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S. Wilson
File No: SP14-007030

TO:	CHAIR AND MEMBERS PLANNING AND ENVIROMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: SALT CLINIC CANADA INC 583, 585, & 589 OXFORD STREET EAST PUBLIC SITE PLAN MEETING MAY 13th, 2014 AFTER 4:30 PM

RECOMMENDATION

That on the recommendation of the Manager, Development Services and Planning Liaison, the following actions **BE TAKEN** with respect to the site plan approval application by Salt Clinic Canada Inc. for a new day care building to be located at 583 Oxford Street East, and a new commercial building at 589 Oxford Street East:

- a) On behalf of the Site Plan Approval Authority, the Planning and Environment Committee **BE REQUESTED** to conduct a public meeting on the subject site plan application and **REPORT TO** the Site Plan Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit a day care at 583 Oxford Street East and a commercial building at 589 Oxford Street East; and,
- b) Council **ADVISE** the Site Plan Approval Authority of any site plan issues they may have with respect to the Site Plan Application and **ADVISE** the Approval Authority whether they support the Site Plan Application for a day care at 583 Oxford Street East and a commercial building at 589 Oxford Street East.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of this application is to obtain Site Plan Approval for a day care at 583 Oxford Street East and a commercial building at 589 Oxford Street East, in addition to the existing commercial building at 585 Oxford Street East. The public meeting at Planning & Environment Committee (PEC) is being held to hear from the public and receive any advice from PEC and Council in order to make any further revisions or changes to the plans submitted.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

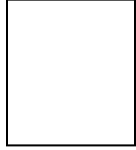
File 0Z-7539; Report to the Planning and Environment Committee to amend the Official Plan and the zoning By-Law on September 16, 2008.

APPLICATION DETAILS

Date Application Accepted:
March 14, 2014

Agent:
KAP Holdings Inc.

REQUESTED ACTION: Approval of an application for site plan approval for the construction of a new day care building at 583 Oxford Street East and a new commercial building at 589 Oxford Street East, in addition to the existing commercial building at 585 Oxford Street East.



Location Map








0 metres 50 100 150 200 250 ©2014 City of London ON

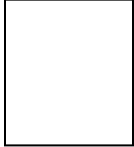
LOCATION MAP

Subject Site: **583, 585 and 589 Oxford St E**
Applicant: **Salt Clinic Canada Inc**
File Number: **SP14-007030**
Planner: **Stephanie Wilson**
Created By: **James Scott**
Date: **2014-03-28**
Scale: **1:1200**

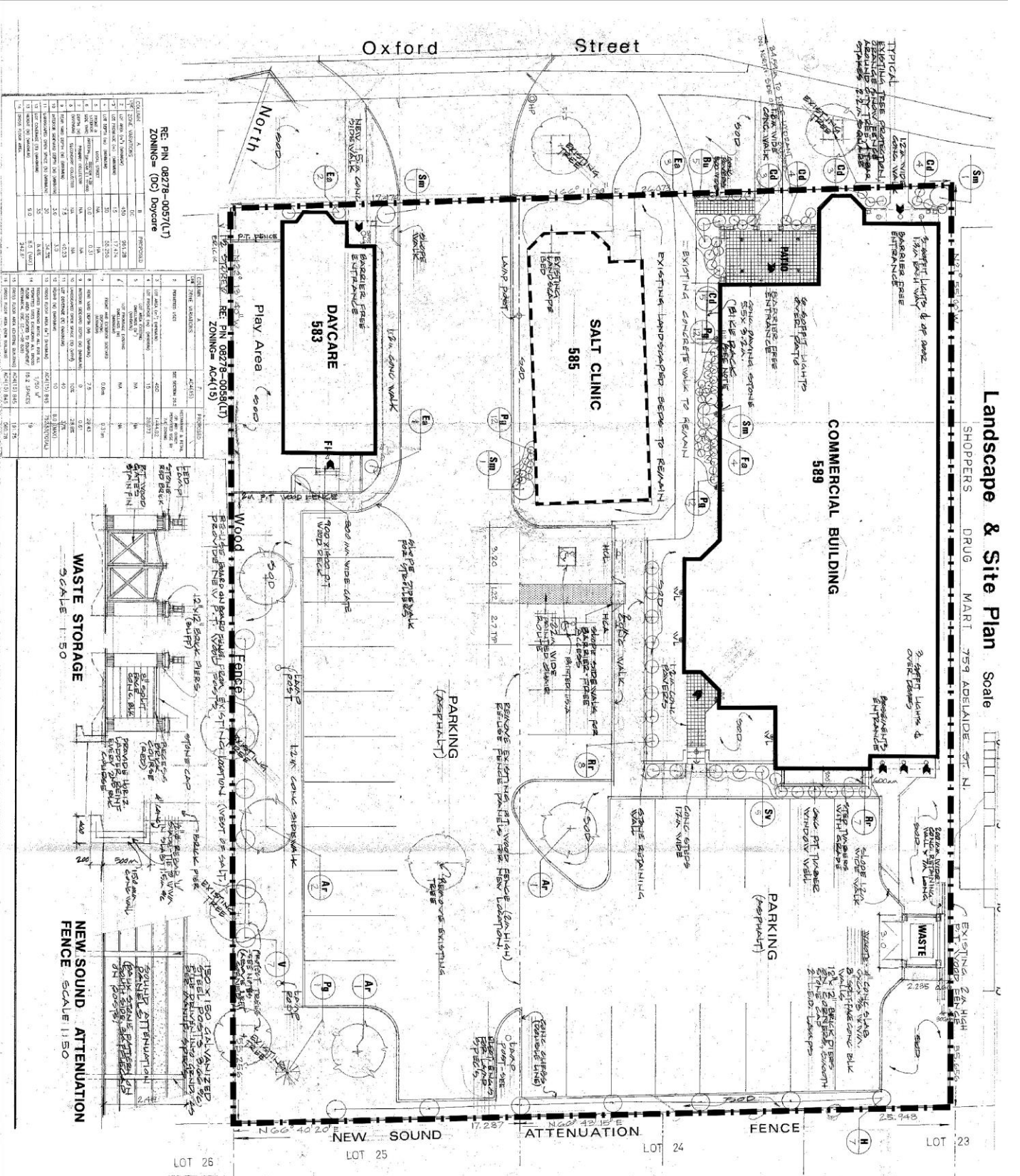
LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers





Proposed Site Plan and Landscape Plan

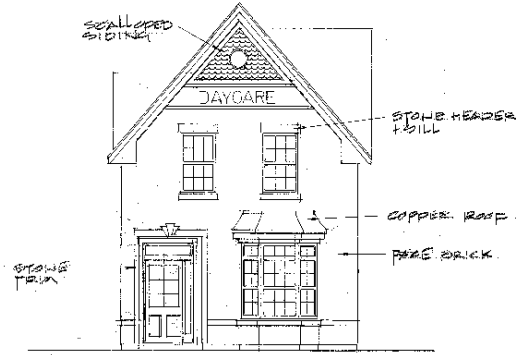


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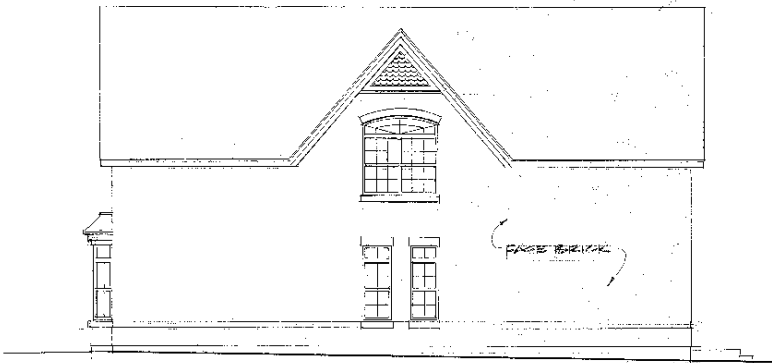
Proposed Elevations: Day Care Building at 583 Oxford Street East



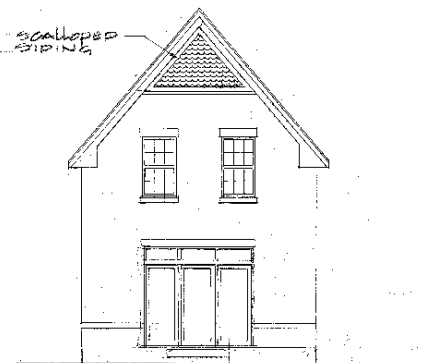
East Elevation



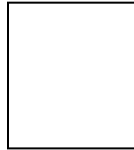
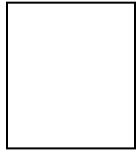
North Oxford Street



West

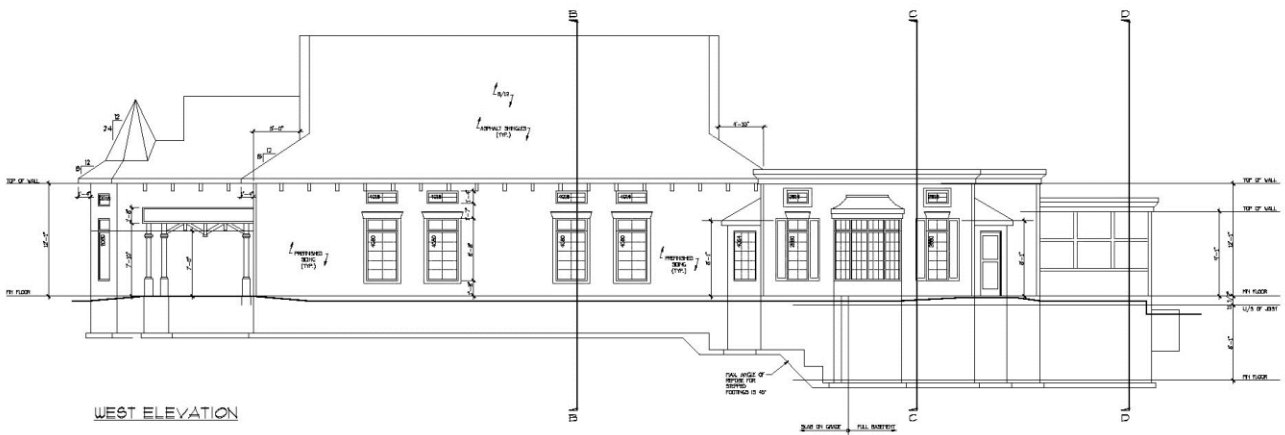
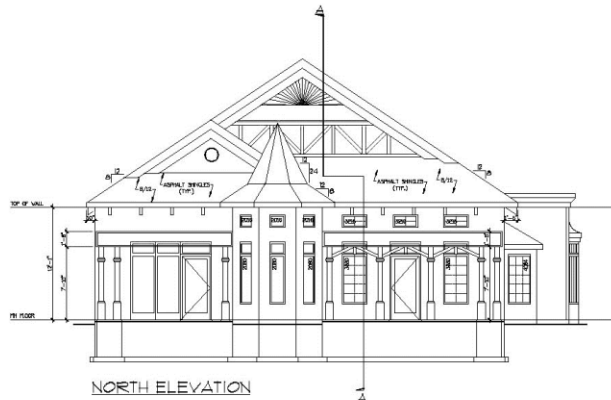
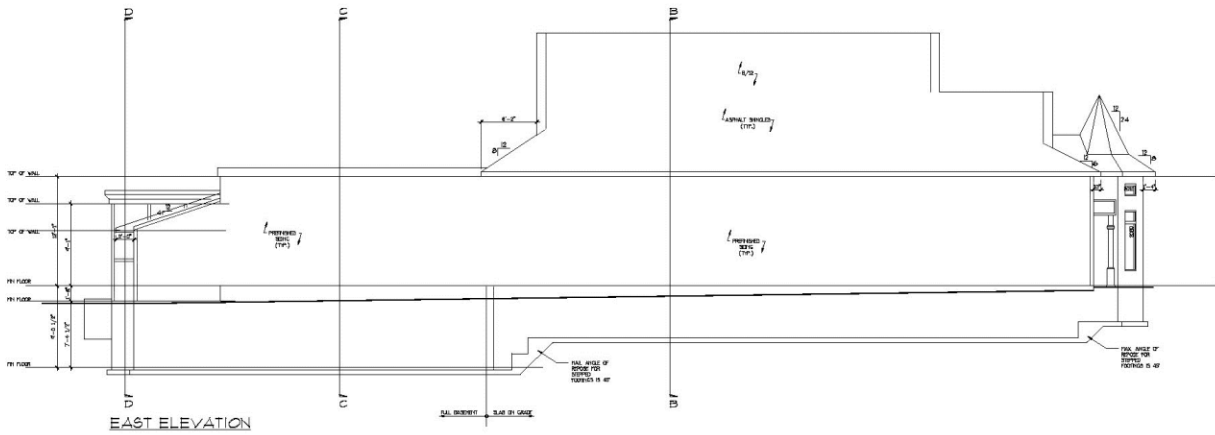
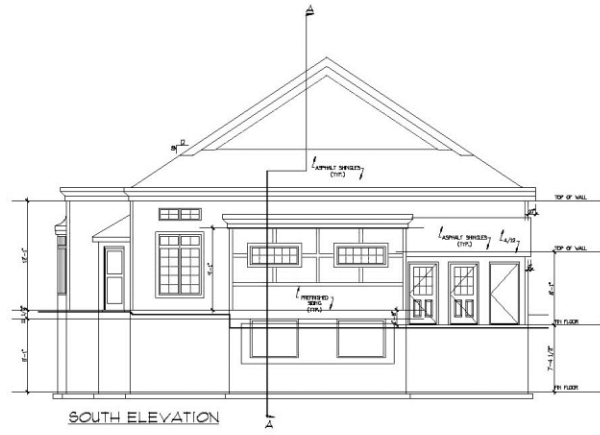


South



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Proposed Elevations: Commercial Building at 589 Oxford Street East



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SITE CHARACTERISTICS

Current Land Use: 583 Oxford Street East - Vacant
585 Oxford Street East – Existing Salt Clinic
589 Oxford Street East - Vacant

Frontage: Approximately 43.6m (combined)
Depth: Approximately 55.3m
Area: Approximately 2405m²
Shape: Rectangular

SURROUNDING LAND USES

North: Residential, Commercial Plaza
South: Residential
East: Commercial (existing drug store)
West: Medical offices

OFFICIAL PLAN DESIGNATION:

Multi Family Medium Density Residential - 583 Oxford Street East; and
Arterial Mixed Use District – 585 & 589 Oxford Street East

EXISTING ZONING:

Day Care (DC) - 583 Oxford Street East; and
Arterial Commercial [AC4(15)] – 585 & 589 Oxford Street East

PLANNING HISTORY

On May 16, 2008, the applicant submitted an application for an Official Plan Amendment (OPA) to change the designation of 585-589 Oxford Street East from a Multi Family Medium Density designation to Arterial Mixed Used District, and to change the zoning of the this property from a Residential R3/Office Conversion (R3-1/OC4) Zone to an Arterial Commercial Special Provision (AC4 (-)) Zone. Ultimately, the Planning and Environment Committee (PEC) recommended approval of the Official Plan Amendment and Zoning By-Law Amendment (ZBA), and on September 15, 2008, Council resolved:

That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Arnon Kaplansky and Archie Leach relating to the property located at 585-589 Oxford Street East:

- a) *the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on September 15, 2008 to amend the Official Plan designation of 585-589 Oxford Street East FROM a Multi Family Medium Density Residential designation TO an Arterial Mixed Used District designation;*
- b) *the proposed revised by-law attached hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on September 15, 2008 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 R3/Office Conversion (R3-11OC4) Zone which permits single, semi, duplex, triplex, fourplex and converted dwellings and office uses in the existing buildings TO an Arterial Commercial Special Provision (AC4 (-)) Zone which permits residential dwelling units, retail, office, eat-in restaurants and personal service uses, which includes a spa use with a parking rate of 1 parking space per 50m² of gross floor area with no drive through facilities;*
- c) *Planning Staff BE DIRECTED to initiate an Official Plan Amendment to apply a Main Street Commercial designation upon OPA 438 (the Official Plan Amendment which*

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resulted from the 5 year Official Plan Review-now with the Ministry of Municipal Affairs and Housing for approval) coming into full force and effect;

it being noted that site plan approval is required to be obtained prior to the issuance of building permits; and shall address design issues such as, but not limited to, the following:

- (i) providing a built form that is urban in nature with an active frontage;*
- (ii) locating the building close to the street environment, with a minimal setback, to provide a strong edge to the pedestrian realm;*
- (iii) shielding of surface parking through landscaping;*
- (iv) providing privacy fencing along the rear lot; and,*
- (v) minimizing impacts of lighting;*

it being further noted that site plan staff will seek input from the Piccadilly Area Neighbourhood Association with respect to the above site plan approval matters and a public site plan meeting will also be held with respect to this matter;

it being also noted that pursuant to Section 34(17) of the Planning Act, it has been determined that no further notice of the proposed revised by-law is required.

There were no objections to the amendments adopted by Council, which came into full force and effect on October 20, 2008.

On March 14, 2014, the applicant filed an application for site plan approval for the development of the site for two new buildings in addition to the existing building on site.

On April 7, 2014, the Notice of Application was sent out to area property owners advising them of the application. The Notice was also sent to the Piccadilly Area Neighbourhood Association.

On April 22, 2014 Notice of Public Meeting was sent out to area property owners and notice was placed in the Londoner on April 24, 2014.

To date, we have not received any responses from the public.

ANALYSIS

Description of the Site Plan

The applicant is proposing a site plan for two new buildings, in addition to an existing building, at 583, 585, & 589 Oxford Street East. The new buildings are to be located as close as possible to the street.

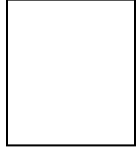
A new day care building is proposed at 583 Oxford Street East. There is an existing building located at 585 Oxford Street East, which functions as a salt clinic. A new commercial building is proposed at 589 Oxford Street East.

One vehicular access to the overall site leads to a rear parking area with 30 parking spaces. Building entrances are located at the front and rear of the proposed buildings.

The plan provides pedestrian walkways from the public sidewalk along Oxford Street East to the building entrances as well as to the parking area.

A board-on board fence is proposed along the west property line adjacent to neighbouring properties that are functioning as medical offices. A 2.4 meter high sound attenuation barrier is proposed along the rear property line, adjacent to residential properties. The plan also incorporates outdoor lighting to ensure that the proposed buildings and parking area are sufficiently illuminated.

The site will be landscaped with plantings in front and along the sides of both proposed buildings on private property. The rear parking area is landscaped with trees and shrubs, as well as climbing vines along the rear sound attenuation barrier.



Does the Plan Conform to the Zoning By-Law?

The property at 583 Oxford Street East is zoned Day Care (DC). The property at 585 & 589 Oxford Street East is zoned AC4(15) and includes the following special provisions:

- Gross Floor Area (Maximum): 845 square meters
- Required parking ratio for all permitted uses excluding all gross floor area dedicated to equipment/mechanical use: 1 per 50 square meters

The proposed site plan complies with the zoning regulations.

Is the Site Plan Compatible with Adjacent Properties?

The proposal incorporates a 2.4 meter sound attenuation barrier along the rear property line, adjacent to neighbouring residential properties. This satisfies the direction from Council to provide privacy fencing along the rear boundary of the site. Fencing along the west property line is proposed, adjacent to existing medical offices.

Exterior lighting is shown on the plans, including three lamp posts in the parking area. Lighting details have been submitted and are under review by Staff to confirm that exterior lighting will not impact adjacent properties.

How Does the Plan Implement Issues Raised at the Rezoning?

There were several issues raised at the time of the rezoning that Council requested to be addressed through the site plan approval process, including but not limited to the following:

Providing a built form that is urban in nature with an active frontage.

Urban Design Staff have reviewed and accepted the design of the built form as urban in nature with an active frontage.

Locating the building close to the street environment, with a minimal setback, to provide a strong edge to the pedestrian realm.

The proposed buildings are located as close as possible to the street edge, thus satisfying this requirement.

Shielding of surface parking through landscaping.

Staff recommend incorporating additional trees to shield the parking area and to preserve existing trees where possible.

Providing privacy fencing along the rear lot.

A 2.4 meter high sound attenuation barrier is proposed along the rear property line to meet this requirement.

Minimizing impacts of lighting.

Submitted lighting details are under review by Staff to confirm that exterior lighting will not impact adjacent properties.

Council also directed that Staff seek input from the Piccadilly Area Neighbourhood Association with respect to site plan approval matters and a public site plan meeting be held. Notice was sent to a representative of the Piccadilly Area Neighbourhood Association as part of the public liaison for this public meeting.

PUBLIC LIAISON:	<p>On April 7, 2014 Notice of Application was sent to 90 property owners in the surrounding area.</p> <p>On April 22 2014, a Notice of Public Meeting was sent to area property owners and a Notice of Public Meeting was published in the Londoner on April 24, 2014.</p>	<p>No responses were received.</p> <p>No responses were received.</p>
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SIGNIFICANT COMMENTS

Engineering Review

- Ensure that easements and joint maintenance and access agreements are in place for any mutually used entrances and services.
- The hydro pole will need to be relocated 1.5 meters from the site entrance to facilitate safe vehicle access to the site.

Urban Forestry

- There should be a tree protection report done indicating what trees will be removed and if there are any trees within 3m of the neighbouring properties, including the city boulevard, and how those trees will be protected. Any tree protection should be shown on the landscape plans and include the dbh of the tree and the dimensions of the tree protection and well as any other steps that may need to be taken including root pruning.

Development Services

- Provide details of exterior lighting fixtures proposed for the parking area to ensure no glare onto adjacent properties.
- Provide additional trees to shade and screen the proposed parking area.
- Include typical construction details and notes to demonstrate tree protection for existing trees along the street frontage, as well as any further trees identified that require protection based on the tree report. Show tree protection fencing on the plans.

Urban Design

Prior to submission, this application was reviewed by the Urban Design Peer Review Panel (UDPRP). Comments from the UDPRP were incorporated into the plans by the applicant and a written response was submitted with the application for site plan approval in response to comments from the UDPRP. Subsequent to review of the application, plans have been accepted by Urban Design.

Applicant's Response to Staff Comments

Comments were provided to the applicant at an application meeting on April 10, 2014. Many of the comments and requirements outlined in written responses from Development Services have been accommodated by the applicant, or are in the process of being resolved through the site plan approval process, to be shown on plans or addressed in the development agreement.

However, the applicant indicated in an email on April 30, 2014 that he will not submit a tree protection report, noting that he "will not spend \$2000 on tree report, the trees in the neighboring properties are about 100ft from construction and will not be affected".

There are trees on neighbouring residential properties that are very close to the proposed development and are likely to be impacted. There are also City trees on the boulevard that require protection beyond what is shown on the plans, as well as trees on the subject lands that are not identified on plans and may be suitable for preservation.

A tree report is a requirement for this application and must be submitted and accepted prior to approval, as outlined in Section 13 of the Site Plan Control Area By-Law, to supplement the landscape plan; it being noted that the submitted landscape plan does not include the endorsement of a landscape architect or equivalent.

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CONCLUSION

The proposed site plan has been reviewed and is considered to be consistent with applicable policies and regulations of the Official Plan, Provincial Policy Statement, the Zoning By-Law, and Site Plan Control Area By-law, subject to revisions to the plans to incorporate Staff comments, as well as the submission and acceptance of a tree report. Once plans are revised, Staff are prepared to recommend the plans to the Approval Authority, subsequent to receiving performance security for on-site works; and subject to the acceptance of all plans including lighting details, grading and servicing, for the site.

PREPARED BY:	REVIEWED BY:
STEPHANIE WILSON, LANDSCAPE PLANNER, DEVELOPMENT SERVICES	BRUCE HENRY, MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
RECOMMENDED BY:	SUBMITTED BY:
TERRY GRAWAY, MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P. Eng MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

CC. SP14-007030
Salt Clinic Canada Inc. c/o KAP Holdings: 599 Maitland Street, London ON, N5Y 3H9

Agenda Item #

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Bibliography of Information and Materials

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

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

City of London, Site Plan Control Area By-law C. P.- 1455-541

Provincial Policy Statement, March 1, 2005.

City of London, Report to Planning and Environment Committee, File No. OZ-7539, September 8th, 2008.

City of London, Council Resolution, OZ-7539, September 16th, 2008

City of London, Site Plan Application, SP14-007030, March 14th, 2014

City of London, Notice of Application, April 24th, 2014

City of London, Notice of Public Meeting, April 22, 2014

Notice of Public Meeting, Londoner, April 24, 2014