

--	--

File: OZ-7946
Planner: B. Debbert

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: DR. E.D. ARMOGAN, M.D. 550 KINGSWAY AVENUE AND 572 WONDERLAND ROAD NORTH MEETING ON MONDAY, FEBRUARY 6, 2012

RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner to fulfill the direction given by the Planning & Environment Committee on January 16, 2012, the following actions be taken with respect to the application of Dr. E.D. Armogan, M.D. relating to the property located at 550 Kingsway Avenue and 572 Wonderland Road North:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 21, 2012 to amend the Official Plan to change the existing "Low Density Residential" designation of the subject lands by **ADDING** a special policy in Chapter 10 – "Policies for Specific Areas" to permit a professional office and a medical/dental office in a new building together with one dwelling unit.

- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on February 21, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R1 (R1-9) Zone which permits single detached, semi-detached and duplex dwellings as the main permitted uses, **TO** a Restricted Office Special Provision (RO()) Zone to permit one professional office and one medical/dental office in a new building together with one dwelling unit, with the front lot line defined as Wonderland Road North, a minimum front yard depth of 0 metres (0 feet), a maximum front yard depth of 1.8 metres (5.91 feet), a minimum interior side yard depth of 0 metres, a maximum interior side yard depth of 1.0 metres (3.28 feet), a minimum of 18 parking spaces, and a minimum setback of the parking area from the required road allowance of 0 metres (0 feet);

- (c) based on the concept design provided to the Urban Design Peer Review Panel and the Panel's recommendations, the Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan process:
 - i) the proposed building be similar in massing and design to the site concept and elevations provided in the Urban Design Brief received July 15, 2011;
 - ii) create a presence on the street by siting the building close to the north-east corner of the property or increasing the height of parking area masonry retaining wall and implementing a design that will permit select views of the building from the abutting sidewalk on Kingsway Avenue;
 - iii) provide dual entry to the residential unit to provide a residential doorway facing Wonderland Road North;
 - iv) increase the proportion of glass used in the Wonderland Road North facade and shorten the length of the water feature accordingly, in order to improve the street presence;
 - v) consider the re-use of rainwater for the water feature and the use of pervious pavement to provide additional on-site environmental management benefit;

--	--

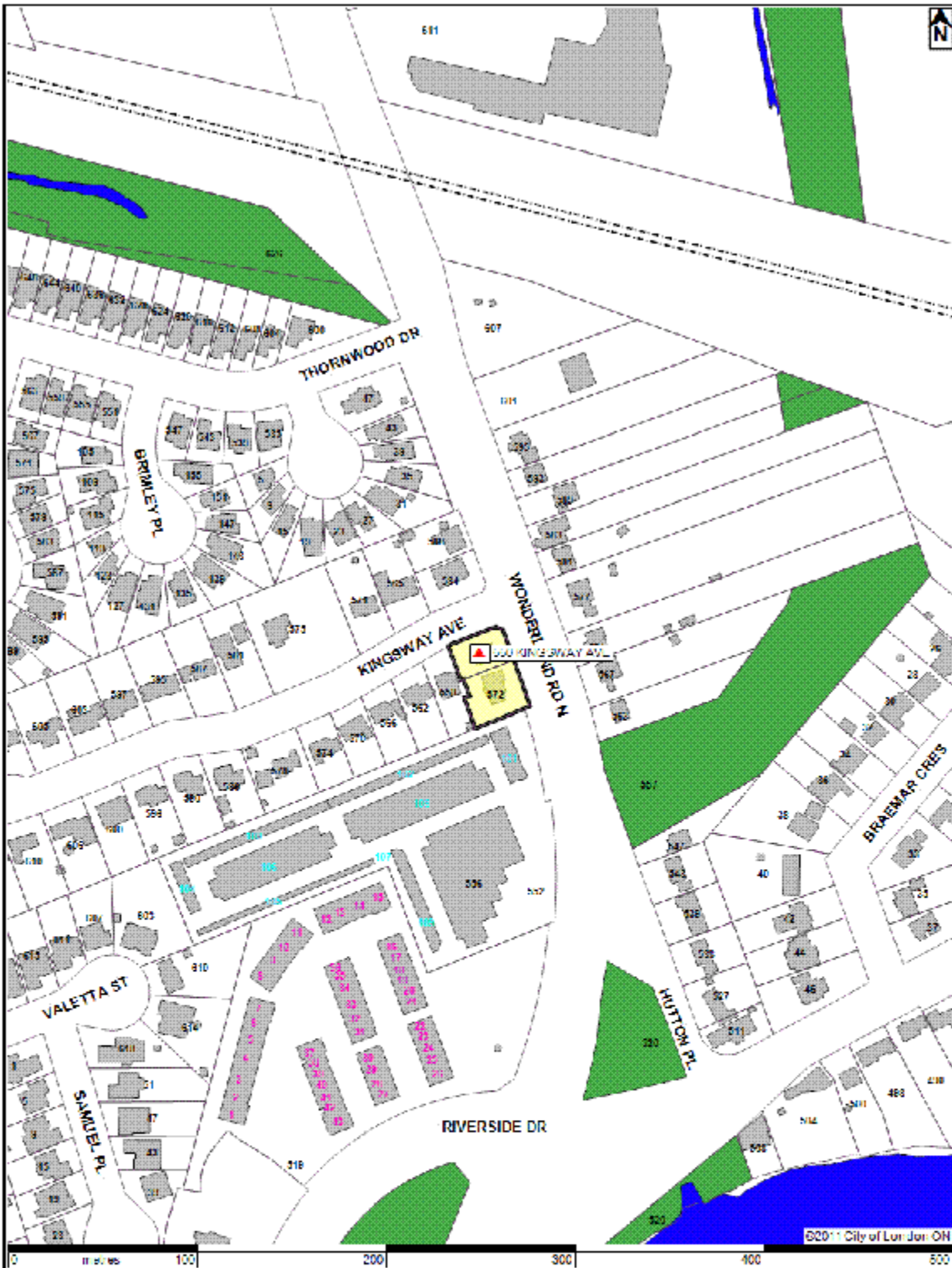
File: OZ-7946
Planner: B. Debbert

- vi) Ensure the detailed landscape plan and building design addresses implications on the street presence of the site if Wonderland Road North is widened in the future;
 - vii) Design the building or the retaining wall, as applicable, to provide sufficient daylighting at the street corner to address sight line concerns.
- (d) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as City staff identified the possible need for additional or different special provisions in the Notice of Application, and the changes from the original request were discussed at the public meeting held on January 16, 2012, are minor and technical, or bring additional clarity to the intent to combine a residential unit with an office use in a new building.
- (e) the request to amend the Official Plan by **ADDING** a policy to Chapter 10 - "Policies for Specific Areas" to permit a medical office and a residential apartment dwelling unit, **BE REFUSED** for the following reasons:
- i) The new policy must also refer to professional offices in order for the requested Restricted Office Zone to comply with the intent and purpose of the Official Plan. The use of professional offices is appropriate;
 - ii) The new policy must refer to medical/dental offices as they are typically dealt with as a single type of use in the Official Plan and are not defined separately in By-law No. Z.-1;
 - iii) The new policy should permit the office use only in conjunction with one dwelling unit to provide for a transition in use;
 - iv) The new policy should require the residential dwelling to be incorporated into the building that will house the office.
- (f) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R1 (R1-9) Zone which permits single detached, semi-detached and duplex dwellings as the main permitted uses, **TO** a Restricted Office Special Provision (RO()) Zone to permit professional offices, a medical office and a residential apartment, and to allow a reduced front yard from 8 m to 1.8 m, a reduced interior side yard from 3.6 m to 1.2 m, a reduced landscaped open space coverage from 30% to 26%, and a reduced number of parking spaces from 20 to 19 spaces, **BE REFUSED** for the following reasons:
- i) The defined use in the zoning by-law is a "medical/dental office" and is recommended to be applied rather than defining separate new uses as both are appropriate for this location;
 - ii) A different range of special provisions are required to address the desired location of the building on the site.
 - iii) The new zoning should permit the office use only in conjunction with one dwelling unit to provide for a transition in use;
 - iv) The new zoning should require the residential dwelling to be incorporated into the building that will house the offices rather than allowing multiple buildings on the site.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

January 16, 2012 - Report to Planning & Environment Committee.

--	--



<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 572 Wonderland Rd N. and 550 Kingway Ave. Applicant: Dr. E.D. Armogan M.D. File Number: OZ-7946 Planner: Barb Debbert Created By: Mark Hefferton Date: 2011-08-04 Scale: 1:2500</p> <p style="text-align: center;">Corporation of the City of London Prepared By: Planning</p>	<p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">⊗</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">123</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	⊗	Assessment Parcels	■	Buildings	123	Address Numbers
■	Subject Site										
■	Parks										
⊗	Assessment Parcels										
■	Buildings										
123	Address Numbers										

--	--

File: OZ-7946
Planner: B. Debbert

BACKGROUND

At the public meeting on January 16, 2012, the owner’s agent requested modifications to the special provisions which would:

- allow the building to be constructed up to the road allowance on Wonderland Road North;
- allow the parking area to abut the road allowance on Kingsway Avenue;
- reduce the number of required parking spaces from 20 to 18 to accommodate the required daylighting triangle; and,
- eliminate the previously requested special provision for reduced landscaped open space.

Having received a similar request on Friday, January 13, 2012, staff had not completed a full review, but did express concerns about the impact of the front yard setback reduction on the front façade of the building, if the water feature intended to be constructed on City land is not built or needs to be removed in the future to accommodate road construction.

The Planning & Environment Committee referred the application back to Planning Staff for the preparation of a Zoning By-law amendment to reflect the above requested changes. They also asked that the applicant, in the interim, discuss issues regarding privacy and lighting with the landowners at 558 Kingsway Avenue and 571 Wonderland Road North, respectively.

The Official Plan amendment as previously recommended by staff, and the revised By-law in accordance with the Planning & Environment Committee direction, are attached as Appendices “A” and “B” to this report.

PREPARED BY:	SUBMITTED BY:
BARB DEBBERT, SENIOR PLANNER COMMUNITY PLANNING AND URBAN DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

January 25, 2012

BD/

Attach

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to\7946-OZ - 550 Kingsway Ave. & 572 Wonderland Road North (BD)\OZ-7946 550 Kingsway Avenue and 572 Wonderland Road North Report to Planning & Environment 2.docx

--	--

**File: OZ-7946
Planner: B. Debbert**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2012

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

A by-law to amend the Official Plan for the City of London, 1989 relating to 550 Kingsway Avenue and 572 Wonderland Road North.

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 February 21, 2012.

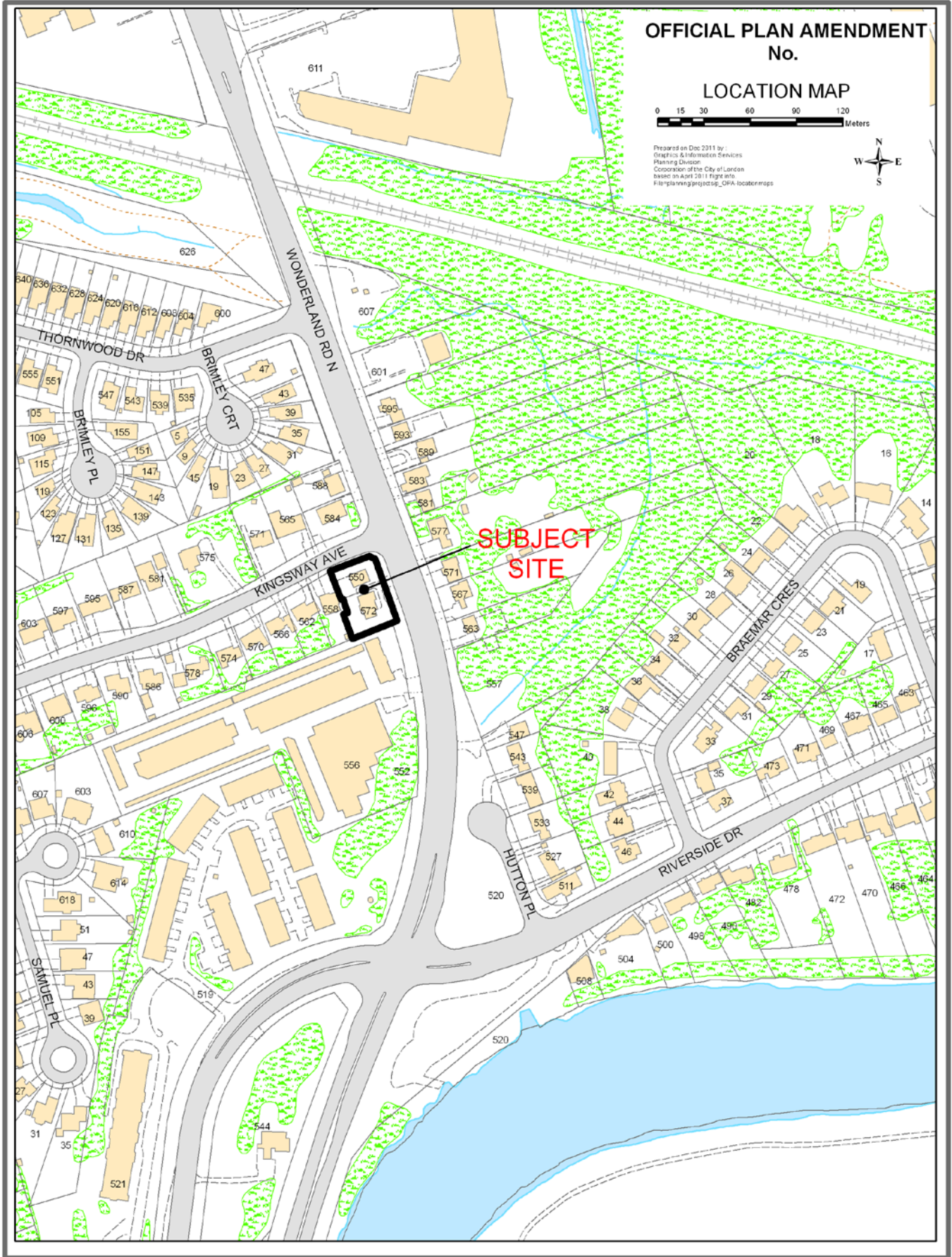
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – February 21, 2012
Second Reading – February 21, 2012
Third Reading – February 21, 2012

--	--

File: OZ-7946
Planner: B. Debert



--	--

File: OZ-7946
Planner: B. Debbert

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add a policy in Section 10.1.3 of the Official Plan for the City of London to permit a professional office and a medical/dental office in conjunction with a dwelling unit within a new building.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 550 Kingsway Avenue and 572 Wonderland Road North in the City of London.

C. BASIS OF THE AMENDMENT

The recommended Official Plan amendment to add a Specific Area Policy (Chapter 10) conforms to the criteria for the adoption of site specific policies under Section 10.1.1 in the Official Plan. Policies for Specific Areas may be applied where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designation, while allowing a site specific use.

The evaluation of the appropriateness of this use and its possible impact on surrounding land use designations was informed by relevant review criteria for the establishment of office conversions in a Low Density Residential designation, and for new offices in Multi-family, Medium and Multi-family, High Density residential designations. The recommended special policy contains restrictions on the number of office uses, and requires a residential component within the building, to minimize potential impacts and provide for a transition from commercial and office to residential use.

D. THE AMENDMENT

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

1. Section 10.1.3 – Policies for Special Areas of the Official Plan for the City of London is amended by adding the following:

550 Kingsway Avenue and 572 Wonderland Road North

In the Low Density Residential designation at 550 Kingsway Avenue and 572 Wonderland Road North, a professional office and a medical/dental office in conjunction with one dwelling unit may be permitted in a new building that shall replace the existing structures on the property.

Two empty rectangular boxes for agenda item and page numbers.

File: OZ-7946
Planner: B. Debbert

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 550 Kingsway Avenue and 572 Wonderland Road North.

WHEREAS Dr. E.D. Armogan, M.D. has applied to rezone an area of land located at 550 Kingsway Avenue and 572 Wonderland Road North, 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 550 Kingsway Avenue and 572 Wonderland Road North, as shown on the attached map compromising part of Key Map No. 64, from a Residential R1 (R1-9) Zone to a Restricted Office Special Provision (RO()) Zone.

1) Section Number 18.4 of the Restricted Office (RO) Zone is amended by adding the following Special Provision:

) RO ()

Permitted Uses

- i) One Medical/dental office in a new building together with one dwelling unit;
- ii) One Professional office in a new building together with one dwelling unit.

Regulations

- i) The lot line abutting the Wonderland Road North road allowance shall be the front lot line.
- ii) Front Yard Depth (minimum) 0 m (0 ft.)
- iii) Front Yard Depth (maximum) 1.8 m (5.91 ft.)
- iv) Interior Side Yard Depth (minimum) 0 m (0 ft.)
- v) Interior Side Yard Depth (maximum) 1.0 m (3.28 ft.)
- vi) Parking Spaces (minimum) 18

Agenda Item # Page #

--	--

File: OZ-7946
Planner: B. Debbert

- | | | |
|------|--|------------|
| vii) | Setback of Parking Area
from required road
allowance (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.

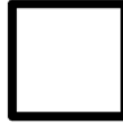
This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on February 21, 2012.

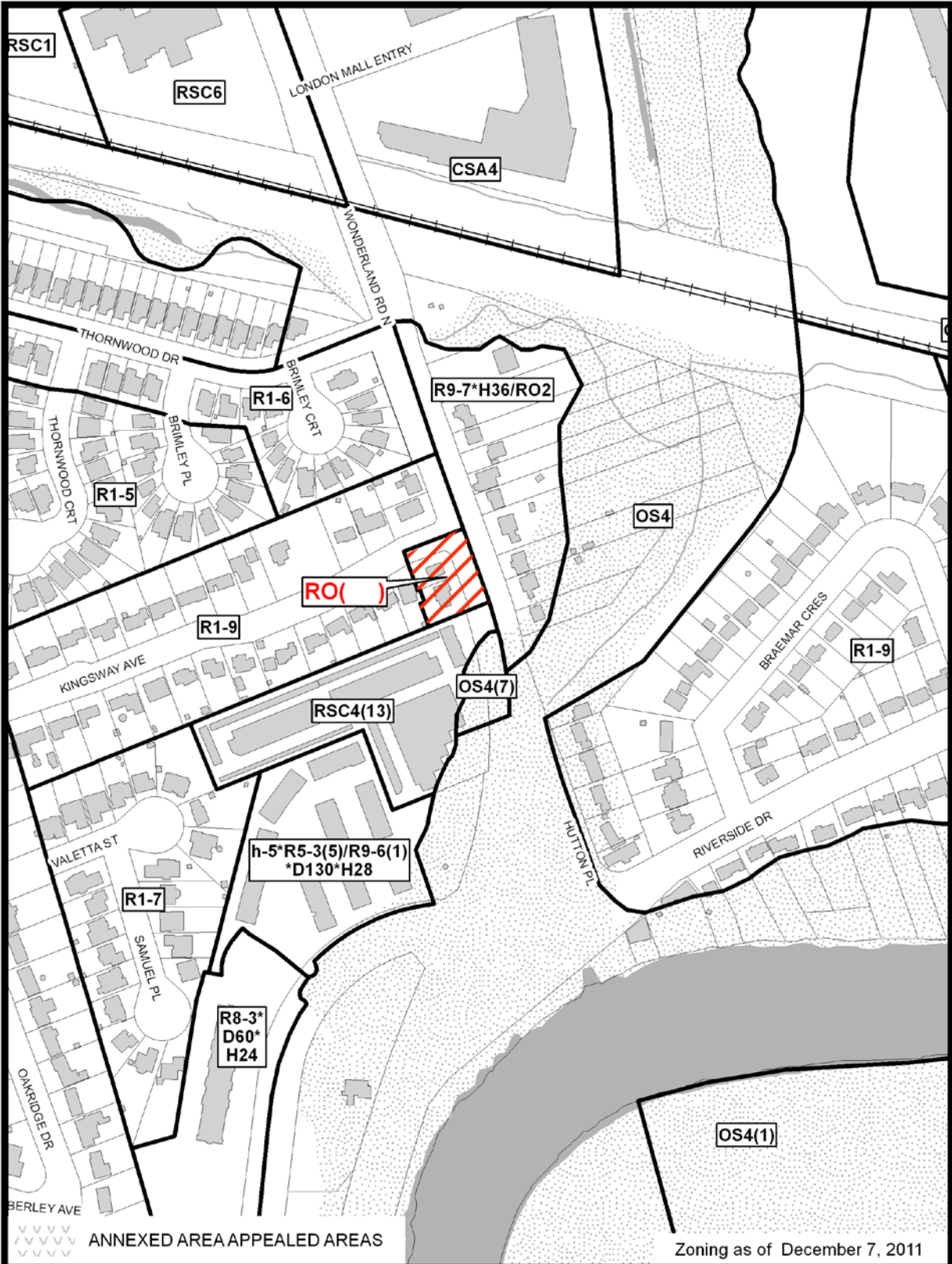
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - February 21, 2012
Second Reading - February 21, 2012
Third Reading - February 21, 2012



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



File Number: OZ-7946
 Planner: BD
 Date Prepared: 2011/12/09
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,500

0 15 30 60 90 120 Meters 

