

то:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 2359617 ONTARIO LTD 130 THOMPSON ROAD PUBLIC PARTICIPATION MEETING ON NOVEMBER 4, 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 2359617 Ontario Ltd. relating to the property located at 130 Thompson Road:

- (a) The proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 11, 2014 to amend the Official Plan to change the designation of the subject lands **FROM** Light Industrial, **TO** Multi-Family, Medium Density Residential;
- (b) The proposed by-law <u>attached</u> hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 11, 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 Convenience Commercial (CC) Zone, **TO** a Restricted Office Special Provision (RO2(_)) Zone;

PREVIOUS REPORTS PERTINENT TO THIS MATTER

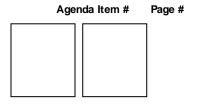
"None"

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this Official Plan and Zoning By-law amendment is to permit a medical/dental office with accessory uses within the existing building while providing special provisions to recognize the existing front yard setback of 3.76 metres, parking and landscaped open space.

RATIONALE

- 1. The recommended amendment is consistent with the policies of the Provincial Policy Statement (2014).
- 2. The subject site meets the appropriate criteria of the Official Plan in order to designate the lands Multi-Family, Medium Density Residential.
- 3. The recommended zone is consistent with the proposed Official Plan designation.
- 4. The recommendation provides a positive re-use of an existing building which has been vacant for 3 years and capitalizes on existing services in the area.



5. The site plan process will help update the subject site in terms of physical appearance and appropriate health and safety standards as part of a future development proposal.

BACKGROUND

Date Application Accepted: August 18, 2014 | Agent: IBI Group

REQUESTED ACTION: Change the Official Plan land use designation **FROM** Light Industrial Designation **TO** Multi-Family, Medium Density Residential.

Possible change to Zoning By-law Z.-1 **FROM** a Convenience Commercial (CC) Zone **TO** a Restricted Office Special Provision (RO2(_)) Zone. The special provisions are being request are for the existing front yard setback of 3.76 metres where 6 metres is required and a provision for 15% landscaped area where 30% is required.

SITE CHARACTERISTICS:

- Current Land Use Vacant Building zoned for convenience commercial uses
- Frontage 43.6 metres
- **Depth** 100 metres
- **Area** 0.48 ha (4869m²)
- Shape Rectangular

SURROUNDING LAND USES:

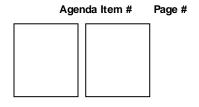
- North Two Storey Townhomes (Condominium Units)
- South R.O.W/ Various light industrial uses.
- East Bowling Alley/ Auto Repair
- West Rail line then single detached dwellings

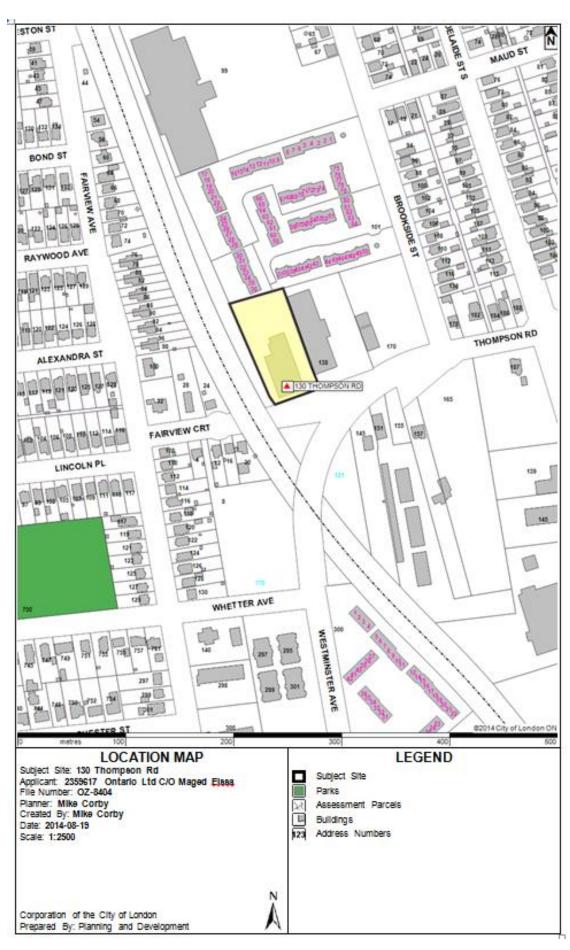
OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)

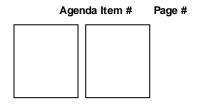
Light Industrial

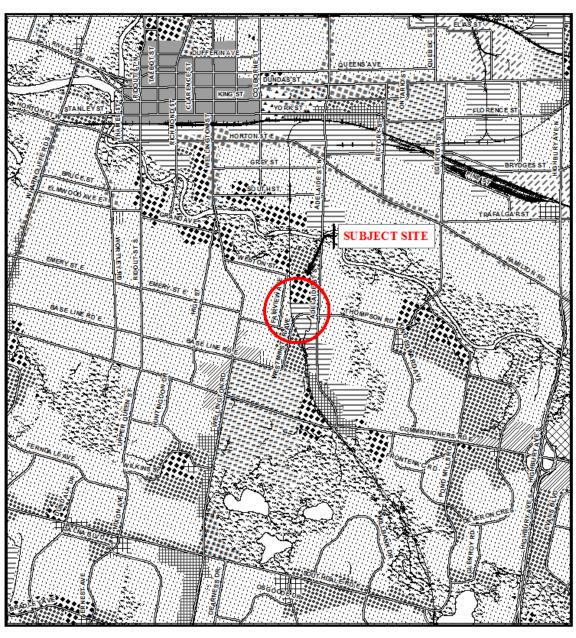
EXISTING ZONING: (refer to Zoning Map)

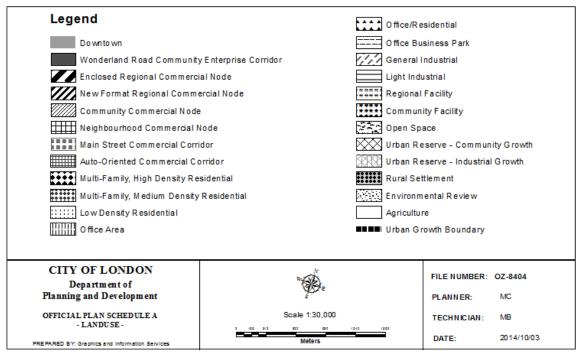
• Convenience Commercial



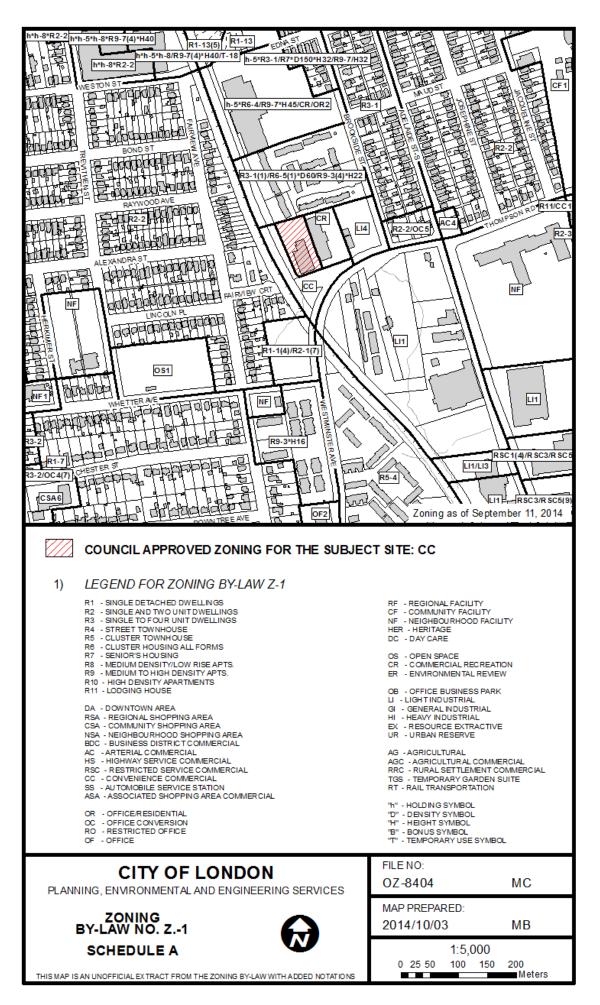








Agenda Item # Page #





PLANNING HISTORY

The site was previously home to Angelo's bakery for an extended period of time. The bakery has now been closed for about 3 years and is under new ownership. The current owners have been seeking an industrial tenant for the last 3 years without success. They are now seeking to re-use the existing building for an alternative use.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London Transportation

There are three accesses in close proximity of each other that serve this site and the property to the east. The number, location and consolidation of these accesses will be reviewed through the site plan process. Several parking spaces used by this site are on the right-of-way and a boulevard parking agreement will be required.

These and other traffic issues will be discussed through the site plan process.

City of London Wastewater & Drainage Engineering

The municipal outlet for the subject lands is the 200mm sanitary sewer on Thompson Road. The Pre-Application Consultation Official Plan And Zoning By-law Amendments back in May 2014 mentioned a restaurant as part of the proposed development. Should a restaurant be included, a sanitary inspection manhole will be required.

CN Rail

CN has 2 potential outstanding concerns:

- 1) A 1.8 m chain-link fence should be installed along the mutual property line, to be maintained by the proponent/owner;
- 2) Any change in site grading or layout should not result in any adverse drainage impact onto CN lands.

PUBLIC LIAISON:

On August 28, 2014, Notice of Application was sent to 125 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 28, 2014. A "Possible Land Use Change" sign was also posted on the site.

3 replies were received

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a medical/dental office within the existing building. Possible amendment to the Official Plan to designate the subject lands as Multi-Family, Medium Density Residential **FROM** Light Industrial. Possible change to Zoning By-law Z.-1 **FROM** a Convenience Commercial (CC) Zone **TO** a Restricted Office Special Provision (RO2(_)) Zone. The special provisions are being request are for the existing front yard setback of 3.76 metres and a provision for 15% landscaped area where 30% is required.



Responses:

- Seeking clarification on application
- Pleased with proposal and re-use of building

ANALYSIS

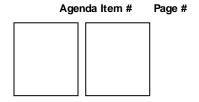
The Subject Site

The subject site is located at 130 Thompson Road which is a unique parcel as it is set back from the roadway which curves away from the property. The site abuts a CN rail line to the west, residential townhomes to the north, a bowling alley to the east and abuts the City right-of-way to the south. In context to the larger surrounding area the site is just north of Victoria Hospital and is located between two major arterial roads, Adelaide Street North and Wellington Road South with Commissioners Road approximately 1.1km to the south.



Nature of Proposal

The applicant has applied for two amendments in order to facilitate the re-use of the existing building for a medical/dental office with associated laboratories, pharmacy and offices. The first amendment is to the Official Plan which the applicant has proposed to change from the existing Light Industrial designation to a Multi-Family, Medium Density Residential designation. The applicant has applied for this change in designation in order to permit the proposed uses in a designation that is appropriate for the area. The Multi-Family, Medium Density Residential designation which permits residential uses as the primary permitted use also permits small scale offices as a secondary use. The second amendment is a request to rezone the subject site from a Convenience Commercial (CC) Zone to a Restricted Office Special Provision RO2(_) Zone. The Restricted Office Zone would permit clinics, medical/dental offices, medical dental laboratories and offices. The requested special provisions include recognition of the existing front yard setback of 3.76m where 6.0 metres is required and a reduction to the Landscape Open Space to 15% minimum where 30% minimum is required.



Provincial Policy Statement

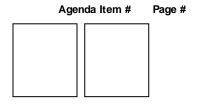
The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. The proposed re-use of the building promotes growth and regeneration of an existing building while maintaining an efficient form of development and land use pattern. The proposal will provide a new, complimentary use within the community contributing to the mix of uses in the area that has remained stagnate in terms of light industrial interest and investment. It will also bring a tenant to the area which will create employment opportunities in a building that has remained vacant for the past 3 years. The new jobs, along with a fully serviced and functional lot will help sustain the financial wellbeing of the Municipality as no extension of services or additional land consumption is required. Since the proposed change in use is subject to site plan approval, it will help to update the existing building and address/improve any issues in relation to accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society. The proposed use also supports active transportation as the subject site is located on and in proximity to several bus routes with a bus stop located in front of the property. The proposal for both medical and dental offices with an accessory pharmacy and laboratories creates compact, mixed-use development within a building that exists at a scale which is already compatible with the area.

(PPS 2014 sec.1.1.1a,b,e,f,g, 1.6.6, 1.1.3.1, 1.1.3.2, 1.3.1)

The PPS directs Planning authorities to "protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs." The PPS also provides policy direction specific to the conversion of such employment lands. Since the subject site is proposed to be re-designated from Light Industrial which is considered employment lands by the PPS to a Multi-Family, Medium Density Residential designation, a comprehensive review of employment lands is required. As part of the comprehensive review the applicant is required to demonstrate that the land is not required for employment purposes over the long term and that there is a need for the conversion. Section 2.7.4 of the Official Plan also requires the same review when removing employment lands by stating that Council shall only support such a change "where it has been demonstrated that the land is not required for employment purposes over the long term, and that there is a need for the conversion."

(PPS sec. 1.3.2.1, 1.3.2.2)

The applicant has provided Staff with justification regarding the appropriateness of removing the subject site from the Light Industrial designation toward the Multi-Family, Medium Density Residential designation to allow for the proposed medical/dental office. Through the current comprehensive review of the City of London Official Plan it has been noted that the City is seeking to adjust the Urban Growth Boundary to incorporate additional industrial lands, adjacent to major transportation corridors (401 & 402 corridor area). Information from the 2012 Industrial Lands Study prepared for the City of London by R.W. Panzer-Planning Consultant showed that it would be appropriate to increase the availability of marketable industrial land along highway corridors by extending the Urban Growth Boundary. The subject site is undersized and its location is not ideal for today's industrial demands which seek large lots at preferred locations by major highways. The average lot area for the sale of industrial lands in the City of London ranges from 4.5 ha to 5.0 ha. The proposal to remove a 0.49 ha site of industrial land, that is considered to be an insufficient size by today's industrial standards, would have no effect on the City's existing inventory of employment lands for industrial uses since the loss in land area is negligible and the site's suitability for industrial uses is nominal. The subject site itself has not been used for industrial purposes and has been zoned as convenience commercial for an extended period of time. Over the last three years, the subject site has remained vacant, and interest in the site for industrial uses remains low given the small size and commercial nature of the existing building, combined with the availability of vacant serviced industrial lands elsewhere in the City.



Official Plan

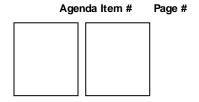
The main permitted uses of the requested Multi-Family, Medium Density Residential designation are residential in nature. However, the designation permits secondary uses which include small scale office developments which are permitted if the proposal conforms to section 3.6.8. "New Office Development" of the Official Plan. Small scale office developments are considered buildings with a gross floor area (GFA) of less than 2000m² and the existing building conforms to this scale as its GFA is 1373m².

(Official Plan sec, 3.3.1. iv)

When changing designations certain criteria must be met in order to justify the change. First, does the subject site meet the locational requirements of the proposed Official Plan designation? Staff feels the subject site does meet these criteria as it is located on a primary collector road in close proximity to the intersection of Baseline Road and Wellington Road where several shopping areas can be found. There are also several open space areas in walking distance from the site as well as a Regional Facility (Victoria Hospital) to the south. Consideration must also be given to the following additional criteria; Compatibility, Municipal Services, Traffic and Buffering. As previously mentioned, the subject site is designated as Light Industrial but abuts residential lands to the north and west. The change to a residential designation makes the site more compatible with the surrounding land uses as it provides less intense uses to the area compared to the Light Industrial designation. No major physical changes are planned for the existing building which has existed in the area for over 20 years and has achieved a measure of compatibility with the surrounding area. The applicant has noted that the façade may be upgraded which will enhance and contribute the character of the area.

The site is currently serviced with adequate municipal services for the future use and traffic coming to and from the site will have no impacts on the low density residential area to the west. Traffic will flow down the major arterial roads of Adelaide and Wellington Road to Thompson and Baseline Road to access the site. Appropriate buffering already exists from the adjacent lands as the building is set far back from the medium density development to the north and has a hydro corridor and rail line separating the low density subdivision to the west. (Official Plan sec, 3.3.2 Location)

Medium density designations must maintain an appropriate scale within its surrounding context. The existing building is in keeping with the scale requirements of the Multi-Family, Medium Density residential designation as the building is low-rise in form and site coverage. The site provides a good transition of uses between the existing building, along with the lands abutting a railway line and bowling alley, and the medium density townhomes. The requested zoning also places a height limit of 12 metres on any proposed development which would be appropriate given the context of the subject site. For these and the above mentioned reasons the subject site is appropriate to be re-designated to a Multi-Family, Medium Density Residential use. (Official Plan sec 3.2.2 Scale of Development)





As previously mentioned, small scale offices within a MFMDR designation are considered secondary uses and are required to conform to specific policy in the Official Plan. These policies relate to location, buffering, scale/appearance and the requirement of a planning impact analysis. The proposed office development meets the locational requirements as it is located on a primary collector road. Office uses are only permitted in areas of neighbourhoods that have lost their residential character. The site should be considered part of the well-established neighbourhood that surrounds it however, this portion of Thompson Road has no residential amenity on it and has been used for non-residential uses in the past and present. The subject site already has appropriate buffering for the proposed use and any additional required landscaping will be dealt with through the site plan process. As previously noted, the proposed use will be within the existing building which is at a scale and form that is compatible with the area. When implementing a new office development a Planning Impact Analysis (Section 3.7) is also required. Through staff's report the criteria of the Planning Impact Analysis have been identified and evaluated and it is determined that the proposed use meets the relevant criteria outlined in the Official Plan. (Official Plan sec. 3.6.8. New Office Development)

Zoning

The applicant has applied to rezone the site from a Convenience Commercial (CC) Zone to a Restricted Office Special Provision (RO2(_)) Zone which would permit clinics, medical/dental offices, medical/dental laboratories, offices as well as an accessory pharmacy use. The RO2 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. Staff are recommending approval of the Restricted Office (RO2) zone as it permits appropriate uses on the subject site and conforms to the proposed Official Plan designation.

The special provision recommended will recognize the existing site conditions including a front yard depth of 3.76 metres where 6 metres are required and reductions in parking and landscaped open space. The subject site requires a total of 92 parking spaces as per the Zoning By-law. Due to the existing size of the structure the subject site has limited opportunity to provide on-site parking. The applicant is able to identify 76 spots on the entire site and has identified 11 additional spaces within the City Boulevard for parking which is contingent on a boulevard parking agreement as well as 42 spaces in the hydro corridor contingent on the continuation of the existing lease that expires next year which the applicant hopes to retain. In total the applicant has identified 120 potential spots but as noted only 76 would be considered legal spaces. Planning Staff and Transportation Staff both feel given the existing conditions of the site that this reduction in parking is appropriate.

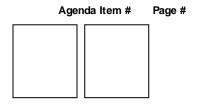


Due to the requirement for functional on-site parking, as well as the size of the existing building a reduction in landcaped open space is created. The proposed zoning requires a minimum of 30% landscaped open space on site. The applicant has shown that they can accommodate 15% landscaped open space due to required enlargement of the parking lot. Though the reduction in landscape open space seems large, the current open space on the site is underutilized and not well maintained. The increase in parking, along with the site plan process, will provide an opportunity to increase the number of landscaped islands and trees on the site which will increase the aesthetics of the property which is currently comprised of a large paved area. The subject site also sits within a mature treed area with additional landscaping around it due to the adjacent hydro corridor and large setbacks from the rail line. Staff feels the compromise between the parking requirements and landscape open space requirements will create the most functional and attractive site possible.



CONCLUSION

Staff's recommendation is appropriate as it is consistent with the policies of the Provincial Policy Statement (2014) and has been proven that is it appropriate to remove them from employment lands. The subject site meets the appropriate criteria for the Multi-Family, Medium Density Residential designation and is applying a zone that is consistent with the designation. The new designation allows for the positive re-use of an existing building bringing a positive use to the community which has seen the site sit vacant for 3 years. The use will also capitalize on existing services in the area.



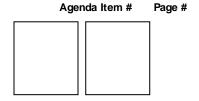
PREPARED BY:	SUBMITTED BY:				
MIKE CORBY PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING				
RECOMMENDED BY:					
JOHN M. FLEMING, MCIP, RPP					
MANAGING DIRECTOR, PLANNING AND CITY PLANNER					

September 19, 2014
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Responses to Public Liaison Letter and Publication in "Living in the City"

Written METELUCH DANIEL PHILIP MARTINEZ IRMA FELIZA ALBA 69-101 BROOKSIDE STREET LONDON ON N5Z 5C9 GEDDES JOANNE RAE 43-101 BROOKSIDE ST LONDON ON N5Z 5C9 NOVOSEL ERIC CARREIRO JENNY 46-101 BROOKSIDE ST LONDON ON N6H 5L6



Bibliography of Information and Materials OZ-8404

Request for Approval:

City of London Official Plan and Zoning By-law amendment Application Form, completed by 2359617 Ontario Ltd, August 8, 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, March 1, 2005.

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

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

IBI Group London. Employment Lands Reduction Report, August 2014.

IBI Group London. Planning Justification Report, August, 2014.

Correspondence: (all located in City of London File No. OZ-8404 unless otherwise stated)

City of London -

Moore R., City of London City of London Wastewater & Drainage Engineering. E-Mail to M. Corby. August 29, 2014.

Couvillon A., City of London Transportation. AMANDA to M. Corby. September 17, 2014.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Corby. September 15, 2014.

Beshro R., CN Rail. Various e-mails to M. Corby. September 9, 2014, September 29, 2014.

Age	Page #	
		7

Appendix "A"

 $\begin{array}{ll} Bill \ \ No. \ \ (\text{number to be inserted by Clerk's Office}) \\ 2014 \end{array}$

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

A by-law to amend the Official Plan for the City of London, 1989 relating to 130 Thompson Road.

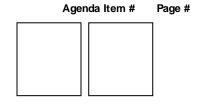
The Municipal Council of The Corporation of the City of London enacts as follows:

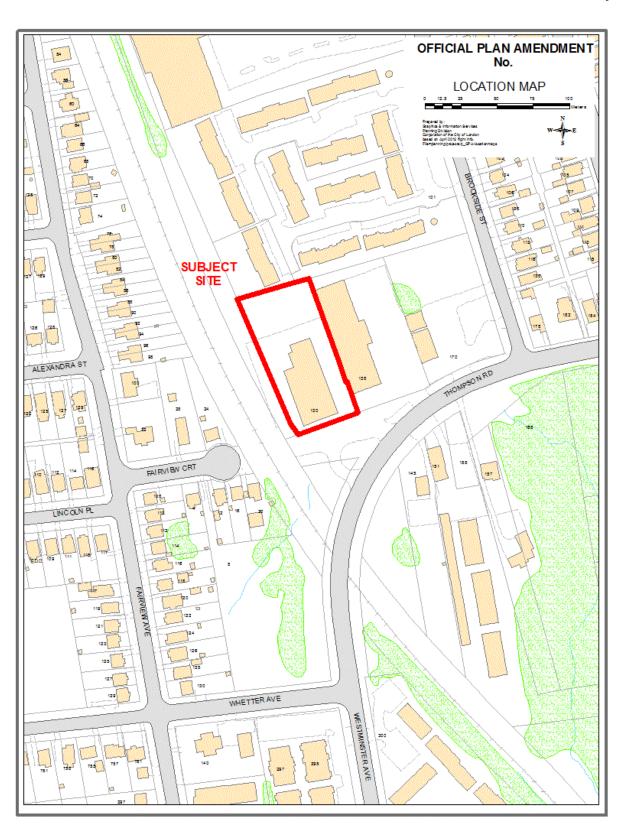
- 1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
- 2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act,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

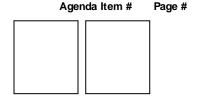
PASSED in Open Council on November 11, 2014.

J. Baechler Mayor

Catharine Saunders City Clerk







AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. <u>PURPOSE OF THIS AMENDMENT</u>

The purpose of this Amendment is to permit a medical/dental office with accessory uses within the existing building while providing special provisions to recognize the existing front yard setback, and a reduction in parking and landscaped open space.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 130 Thompson Road in the City of London.

C. <u>BASIS OF THE AMENDMENT</u>

The amendment is consistent with the policies of the Provincial Policy Statement (2014) with regard to the removal from employment lands. The subject site meets the appropriate criteria for the Multi-Family, Medium Density Residential designation. The new designation allows for the positive re-use of existing building which has been vacant for 3 years while capitalizing on existing services in the area.

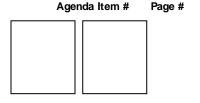
D. <u>THE AMENDMENT</u>

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

Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by changing the designation of those lands located at 130 Thompson Road in the City of London, as indicated on "Schedule 1" attached hereto from Light Industrial to Multi-Family, Medium Density Residential.

AMENDMENT NO: From: Light Industrial Office/Residential Legend Downtown Office Business Park General Industrial Wonderland Road Community Enterprise Corridor En dosed Regional Commercial Node Light Industrial New Format Regional Commercial Node Regional Facility Community Commercial Node Community Facility Open Space Neighbourhood Commercial Node Urban Reserve - Community Growth Main Street Commercial Corridor Auto-Oriented Commercial Corridor Urban Reserve - Industrial Growth Multi-Family, High Density Residential RuralSettlement Environmental Review Multi-Family, Medium Density Residential Low Density Residential Agriculture Office Area ■■■ Urban Growth Boundary This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations. SCHEDULE 1 FILE NUMBER: OZ-8404 TO PLANNER: MC OFFICIAL PLAN Scale 1:30.000 TECHNICIAN: MB AMENDMENT NO. DATE: PREPARED BY: Graphics and information Services

 $PROJECT\ LOCATION: e. \ \ | planning \ \ | projects \ \ | position \ \ | position \ \ | projects \ \ | position \ \ \ | position \ \ | posi$



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 130 Thompson Road.

WHEREAS 2359617 Ontario Ltd. has applied to rezone an area of land located at 130 Thompson 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 130 Thompson Road, as shown on the attached map compromising part of Key Map No. A.107, from a Convenience Commercial (CC) Zone to a Restricted Office Special Provision (RO2(_)) Zone.
- 2) Section Number 18.4(c) of the Restricted Office (RO2) Zone is amended by adding the following Special Provision:
 -) RO2() 130 Thompson Road
 - a) Regulation[s]
 - i) Front Yard Depth 3.76 metres (12 ft.) (minimum)
 - ii) Landscape Open 15% Space (minimum)
 - iii) Parking 76 Spaces (minimum)

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 November 11, 2014.

J. Baechler Mayor



Catharine Saunders City Clerk

First Reading - November 11, 2014 Second Reading - November 11, 2014 Third Reading - November 11, 2014

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

