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File: Z-8397
Planner: Eric Lalonde

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 1841483 ONTARIO INC. (COPIA DEVELOPMENTS) 175 FANSHAWE PARK ROAD WEST PUBLIC PARTICIPATION MEETING ON OCTOBER 7, 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 1841483 Ontario Inc. (Copia Developments) relating to the property located at 175 Fanshawe Park Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 14, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R5 (R5-3) Zone **TO** a Restricted Office Special Provision (RO2()) Zone;
- (b) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Orient the proposed building towards Fanshawe Park Road in order to ensure that the principle entrance into the proposed building is facing the street;
 - ii) Include a continuous walkway from the City sidewalk to the proposed building's principle entrance to provide a convenient and direct pedestrian access;
 - iii) Locate the building close to the street edge in order to enclose the street and create an active frontage along Fanshawe Park Road; and,
 - iv) If parking in front of the building is necessary for the proposed use, it should be limited to one row and treated as a parking forecourt (using alternate paving materials and no curbs) and screened from the street using a combination of landscaping and low masonry walls.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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"None"

PURPOSE AND EFFECT OF RECOMMENDED ACTION

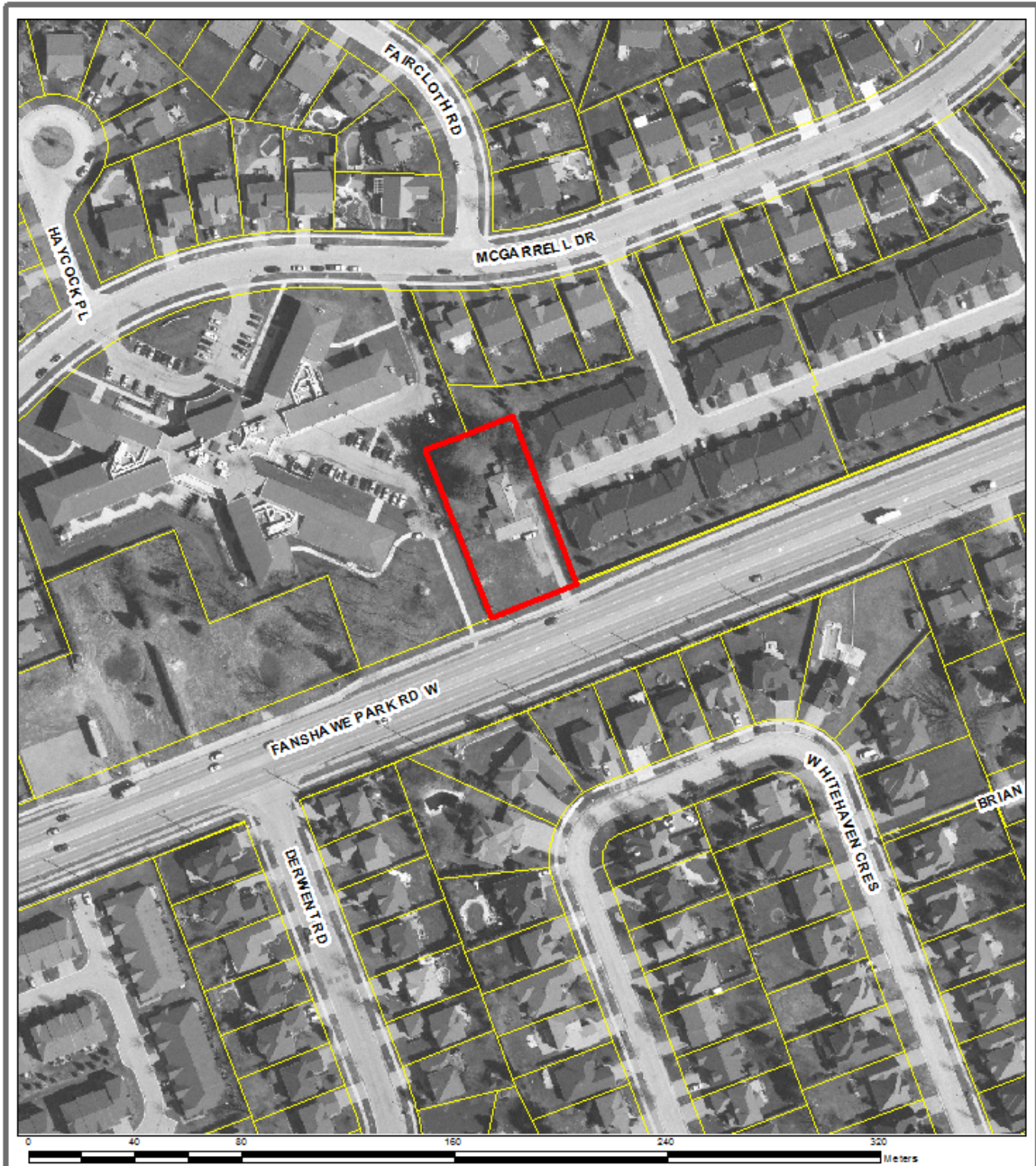
The recommended action will facilitate the redevelopment of the subject lands for a medical/dental office use.

RATIONALE

1. The recommended amendment is consistent with the Provincial Policy Statement, 2014;
2. The recommended amendment is consistent with the Official Plan;
3. The recommended amendment will permit a use that is compatible with the surrounding area;
4. The recommended amendment will facilitate redevelopment of a remnant parcel in a manner that is compatible with the surrounding area.

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LOCATION MAP

Subject Site : 175 Fanshawe Park Rd W
Applicant: Copia Developments
File Number : Z-8397

Planner : EL
Created By : MB
Date : 2014/08/20
Scale : 1:2000

Legend

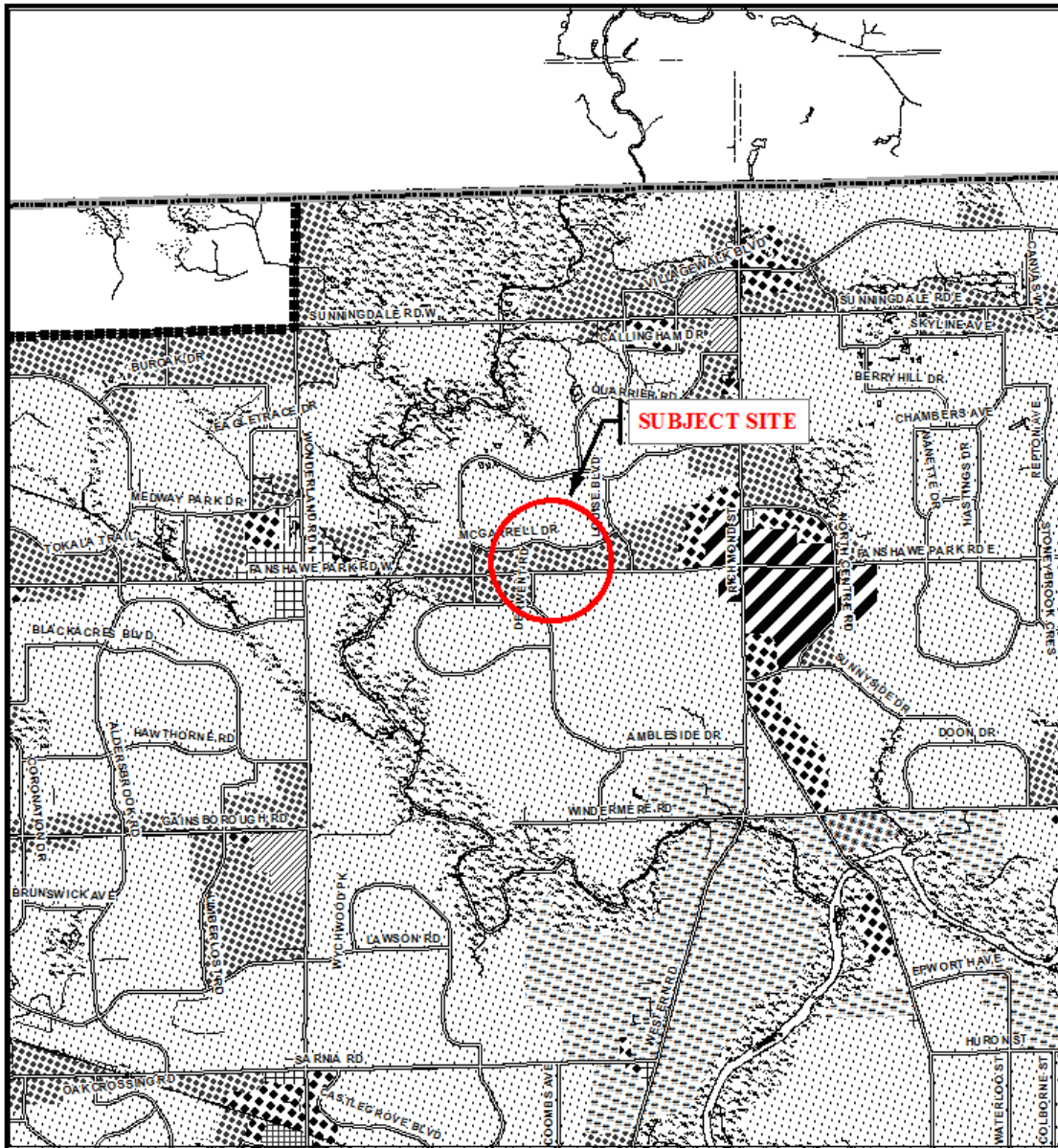
 Subject Site

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
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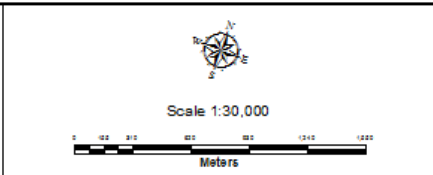
File: Z-8397
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Legend	
	Downtown
	Wonderland Road Community Enterprise Corridor
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/R 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

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

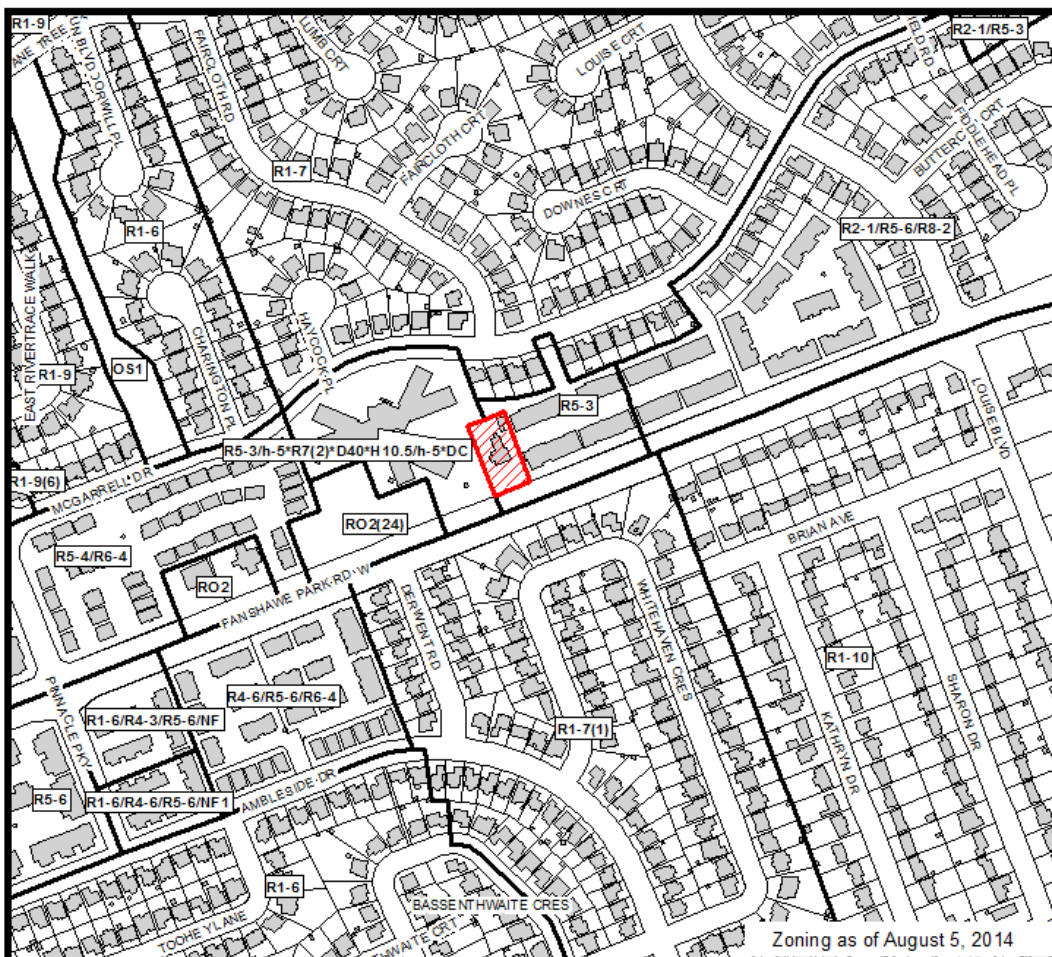
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8397
PLANNER: EL
TECHNICIAN: MB
DATE: 2014/08/20

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File: Z-8397
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Zoning as of August 5, 2014



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R5-3

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> 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 |
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CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

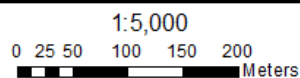
ZONING BY-LAW NO. Z-1
SCHEDULE A



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

FILE NO:
Z-8397 EL

MAP PREPARED:
2014/08/20 MB



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Planner: Eric Lalonde

BACKGROUND

Date Application Accepted: July 26, 2014	Agent: Caranci Consulting
REQUESTED ACTION: Rezone the subject lands from Residential R5 (R5-3) to Restricted Office (RO2);	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - Residential • Frontage – 34.1 m (111.9 ft) • Depth – 68.0 m (223.1 ft) • Area – 0.23 ha (0.57 ac) • Shape - Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Residential / Nursing Home • South - Residential • East - Residential • West - Nursing Home

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Residential R5 (R5-3) Zone

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Bell Canada: “No Objections”

Upper Thames River Conservation Authority: “No Objections”

Wastewater and Drainage Engineering: “The Applicant wishes to service the subject lands through an existing easement to the rear of the site through to McGarrell Drive to the north by directionally drilling the sanitary sewer. The existing easement runs along the easterly limit of 355 McGarrell Drive to McGarrell Drive in totality.”

Development Services: “Transportation has no issue with the proposed land use change to permit a medical/dental office on this site. But staff has concern regarding access location and the available left turn storage length on Fanshawe Park Rd. The proposed access is approximately 90 m from Derwent Rd and this is not sufficient distance to provide back to back left turn lanes for this site and Derwent Rd. The access should be relocated to the far westerly limit of the site and pavement markings changed to permit a left turn lane into the site.

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Other issues include a road widening dedication on Fanshawe Park Rd measured 19.5 m from the centre line of Fanshawe Park Rd.”

Urban Design Section: *“The site plan authority should be requested to address the following design issues through the site plan process:*

- *Orient the proposed building towards Fanshawe Park Road in order to ensure the principle entrance into the proposed building is facing the street.*
- *Include a continuous, convenient and direct pedestrian walkway from the City sidewalk to the proposed buildings principle entrance.*
- *Locate the building close to the street edge in order to enclose the street and create an active frontage along Fanshawe Park Road.*
- *If parking in front of the building is necessary for the proposed use, it should be limited to one row and treated as a parking forecourt (using alternate paving materials and no curbs) and screened from the street using a combination of landscaping and low masonry walls.”*

PUBLIC LIAISON:	On August 6, 2014, Notice of Application was sent to 93 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 August 7, 2014. A “Possible Land Use Change” sign was also posted on the site.	4 replies were received
<p>Nature of Liaison: The purpose and effect of the requested Official Plan and Zoning By-law amendments is to permit the establishment of a medical/dental office. Change Zoning By-law Z.-1 from a Residential R5 (R5-3) Zone which permits townhouse dwellings to a Restricted Office (RO2) Zone which permits clinics, medical/dental offices, laboratories, and offices.</p>		
<p>Responses:</p> <p><i>The following is a summary of concerns raised by public consultation.</i></p> <ul style="list-style-type: none"> • Concerns with property values • Concerns with overdevelopment (multi-storey development) • Concerns with Parking/under parking, overflow parking on McGarrell Drive and crossing through Nursing Home site. • Concerns with high volume of traffic and high number of accidents in the area. • Concerns with the combined traffic with other new Restricted Office uses impact from other sites along Fanshawe Park Road West. • Landscaping requirements to appropriately maintain amenity space. • Support the use provided that the site is able to function and maintains an adequate interface with surrounding residential uses. • Look at rights in and rights out. • Line of sight issues. 		

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Planner: Eric Lalande

ANALYSIS

NATURE OF APPLICATION

The application proposes to develop the subject lands for a medical/dental office use, specifically as a dentist office. The existing residential dwelling unit is intended to be demolished to allow for the construction a new single storey office building measuring approximately 650 m² (7,000 ft²). The proposed facility is intended to provide for 7-10 employees at full capacity. The proposed development is to include parking in the front and rear of the proposed building. The site is located along Fanshawe Park Road West, which is a major arterial road in north London.



PROVINCIAL POLICY STATEMENT, 2014

The *Provincial Policy Statement, 2014* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

The PPS provides policy direction that encourages the development of strong and healthy communities by facilitating land use patterns based on densities and a mix of land use. Section 1.1.1 b) of the PPS encourages “*accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.*” The proposed development is consistent with this policy as it looks to provide an appropriately scaled commercial use on the edge of an existing residential and institutional area. The subject lands are enclosed on three sides by existing development enabling it to operate as a self-contained office use, which is contemplated as a secondary permitted use in a medium density residential area.

Section 1.1.1. e) of the PPS seeks efficient land development by “*promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*”. The proposed development is consistent with this policy as it is redeveloping a remnant lot that is enclosed by adjacent development and can utilize public services from either Fanshawe Park Road West or McGarrell Drive.

OFFICIAL PLAN

The Official Plan contains short-term and long-term physical growth objectives for the municipality. It provides direction regarding the allocation of land use, provision, of municipal

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services and facilities, and preparation of regulatory by-laws to control the development and use of land.

The subject lands are designated Multi-Family, Medium Density Residential on Schedule A – Land Use – to the City of London Official Plan. *“Uses that are considered to be integral to, or compatible with, medium density residential development, including group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, **small-scale office developments**, and office conversions, may be permitted according to the provisions of Section 3.6.”* The proposed development is to facilitate a small-scale, medical/dental, office. Section 3.6.8 (New Office Development) provides policy direction for the development of new small scale-scale office buildings:

“Office developments shall be located on an arterial or primary collector road. In established neighbourhoods, office developments will only be permitted in areas where the residential amenity of properties fronting onto the arterial or primary collector road has been substantially reduced.” The subject lands are located along Fanshawe Park Road West which is classified as an arterial road. The subject lands are located on the edge of an established residential neighbourhood and are oriented toward the arterial road. There are no remaining residential properties fronting onto this portion of the north side of Fanshawe Park Road. New residential developments have been oriented toward the interior of the neighbourhood and buffered from the arterial road through the construction of noise. The proposed amendment is consistent with the location criteria for small-scale office uses at this site.

With regards to the form of development, *“Provision shall be made for landscaping, privacy screening, building setbacks and other appropriate measures necessary to protect the amenity of adjacent residential properties”* and *“...the proposed building shall be sensitive to the scale and appearance of adjacent residential uses.”* Through the Site Plan Approval process, screening shall be provided from parking areas to adjacent residential areas. Additionally, the gross floor area is further limited to keep the scale of the proposed development compatible with the uses located adjacent to the subject lands.

Planning Impact Analysis

A Planning Impact Analysis is used to evaluate applications for Official Plan and/or Zoning By-law amendments to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses:

- *Compatibility of proposed use with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.*

The proposed use is not anticipated to create adverse impacts onto the abutting residential development. The requested medical/dental office use is in scale with the development of the surrounding residential community and it is oriented toward the Arterial Road.

- *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 subject site is adequately sized to accommodate the requested use. Although the applicant has requested a special provision to the Zoning By-law to reduce the minimum number of parking spaces, Transportation Staff have not articulated a concern with the reduced number of parking spaces and Planning Staff are recommending that the maximum gross floor area be reduced to prevent further expansion of the building in the absence of a subsequent *Planning Act* application during which the parking requirements can be further evaluated.

- *The supply of vacant land in the area which is already designated and/or zoned for the proposed use.*

There are vacant lands in the area that are zoned to accommodate the requested use. However, these lands were recently rezoned by Council and it is anticipated that they will be

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Planner: Eric Lalande**

developed in the near term. Regardless, the subject site is not anticipated to be developed for the uses permitted under the current zoning given its limited size and lot configuration and therefore it is appropriate to consider a change of use to accommodate the requested amendment.

- *The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.*

As previously indicated the proposed development is to be a single-storey building and located toward the south of the subject site near the arterial road to provide the maximum buffer between the requested use and the surrounding residential development.

- *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.*

There are no natural features that contribute to the visual character of the surrounding area and the retention of any desirable vegetation will be reviewed as part of the request for Site Plan Approval.

- *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 subject site currently has an access onto Fanshawe Park Road West. The applicants intend to maintain the existing number of accesses. During the Site Plan Approval stage Transportation Staff will ensure that the location of the proposed entrance and any required pavement markings will not conflict with the existing left turn lane used by motorists accessing Durwent Road.

- *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 previously mentioned, the proposed development is intended to be a single storey and limited to a maximum gross floor area of 650m². Furthermore, Planning Staff have included recommendations to the Site Plan Approval Authority to consider matters that will facilitate better integration of the proposed development with the surrounding context.

ZONING BY-LAW Z.-1.

This Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings primarily in areas designated Multi-Family, Medium Density or High Density Residential. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.

There are different RO Zone variations to accommodate a range of office uses. An expanded range of uses and/or more intensive use of a site may be permitted at appropriate locations through the use of zone variations. The Restricted Office (RO2) permits the following uses:

- a) Clinics;
- b) Medical/dental offices;
- c) Medical/dental laboratories;
- d) Offices.

The proposed amendment is appropriate to facilitate the requested medical/dental office use proposed.

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Reduced Parking Requirements

Transportation staff reviewed the proposed amendment to reduce the on-site parking requirements and have not identified a concern with this reduction. Planning Staff are recommending a maximum building gross floor area to prevent a future expansion, which would create additional parking needs. Transportation staff is satisfied with a reduction in parking spaces from 43 spaces required by a 650 m² office building to 32 spaces as proposed through the concept plan.

SITE PLAN APPROVAL PROCESS

The proposed office development will require Site Plan Approval prior to development. The intent of site plan control is to improve the efficiency of land use and servicing and to encourage more attractive and compatible forms of development by providing for development which, among other things include:

- (a) Implementing the City's urban design principles, as contained in Chapter 11 of the Official Plan;*
- (b) Being functionally integrated with adjacent development to provide for compatibility of design and to minimize impacts on adjacent properties;*
- (c) Providing for the orderly and safe movement of traffic into and out of private properties with minimum interference to vehicular and pedestrian traffic;*
- (d) Providing for adequate and accessible parking and loading facilities, and orderly circulation within parking areas;*
- (e) Improving the aesthetics of the site, by providing for open space, screening, landscaping, and the retention of natural features;*

The application included preliminary concept plans for the proposed development. Staff have reviewed the conceptual plans and provided comments noted above, specifically with regards to transportation and urban design.

Transportation Staff have identified issues related to access and egress from the site that can be mitigated through the Site Plan Approval process. A road widening dedication of approximately 1.2m along the frontage of Fanshawe Park Road West will be required as part of the Site Plan Approval process. Additionally, access through left hand turn lanes will need to be modified to accommodate the proposed development.

The Staff recommendation requests that as part of the Site Plan Approval process, the Site Plan Approval Authority be requested to address matters related to: building orientation and siting toward Fanshawe Park Road West; the provision of pedestrian access to/from the public sidewalk; and, the minimization of parking in front of the building.

These requests are considered appropriate as they are in line with policies encouraged through Official Plan Policy

USE INTENSITY AND FORM

The recommended action is considered appropriate as it provides opportunities for redevelopment that is sensitive in terms of use, intensity and form. The proposed small-scale restricted office is an appropriate use that is compatible with medium density residential uses in the area. Further, the site is accessed from Fanshawe Park Road West and is situated in proximity to other restricted offices along the same corridor. The form is regulated through the zone in terms of size and scale, along with special provisions identified in the proposed amendment. Preliminary designs have been reviewed and are consistent with development in the area and will require further refinement consistent with the Zoning By-law through the Site Plan Approval Process. Staff is supportive that the proposed use is compatible and can function on the subject lands and in the area.

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CONCLUSION

Staff supports the recommended action to allow for restricted office uses on the subject lands. The proposed amendment is consistent with the Provincial Policy Statement, 2014, the Official Plan and conforms to the intent of the Zoning By-law. The proposed restricted office is considered to be an appropriate change in use on the subject lands and is compatible with the use in the area.

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

August 22, 2014

EL/el

“Attach”

Appendix A – Draft Zoning By-law Amendment

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Planner: Eric Lalande

Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone/In Person</u>	<u>Written</u>
Duff Whittacker / 285 McGarrell Dr Unit #2	Kaiyan Gu and Jie Zhu / 18 Derwent Road, London, ON, N6G 4V8
Linden Frelick 285 McGarrell LDr Unit #5	Dan DeYong / No Address

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File: Z-8397
Planner: Eric Lalande

Bibliography of Information and Materials
Z-8397

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by 1841483 Ontario Inc. (Copia Developments), June 3, 2014

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*, 2014.

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

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

Caranci Consulting. *Planning Justification Study*, June 3, 2014.

Correspondence: (all located in City of London File No. Z-8397 unless otherwise stated)

City of London:

Moore R., City of London Development Services. Memo to E. Lalande. August 8, 2014.

Conway, E., City of London Development Services various email with E. Lalande, September 8, 2014.

Smolarek, J. City of London Urban Design Section Memo to E. Lalande, September 15, 2014

Departments and Agencies:

Creighton C., UTRCA. Letter to E. Lalande. August 18, 2014.

Raffoul, L., Bell Canada, Memo to E. Lalande, August 19, 2014.

Other:

Site visit September 08, 2014.

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Planner: Eric Lalonde

Appendix "A"

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 175 Fanshawe Park Road West.

WHEREAS 1841483 Ontario Inc. (Copia Developments) has applied to rezone an area of land located at 175 Fanshawe Park Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 175 Fanshawe Park Road West, as shown on the attached map comprising part of Key Map No. 102, from a Residential R5 (R5-3) Zone to a Restricted Office Special Provision (RO2(__)) Zone.
- 2) Section Number 18.4 of the Restricted Office (RO) Zone is amended by adding the following Special Provision:

)	RO2()	175 Fanshawe Park Road West	
a)	Regulations		
i)	Gross Floor Area (Maximum)	650m ²	(7,000 square feet)
ii)	Parking Spaces (Minimum)	32	
iii)	Landscaped Open Space (Minimum)	20%	
iv)	Parking Area Setback from Road Allowance (Minimum)	1 metre (3.28 feet)	

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 October 14, 2014.

Agenda Item # Page #

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J. Baechler
Mayor

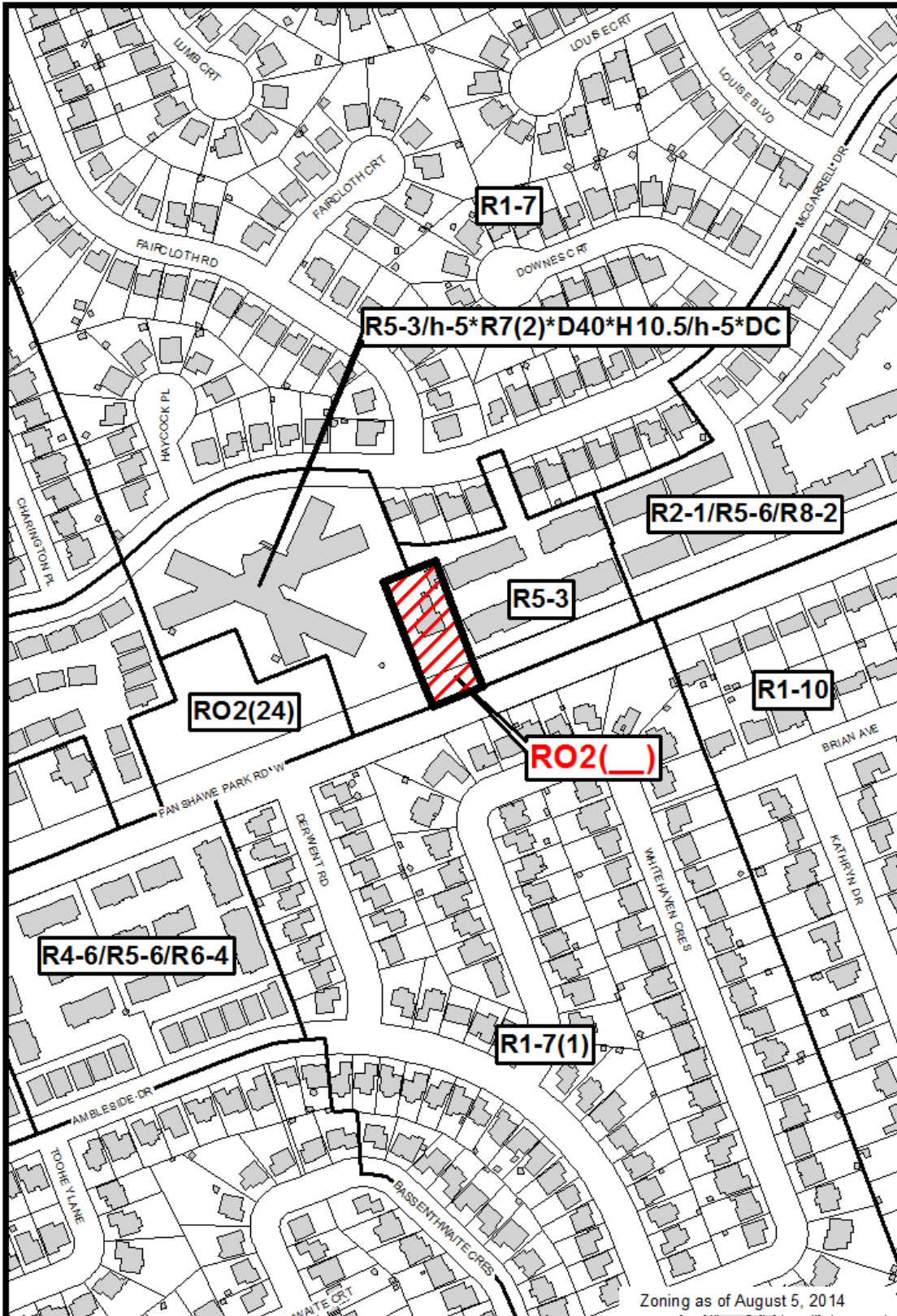
Catharine Saunders
City Clerk

First Reading - October 14, 2014
Second Reading – October 14, 2014
Third Reading - October 14, 2014


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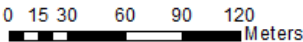
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-8397
 Planner: EL
 Date Prepared: 2014/08/20
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

 Meters

