, encourage the

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File: OZ-8300
Planner: Mike Davis

development of alternative housing forms required to meet the social, health and well-being requirements of current and future residents including special needs requirements, and seek to ensure that necessary public service facilities are available to meet current and projected needs. The recommended amendments will allow for the use of an existing detached dwelling as a Group Home Type 2. The existing detached dwelling has functioned and operated as a Group Home Type 1 since interior modifications were completed in 2006. The proposed Group Home Type 2 does not contemplate any exterior alterations to the existing built form and contains the same restrictions on the intensity of the proposed use (8 residents + Staff) as the existing Group Home Type 1 which is permitted as-of-right on the subject lands. Further, the subject site can accommodate on-site parking in excess of the requirement of the a Boning By-law Z.-1, can accommodate approximately 100m² of outdoor amenity space in the rear yard and is not located in proximity to other Group Home facilities. Given the foregoing, it is not anticipated that the proposed use would present any adverse impacts on the surrounding neighbourhood and the recommended amendments represent sound land use planning.

PREPARED BY:	REVIEWED BY:
MIKE DAVIS, B.U.R.PI. PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

March 24, 2014
M. Davis
Y:\Shared\implemen\DEVELOPMENT APPS\2013 Applications 8135 to\8300Z - 313 Clarke Road (MD)\OPA-ZBL Amendment Report.docx

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File: OZ-8300
 Planner: Mike Davis

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

<u>Telephone</u>	<u>Written</u>
Judy Finch 309 Clarke Road	Tara and Chris Gover 1870 Churchill Avenue
Janet Kellie N/A	Kim and Dave Guest 319 Clarke Road
Wendy Howey 323 Clarke Road	Linda Davis 1838 Park Avenue
	Marie Morrison 1872 Park Avenue
	Hugh Baxter 1874 Churchill Avenue
	Dan Ebbs 1874 Park Avenue
	Linda Issac 1878 Park Avenue

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**File: OZ-8300
Planner: Mike Davis**

**Bibliography of Information and Materials
OZ-8300**

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, completed by Ric Knutson, December 6, 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.

Ontario. Secretariat for Social Development. Interministerial Working Group on Group Homes: Location and Distribution Report. June 16, 1978.

Ontario. Secretariat for Social Development. Ontario Group Homes - Resource Manual. June 30, 1983.

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

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

Knutson Development Consultants. *Planning Justification Report*, December 2013.

Holstead & Redmond Ltd. *Property Survey*, October 15, 2013.

Ron Koudy's Landscape Architects. *Landscape Plan*, June 16, 2005.

Correspondence: (all located in City of London File No. OZ-8300)

City of London -

Postma R., City of London Urban Forestry. E-mail to M. Davis. January 13, 2014

Clavet Y., City of London Stormwater Management Unit. E-mail to M. Davis. January 16, 2014

Henry B., City of London Development Services. E-mail to M. Davis. March 11, 2014.

Departments and Agencies -

Creighton C., UTRCA. Memo to M. Davis. January 21, 2014.

Dalrymple D., London Hydro. Memo to M. Davis. December 30, 2013.

Other:

Site visit January 15, 2014.

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**File: OZ-8300
Planner: Mike Davis**

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 313 Clarke Road.

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.*

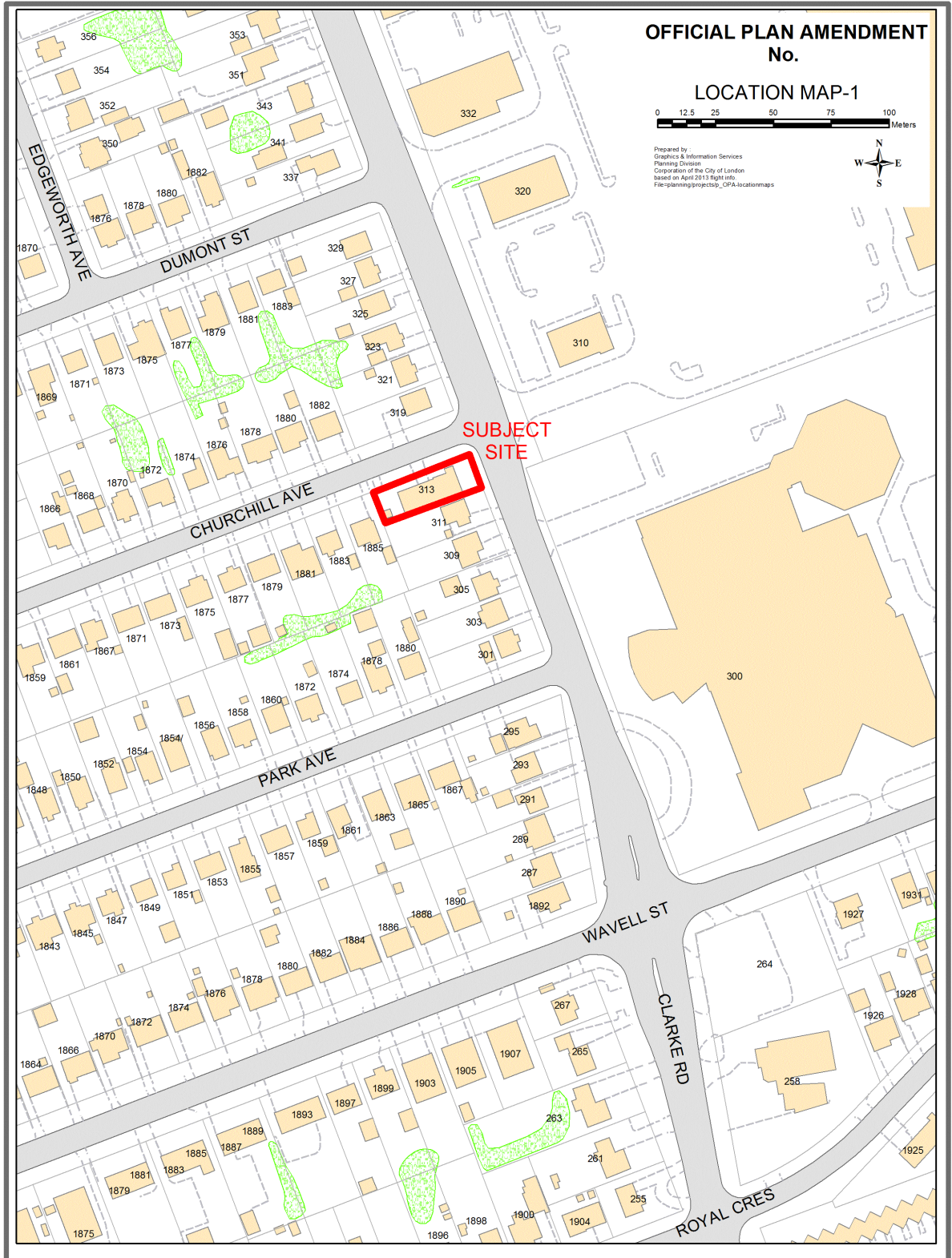
PASSED in Open Council on April 15, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

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File: OZ-8300
Planner: Mike Davis



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**File: OZ-8300
Planner: Mike Davis**

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 10 – Policies for Specific Areas of the Official Plan for the City of London to permit a Group Home Type 2 (Correctional Residence) within the Low Density Residential designation on the subject lands.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 313 Clarke Road in the City of London.

C. BASIS OF THE AMENDMENT

This Amendment will facilitate the adaptive reuse of an existing dwelling to a Group Home Type 2 in order to minimize land consumption and servicing costs, allow for the development of specialized housing required to meet the social, health and well-being requirements of current and future residents including special needs requirements, and contribute to ensuring that necessary public service facilities are available to meet current and projected needs.

D. THE AMENDMENT

Section 10 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

10.1.3 Specific Areas:

- 313 Clarke Road _) In the Low Density Residential Designation at 313 Clarke Road, in addition to the uses permitted in the Low Density Residential Designation, a Group Home Type 2 may also be permitted in order to allow for the establishment of a Correctional Residence.

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**File: OZ-8300
Planner: Mike Davis**

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 313 Clarke Road.

WHEREAS St. Leonard's Community Services has applied to rezone an area of land located at 313 Clarke Road, 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 313 Clarke Road, as shown on the attached map comprising part of Key Map No. A108, from a Residential R1 (R1-7) Zone to a Residential R1/Community Facility Special Provision (R1-7/CF5(_)) Zone.
- 2) Section Number 32.4 of the Community Facility (CF5) Zone is amended by adding the following Special Provision:
 -) CF5(_) 313 Clarke Road
 - a) Permitted Use:
 - i) Group Home Type 2 in the dwelling as it existed at the time of the passing of the By-law. A Supervised Residence shall not be permitted.
 - b) Regulations:
 - ii) Notwithstanding the regulations contained in Table 32.3 – Regulations for CF Zone Variations - all regulations are as existing on the date of the passing of the By-law.

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 15, 2014.

Agenda Item # Page #

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File: OZ-8300
Planner: Mike Davis

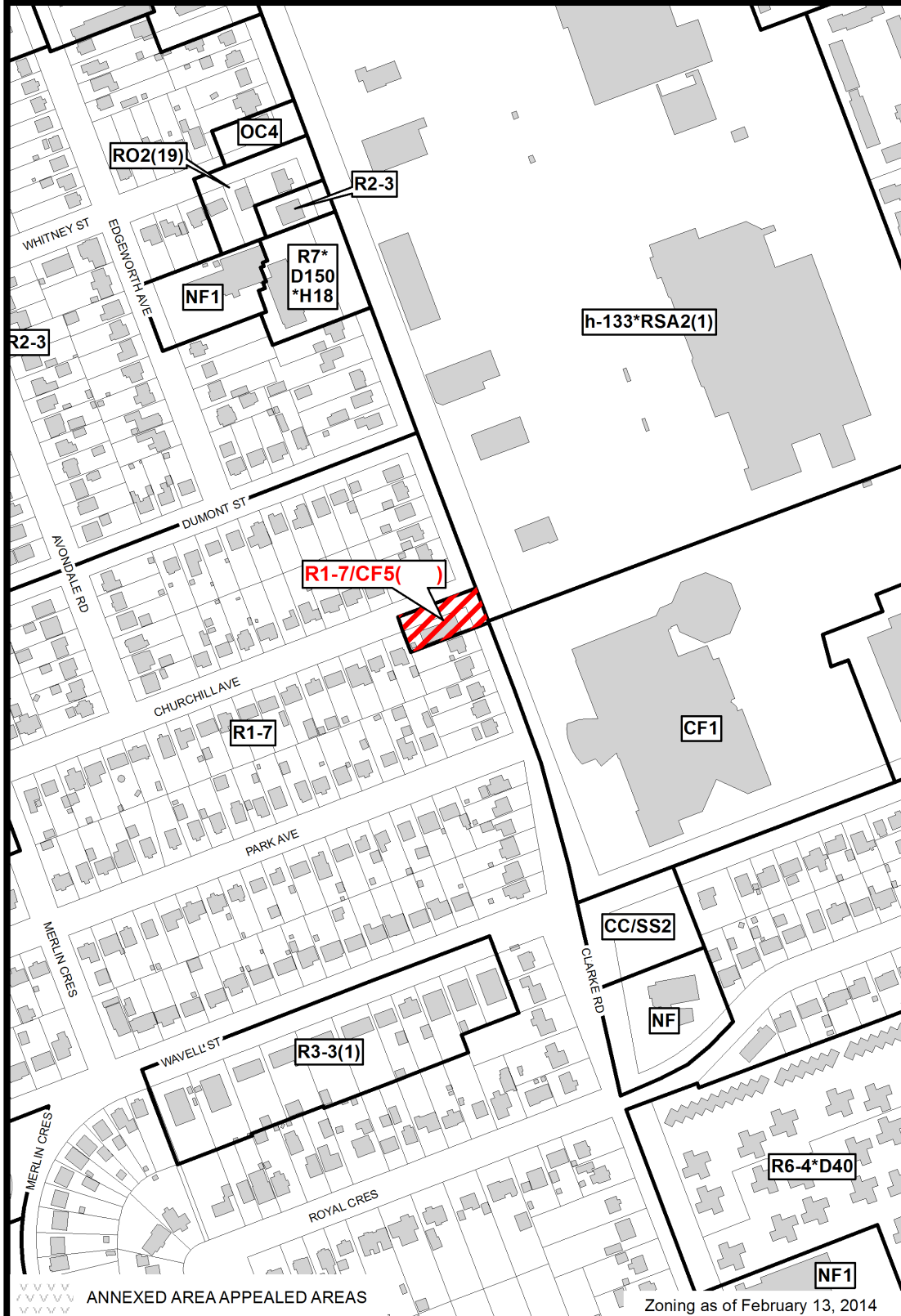
Joe Fontana
Mayor

Catharine Saunders
City Clerk


First Reading – April 15, 2014
Second Reading – April 15, 2014
Third Reading – April 15, 2014

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




File Number: OZ-8300
 Planner: MD
 Date Prepared: 2014/03/05
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,200

0 15 30 60 90 120 Meters

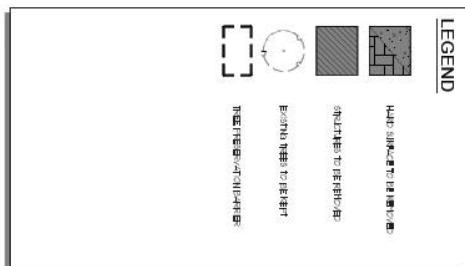
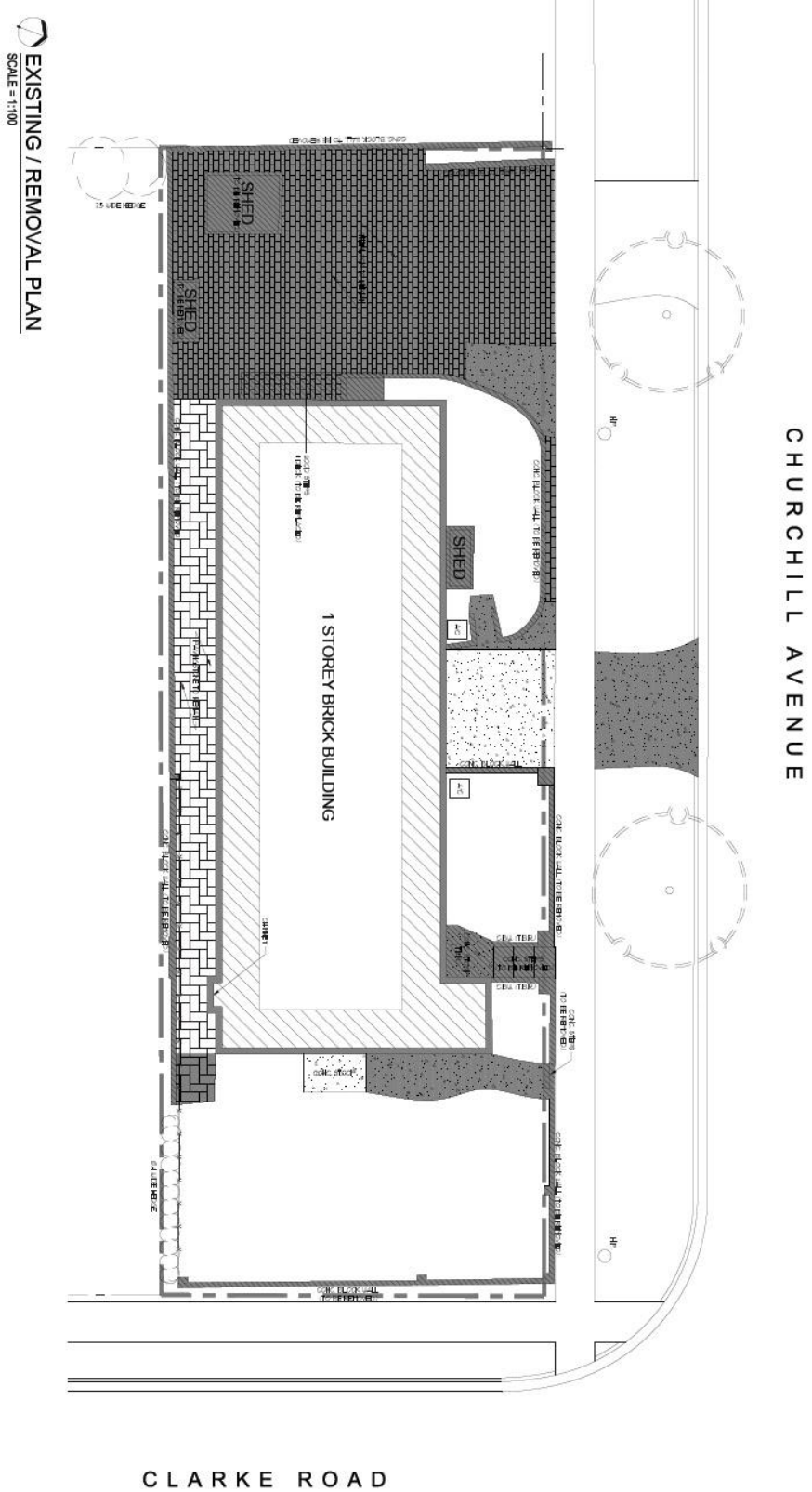


Geodatabase

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File: OZ-8300
 Planner: Mike Davis

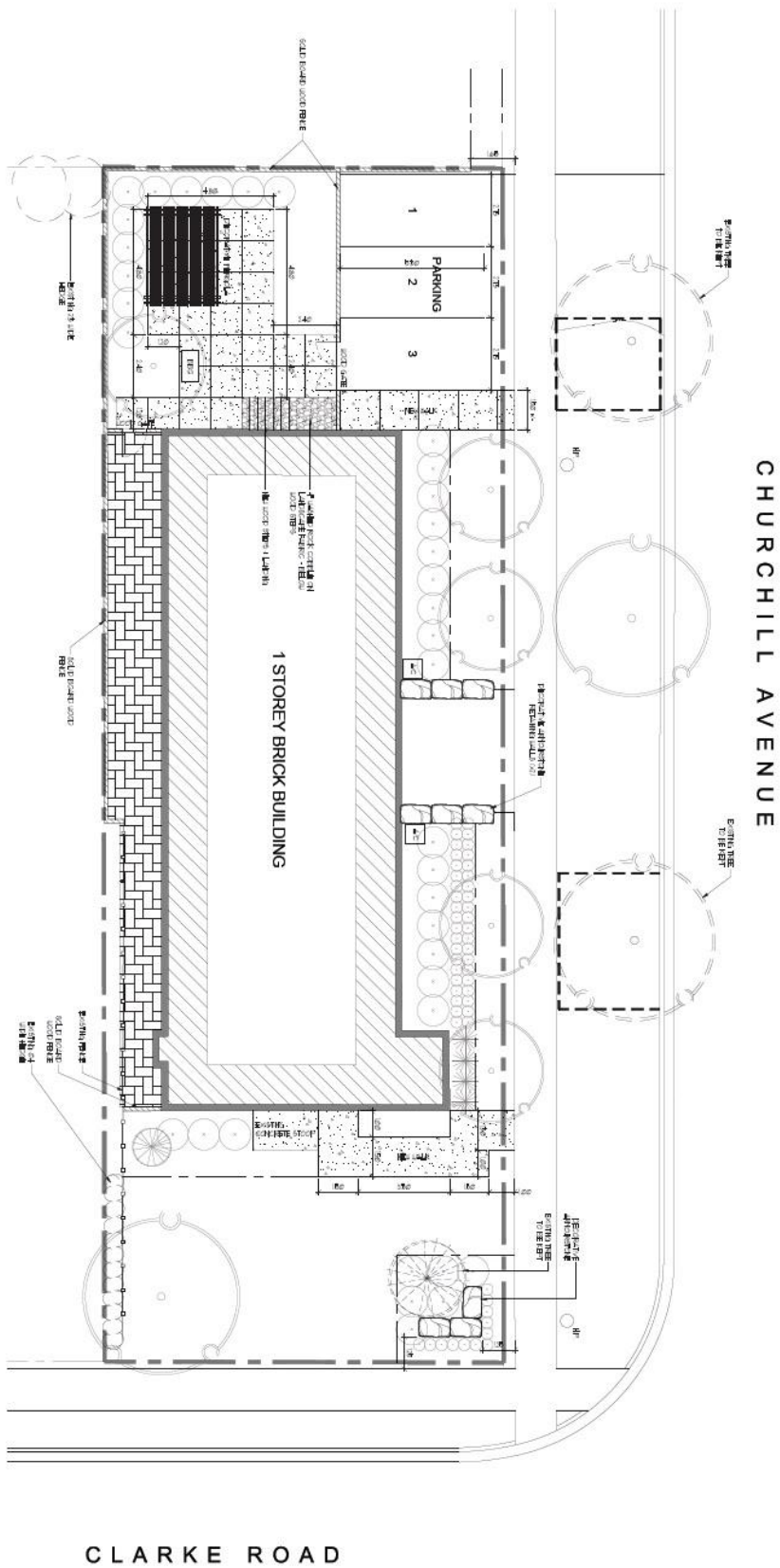
Appendix "C"



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File: OZ-8300
 Planner: Mike Davis

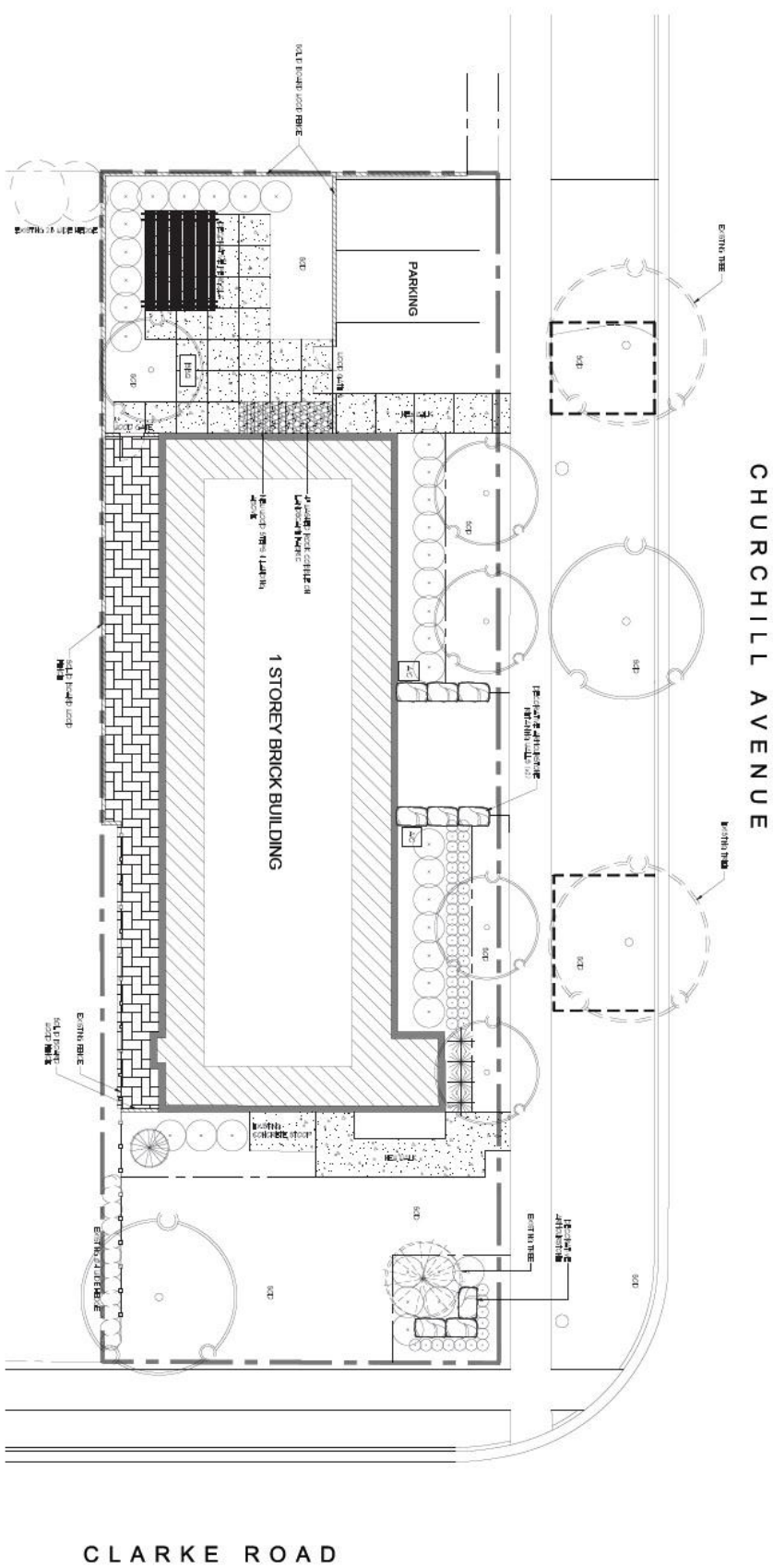
HARDSCAPE LAYOUT PLAN
 SCALE = 1:100



LEGEND

- Proposed Planting
- Proposed Area Retention
- Proposed South Facing Side Drive
- Existing South Facing Side Drive
- Proposed Concrete Pavement
- Existing North Facing Side Drive
- Existing Trees to be Retained
- New Planting

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LANDSCAPE PLAN
 SCALE = 1:100

