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Z-8452
Sonia Wise

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: GSP GROUP INC. 1070, 1072, 1080, & 1088 ADELAIDE STREET NORTH AND 621 - 623 HURON STREET PUBLIC PARTICIPATION MEETING ON APRIL 20, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following action be taken with respect to the application of GSP Group Inc. relating to the property located at 1070, 1072, 1080 & 1088 Adelaide Street North and 621-623 Huron Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 28, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Community Shopping Area (CSA2) Zone, **TO** a Community Shopping Area Special Provision (CSA2()) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Zoning By-law amendment is to permit a pharmacy and recognize the existing exceptions to the zoning regulations associated with the existing built form.

RATIONALE

1. The recommended Zoning By-law amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of uses.
2. The recommended amendment is consistent with the permitted uses of the Official Plan contemplated in the Community Commercial Node Designation.
3. The recommended zone provides an opportunity to fill an on-site vacancy by accommodating a use that is similar to, and compatible with, the existing commercial uses permitted on the subject site.
4. The property, existing built form, and on-site parking is sufficient to support the pharmacy use without resulting in any negatively impacts for abutting uses.

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LOCATION MAP
 Subject Site: 1070, 1072, 1080, 1090 Adelaide St N
 Applicant: L Corley Incorporated
 File Number: Z-8452
 Planner: Sonia Wise
 Created By: Sonia Wise
 Date: 2015-01-26
 Scale: 1:5000

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

Corporation of the City of London
 Prepared By: Planning and Development



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BACKGROUND

Date Application Accepted: January 7, 2015	Agent: GSP Group Inc.
REQUESTED ACTION: Possible change to Zoning By-law Z.-1 from a Community Shopping Area (CSA2) Zone to a Community Shopping Area Special Provision (CSA2(_)) Zone to permit the pharmacy use in addition to the existing permitted uses. The City may also consider special provisions to recognize the setbacks from the existing buildings, and to address the amount and location of onsite parking.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Shopping Centre • Frontage – 77.35m • Depth - Irregular • Area – 30,820m² • Shape – Irregular

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

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Community Commercial Node (CCN)
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Community Shopping Area (CSA2)

PLANNING HISTORY

Minor Variance Applications

- A.046/70 – 1970: Request to erect an accessory structure to the hardware store for the purpose of storage whereas such a use is not contemplated by the by-law (granted).
- A.050/83 – 1983: Request for a one storey southerly addition to the commercial plaza, specifically to the Brewer’s Retail Store (granted).
- A.226/85 – 1985: Request to enlarge the main commercial building to the south (granted conditionally).
- A.119/87 – 1987: Request to construct a northerly addition to the existing free-standing take-out food operation Scott’s Chicken Villa (granted conditionally).
- A.099/12 – 2012: Request to construct an addition (scissor lift) to a commercial building with an east interior side yard setback of 6.2m whereas 8m is required (granted).

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Site Plan

SP87-089109 – An agreement was entered into between the subject site and the City of London on June 2, 1989 to regulate and control the development of the site which replaced three previous agreements.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

February 5, 2015: WADE – No comment

February 5, 2015: London Hydro – No objection

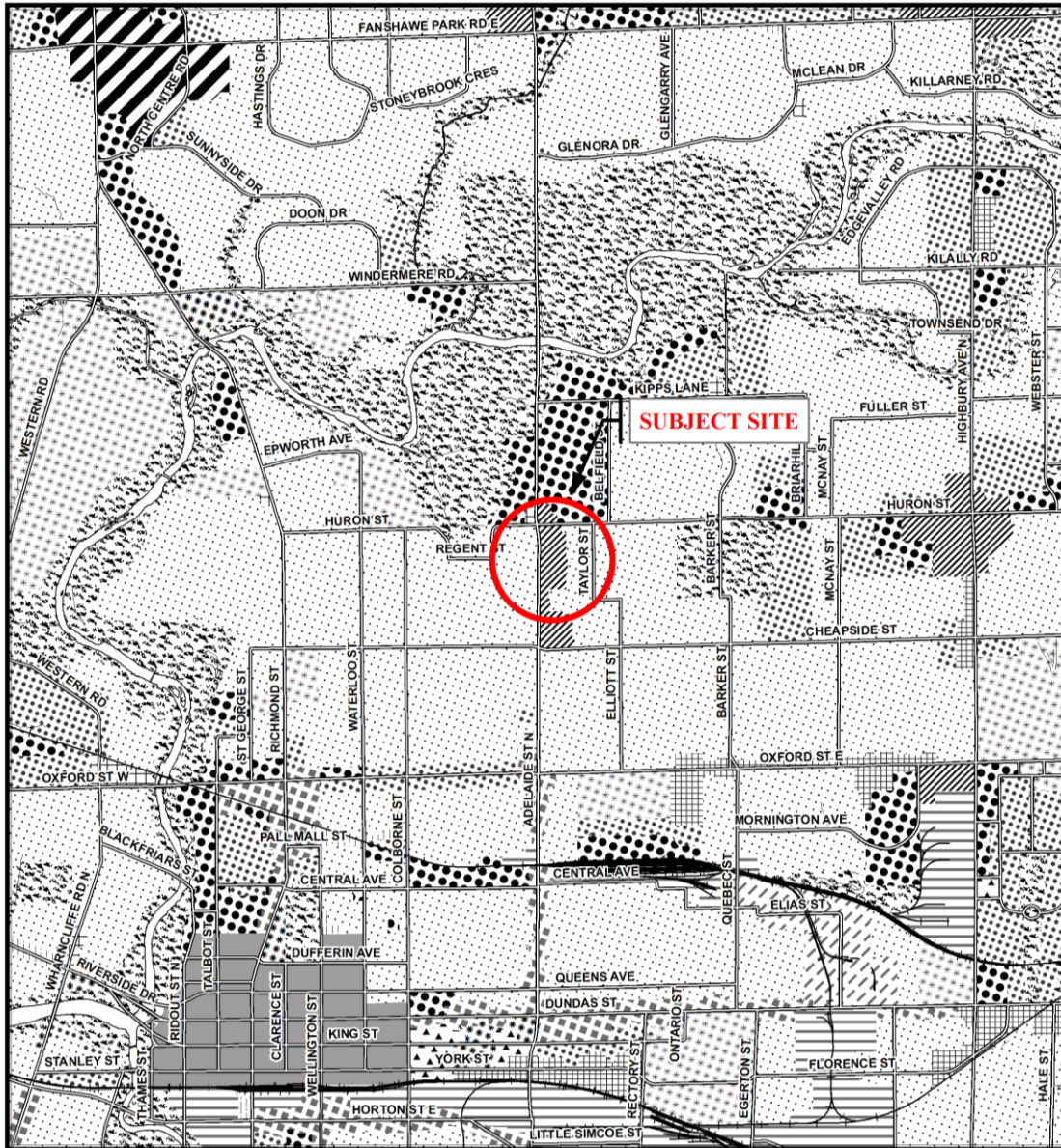
February 6, 2015: Transportation - Transportation has no comment regarding the proposed by-law amendment. If a site plan is required traffic issues like road widening dedication and access will be discussed in greater detail.

February 24, 2015: UTRCA – No objection

PUBLIC LIAISON:	On February 4, 2015, Notice of Application was sent to 126 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 February 5, 2015. Two “Possible Land Use Change” signs were also posted on the site.	5 replies were received
<p>Nature of Liaison: Possible change to Zoning By-law Z.-1 FROM a Community Shopping Area (CSA2) Zone TO a Community Shopping Area Special Provision (CSA2(_)) Zone to permit the pharmacy use in addition to the existing permitted uses. The City may also consider special provisions to recognize the setbacks from the existing buildings, and to address the amount and location of onsite parking.</p>		
<p>Responses:</p> <ul style="list-style-type: none"> - 1 response was received in favour of the proposal - 3 inquiries were received requesting additional information or clarification - 1 response was received with concern for the existing operation of the commercial plaza with regards to the eastern portion of the site and the increased traffic and noise associated with the operation of the grocery store, and a fence in disrepair. 		

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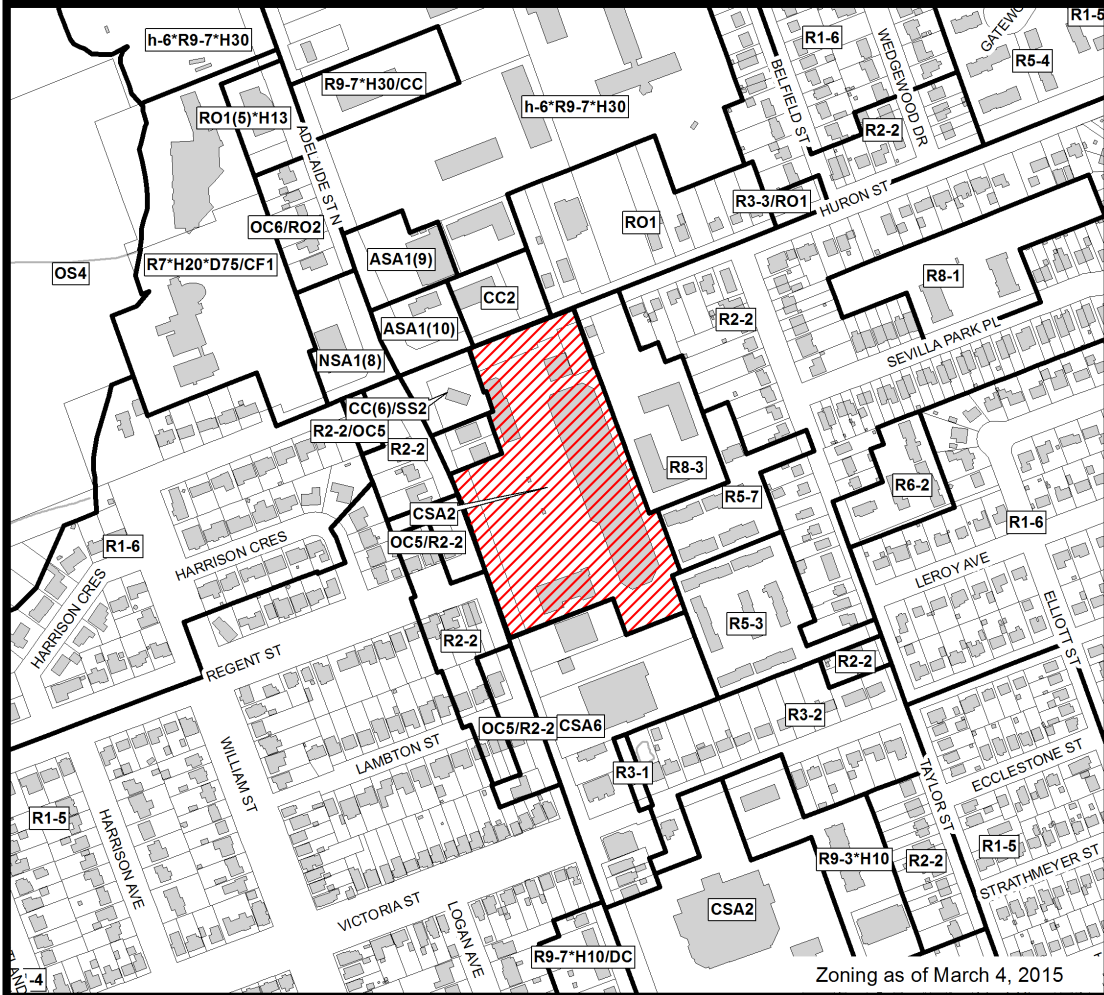


<p>Legend</p> <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area Office/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 	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 10px;"> <p>Scale 1:30,000</p> <p>Meters</p> </td> <td style="padding: 10px;"> <p>FILE NUMBER: Z-8452</p> <p>PLANNER: SW</p> <p>TECHNICIAN: MB</p> <p>DATE: 2015/03/06</p> </td> </tr> </table>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8452</p> <p>PLANNER: SW</p> <p>TECHNICIAN: MB</p> <p>DATE: 2015/03/06</p>
<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8452</p> <p>PLANNER: SW</p> <p>TECHNICIAN: MB</p> <p>DATE: 2015/03/06</p>		
<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>			

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid0\excerpts\mxd_templates\schedule_a_b&w_8x14_with_SWAP.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: CSA2


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

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| <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-8452	SW
MAP PREPARED: 2015/03/06	MB
1:5,000 0 25 50 100 150 200 Meters	

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ANALYSIS

Subject Site Description

The subject site is located at the southeast corner of Adelaide Street North and Huron Street, municipally known as 1070-1088 Adelaide Street North and 621-623 Huron Street. The site functions as a shopping centre known as First London Centre, with an established built form dating back to 1955 with construction occurring periodically in 1977, 1991 & 2012. There are commercial uses to the north and south, residential uses to the east and residential and office conversions to the west.

Consistent with the policies for a Community Commercial Node, the shopping centre is anchored by a supermarket (FreshCo.) and the built form is based on a strip layout with some independent buildings along the north and southwest of the site, which strengthen the street edge along Huron Street and Adelaide Street North. Other existing uses on site include retail, restaurant, florist, medical/dental offices, professional offices, convenience commercial, personal service establishments, video rental establishment, home and auto supply store, and financial institutions.



Figure 1 – Shopping Centre looking east from Adelaide Street North

Provincial Policy Statement

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS is intended to be read in its entirety and the relevant policies are to be applied to each situation.

Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land. The site is within an existing settlement area and appropriately enhances the mix of commercial uses. The proposed pharmacy efficiently uses the existing infrastructure, public service facilities and supports public transit.

Section 1.3 *Employment* requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base. The site is suitable for commercial employment uses and proposes an additional use which supports the needs of existing and future businesses.

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Section 1.7 *Long-Term Economic Prosperity* in the PPS supports opportunities for economic development and community investment-readiness, which is consistent with the enhanced ability of the subject site to attract businesses.



Figure 2 – PharmaChoice Pharmacy

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 the 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.

The commercial land use designations provide the primary locations for retail and service commercial land uses. They provide for the orderly development and distribution of commercial uses consistent with the objectives of the Plan including commercial 'nodes' and 'corridors'. The "Commercial Nodes" includes the Community Commercial Node (CCN) designation which promotes the orderly distribution and development of commercial uses in cluster or nodal formats, that are classified based on their size, market focus and functional characteristics.

The introduction of a pharmacy use in this location is contemplated by the Community Commercial Node policies, and is specifically referenced in section 4.3.7.3 as a permitted use which includes "all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies". The pharmacy is considered to be similar to the other permitted and operating retail uses on site with regards to patronage, hours of operation and traffic generation. Permitting the use will not result in any negative impacts for City streets, pedestrian and vehicular safety or the surrounding properties. The pharmacy use will moderately broaden the diversity of uses available on-site to better satisfy the shopping and service needs of nearby residents and shoppers.

First London Centre has been consistently used as a shopping centre for more than 50 years and is located within a well-established Community Commercial Node which extends to the north and south along the east side of Adelaide Street North. Commercial development within a Community Commercial Node normally ranges in size from 13,000m² to 50,000m² of Gross Floor Area (GFA). The subject node has a total size of approximately 25,000m² GFA, of which the subject site comprises 8,712m² GFA currently, with a potential for up to a total of 10,000m² GFA through the existing zone. The site has a total area of 30,820m², with a frontage of 77m on Huron Street and an exterior side yard of 151m along Adelaide Street North.

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The site is appropriately situated with access to two arterial roads which provides good vehicular and pedestrian connectivity. The access locations and internal driveways were previously endorsed by site plan approval, and are to be maintained in the current form in accordance with the development agreement. There is direct access to public transit routes 1 and 16 from Adelaide Street North and Huron Street, and an additional three bus routes; 21, 27 and 32, which are located in close proximity. The proposed use of the site, in combination with the existing uses, is expected to support the local transit routes. There are existing sidewalks along Adelaide Street North and Huron Street which serve the pedestrian trips.

The built form is existing and not proposed to change with the introduction of the additional use. The pharmacy will occupy a vacancy within an existing building or unit which serves to 'infill' the existing node rather than expand or extend it. The commercial buildings and activities are oriented towards the arterial roads along the north and west of the site, and away from the residential uses towards the east. The eastern portion of the site is used for loading and unloading activities, additional parking spaces and garbage storage facilities. A 1.8m (6ft) solid board fence defines the property boundary, with 2 existing gates that provide access to two adjacent townhouse complexes.



Figure 3 – East boundary fence excerpts

Zoning By-law

The Community Shopping Area Special Provision (CSA2(_)) is recommended to permit the requested pharmacy use as well as recognize the various deficiencies associated with the existing built form. There have been periodic requests for minor variances for various reductions that could be consolidated as special provisions in the zone to allow for the specific layout of the site.

The east interior side yard setback is required to be 8m and was reduced to 6.2m through a minor variance due to the installation of a scissor lift in 2012. The west interior side yard setback is required to be 8m and is reduced to 0.1m to recognize the existing deficiency associated with the built form where the building at 1088 Adelaide Street West is currently located too close to the property boundary.

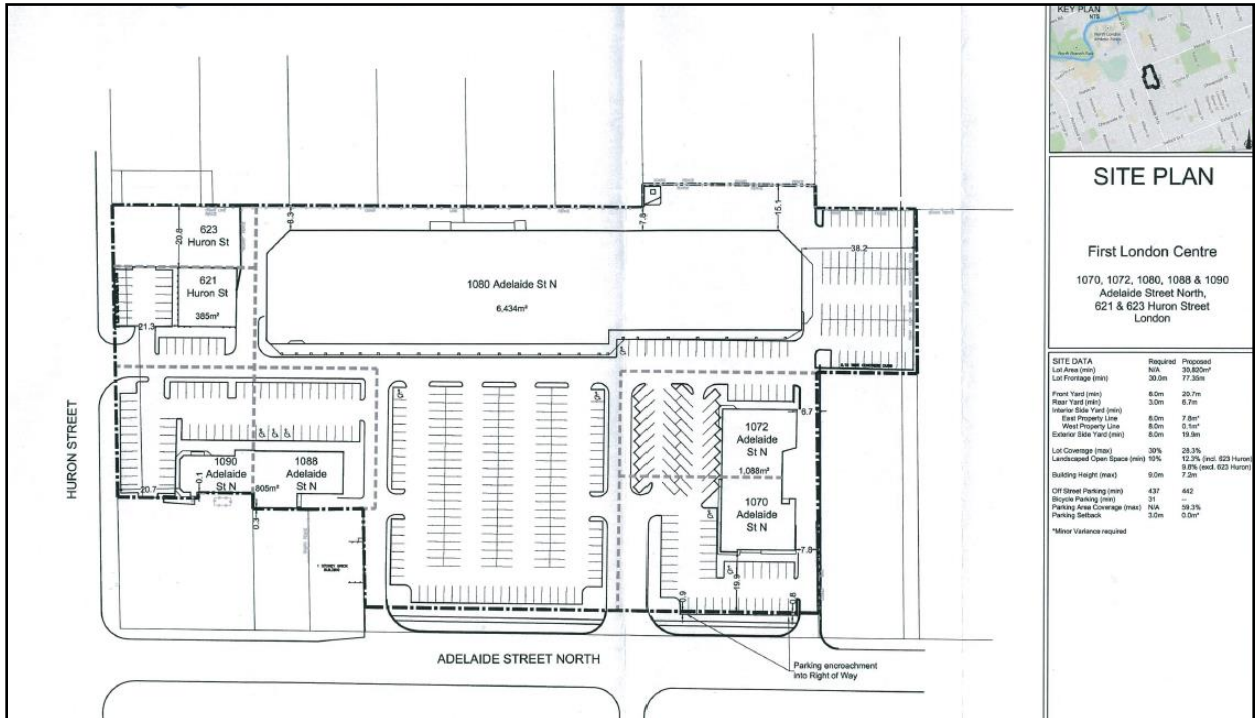
The parking area towards the west of the site along Adelaide Street North is required to be setback 3m from the exterior side yard and is closer to the property boundary than permitted with a section of 0.9m located within the City road allowance. The layout of the site, including the parking area location, and a requirement for road widening was determined through the site plan approval process in 1989. When the road widening was dedicated, the result was a shift of the property boundary closer to the existing parking area, representing the existing situation.

The total number of required off-street parking spaces is 436 and bicycle parking is to be provided at a rate of 7% which equates to 31 spaces. There is an existing deficiency of bicycle parking with 12 spaces currently provided, which is considered to be a legal non-conforming situation. Any future expansion or enlargement of the site that requires additional vehicle

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parking spaces, and subsequently additional bicycle parking spaces, will require compliance with the minimum requirements or an application to the Committee of Adjustment.



CONCLUSION

Permitting the additional use of a pharmacy will enhance the site’s viability and encourage redevelopment and intensification of the existing commercial built form to make better use of existing City infrastructure. The new use will serve to strengthen the vitality of the node as described in the planning objectives for all commercial land use designations without requiring an extension of the designation. There are no mitigating measures identified or required for the use of a pharmacy in this location.

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

23/03/2015
/SW

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

<u>Telephone</u>	<u>Written</u>
Jackie Richards, 6-253 Taylor Street London ON N5Y2S6	Lynne Foell, 375 Taylor Street London ON N5Y 2J6
Brian Grant, 1064 Adelaide Street N London ON N5Y 2N1	
Ellen Lazarus, 271 Taylor Street London ON N5Y 2J6	
Clare Robinson, 257 Taylor Street London ON N5Y 2J6	

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Bibliography of Information and Materials
Z-8452

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Adam Morgan on behalf of GSP Group Inc., January 7, 2015

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.

Correspondence: (all located in City of London File No. Z-8452 unless otherwise stated)

City of London -

Irwin, G. Geomatics. Email to S. Wise. February 19, 2015.

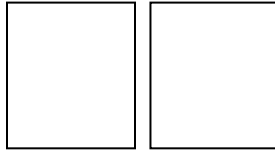
Departments and Agencies -

Creighton C., UTRCA. Letter to S. Wise. February 24, 2015.

Dalrymple D., London Hydro. Letter to S. Wise. February 5, 2015.

Other:

Site visit February 12, 2015 and photographs of the same date.



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Sonia Wise**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2015

By-law No. Z.-1-15_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1070, 1072, 1080 & 1088 Adelaide Street North and 621-623 Huron Street.

WHEREAS GSP Group Inc. has applied to rezone an area of land located at 1070, 1072, 1080 & 1088 Adelaide Street North and 621-623 Huron Street, 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 1070, 1072, 1080 & 1088 Adelaide Street North and 621-623 Huron Street, as shown on the attached map comprising part of Key Map No. A103, from a Community Shopping Area (CSA2) Zone to a Community Shopping Area Special Provision (CSA2(_)) Zone.
- 2) Section Number 22.4 of the Community Shopping Area (CSA2) Zone is amended by adding the following Special Provision:

CSA2(_)	1070, 1072, 1080 & 1088 Adelaide Street North and 621-623 Huron Street	
a)	Additional Permitted Use	
	i) Pharmacy	
b)	Regulations	
	i) East Interior Side Yard Setback (minimum)	6.2m (20.4 ft.)
	ii) West Interior Side Yard Setback (minimum)	0.1m (0.4 ft.)
	i) Parking Area Setback (minimum)	0m (0 ft.)

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 28, 2015.

Agenda Item # Page #

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Matt Brown
Mayor

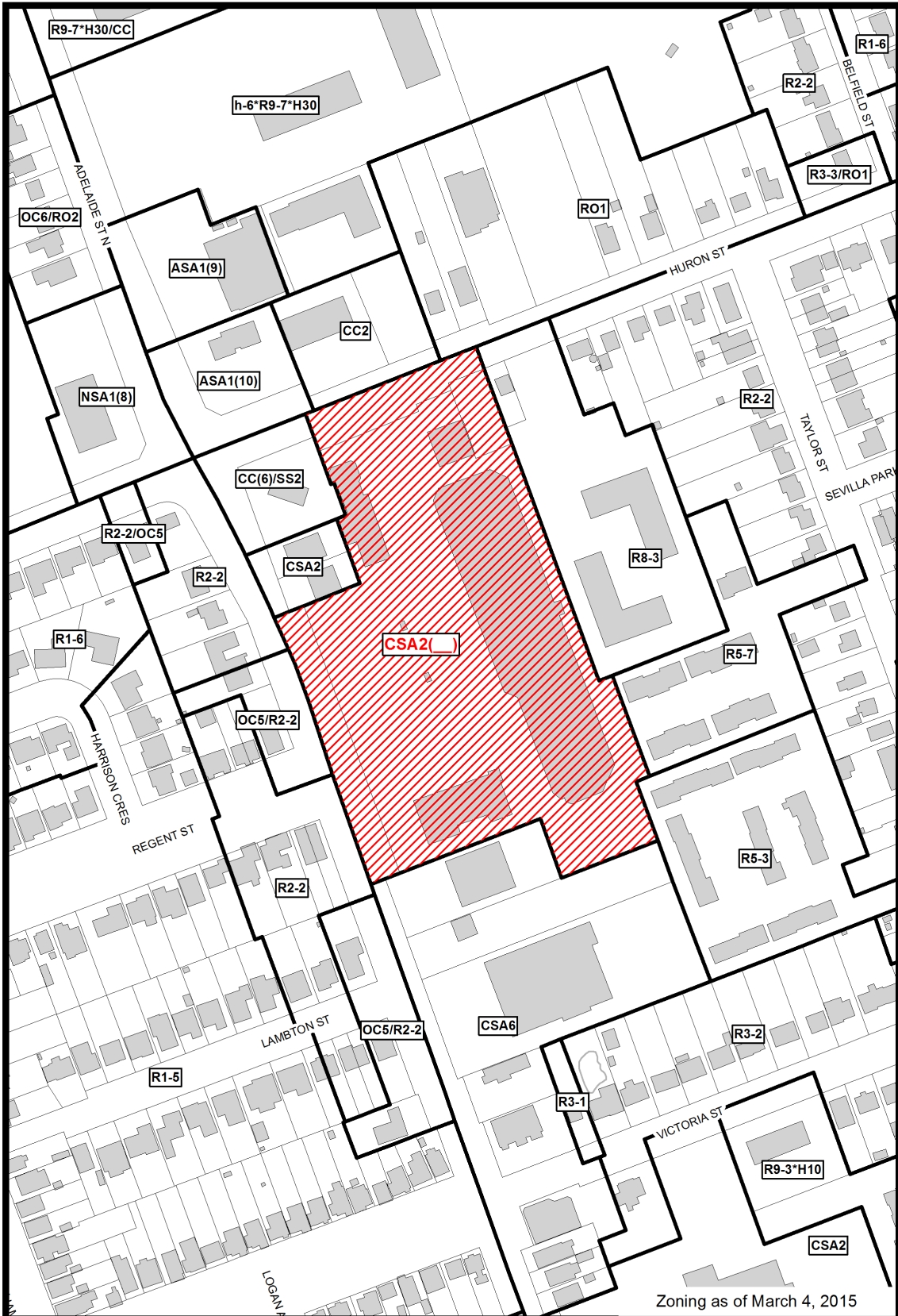
Catharine Saunders
City Clerk

First Reading - April 28, 2015
Second Reading - April 28, 2015
Third Reading - April 28, 2015


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




File Number: Z-8452
 Planner: SW
 Date Prepared: 2015/03/06
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



Geodatabase