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File: Z-8457
Planner: Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: RIOCAN REAL ESTATE INVESTMENT TRUST 941, 943 and 945 HAMILTON ROAD PUBLIC PARTICIPATION MEETING ON MAY 19, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of RioCan Real Estate Investment Trust relating to the properties located at 941, 943 and 945 Hamilton Road the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 26, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Arterial Commercial (AC4) Zone, **TO** an Arterial Commercial Special Provision (AC4(_)) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended zoning change is to permit the establishment of a "Donation Centre" (e.g. Value Village, Goodwill, etc.) to function as a drop-off location for used clothing and household items within the existing commercial plaza on the subject lands.

RATIONALE

- i) The recommended amendment is supported by the objectives of the *Provincial Policy Statement, 2014*, which promotes healthy, liveable and safe communities by encouraging efficient development and land use patterns and by accommodating an appropriate range and mix of land uses to meet current and projected needs of the Municipality;
- ii) The subject site meets the locational criteria outlined in Section 3.6.5 of the Official Plan as it relates to the siting of low impact convenience commercial uses in the "Low Density Residential" designation;
- iii) The existing commercial plaza is recognized as a permitted use in the City's Comprehensive Zoning By-law Z.-1 and subject to the policies of Section 3.6.5 of the Official Plan Council may permit additional low impact commercial uses through a Zoning By-law amendment;
- iv) The proposed donation centre will occur in an existing commercial plaza and is similar or lesser in function and intensity to the range of uses permitted by the existing Arterial Commercial (AC4) Zoning on the subject property and will not introduce the potential for significant new impacts to the surrounding land uses.

Two empty rectangular boxes for agenda item and page numbers.

File: Z-8457
Planner: Mike Davis




LOCATION MAP

Subject Site : 941, 943
& 945 Hamilton Road
Applicant: RioCan REIT
File Number : Z-8457

Planner : MD
Created By : TT
Date : 2015/02/24
Scale : 1:1,000

Legend

 Subject Site

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
File=planning/projects/p_locationmaps/MXD



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BACKGROUND

Date Application Accepted: February 9, 2015	Agent: Zelinka Priamo Ltd.
<p>REQUESTED ACTION: The purpose and effect of this zoning change is to permit the establishment of a “Donation Centre” to function as a drop-off location for clothing and household items within the existing commercial plaza. Possible change to Zoning By-law Z.-1 to ADD a new definition for “Donation Centre” in Section 2 – Definitions of Zoning By-law Z.-1, which would generally provide for the drop-off, sorting and distributing of clothing and general household items to be sold off-site, and to change the zoning of the subject lands from FROM an Arterial Commercial (AC4) Zone which permits a broad range of retail, office, personal service and residential uses TO an Arterial Commercial Special Provision (AC4(_)) Zone which would permit a donation centre in addition to the existing range of permitted uses.</p>	

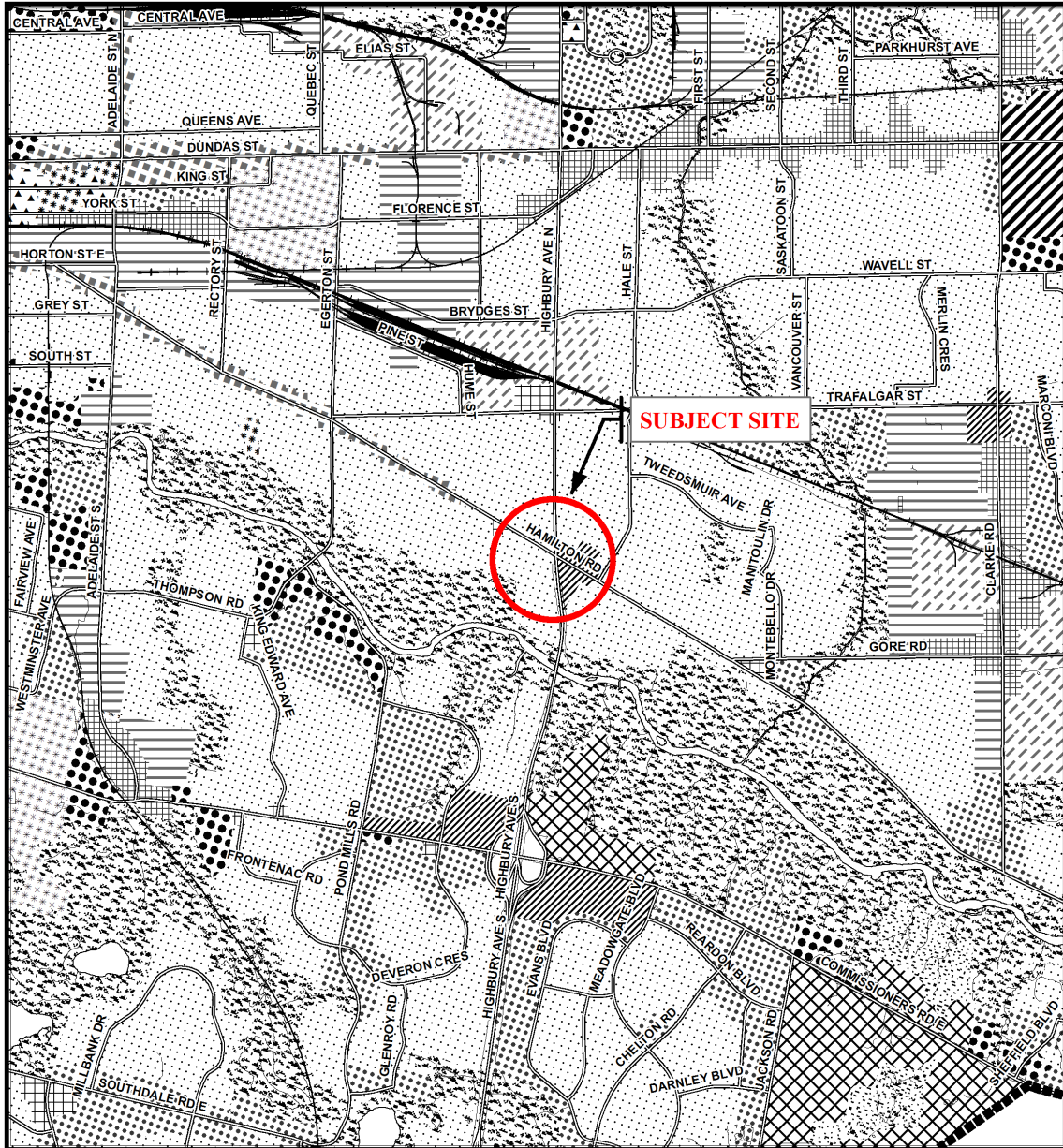
SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Commercial Plaza • Frontage – 39.7 metres • Depth – 57.1 metres • Area – 1,832m² • Shape – Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Gas Bar/Service Station • South – Low Density Residential • East – Commercial • West – Low Density Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map on page 4)
<ul style="list-style-type: none"> • Low Density Residential
EXISTING ZONING: (refer to Zoning Map on page 5)
<ul style="list-style-type: none"> • Arterial Commercial (AC4) Zone

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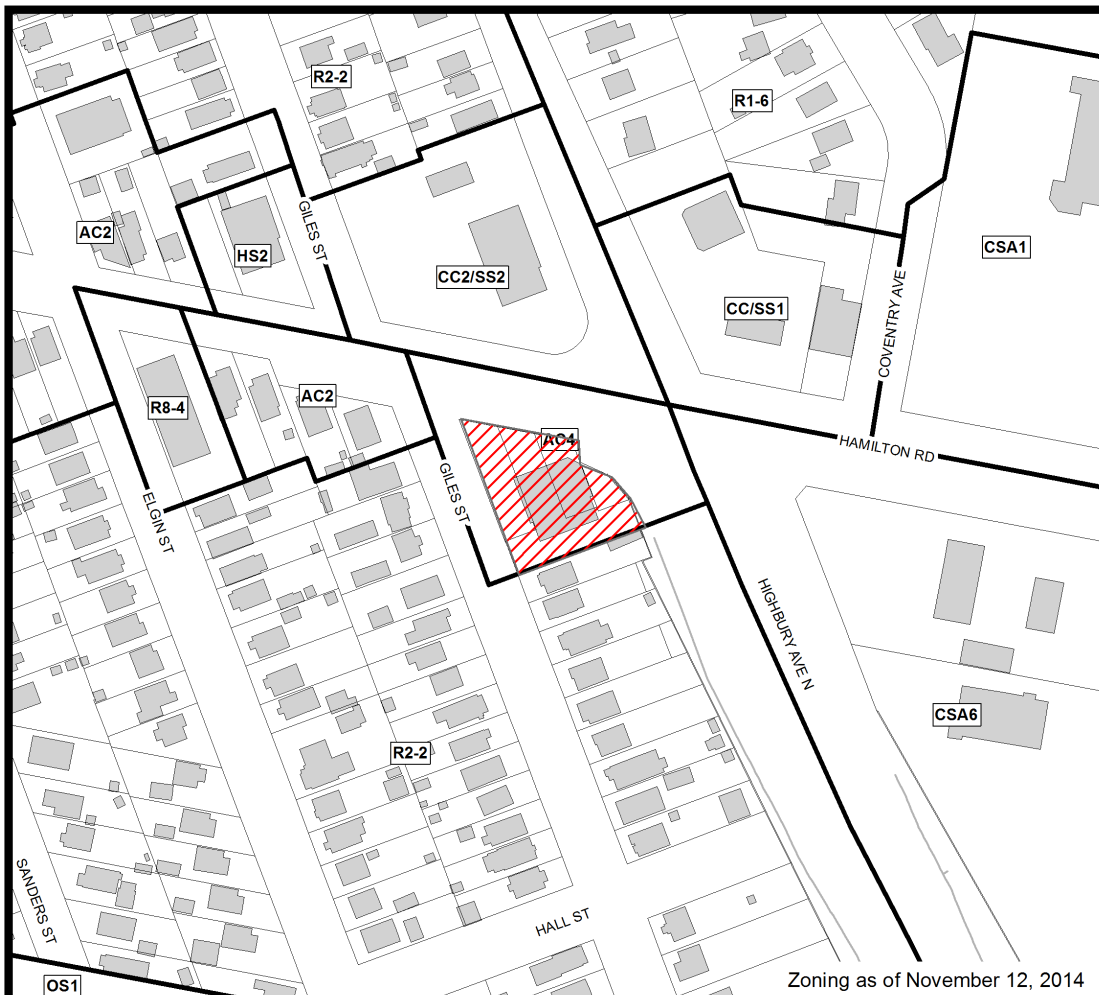
File: Z-8457
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<p>Legend</p> <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main 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 	<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8457</p> <p>PLANNER: MD</p> <p>TECHNICIAN: TT</p> <p>DATE: 2015/02/24</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: AC4

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

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

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

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

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

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

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

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

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

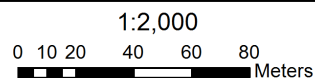
**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



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

FILE NO:
Z-8457 MD

MAP PREPARED:
2015/02/24 TT



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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority:

The UTRCA has no objections to this application.

Wastewater and Drainage Engineering:

WADE has no comment with respect to this application.

Transportation Planning and Design:

No comment.

Urban Design:

No comment.

PUBLIC LIAISON:	<p>On February 26, 2015, Notice of Application was sent to 88 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 26, 2015. A “Possible Land Use Change” sign was also posted on the site.</p>	<p>Four distinct (4) written replies were received. Note: One of these written replies was endorsed by (20) surrounding property owners.</p>
<p>Nature of Liaison: The purpose and effect of this zoning change is to permit the establishment of a “Donation Centre” to function as a drop-off location for clothing and household items within the existing commercial plaza. Possible change to Zoning By-law Z.-1 to ADD a new definition for “Donation Centre” in Section 2 – Definitions of Zoning By-law Z.-1, which would generally provide for the drop-off, sorting and distributing of clothing and general household items to be sold off-site, and to change the zoning of the subject lands from FROM an Arterial Commercial (AC4) Zone which permits a broad range of retail, office, personal service and residential uses TO an Arterial Commercial Special Provision (AC4(_)) Zone which would permit a donation centre in addition to the existing range of permitted uses.</p>		
Responses:		
Support	Concern	
<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Potential for unwanted items to be dropped off at all hours of the day causing disturbance to neighbourhood • Potential for increase in traffic • Concern about items being left outside, in disarray, resulting in an “eyesore” • Site is already congested and has poor access • Don’t want an outdoor drop-box associated with the Donation Centre 	

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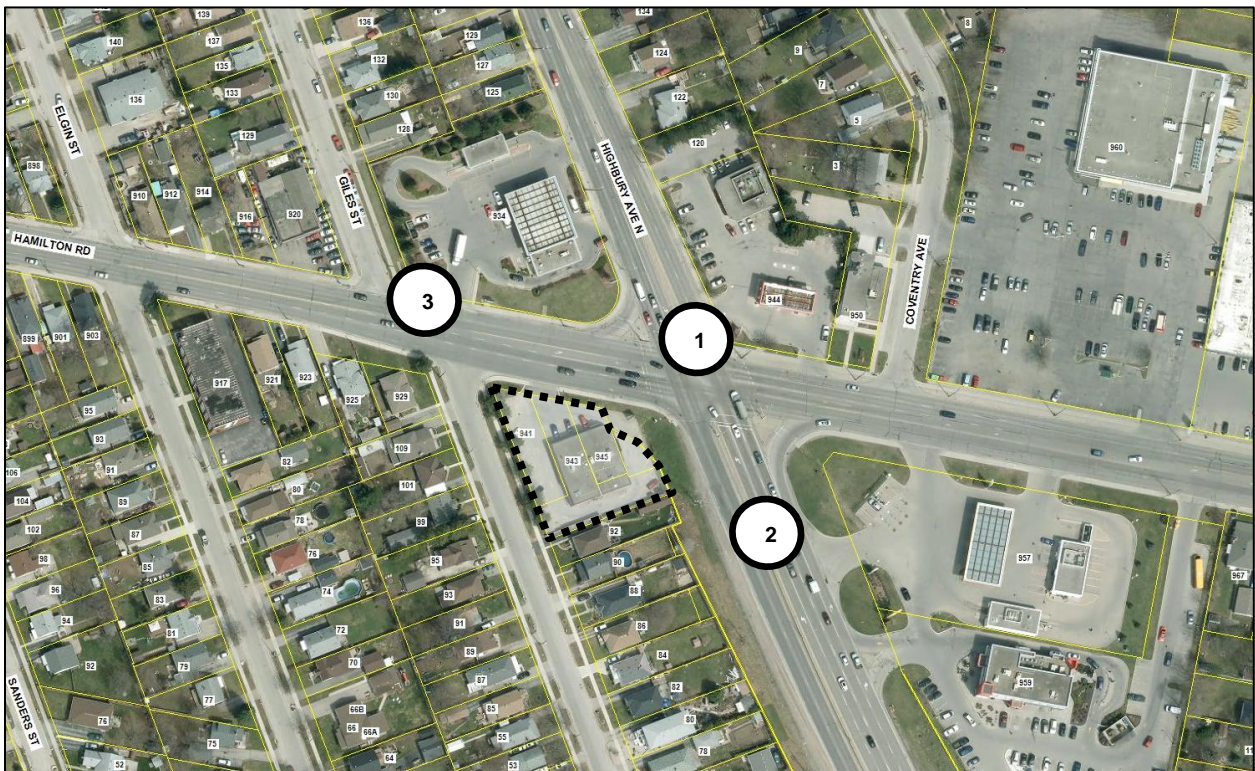
ANALYSIS

Site Description:

The subject site is located at the southwest corner of the intersection of Hamilton Road and Highbury Avenue and includes the properties municipally known as 941, 943 and 945 Hamilton Road (see dashed outline of subject site in location map below). The site is located in the southeast quadrant of the City at a gateway location with traffic entering the City from Highway 401 travelling northbound on Highbury Avenue.

The site itself is approximately 1,832m² in size, and includes approximately 40 metres of frontage along Hamilton Road. In general, the surrounding lands are urban in nature. Lands to the north and east of the site are occupied by a range of auto-oriented commercial uses which surround the intersection of Hamilton Road and Highbury Avenue. Lands to the south and west are developed primarily for low density residential uses and lands to the west fronting on Hamilton Road include a wide range of commercial uses in a more pedestrian-oriented form. The southern boundary of the site abuts a single-detached residential neighbourhood.

Figure 1: Site Location



Note: Location of numbered icons below corresponds to vantage point of street level views below

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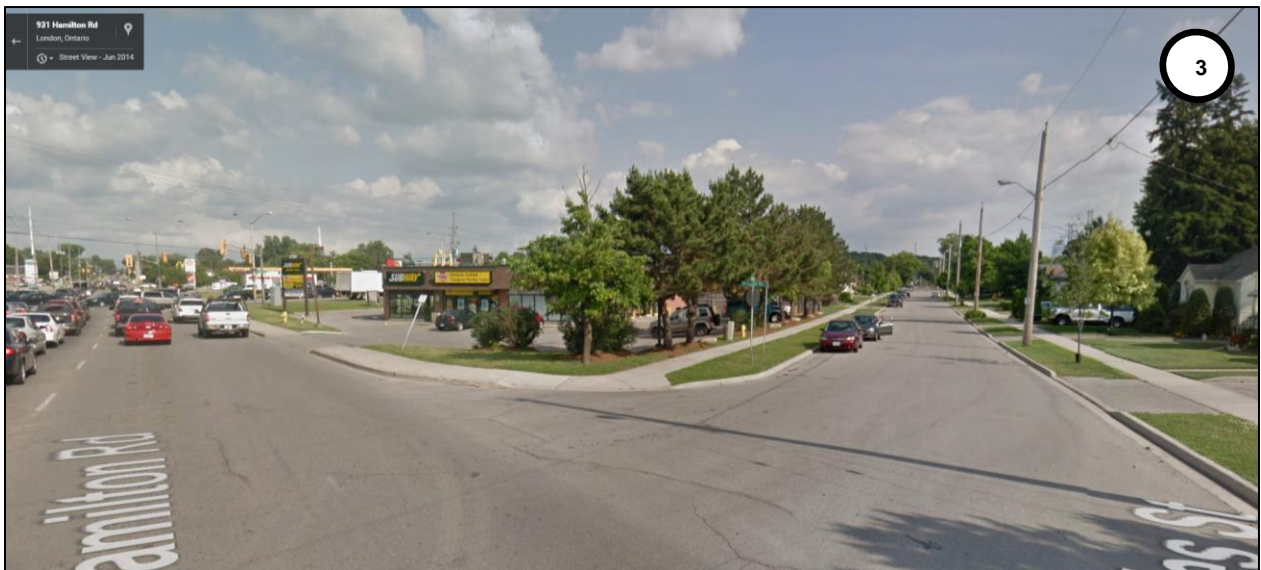
Street View: Looking south along Highury avenue north of Halilton Road



Street View: Looking northwest from intersection of Highbury Abvenue and Hamilton Road



Street View: Looking southeast from intersection of Hamilton Road and Giles Street



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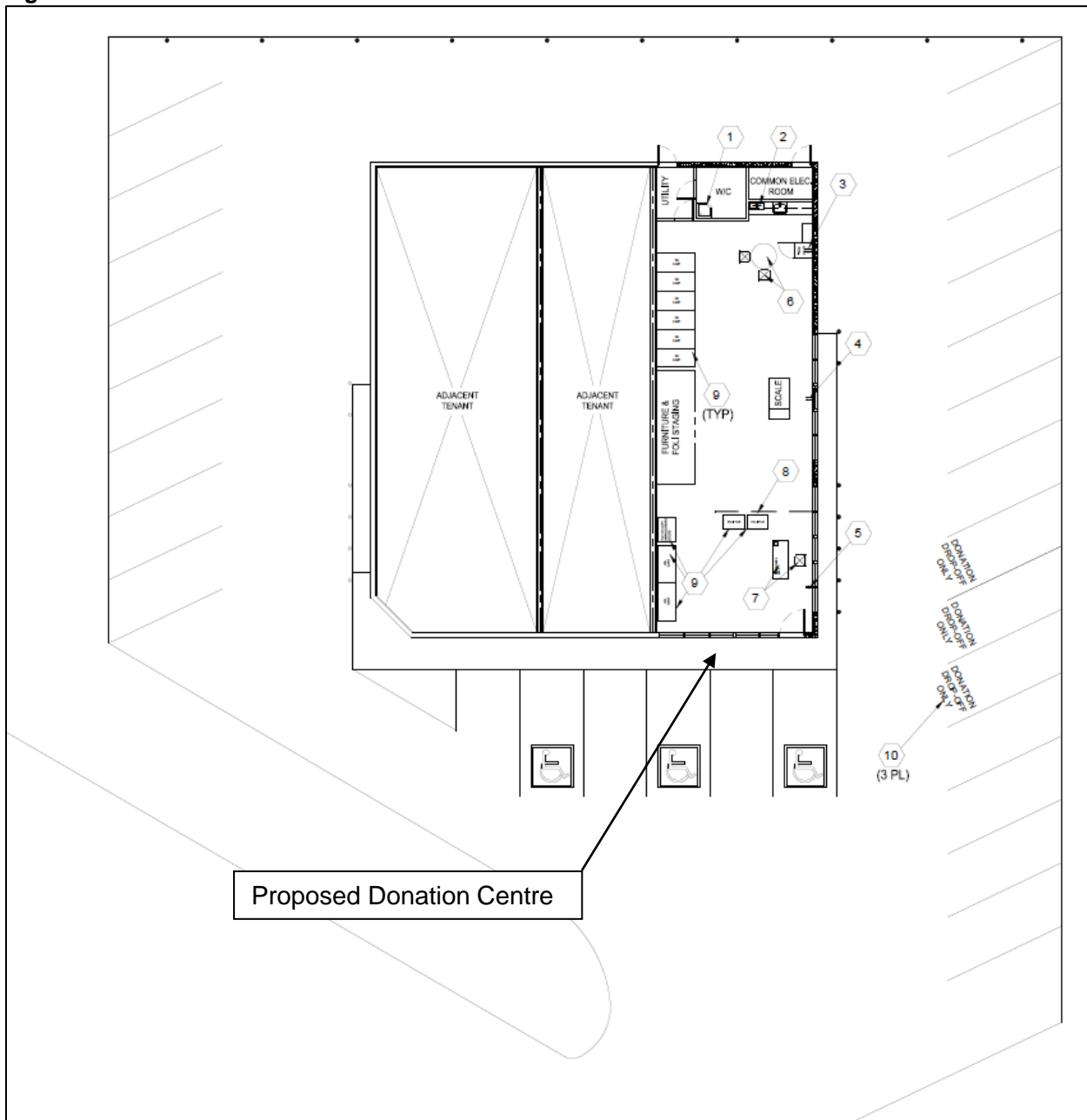
File: Z-8457
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Nature of Application:

The purpose and intent of the application is to permit the establishment of a “Donation Centre” (e.g. Value Village, Goodwill, Salvation Army) within the existing commercial plaza on the subject site to function as a drop-off location for clothing and household items. The proposed “Donation Centre” would occupy approximately 180m² (1,900 ft²) of gross floor area and generally provide for the drop-off, sorting and distributing of clothing and general household items to be sold off-site. The proposed donation centre is generally reflected by the following site plan (see Figure 2 below) which was submitted by the applicants in conjunction with the Zoning By-law amendment application.

In order to facilitate this request, the application proposes to change the zoning of the subject site from an Arterial Commercial (AC4) Zone which permits a wide range of commercial, retail and personal service uses, to an Arterial Commercial Special Provision (AC4(_)) Zone which would permit the proposed donation centre in addition to the existing range of permitted uses. Staff have also recommended a maximum gross floor area restriction for the proposed donation centre to ensure it remains at a scale and intensity which is appropriate given its location adjacent to a single family neighbourhood.

Figure 2: Site Plan



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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 outlined in Section 2 of the *Planning Act*. The objectives of the PPS pertain to three major policy areas including 1.0 – Building Strong and Healthy Communities, 2.0 – Wise Use and Management of Resources, and 3.0 – Protecting Public Health and Safety. Section 3 of the *Planning Act* requires that decisions of any authority affecting planning matters “shall be consistent” with the PPS. As it relates to this application, the PPS provides the following direction:

Section 1.1.1 of the PPS, 2014 provides that healthy, liveable and safe communities are sustained by: *accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet the long term needs*. The recommended amendments will allow for a donation centre (e.g. Value Village, Goodwill, etc.) in addition to the existing range of permitted commercial uses thereby increasing the mix and range of employment uses within the existing commercial plaza at Hamilton Road and Highbury Avenue.

Section 1.3.1 of the PPS directs municipalities to promote economic development and competitiveness by: *b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses*. The recommended amendment would provide an opportunity for a donation centre in an existing commercial plaza. In doing so, the City is providing a unique opportunity to diversify the local economic base in east London on a site which allows for an appropriate balance with other Official Plan objectives related to land use compatibility.

City of London Official Plan:

As noted previously in this report, the subject lands are designated “Low Density Residential” on Schedule A – Land Use – to the City of London Official Plan. Lands designated “Low Density Residential” are subject to the policies of Section 3.2 of the Official Plan. In general, the Low Density Residential designation is applied to lands that are developed or planned primarily for low-rise, low density forms of housing. The policies of the Official Plan also recognize a range of secondary permitted uses in the Low Density Residential designation. Section 3.6.5 of the Official Plan provides policies for considering limited convenience commercial uses and service stations as secondary uses within the Low Density Residential designation.

The policies of Section 3.6.5 of the Official Plan provide relevant guidance for the consideration of the proposed zoning by-law amendment:

3.6.5. Convenience Commercial and Service Stations

The preferred location for convenience commercial uses and service stations is within the various Commercial land use designations. However, it is recognized that on some sites in Residential designations where specific locational and land use compatibility criteria are met, this type of development may be appropriate as a secondary use. The policies of the Plan recognize existing convenience commercial uses and service stations that are appropriately located in Residential designations.

As per Section 3.6.5 of the Official Plan noted above, in addition to low density residential uses, existing convenience commercial uses are recognized as permitted uses within the Low Density Residential designation. Such uses are generally similar to the range of permitted uses on the site granted through the existing Arterial Commercial (AC4) Zone. The existing commercial plaza is located at the intersection of two major roads, with access directed towards Hamilton Road, away from the interior of the adjacent neighbourhood. The existing built form and building size are also consistent with the criteria outlined for convenience commercial uses within the Low Density Residential designation. Further, Section 3.6.5 outlines a range of uses

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that may be permitted within areas identified for convenience commercial plazas. The exact range of permitted uses shall be specified within the Zoning By-law:

Permitted Uses

ii) *Convenience commercial and service station uses permitted within the Residential designations include the following:*

- (a) *Variety stores; video rental outlets; film processing depots; financial institutions; medical/dental offices; small take-out restaurants, small food stores; and gasoline sales associated with a variety store. For convenience commercial sites with a gross floor area in excess of 500m², additional uses including offices, studios, commercial schools, day care centres, bake and florist shops, pharmacies, restaurants eat-in and convenience business service establishments may be permitted. In special circumstances, Council may permit low impact uses such as small commercial schools and day care centres in convenience commercial sites smaller than 500m² in size through a Zoning Bylaw Amendment. A variety store, or personal service establishment located on the ground floor of an apartment building may be permitted provided it is oriented towards serving the needs of the residents of the building and the immediate surrounding area. The exact range of permitted uses will be specified in the Zoning By-law.*

As per Section 3.6.5 ii) a) above, Council may permit additional convenience commercial uses on legally established convenience commercial sites through a zoning by-law amendment. The proposed donation centre is not specifically defined within the City's Zoning By-law and, as such, is not expressly listed in the range of permitted uses outlined above. However, as demonstrated through the Planning Impact Analysis in the subsequent section of this report, the proposed donation centre, at the proposed scale, is anticipated to generate less activity and be less intense than a variety of the uses permitted by the existing AC4 Zoning on the subject site. Considering the intensity of the proposed additional use, the recommended Zoning By-law amendment conforms to the intent of the policies related to convenience commercial uses within the Low Density Residential designation.

Planning Impact Analysis:

The City's Official Plan prescribes that the Planning Impact Analysis criteria identified in Section 3.7 will be used to evaluate applications for an Official Plan or Zone change, to determine the appropriateness of a proposed change in land use, and identify ways of reducing any adverse impacts on surrounding uses. It is intended that proposals for changes in the use of land which requires the application of a Planning Impact Analysis will be evaluated on the basis of the criteria relevant to the proposed change. In this regard, the following relevant criteria have been applied and considered:

- a) *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;*

As described throughout this report, the proposed donation centre would occur within an existing commercial plaza located at the intersection of two arterial roads. The donation centre use is likely to be less intensive than many of the land uses permitted by the existing Arterial Commercial Zoning applicable to these lands and, as such, is not anticipated to introduce land use compatibility issues to the surrounding neighbourhood.

- b) *The size and shape of the parcel of land which a proposal is to be located and the ability of the site to accommodate the intensity of the proposed use.*

The subject lands were developed by way of the existing commercial plaza in 1984. The site plan was designed so as to accommodate a wide range of commercial uses with varying levels of intensity and projected parking needs. The proposed donation centre is anticipated to be of

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similar or lesser intensity than many of the uses permitted by the existing arterial commercial zoning and as such staff is satisfied the size, shape and layout of the site is appropriate for the proposed additional use.

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

This application proposes a donation centre which is not specifically defined within the City's Comprehensive Zoning By-law, therefore, there are limited opportunities within the city already zoned and/or designated for the proposed use. Typically, such donation centres are operated in conjunction with a retail facility that sells second-hand products on-site. In such instances, the use is defined as a "Retail Store" and the donation/drop-off function is considered accessory to that main permitted use. Retail stores are permitted by the existing Arterial Commercial Zoning on this property.

- h) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City Streets, on pedestrian and vehicular safety, and on surrounding properties;*

The vehicular access to the existing commercial plaza on the subject site is located on Hamilton Road. No access to the site is provided on the flanking interior neighbourhood street. The proposed application does not contemplate additional accesses to the site. The proposed use at the proposed scale is not anticipated to generate any additional traffic beyond what could be expected by way of the wide range of commercial uses already permitted by the existing Arterial Commercial zoning.

Zoning By-law Z.-1:

The subject site is currently zoned Arterial Commercial (AC4) in the City of London Zoning By-law Z.-1. The Arterial Commercial (AC4) zone category also permits all of the uses contemplated for the Arterial Commercial (AC) Zone variation. The list of existing permitted uses is reflected in the following chart:

Existing Permitted Uses (AC4)	Proposed Additional Uses (AC4(_))
<ul style="list-style-type: none"> • Converted Dwellings; • Day Care Centres; • Dry Cleaning and Laundry Plants; • Animal Hospitals; • Clinics; • Convenience Service Establishments; • Food Stores; • Financial Institutions; • Home and Auto Supply Stores; • Medical/Dental Offices; • Offices; • Personal Service Establishments; • Printing Establishments; • Restaurants; • Retail Stores; • Service and Repair Establishments; • Brewing on premises Establishments. 	<ul style="list-style-type: none"> • Donation Centres (e.g. Value Village, Goodwill, Salvation Army, etc.).

The proposed donation centre use is encapsulated by the existing definition for a warehouse, however, as the subject site is located in close proximity to low density residential uses, it may not be appropriate to permit the wide range of activities associated with a general warehouse. It

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Planner: Mike Davis

is instead preferred to create a new definition which specifically reflects the function of only a donation centre facility to recognize the desired use without permitting additional activities which may not be compatible with the neighbourhood scale and character. Limiting the zone to the donation centre facility is more aligned with the existing permitted uses and more appropriate for the subject site.

As such, the recommended zoning by-law amendment results in the addition of a special provision to the existing AC4 zoning which will allow the proposed donation centre as specifically defined through this application on the subject lands. A size restriction of 270m² of gross floor area has also been incorporated in order to ensure the donation centre remains at a scale which is consistent with the existing convenience commercial function of the plaza.

CONCLUSION

The recommended Official Plan and Zoning By-law amendments have been supported by the foregoing planning analysis. The recommended amendments have been evaluated in the context of the applicable land use policy and are consistent with the policies of the *Provincial Policy Statement, 2014*, which promote healthy, liveable and safe communities by accommodating an appropriate range and mix of land uses within the municipality. The recommended amendments will provide for additional economic opportunity to diversify the local economic base in East London while striking an appropriate balance with other Official Plan objectives related to land use compatibility. The proposed donation centre will occur in an existing commercial plaza and is similar in function and intensity to the range of uses permitted by the existing Arterial Commercial (AC4) Zoning on the subject property and will not introduce the potential for significant new impacts to the surrounding land uses. Given the foregoing, the recommended amendment represents sound land use planning.

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

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Planner: Mike Davis**

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

<u>Telephone</u>	<u>Written</u>
N/A	Jennifer Wilson-Foote 88 Giles Street
	Jackie Travis 86 Giles Street
	Phil Ellis & Michelle Montay 55 Giles St.
	Bill & Bev Monck 93 Giles Street
	Doug & Helena Dishman 89 Giles Street
	Darlene Howard 85 Giles Street
	June Bielli 101 Giles Street
	Eric Wilson 84 Giles Street
	Esther Pine 91 Giles Street
	Dale Haggith 99 Giles Street
	Christine & John Price 21 Giles Street
	Kate Hill 25 Giles Street
	John G. Healey 29 Giles Street
	Brad & Laura Jones 31 Giles Street
	Jaquie S. Hamilton 80 Giles Street
	Connie Dodd 17 Giles Street
	Flavio Alessio 92 Giles Street
	Patricia Toth 95 Giles Street

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**File: Z-8457
Planner: Mike Davis**

From: [REDACTED]
Sent: Friday, March 06, 2015 7:14 PM
To: Davis, Michael W.
Subject: ZONING BY LAW Z - HAMILTON RD - DONATION CENTRE

We are opposed to the idea of putting a donation centre in the rio can building at 941,943,945 Hamilton Rd.

There is hardly enough room in the parking lot as it is to get to the subway and the drive thru.

Getting into the parking lot is even worse with traffic on Hamilton without having to deal with people just dropping things off.

Our fear is people with just start dropping things off in the middle of the parking lot or anywhere in the vicinity, when you look at the grocery stores or other parking lots that have drop off bins people just dump stuff anywhere and every one goes thru it and throws it around.

There is enough traffic and confusion on the corner on a good day let alone adding something like that to it.

We highly oppose the application to re zone and add a donation centre.

Sincerely
55 Giles St

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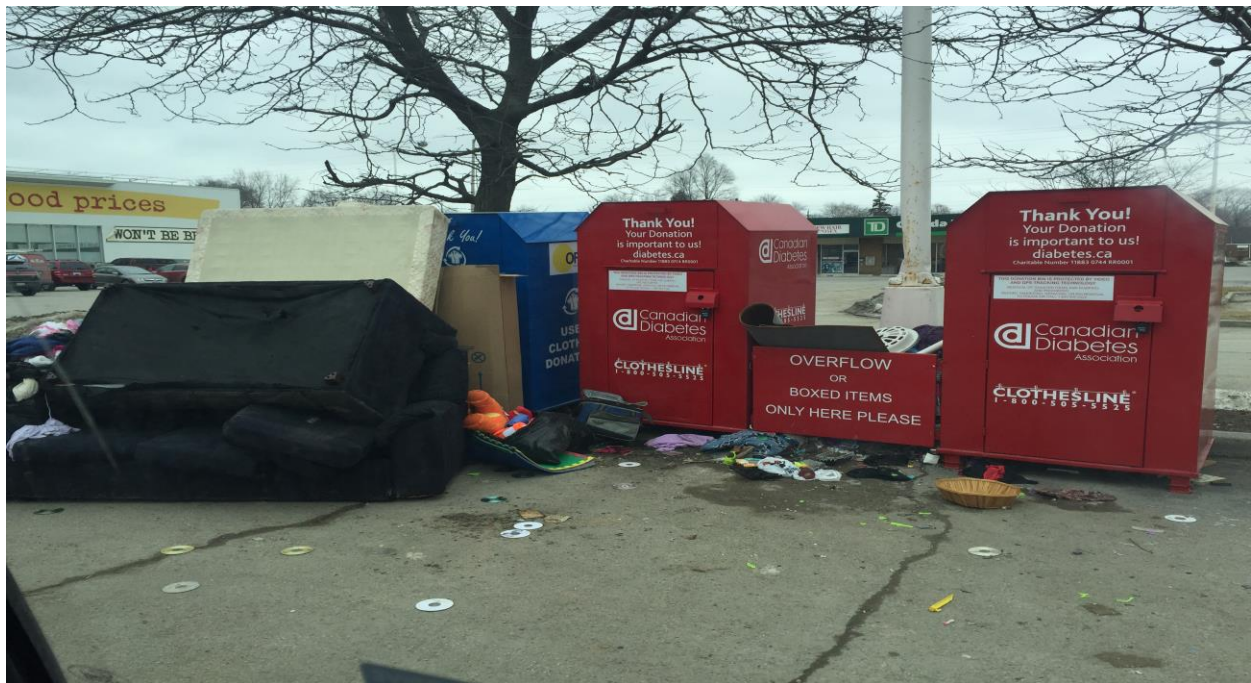
From: Jackie Travis [REDACTED]
Sent: Sunday, March 15, 2015 9:24 PM
To: van Holst, Michael; Davis, Michael W.
Subject: Z-8457 Zoning By-law
Attachments: image1.JPG; ATT00001.txt; image2.JPG; ATT00002.txt

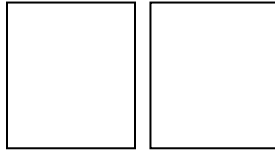
Hello, when receiving the notice of application to amend the zoning by-law, I instantly did not want this amendment to go through. There is a donation drop-off box in the No Frills parking lot across the street, and the area surrounding the box always looks like a garbage dump. I certainly don't want that to be any closer to my house than it already is.

On Giles street we already have issues with this plaza. Most customers don't pull into the parking lot as it is not easily accessible for people to drive in or out, so these people constantly park on our street. Or are coming down the street thinking there's a second entrance and upon discovering there isn't they pull into driveways right in front of you and proceed to pull back out without looking. I have also encountered someone trying to park in my driveway to walk over to subway.

Having people dropping off items at all hours of the night could cause a lot of disturbance, many of us have dogs and loud disrupting noise in the middle of the night would cause barking. Allowing a drop-off box to be located at that corner would be terrible for this neighbourhood in so many different ways.

I have already submitted a letter as did many neighbours but I wanted to expand on it, as well today I took some photos of the drop-box across the street. I wanted to show you personally what I see all the time at this location and personally do not want so close to my house. I doubt anyone would want to see this from their front door. This is the least amount of "donations" I've seen scattered around these boxes in the 5 years I've lived here.





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Planner: Mike Davis

RECEIVED
CITY OF LONDON
PLANNING DIVISION
Mar 9, 2015
MAY 11 2015
FLUSHING
PLANNING DIVISION
SUBCOMMITTEES
C. FOR ACTION
C. FOR REVIEW
C. FOR DISCUSS
C. OTHER

Attn: Mike Davis
Z-8457

We oppose zone 1 being changed. We already had a zone change back in the late 1980's.

We live on Giles St. across from the Plaza. At this present time we constantly have traffic turning onto Giles St. and using our driveways as a turn around zone. They either park on Giles St to go to the mall or return to Hamilton Rd. We really don't need an increase of traffic. As you know Highbury + Hamilton Rd. is a highly rated intersection for accidents.

We have concern that what would happen after closing time with a donation centre? Isn't it possible that people donating would just leave their donations outside in bags etc like they do at Goodwill drop off? Please give this your utmost attention + consideration.

Bill + Bev Monck 93 Giles St. [REDACTED]

PLANNING DIVISION
SCANNED

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File: Z-8457
Planner: Mike Davis

**The following letter was endorsed and submitted by 20 surrounding property owners on Giles Street.*

The City of London
Planning Services
206 Dundas Street
London, Ontario
N5A 1G7

March 9, 2015

Attention: Mike Davis, The City of London Planning Services

RE: Z-8457 – Application to amend the Zoning By-Law
Applicant: RioCan Real Estate Investment Trust
Location: 941, 943 & 945 Hamilton Road

This letter is to express my concern on the proposed application to amend the location 941, 943 & 945 Hamilton Road, London, Ontario to a Donation Centre.

It is my belief that this amendment to the zone would lower the housing re sale value of our home and greatly affect our overall neighbourhood.

If this area becomes a drop off donation sorting centre then the potential is there for unwanted items to be left at all hours of the day and night which could/would disturb the families that live close to the centre, also the potential is there for a higher increase in traffic that would endanger the young children from crossing Giles Street safely as the vehicles would be using Giles Street most of the time as it would be the easiest access to and from the donation centre over using Hamilton Road. My other concern is for items to be left for long periods of time and this would be a great eye sore for our neighbourhood.

I believe that the residents on Giles Street deal with enough unwanted traffic from the vehicles not wanting to wait to turn left onto Highbury Avenue (when they are heading West on Hamilton and wanting to head South on Highbury) the amount of speeding vehicles that use our street is very high and this would add even more volume to our residential street.

I do not want this application to amend the zoning of the building to go through; there would be too many disturbances to our homes.

Sincerely

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File: Z-8457
Planner: Mike Davis

**Bibliography of Information and Materials
Z-8457**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo Ltd., February 9, 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.

Zelinka Priamo Ltd. *Planning Justification Report*, January 29, 2015.

Zelinka Priamo Ltd. *Existing Conditions Plan*, November, 2014.

Correspondence: (all located in City of London File No. Z-8457 unless otherwise stated)

City of London -

Moore R., City of London Wastewater and Drainage Engineering. E-mail to M. Davis. March 2, 2015.

Page B., City of London Parks Planning and Design. Memo to M. Davis. February 27, 2015.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Davis. March 16, 2015.

Other:

Site visit April 15, 2015 and photographs of the same date.

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Planner: Mike Davis

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 941, 943 and 945 Hamilton Road.

WHEREAS RioCan Real Estate Investment Trust has applied to rezone an area of land located at 941, 943 and 945 Hamilton Road, 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 941, 943 and 945 Hamilton Road, as shown on the attached map comprising part of Key Map No. A108, from an Arterial Commercial (AC4) Zone to an Arterial Commercial Special Provision (AC4(_)) Zone.
- 2) Section Number 26.4 of the Arterial Commercial (AC4) Zone is amended by adding the following Special Provision:

AC4(_)	941, 943 and 945 Hamilton Road	
a)	Additional Permitted Use:	
	i)	Donation Centre which involves the receiving, sorting, and organizing of used clothing and general household items, to be temporarily stored and transported off-site. Such items will be sold off-site.
b)	Regulations:	
	i)	Gross Floor Area for Donation Centre (Max.)
		270m ² (2,900 ft ²)

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 May 26, 2015.

Matt Brown
Mayor

Agenda Item # Page #

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File: Z-8457
Planner: Mike Davis

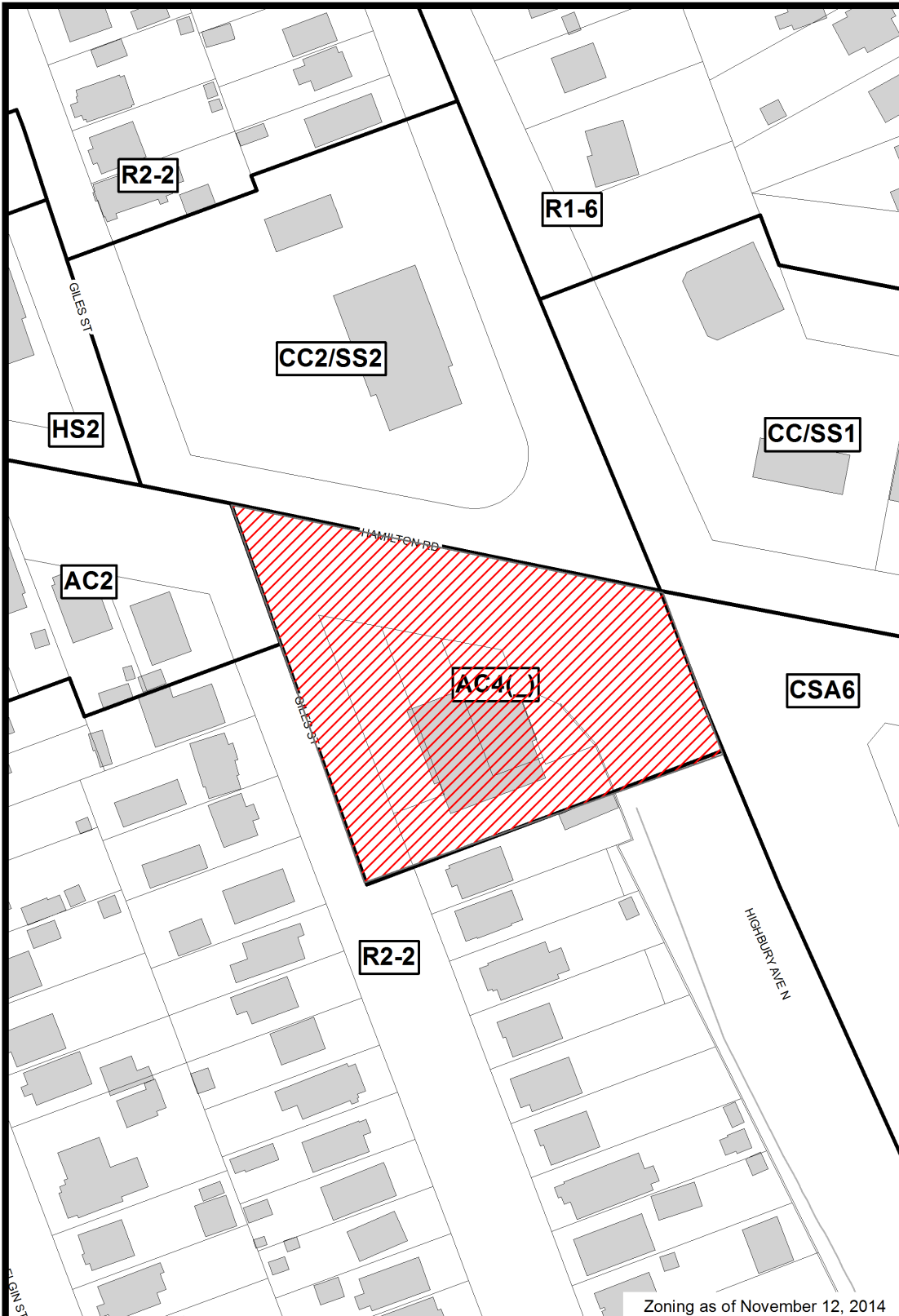
Catharine Saunders
City Clerk

First Reading – May 26, 2015
Second Reading – May 26, 2015
Third Reading – May 26, 2015

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File: Z-8457
Planner: Mike Davis

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



File Number: Z-8457
Planner: MD
Date Prepared: 2015/02/24
Technician: TT
By-Law No: Z.-1-

SUBJECT SITE 

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Geodatabase