

--	--

File: Z-8479  
Planner: J. Adema

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: CITY OF LONDON REVIEW OF THE COMMUNITY FACILITY ZONE PUBLIC PARTICIPATION MEETING ON OCTOBER 5, 2015</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London related to lands Zoned Community Facility (CF2) as well as City-wide changes to various Zoning definitions, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 13, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to modify the range of permitted uses in the Community Facility (CF2) Zone variation and to delete and replace various definitions of uses in the Zoning By-law.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

None

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
---

The purpose and effect of the recommended Zoning By-law Amendment is to review the permitted uses in the Community Facility Zone and their definitions to better reflect the changing nature of these community-supporting land uses. Changes include:

- Expanding the permitted uses in the CF2 Zone variation to include any use permitted in the CF1 Zone variation;
- Revising the definition of a "Community Centre" to clarify what range of activities and facilities may be included;
- Revising the definition of a "Recreational Building (Indoor Sports)" to list a swimming pool as a permitted facility;
- Revising the definition of a "Social Service Establishment" to specify that it may be operated by "a municipality, a non-profit agency, a local board or agent thereof;"
- Revising the definition of a "Park" to change a "swimming area" to a "swimming pool" in the list of permitted facilities and add a "spray pad;" and
- Removing a "Swimming Pool" from the list of permitted uses in the CF2 Zone variation.

These changes will ensure that the range of land uses permitted in the Community Facility Zone variations allow for the appropriate development of community centres and other community facilities, and clarify what activities and facilities are included in the permitted uses as defined by the Zoning By-law

<b>RATIONALE</b>
------------------

- The Provincial Policy Statement (2014) states that appropriate institutional and

--	--

**File: Z-8479**  
**Planner: J. Adema**

recreational amenities should be provided to sustain healthy, liveable, and safe communities,

- The Official Plan encourages services and amenities in Residential designations that enhance the quality of the residential environment,
- Community Centres and other community facilities are appropriate in the CF2 Zone variation, and
- Public recreational buildings and community centres are complimentary uses that should be permitted to locate together in the CF2 Zone variation.

<b>BACKGROUND</b>
-------------------

City staff undertook a review of the Community Facility Zone to ensure that the range of permitted uses allows for appropriate development of community centres and other community facilities. It was found that the CF2 Zone variation does not permit a wide enough range of uses to provide adequate services to communities in London, and that some of the definitions for the permitted uses are unclear as to what activities and facilities may be included. Furthermore, the permitted uses in the CF2 Zone variation are not consistent with the existing City buildings and facilities currently located within that Zone variation. The recommended Zoning By-law Amendment would permit appropriate community facilities in residential areas and land use designations. It also clarifies some of the Zoning definitions, in accordance with the Official Plan policies and objectives.

<b>PLANNING HISTORY</b>
-------------------------

None

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
---

None

<b>PUBLIC LIAISON:</b>	Notice of this Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> and posted to the City of London website on August 27, 2015.	No replies were received
<p><b>Nature of Liaison:</b> The purpose and effect of the requested Zoning By-law amendment is to update the permitted uses and applicable definitions for the Community Facility Zone. The possible changes would ensure that the range of land uses permitted in the Community Facility Zone variations allow for the appropriate development of community centres, and clarify what activities are included in the permitted uses as defined by the Zoning By-law. The possible amendment includes adding any use permitted in the CF1 Zone variation to the CF2 Zone variation; revising the definitions for a “Community Centre”, “Recreational Building”, “Social Service Establishment”, and “Park”; and deleting the definition for a “Community or Recreational Facility”.</p>		
<p><b>Responses:</b> None</p>		

--	--

<b>ANALYSIS</b>
-----------------

**Provincial Policy Statement, 2014**

The Provincial Policy Statement (PPS) is authorized by Section 3 of the *Planning Act* to provide policy direction on matters of provincial interest related to land use planning and development. With regards to building strong and healthy communities, the PPS states 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 long-term needs” (Section 1.1.1). The PPS encourages public service facilities, which includes the uses permitted in a Community Facility Zone, to be located in community hubs. This facilitates service integration and ensures accessibility by alternate transportation methods such as transit and active transportation (Section 1.6.5).

The recommended Amendment to the Community Facility Zone would allow public service facilities to be integrated in neighbourhoods at community centres or with other community facilities. The amendments promote an appropriate range of uses within neighbourhoods that support local communities, and are consistent with the policy direction given in the PPS.

**Official Plan**

Community Facility Zones are generally located within residential areas, and most of the CF1 and CF2 Zone variations are located within a Residential designation of the Official Plan. The purpose of the Residential designations is to provide for housing and other land uses that are integral to, and supportive of, the residential environment. In addition to providing a broad range of residential dwelling types in the High, Medium, and Low Density Residential designations, it is a general objective of the Official Plan for all residential designations to “Support the provision of services and amenities that enhance the quality of the residential environment” (Section 3.1.1.viii). This objective is met through the Zoning By-law’s inclusion of certain Zones, such as the Community Facility Zone, that permit development of community-supporting uses within residential areas.

Policies for the development of community facilities in Residential designations are provided in the Official Plan, which states that a range of non-residential community facilities that are normally associated with a residential environment shall be permitted in all Residential land use designations, where appropriate (Section 3.6.4). Such uses include community centres, public recreation facilities, parks, and other institutional community uses. Establishing a new community facility would require a Zone change to the Community Facility Zone or another appropriate Zone. The policies require that new community facilities shall be subject to criteria to ensure that they are compatible with the existing or planned neighbourhood, will not result in an over-concentration of community facilities, is able to function appropriately, and is subject to Site Plan Approval.

**Zoning**

The Community Facility Zone permits and regulates land uses that offer a community service function to their local community or to the City as a whole. The Community Facility Zone permits a moderate range of intensities for such community uses, with the Neighbourhood Facility Zone permitting similar uses at a lower intensity range and the Regional Facility Zone permitting similar uses at a higher intensity range.

Within the Community Facility Zone there are six variations that permit different types of community facilities. The recommended Zoning By-law Amendment focuses on the CF1 and CF2 Zone variations. The CF1 Zone variation permits various community institutional uses such as primary and secondary schools, places of worship, and libraries. Intensity of use in the CF1 zone is restricted by regulations including a maximum building height of 12m and maximum lot coverage of 30%. The CF2 Zone variation permits larger public recreation buildings such as

--	--

**File: Z-8479**  
**Planner: J. Adema**

arenas and swimming pools. The regulations for the CF2 Zone variation allow for a greater intensity than the CF1 Zone variation, including a maximum building height of 15m and maximum lot coverage of 40%. The remaining Community Facility Zone variations are specific to cemeteries and funeral homes, and various classes of group homes.

The City of London owns and operates a number of community centres and recreation facilities in the CF1 and CF2 Zone variations. An issue was identified through the review of the Community Facility Zone with regards to the CF2 Zone variation, where public recreational buildings are permitted but no other community facility uses may be developed. The nature of community facilities has evolved over time, and they now tend to include multi-purpose facilities not focused on a single recreational or community use. Community facilities typically include a combination of recreational facilities, meeting rooms, community services, libraries, and other similar uses. It is therefore appropriate that on a site where a public recreational building is permitted, a community centre should also be permitted. The need for the recommended Zoning By-law Amendment stems from the City’s initiative to establish new public facilities that provide a wide range of services to Londoners

**Planning Issues**

The narrow range of permitted uses in the CF2 Zone variation does not include enough flexibility to meet the City’s objectives regarding the provision of convenient services to Londoners. In the Service London Implementation Plan, a key component of providing better customer service is to offer a broader range of information and services at more locations. Public facilities in the CF2 Zone variation often provide good locations for such services, but they are not currently zoned to permit community centres, libraries, or other community-serving land uses.

The recommended Amendment will update the Community Facility Zone to permit appropriate uses in the CF2 Zone variation and improve some definitions to clarify what activities and facilities are intended in each permitted use. Specific considerations for each component of the Zoning By-law Amendment are described below.

*1. Addition of CF1 Permitted Uses to the CF2 Zone Variation*

The primary intent of the CF2 Zone variation is to provide locations for public recreational buildings including arenas, swimming pools, recreation centres, and other indoor sports facilities. These uses are not typically developed in single-purpose or stand-alone facilities, and usually function best when combined with other community facilities. In London there are multiple examples of permitted uses in the CF2 Zone variation operating in combination with other community facilities. The examples listed below indicate some locations where recreational buildings are on sites shared with other community amenities:

<b>Community Facility</b>	<b>Amenities Included</b>
Byron Optimist Community Centre	Outdoor pool, community centre, gymnasium, various outdoor sports facilities
Carling Heights Optimist Community Centre	Indoor pool, community centre, offices, other recreational amenities
Carling Recreation Centre	Arena, offices, various outdoor sports facilities
Earl Nichols Recreation Centre	Arena, community centre
East Lions Artisan Centre	Outdoor pool, community centre, artist studios, various outdoor sports facilities
North London Optimist Community Centre	Indoor sports facility (roller skating, gymnasium, squash courts, etc.), community centre, offices
Stoney Creek Community Centre	Indoor pool, community centre, library, gymnasium, offices

--	--

**File: Z-8479**  
**Planner: J. Adema**

Stronach Community Recreation Centre	Outdoor pool, arena, gymnasium, offices, multipurpose room
--------------------------------------	--

The recommended Amendment would add permitted uses in the CF1 Zone variation to the list of permitted uses in the CF2 Zone variation, enabling recreational buildings to co-locate with community centres or other community facilities. These uses are compatible with each other, provide services to the local community, and are appropriate for the residential context that surrounds each site in the Community Facility Zone. The Amendment would also enable community centres or other community facilities to be established on properties zoned CF2 that do not include a recreational building. Community facilities are appropriate on these sites as they are generally situated within residential areas where neighbourhood level services should be available.

*2. Revised Definition for a “Community Centre”*

The recommended Zoning By-law Amendment would update the definition of a “Community Centre” to provide clarification regarding what activities and facilities may be included. This amendment is not intended to change what is permitted in Community Centres, but clarifies the intent when a Community Centre is listed as a permitted use. The revised definition is below, with added wording in bold and underlined:

"COMMUNITY CENTRE" means any tract of land and the buildings **and facilities** thereon used for recreational, **leisure**, or institutional community activities and not used for commercial purposes **and may include a Social Service Establishment**, and the control of which is vested in the municipality, a non-profit organization, a local board or agent thereof.

The Amendment clarifies that a community centre may include facilities that are not necessarily buildings, and may include leisure activities that provide an amenity to residential areas. This revision makes it clear that facilities such as an outdoor swimming pool may be included where a Community Centre is a permitted use.

The updated definition also specifies that a Community Centre may include a “Social Service Establishment,” which is a defined use in the Zoning By-law. As part of the Service London initiative more services will be available throughout the City to provide better levels of service to Londoners. Including a Social Service Establishment in the definition for a Community Centre clarifies that any use falling within that definition is an appropriate component of a Community Centre.

The inclusion of a Social Service Establishment in the Community Centre definition also requires a revision to its definition in the Zoning By-law. Currently the definition states that a Social Service Establishment may include services offered by a non-profit agency. The recommended Amendment would expand this to include a “municipality, a non-profit organization, a local board or agent thereof.”

*3. Delete the Definition for a “Recreation or Community Centre”*

The Zoning By-law includes definitions for a “Community Centre,” “Recreational Building (Indoor Sports),” and “Recreation or Community Centre.” These definitions are redundant, so the definition for a “Recreation or Community Centre” should also be removed from the Zoning By-law to improve its overall clarity. The definitions for these uses are provided below, including revised wording in bold and underlined:

"COMMUNITY CENTRE" means any tract of land and the buildings **and facilities** thereon used for recreational, **leisure**, or institutional community activities and not used for commercial purposes **and may include a Social Service Establishment**, and the control of which is vested in the municipality, a non-profit organization, a local board or agent thereof..

--	--

File: Z-8479  
Planner: J. Adema

"RECREATIONAL BUILDING (Indoor Sports)" means a building designed and intended to accommodate various forms of indoor sports and recreation and may include an arena, tennis, squash, handball and badminton courts, roller rinks, **and swimming pools**. Playing areas in tennis, squash, handball and badminton courts are to be excluded for the purpose of calculating parking requirements.

"RECREATION OR COMMUNITY CENTRE" means a public building used for recreation or social activities, meetings or other leisure activities.

The updated Community Centre definition includes land, buildings, and facilities that are used for "recreational, leisure, or institutional community activities." A "Recreational Building (Indoor Sports)" permits "buildings that are designed and intended to accommodate various forms of indoor sports and recreation." These two defined uses may be applied to permit any use that could be permitted by the definition for a "Recreation or Community Centre." Further evidence of the redundancy of the "Recreation or Community Centre" use is that the term has not been applied to any Zones or special provisions in the Zoning By-law, in fact the only place it is mentioned in the Zoning By-law is in the list of defined uses in Section 2.

A recreational building may be limited to public uses only by adding the prefix "public" to the "Recreational Building (Indoor Sports)" use. This approach is applied in the CF2 Zone variation. For the sake of clarification and consistent application of defined terms, it is recommended that the definition for a "Recreation or Community Centre" be deleted.

4. Clarification Regarding Indoor and Outdoor Pools

The Zoning By-law is unclear with regards to where swimming pools may be permitted in the Community Facility Zone, and also whether it matters if those pools are located indoors or outdoors. The recommended Amendment clarifies where pools may be located.

The permitted uses in the CF2 Zone variation currently include a "Recreational Building (Indoor Sports)" and a "Public Swimming Pool." The definition of a "Recreational Building (Indoor Sports)" includes "buildings that are designed and intended to accommodate various forms of indoor sports and recreation." This definition may include an indoor swimming pool, so the reason to also list a "Public Swimming Pool" separately is unclear. The recommended amendment clarifies that a swimming pool is permitted in a "Recreational Building (Indoor Sports)," and removes the undefined use from the CF2 Zone variation.

Outdoor swimming pools are currently located in several parks and community centre sites, although they are not specifically listed as a permitted uses in the applicable Zones. This includes one instance where an outdoor pool is located in the CF1 Zone variation (Southcrest Park). Because outdoor pools do not require large buildings, an outdoor pool may be permitted in the CF1 Zone variation as a component of a Community Centre.

The definition for "Park" will also be updated in the recommended Amendment to clarify that swimming pools and spray pads are permitted. The current definition states that a "swimming area" may be permitted, but this term could be interpreted to include a pool or other outdoor swimming location. The intent of the definition is to permit swimming pools, so the revised definition removes the uncertainty. The complete revised definition is below with changes in bold and underlined:

"PARK" means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities including, but not necessarily restricted to, a recreational playground, a golf course, a driving range, a ski hill, a play area, a bandstand, a skating rink, a horticultural greenhouse, a zoological garden, an historical establishment, a bowling green, a tennis or badminton court, a playfield, a running track, **a swimming pool, a spray pad**, a wading pool, a boating

--	--

**File: Z-8479**  
**Planner: J. Adema**

pond or lake, a watercourse, a refreshment booth, a picnic area, or an auditorium or place of assembly.

- a) "PRIVATE PARK" means a park, other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park.
- b) "PUBLIC PARK" means a park owned or controlled by a public authority

<b>CONCLUSION</b>
-------------------

The City of London's strategic plan to improve customer service includes improving the in-person experience by providing access to a broader range of information and services at more locations. Community Centres and other community facilities are noted in the Official Plan as important to enhance the quality of the residential environment. Current provisions in the Community Facility Zone permit community centres, libraries, and other similar uses in the CF1 Zone variation, but only recreational buildings and studios in the CF2 Zone variation. Community Centres and other community facilities are appropriate for the CF2 Zone variation and should be permitted. This Amendment would allow the appropriate development of desirable, community-supporting uses on lands Zoned CF2 and will clarify the intent of some defined uses in the Zoning By-law.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>JUSTIN ADEMA, MCIP, RPP PLANNER II, LONG RANGE PLANNING AND RESEARCH</b>	<b>GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

September 24, 2015

JA

Y:\Shared\policy\CITY INITIATED FILES\8479Z - CF Zone Review\Z-8479 Report.docx

--	--

File: Z-8479  
Planner: J. Adema

**Bibliography of Information and Materials  
Z-8479**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by the City of London, April 13, 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.



--	--

**File: Z-8479  
Planner: J. Adema**

**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 amend the permitted uses in the Community Facility (CF2) Zone.

WHEREAS The City of London has completed a review of the Community Facility (CF) Zones,

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) Section Number 2 "Definitions" to Zoning By-law Z.-1 is amended by deleting the definition of a "Community Centre" in its entirety and replacing it with the following definition:

"COMMUNITY CENTRE" means any tract of land and the buildings and facilities thereon used for recreational, leisure, or institutional community activities and not used for commercial purposes and may include a Social Service Establishment, and the control of which is vested in the municipality, a non-profit organization, a local board or agent thereof.

- 2) Section Number 2 "Definitions" to Zoning By-law Z.-1 is amended by deleting the definition of a "Recreational Building (Indoor Sports)" in its entirety and replacing it with the following definition:

"RECREATIONAL BUILDING (Indoor Sports)" means a building designed and intended to accommodate various forms of indoor sports and recreation and may include an arena, tennis, squash, handball and badminton courts, roller rinks, and swimming pools. Playing areas in tennis, squash, handball and badminton courts are to be excluded for the purpose of calculating parking requirements.

- 3) Section Number 2 "Definitions" to Zoning By-law Z.-1 is amended by deleting the definition of a "Social Service Establishment" in its entirety and replacing it with the following definition:

"SOCIAL SERVICE ESTABLISHMENT" shall mean a building or part thereof in which services intended to promote and improve the independence, economic self-sufficiency, social and health development of citizens are provided by a municipality, a non-profit organization, a local board or agent thereof; and shall include but not be limited to clerical, administrative, consulting, counselling, training, distribution and storage of food, clothing or household items, preparing or serving of food for immediate consumption either on or off the premises, drop-in services and recreational functions.

- 4) Section Number 2 "Definitions" to Zoning By-law Z.-1 is amended by deleting the definition of a "Park" in its entirety and replacing it with the following definition:

"PARK" means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities including, but not necessarily restricted to, a recreational playground, a golf course, a driving range, a ski hill, a play area, a bandstand, a skating rink, a horticultural greenhouse, a zoological garden, an historical establishment, a bowling green, a tennis or badminton court, a playfield, a running track, a swimming pool, a spray pad, a wading pool, a boating pond or lake, a watercourse, a refreshment booth, a picnic area, or an auditorium or place of assembly.

--	--

**File: Z-8479**  
**Planner: J. Adema**

- c) "PRIVATE PARK" means a park, other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park.
  - d) "PUBLIC PARK" means a park owned or controlled by a public authority
- 5) Section Number 2 "Definitions" is amended by deleting "Recreation or Community Centre" in its entirety
- 6) Section Number 32.2 "Permitted Uses" in the Community Facility (CF) Zone is amended by adding the following to the list of Permitted Uses in the CF2 Zone variation:
- \_ ) Any use permitted in the CF1 Zone variation
- 7) Section Number 32.2 "Permitted Uses" in the Community Facility (CF) Zone is amended by deleting the following from the list of Permitted Uses in the CF2 Zone variation:
- b) Public swimming pools

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

PASSED in Open Council on October 13, 2015.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 13, 2015  
Second Reading – October 13, 2015  
Third Reading – October 13, 2015